

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MARCH 25, 2024 WITH PRESIDENT DON KEMP PRESIDING. COUNCILMAN WALKER OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. KRIS KREINBIHL
MR. DAN LANZER
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. STEVE RIPPETH
MR. TOM SIMMELINK
MR. MIKE WALKER

EXCUSED ABSENCES: LAW DIRECTOR FETE

- MR. PACE MOTIONED FOR AN EXECUTIVE SESSION AT SAFETY DIRECTOR POPHAM'S REQUEST
MR. RIPPETH SECONDED THE MOTION
7 YEAS
AN EXECUTIVE SESSION WILL BE HELD THE END OF TONIGHT'S COUNCIL MEETING

- .MR. LANZER MOTIONED TO ADD RESOLUTION 6-2024 TO TONIGHT'S AGENDA
MR. RIPPETH SECONDED THE MOTION
7 YEAS
RESOLUTION 6-2024 HAS BEEN ADDED TO TONIGHT'S AGENDA

- MR. SIMMELINK MOTIONED TO APPROVE TONIGHT'S AGENDA
MR. KREINBIHL SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN APPROVED

- MR. RIPPETH MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON MARCH 11, 2024 AND THE SPECIAL SESSION OF COUNCIL ON MARCH 18, 2024
MR. WALKER SECONDED THE MOTION
6 YEAS, 1 ABSTAINED (MR. SIMMELINK)
MINUTES FROM BOTH MEETINGS HAVE BEEN APPROVED

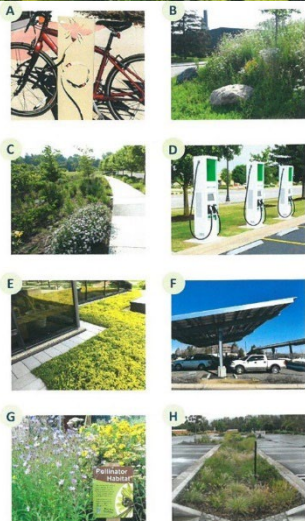
CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Mayor Day, dated March 15, 2024. This is a forwarded email titled "Draft Chapters" which states the following "please review this draft and bring comments or questions to the March 19th at 2:00 PM Meeting with Wendy Mohler with Compass Point Planning.*
2. *To Councilman Walker from President Kemp, dated March 18, 2024. This is an email with a Liquor License Request from Wein Hotels. President Kemp asked Mr. Walker to take this request into his Committee.*
3. *To Council and Administration from Law Director Fete, dated March 21, 2024. This is an email stating he will be out of office the week of March 25 through March 29 and on Thursday, April 4.*
4. *To Councilman Lanzer from President Kemp, dated March 22, 2024. This is a*

forwarded email titled "Please Assign to the Public Works Committee". It's in regards to an ODOT Project.
 5. To Council and Administration dated March 25, 2024. The Mayor's Report.

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY.....EXCUSED ABSENCE
 Mayor Day had the following report:

The Benefits of MWCD's Move to the Technology Park



The decision by the Muskingum Watershed Conservancy District to consolidate its operations at a new location on Tech Park Drive NE is in sync with the Tech Park's founder's original intent. Quoting from the minutes of the Tuscarawas Research and Technology Park Kick-off Meeting of February 3, 2005: **"We need to translate the special qualities to the physical environment: create a sense of place, we must encourage and enhance interdisciplinary work and interaction, foster casual and formal connections. When people visit our park, they should think 'I want to be a part of this!'"**

By viewing the proposed campus design and its amenities, you can see that MWCD's plan fits many aspects of the founder's vision. Its proximity to Buckeye Career Center and the Kent State-Tuscarawas campus should create exciting opportunities for students seeking careers related to MWCD's mission of land management and environmental preservation. The walking trails included in the campus' design will tie into the trails on the KSU-Tusc campus and into the connector trail that will be built this year to downtown New Philadelphia. They fit into the City's plan to use trails to encourage health, wellness, family activities and an appreciation of New Philadelphia's rural setting.

Thank You Dr. Nick Weininger

Business growth is always encouraged in New Philadelphia. I was pleased to read the recent announcement that Dr. Nick Weininger will be moving his dental practice this fall into a new building at 170 Marketplace Commons SW behind BW3's on West High Avenue. Thank you Dr. Weininger for choosing to keep your growing practice in New Philadelphia. I look forward to attending the ribbon-cutting ceremony at the new location.

The First Draft of the City's New Zoning Code is Nearly Finished

Revisions to the City's regulations on signs was the topic of last week's Planning Commission workshop with Wendy Moeller of Compass Point Planning. If you weren't able to attend, the link to follow to watch the recording on YouTube is here:

<https://youtu.be/jfDhYYsRuQc?si=PFV1TF57CnaVAik->

At the conclusion of the workshop, Ms. Moeller said she will now prepare the first draft of the new zoning code to present to the Planning Commission during its April 9th meeting. In the meantime, she also plans to hold a virtual meeting with members of the City's Downtown Design Standards Board of Review to go over the zoning revisions that affect the downtown area.

Celebrate Easter

My favorite Easter Bible passage is John 3:16. It puts the reason we celebrate Easter into one sentence. City offices will be closed on Good Friday.

SERVICE DIRECTOR..... Service Director Ron McAbier:

Mr. McAbier had the following report:

We're going to start flushing on Sunday, April 7th and that will go on for a week. We'll start out on the Southside on Mill Ave. to the dog park area of Southside Park. We usually get dirty water calls at that time. If you happen to get any of those tell them to run cold water (not hot) and it will clear up. It will last all week. We'll be done on the 14th. Today we had a Board of Control Meeting. At the last meeting we talked about CDBG bid opening. We awarded that today to Shelley Company the amount of \$125,980.40. We're going to go around College Ave. curbs and then come up on 11th St. and continue to East High. Also, at the last meeting you wanted some updates on the bleachers. I met with Mr. Haney and the foreman and the guys from Dover Tank and Plate the next day to get an update. The General Contractor for the job is Dover Tank and Plate. They hope to have the drawings sent over and approved by May 6th. They'll have some fabrication drawings over to them the following week. From that point you have to wait for around 5 weeks for the delivery of the structural steel, which is around June 10th. At that point the work will begin with a completion date right before the first football game. That area needs to be avoided for now. They're going to take a piece of the stadium off and try to mimic it at Dover Tank and Plate. The big hope is that all the piers are solid. If they can stay on the piers and get the bolts out and put the bolts back in.

Mr. Rippeth had the following question:

How is the stadium project going to effect First Town Days?

Mr. McAbier:

They'll make it work, whatever they have to do. They're allowing for the Run for Home too.

Mr. Pace had the following question:

Just to follow up on the crosswalk beacons on North Broadway and Tuscora, will that be done after First Town Days?

Mr. McAbier:

Yes, ODOT's physical year starts July 1st, which is also why the Connector Trail work will start July 1st.

Mr. McAbier yielded the remainder of his time to Code Administrator Josh Mathias. Mr. Mathias gave a presentation about the Vacant Property Registry.

Mr. Mathias:

This registry is now rolled out as of today. We're requiring all property owners to annually register vacant buildings within the City of New Philadelphia. The registry includes any type of vacant building; residential, commercial, and industrial. Buildings with multiple units are required to register only if more than half of the available units are vacant. A fee will be charged at the time of registration, and the fee varies depending on the type of building it is and how long its been vacant. There are exterior inspections required with this registry. That's to insure that adequate property maintenance is being kept up. Exemptions include buildings that are under construction or renovation. Also, buildings that suffered severe fire or weather related damage are exempt, as long as

there are active, ongoing efforts to restore that building. Also exempt are buildings for sale that are listed with a licensed, State of Ohio realtor. This is a tool to keep track of our vacant buildings. The information will be shared with other city departments, such as the police and fire department, and water department. The end goal is to get these places occupied.

President Kemp asked Mr. Mathias how the word is getting out. Mr. Mathias said its listed on the City's website. Letters are being sent out to property owners as well.

Mr. Lanzer said he appreciates the quickness of getting this program rolled out.

Mr. Mathias stated that the program will be rolled out City wide.

Mr. Rippeth asked Mr. McAbier for a schedule of the hydrant flushings. Mr. McAbier said he would get that sent out to Council members and post it on the City website.

AUDITORMS. BETH GUNDY

Mrs. Gundy had the following report:

I want everyone to be aware I will not be here on April 8th. I will be out of town.

SAFETY DIRECTORMR. GREG POPHAM.....NO REPORT

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TREASURER . . . MR. TOM GERBER.....NO REPORT

LAW DIRECTOR.....MR. MARVIN FETE.....EXCUSED ABSENSE

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY.....EXCUSED ABSENSE

The Planning Commission had a workshop with Wendy Moehler last week. The link to the YouTube Video is included in my Mayor's Report. At the conclusion of the workshop Ms. Moehler said she'll Now prepare the first draft of the new zoning code to present to the Planning Commission during Its April 9th Meeting. That will be at 1:00 PM on April 9th. At that time she also plans to have A virtual meeting with members of the City's Downtown Design Standards Board of Review to Go over the zoning revisions that affect the downtown area. The zoning code will be very helpful In addressing some problems we have now, and also future planning in the City.

BOARD OF ZONING APPEALS.....MR. RON MCABIER

The Board of Zoning Appeals will meet April 9th at 5:00 PM in Council Chambers. Right now There are two variance requests to be heard.

AIRPORT COMMISSION.....MR. DAN LANZER.....NO REPORT

PARK BOARD.....MR. MITCH PACE

I want to give an update on the Waterworks. TJ Geers with the Youth Girl's Softball says they Raised \$17,000 at their Night at the Races event. They'll be taking that money and building New dugouts on Field 8, which is right on South Broadway. Also, Girl's Softball and Boy's Baseball will be starting next week so you'll see a lot of kids down at the Waterworks. Also, We're one month away from the 2nd Annual New Phila. Trout Derby. It's going to be another Great event. Also, the Park Foundation had a very successful pancake breakfast two Saturdays ago. Over 500 people were served and about \$3,000 was raised.

CEMETERY BOARD.....MR. MITCH PACE.....NO REPORT

HEALTH BOARD MR. TOM SIMMELINK

This was announced by the Mayor at the Special Council Meeting last Monday. The Health Department got its accreditation, which is an important hurdle for them.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. STEVE RIPPETH.....NO REPORT

. President Kemp thanked Mr. Rippeth and his Committee for getting the budget done before the March 31 deadline.

PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE...MR. DAN LANZER

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee met this evening at 7:15. We had one item to discuss, Resolution 6-2024. We voted it 2-1 to bring it to Council for a 1st Reading tonight. We adjourned at 7:29 PM.

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. TOM SIMMELINK....NO REPORT

ZONING AND ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....NO REPORT

SALARY COMMITTEE.....NO REPORT.....MR. KRIS KREINBIHL....NO REPORT

PARKS AND CEMETERY COMMITTEE.....MR. MITCH PACE.....NO REPORT

SPECIAL AND CONTACT COMMITTEE.....MR. MIKE WALKER.....NO REPORT

Mr. Walker had the following report:

The Special and Contact Committee met tonight at 7:00 PM. We had two items on the Agenda, the first item was a Liquor License Request for Wien Hotels LLC doing business as the Shoenbrunn Inn. We voted to move that to the floor for a vote for no hearing.

MR. WALKER MOTIONED FOR A ROLL CALL VOTE TO APPROVE
NO HEARING FOR THE LIQUOR LICENSE REQUEST FOR WIEN
HOTELS LLC
MR. SIMMELINK SECONDED THE MOTION
7 YEAS
THERE WILL BE NO HEARING REQUESTED FOR THIS LIQUOR LICENSE
REQUEST

Mr. Walker had the following comment:

The second item on the Agenda is a Liquor License request for Sarai Petroleum LLC, which is the former Fuel Depot. As a Committee we agreed to bring this to a floor vote. We would like this to go to a hearing. A yes vote would be yes to go to a hearing.

ROLL CALL VOTE TO APPROVE THE
SUGGESTION THAT THE LIQUOR LICENSE REQUEST FOR SARAI
PETROLEUM GO TO A HEARING
7 YEAS
THE LIQUOR LICENSE REQUEST FOR SARAI PETROLEUM LLC WILL
GO TO A HEARING

Mr. Walker stated that the Meeting adjourned at 7:04.

VISITOR’S COMMENTS

Allison Sommers of 5555 St. Rt. 212 Mineral City had the following comment:

I don’t live in the City but I do have a business at Ohio Guidestone and I work in the City in the baseball/ softball facility at the mall. I’m here today to propose the idea of bringing E Scooters into the City. I emailed several people throughout the course of two years regarding this, it’s just been kind of pushed back and forth regarding who I need to talk to. Everybody said I need to come to a Council Meeting. I have a fleet of four e scooters, they’re like the electric scooters that you see in the big cities. These are round trip scooters where people get on a base, take a trip, and return them to their starting place. That avoids the mess of them being left out and about and not looking nice. I did have them last summer placed out in several areas of the community and they did fairly well. I thought with a lot of the upcoming trails it would be a good idea in the City for people to get out and about on the scooters. The scooters can be geofenced, so if there’s any areas in the City where you don’t want them to be such as Tuscora Park, you can geofence around the area so that the scooter slows down and shuts down before it gets to that area.

President Kemp asked Ms. Sommers to send information regarding the e scooters to his email address.

Ms. Sommers commented that scooters have the same laws as bicycles, not mopeds.

Mr. Pace had the following question:
How far do the scooters travel?

Ms. Sommers:
They travel about 20 to 30 miles. A business now has scooters in the City of Dover so those scooters can come this way as well.

Mrs. Ramos had the following question:
You said that these had to based somewhere, but you said you talked to several businesses so they would be based in different places?

Ms. Sommers:
Yes, last year I had them in Bolivar at Massarelli Sports Complex, Donnie's on the Lake, and a winery in Bolivar. I would post on my facebook where the Scooters would be. People would have to follow my scooter page to see where there would be.

Mrs. Ramos had the following question:
Who gets the money from the funds raised from this?

Ms. Sommers:
The funds go to my business. I have an LLC for them. The app company does all the sales permitting.

COUNCIL COMMENTSNONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

7-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE 145.02, TO UPDATE THE ORDINANCE WITH THE CURRENT CITY DEPARTMENT NAMES.
3rd Reading

MR. WALKER MOTIONED FOR APPROVAL OF ORDINANCE 7-2024
MR. RIPPETH SECONDED THE MOTION
7 YEAS
ORDINANCE 7-2024 HAS BEEN APPROVED

8-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND THE CITY'S CODIFIED ORDINANCES FOR THE PURPOSES OF CHANGING THE TITLE OF "BUILDING INSPECTOR" TO "CODE ADMINISTRATOR" AND UPDATING THE DUTIES OF THE SAME.
2nd Reading

MR. WALKER MOTIONED FOR APPROVAL OF ORDINANCE 8-2024
MR. LANZER SECONDED THE MOTION
7 YEAS
ORDINANCE 8-2024 HAS BEEN APPROVED

12-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CHAPTER 901 OF THE CODIFIED ORDINANCES OF THE CITY OF NEW PHILADELPHIA FOR THE PURPOSES OF UPDATING THE SAME AND INCREASING PERMIT FEES FOR EXCAVATION AND CURB CUTTING.
3rd Reading

MRS. RAMOS MOTIONED FOR APPROVAL OF ORDINANCE 12-2024
MR. WALKER SECONDED THE MOTION
7 YEAS
ORDINANCE 12-2024 HAS BEEN APPROVED

RESOLUTIONS:

6-2024 THE FOLLOWING RESOLUTION ENACTED BY THE CITY OF NEW PHILADELPHIA, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/ LOCAL PUBLIC AGENCY OR “LPA”, IN THE MATTER OF THE STATED DESCRIBED PROJECT.
1st Reading

At 8:07 Council Adjourned into a 5 Minute Recess. At 8:13 Council went into Executive Session. Council reconvened into Regular Session at 8:18 PM.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Mr. Pace had the following comment:

Regarding the e scooters that Ms. Sommers spoke about tonight. Just thinking through this, I don't know if it even needs to go to a Committee. If they're already allowed to be on the road, I don't know if we should be holding her up to give her a yes.

Mr. Walker commented:

She's just connecting that to a business. She's asking permission from a business.

Mr. Kreinbihl commented that there are scooters on the road today.

Mayor Day suggested that Council consult the Law Director and Safety Director.

With no other business to discuss Mr. Lanzer motioned to adjourn at 8:21 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp