

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 10, 2022 WITH PRESIDENT KEMP PRESIDING. PRESIDENT PRO TEM KELLY RICKLIC OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DEAN HOLLAND  
MR. DAN LANZER  
MRS. AIMEE MAY  
MRS. CHERYL RAMOS  
MR. KELLY RICKLIC  
MR. JIM SELDENRIGHT

EXCUSED ABSENSES

MR. MITCH PACE  
PRESIDENT DON KEMP

- MRS. RICKLIC MOTIONED TO ADD RESOLUTION 32-2022 TO TONIGHT'S AGENDA  
MRS. MAY SECONDED THE MOTION  
6 YEAS  
RESOLUTION 32-2022 HAS BEEN ADDED TO TONIGHT'S AGENDA
- MR. LANZER MOTIONED TO APPROVE THE MINUTES FROM THE SEPTEMBER 26, 2022 REGULAR SESSION OF COUNCIL  
MR. LANZER SECONDED THE MOTION  
6 YEAS  
MINUTES FROM THE SEPTEMBER 26, 2022 COUNCIL MEETING HAVE BEEN APPROVED

*\*President Pro Tem Ricklic requested that the Legislative Agenda be moved up to before Correspondence tonight so Mr. Holland can leave early due to illness.*

VOICE VOTE FROM COUNCIL TO APPROVE MR. RICKLIC'S REQUEST  
6 YEAS  
THE LEGISLATIVE AGENDA WILL BE MOVED TO BEFORE CORRESPONDENCE DURING TONIGHT'S MEETING

### **READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

16-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO PERMANENTLY REZONE PARCEL 43-04799-000 IN THE CITY OF NEW PHILADELPHIA, OHIO FROM INDUSTRIAL TO BUSINESS ZONE.  
3<sup>rd</sup> Reading

17-2022 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE TUSCARAWAS COUNTY PUBLIC DEFENDER'S OFFICE FOR THE PROVISION OF LEGAL REPRESENTATION FOR INDIGENTS CHARGED WITH VIOLATIONS OF NEW PHILADELPHIA CITY ORDINANCES IN THE MUNICIPAL COURT WHERE SUCH OFFENSES CARRY A POSSIBLE LOSS OF LIBERTY, ESTABLISHING COMPENSATION AND TERMS THEREOF.  
3<sup>rd</sup> Reading

MRS. MAY MOTIONED FOR APPROVAL OF ORDINANCE 17-2022  
MR. HOLLAND SECONDED THE MOTION  
6 YEAS  
ORDINANCE 17-2022 HAS BEEN APPROVED

20-2022 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO DESIGNATE APPROXIMATELY 1450 FEET OF AN UNNAMED ALLEY OF WHICH APPROXIMATELY 525 FEET IS UNDEVELOPED ON THE WEST SIDE OF 5<sup>th</sup> STREET NW TO ANOTHER UNNAMED ALLEY, AS LOCKSMITH LANE SW.  
2<sup>nd</sup> Reading

RESOLUTIONS:

30-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO APPROPRIATE FUNDS RECEIVED FROM TUSCARAWAS COUNTY PER THE ODOB BUILDING DEMOLITION AND SITE REVITALIZATION GRANT FOR THE PURPOSES OF DEMOLISHING EXISTING DILAPIDATED AND UNSAFE STRUCTURES IN THE CITY OF NEW PHILADELPHIA.

2<sup>nd</sup> Reading

32-2022 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH ATLANTIC EMERGENCY SOLUTIONS TO PURCHASE AN ENFORCER CHASSIS 100' MID MOUNT ALL STEER 36567 AND EQUIPMENT FOR THE SAME, AT A COST NOT TO EXCEED \$1,870,000.00.

1<sup>st</sup> Reading

MRS. MAY MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 32-2022

MR. SELDENRIGHT SECONDED THE MOTION

6 YEAS

RULES HAVE BEEN SUSPENDED ON RESOLUTION 32-2022

MR. SELDENRIGHT MOTIONED FOR APPROVAL OF RESOLUTION 32-2022

MRS. MAY SECONDED THE MOTION

5 YEAS, 1 NAY (MRS. RAMOS)

RESOLUTION 32-2022 HAS BEEN APPROVED

*\*Mr. Holland has been excused from the remainder of the meeting due to illness.*

CORRESPONDENCE . . . . . CLERK, JULIE COURTRIGHT

1. *To Council Members from Mayor Day, dated September 28, 2022. This is an email titled "Update from Friends of the Homeless."*
2. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated October 3, 2022. This is the Mayor's End of Month Report for September of 2022.*
3. *To Council and Administration from Income Tax Administrator for the City Vickie Daniels, dated October 5, 2022. This is the September 2022 Income Tax Report.*
4. *To Council and Administration from Administrative Assistant to the Auditor Heather Denham, dated October 5, 2022. This is the Statement of Cash Position, the Expense Report with Encumbrance Details, The Check Report by Check Number and Check Report by Fund.*
5. *To Council Members from Mayor Day, dated October 5, 2022. This is a forwarded email titled "OAC 143.03" with revisions. This email is asking President Kemp if this issue can be assigned to the Safety, Health, and Service Committee. President Kemp asked Mr. Holland to take this into his Committee.*
6. *To Council, Administration, and Fire Chief Parrish, from Mayor Day, dated October 6, 2022. This is an email titled "Proposal to purchase a new ladder/ tower engine for the Fire Department."*
7. *To Council and Administration from Mayor Day, dated October 6, 2022. This is an email titled*

*“Arbitrator’s Report and Negotiation in the IAFF Contract Negotiations.”*

8. *To President Kemp from Law Director Fete, dated October 7, 2022. This is an email titled “Urgent, please assign to the Finance Committee” with Resolution 32-2022 as the attachment. President Kemp asked Mr. Ricklic to take this issue into his Committee.*
9. *To Council and Administration from Mayor Day, dated October 7, 2022. This is a “letter of commitment” from First Federal Community Bank.*
10. *To Council Clerk from Treasurer Tom Gerber, dated October 10, 2022. This is the City of New Philadelphia Investment and Savings Report for September 2022.*
11. *To Council and Administration from Mayor Day, dated October 10, 2022. The Mayor’s Report.*

## MAYOR’S REPORT/REQUESTS

....MAYOR JOEL B. DAY

Mayor Day had the following report:

- New Pedestrian Crossing Signals Installed on South Broadway:

Pedestrians using the mid-block crosswalk on South Broadway at Allen Lane will be able to activate crossing signals before they walk. New pedestrian crossing signs and flashing warning lights were installed there last week. The warning lights will be activated this week. I want to thank City Safety Director Popham, Police Chief Goodwin, and Service Director McAbier for spearheading this project. They’ve informed me that the manufacturer of the crossing system sent an extra set of signs and warning lights. So, they will be deciding which other mid-block crosswalk downtown will have the safety equipment installed.

- A Reminder About Parking in Downtown New Philadelphia:

The Mayor’s office has received complaints from downtown merchants about persons violating the downtown parking two-hour limit. On the downtown parking map, the yellow areas are the two-hour parking areas, and the green hatched areas show where free public parking is available. I have asked the Police Traffic Control Officer to step up efforts to identify violators and issue parking tickets. Vehicles left in parking spaces beyond the two-hour limit help create the perception that there is limited downtown parking available. If you work downtown and need an off-street parking space, there are spaces available in the City parking lots. Come to the Mayor’s office to purchase a parking pass.

- Downtown Truck Route Study Put on Hold:

At our recent meeting with ODOT District 11 officials, it was decided to wait until the US Route 250 rehabilitation project at Tappan Lake is completed before considering a truck traffic study. The project is slated to be completed on October 31<sup>st</sup>. The detours set up for the Route 250 project have routed some of the truck traffic through New Philadelphia. ODOT officials want to see if the traffic changes once the detours are removed.

- Asbestos Abatement is Necessary at the Former Puritan Laundry Property:

Before the buildings can be demolished on the former Puritan Laundry property, which the City owns, an asbestos abatement has to take place. Last week, testing showed the existence of asbestos in window glazing and maybe some roof and flooring material. Once all the results are in, the City will know how the hazardous substance needs to be removed. Then the buildings will come down.

- Art on the Alley has Over 200 Participating Vendors and Downtown Businesses:

The annual fall Art on the Alley downtown festival is coming up on Sunday, October 16<sup>th</sup> from Noon until 5pm. And it will be the largest ever according to Wilma Mullet of the Tuscarawas Arts Partnership. She says that three entertainment stages will be set up along the festival route, which will extend to Around the Corner Frames and Gallery on South Broadway. Thanks to the County Commissioners, the county parking lot behind the Courthouse and the county parking lot at Fair Avenue and 2nd Street NE will be used for festival parking.

- Executive Session to Discuss the Arbitrators Report on IAFF Negotiations:

I request that we have an executive session tonight so that the City’s labor attorney Brian Mertes can explain the fact-finders report and recommendations to settle contract negotiations with the City’s firefighter’s union.

Mark These Events on your Calendar:

- Saturday, October 15<sup>th</sup>: Annual Rotary Sportsmanship Breakfast at Buckeye Career Center to kick off Philly-Dover Week. Doors open at 7:30am.
- Sunday, October 16<sup>th</sup>: Dedication of the new pickleball courts at Tuscora Park at 1pm. The event will be preceded by the Tuscora Park Foundation’s Chicken BBQ fundraiser from 11am to 1pm by the courts. Tickets are available at the Mayor’s office.
- Sunday, October 16<sup>th</sup>: Art on the Alley from Noon to 5pm downtown.

MR. LANZER MOTIONED FOR AN EXECUTIVE SESSION AT THE MAYOR’S REQUEST

MR. SELDENRIGHT SECONDED THE MOTION

5 YEAS

THERE WILL BE AN EXECUTIVE SESSION DURING TONIGHT’S COUNCIL MEETING PRIOR TO ADJOURNMENT

Service Director Ron McAbier:

Mr. McAbier had the following report:

The Parklane Waterline Project, we met with Tucson Inc. last week. They will start that project next Tuesday, October 18. We’ll probably see them do some staging between the Park Lane to North Broadway area. All the pipe is located at the water plant. It should start and they’ll be working Thursday, Friday, and Monday. They’ll lay down sand and some material at the North End up by Lakeview. A couple thousand feet of 12” on Park Lane, about a thousand feet of 6” on North Broadway. The tricky spot is we have to make sure everybody has access to driveways. The project will last approximately 2 months. They’ll do all of Park Lane first, and then move up onto North Broadway. Down in the Gazebo Quadrant with the help of Buckeye Career Center, the step-down area there where all the pavers are, Mr. Vandall and the landscape class are going to come in in a few weeks. They ordered pavers out of Canton. Once those are delivered it will take them approximately 10 workdays to tear up all that and put new pavers in. We’re going to slowly try to do all the quadrants as we can and as money is available. Also, we haven’t had much movement on the Franklin Square Storm Sewer Project. We’re still working on some things on the underpass. We should have the bottom of that done within the next couple of weeks. Once that gets finalized, I will have the project price and the contractor.

Mrs. Ramos had the following question:

On the 600 block of Ray Ave., that house that was just torn down, that’s in my ward. I was just curious as to what’s going in there.

Mr. McAbier said two duplexes are being built by Owen Miller.

AUDITOR .....MS. BETH GUNDY .....NO REPORT

SAFETY DIRECTOR .....MR. GREG POPHAM

Mr. Popham had the following report:

In the Police Department on Friday, Canine Officer Michael Pearch resigned due to Medical Reasons. He’s going to continue to take care of Diesel until we can train a new officer to handle the dog. Also, we have an issue downtown with homeless people. We have a business; his employees are intimidated. In the handout I gave you there is an email to the Mayor from another downtown business owner about the same kind of activity. I just gave a photo of what’s going on and what has been going on. I never dreamt that I’d see people sleeping downtown under blankets. What we would like to do to try to help the businesses downtown, our Ordinances, at this point there’s not a whole lot we can do other than to ask them to leave. If they tell us no, there is nothing we can really do. There is a copy of an Ordinance out of Cleveland that they used in their park system. I’d like this to go in Councilman Holland’s Committee to see if there’s something we can do to try to help the homeless situation that’s going on downtown.

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

LAW DIRECTOR . . . MR. MARVIN FETE

Mr. Fete had the following report:

From time to time during my tenure as Law Director I've taken this time to acknowledge people, we've lost in our Community who made a difference. I previously discussed Ed Breehl, a community servant, and Bob Vandall, someone who was internationally recognized for music he taught children. I would be remiss tonight if I did not acknowledge a great Quaker that we lost recently, even though this one is my father. Marvin Bud Fete was born and raised a New Philadelphia Quaker. A 1957 graduate of New Philadelphia High School, after college he did something we want many of our young people to do, he returned home and served his community. What is almost unheard of in today's world, he spent 44 consecutive years of his professional life in public education in service to others as a teacher, coach, guidance counselor, and administrator. As a life-long educator every young person he encountered was important to him, and he never hesitated to go out of his way to help make others feel better. If a child wanted to play football for him but could not afford shoes Coach Fete made sure that he got a pair. Teenagers that came from impoverished and sometimes abusive homes could frequently be found at the Fete household swimming, throwing the football with Mr. Fete, or just enjoying a good meal with his family, including at Thanksgiving and at Christmas time. Sometimes he would leave in the middle of the night to help a young person who's life was upended by something such as substance abuse. Students knew that Mr. Fete would not turn them in to the authorities but would counsel them and get them the help they needed. He also helped thousands of kids further their education and obtain career paths that would help them be successful in life. It was not unusual when he was out with his family to have someone come up and talk about how he saved their life, or how they would not be where they were today were it not for him. Whether you were in trouble or just needed a friend or a helping hand, you could always count on Mr. Fete to listen and help you. In a profession where it would be very easy to become frustrated, Bud Fete was a beacon of hope and optimism. He always said "there's no such thing as a bad kid". He never stopped helping people, even after he retired. His first job after he retired was transporting indigent people to the doctors. He's the type of person who would shovel his neighbor's drive after a big snowstorm, take out their garbage if they couldn't do it themselves, and visit people in nursing homes. If we had a dinner at church, he always made it a point to take food across the street to the police and fire fighters. Even when he was in his 80s, he went out of his way to make others feel appreciated. At his grandson's sporting events or school productions he always made it a point to tell every teacher or coach what a great job they're doing. We found out after he passed that he also spent his mornings taking coffee to the school crossing guards at his grandson's schools. A life-long educator, a community servant, Marvin Bud Fete was someone that we seem to have too few of in this world today. Not only was he a good Quaker, but he was also a really good man.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission Meeting was cancelled due to a lack of Agenda items. We will reconvene Month.

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

The Board of Zoning Appeals will meet tomorrow evening at 5:00 PM here in Council Chambers. There's one variance request to be heard, it will be for the new Petco signage.

AIRPORT COMMISSION.....MR. JIM SELDENRIGHT.....NO REPORT

We will be meeting in Council Chambers on October 11th at 6:00 PM.

PARK BOARD.....MR. MITCH PACE.....EXCUSED ABSENSE

CEMETERY BOARD.....MR. MITCH PACE....EXCUSED ABSENSE

HEALTH BOARD ..... MR. DEAN HOLLAND.....EXCUSED ABSENSE

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. KELLY RICKLIC  
Mr. Ricklic had the following report:

The Finance Committee met this evening at 6:45 to discuss the purchase of a new ladder truck, Resolution 32-2022. We had a lot of good discussions and a presentation by Fire Chief Parrish. We had two financial representatives from First Federal Community Bank present so we had a lot of information. It came out of Committee by being passed 3-0. The Meeting was adjourned at 7:24.

SALARY COMMITTEE .....MR. JIM SELDENRIGHT.....NO REPORT

PUBLIC WORKS COMMITTEE.....MR. DAN LANZER.....NO REPORT

SAFETY HEALTH & SERVICE COMMITTEE... .MR. DEAN HOLLAND.....EXCUSED ABSENSE

ZONING & ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS

Mrs. Ramos made the following statement:

We're having a Public Hearing on Ordinance 16-2022 at 7:00 PM on October 24, 2022.

+

SPECIAL & CONTACT COMMITTEE .....MRS. AIMEE MAY.....NO REPORT

PARKS & CEMETERY COMMITTEE.....MR. MITCH PACE.....EXCUSED ABSENSE

**VISITOR'S COMMENTS: NONE**

**COUNCIL COMMENTS: NONE**

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**



**COUNCIL ADJOURNED INTO A 5 MINUTE RECESS AT 8:05 PM BEFORE GOING INTO EXECUTIVE SESSION AT 8:10 PM. COUNCIL RECONVENED INTO REGULAR SESSION AT 8:36 PM.**

President Pro Tem Ricklic made the following comment:

We have an item on the Agenda for approval or disapproval of a fact-finder report.

MR. SELDENRIGHT MADE A MOTION TO APPROVE THE REPORT

MR. LANZER SECONDED THE MOTION

5 YEAS

THE FACTFINDER REPORT HAS BEEN APPROVED

With no other business to discuss Mrs. Ramos motioned to adjourn at 8:37 PM.

CLERK OF COUNCIL \_\_\_\_\_  
Julie Courtright

APPROVED \_\_\_\_\_

PRESIDENT OF COUNCIL \_\_\_\_\_  
Don Kemp