

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON OCTOBER 9, 2023 WITH PRESIDENT KEMP PRESIDING. COUNCILMAN RIPPETH OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDANCE

MR. DAN LANZER
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. STEVE RIPPETH

EXCUSED ABSENCES: MR. DEAN HOLLAND
MRS. AIMEE MAY
MR. KELLY RICKLIC

- MR. RIPPETH MOTIONED TO ADD ORDINANCE 19-2023 AND ORDINANCE 21-2023 TO TONIGHT’S AGENDA
MR. LANZER SECONDED THE MOTION
4 YEAS
ORDINANCE 19-2023 AND ORDINANCE 21-2023 HAVE BEEN ADDED TO TONIGHT’S AGENDA

- MR. RIPPETH MOTIONED TO APPROVE TONIGHT’S AGENDA WITH THE ADDITIONS
MR. LANZER SECONDED THE MOTION
4 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED

- MRS. RAMOS MOTIONED TO APPROVE MINUTES FROM THE SEPTEMBER 25, 2023 REGULAR SESSION OF COUNCIL AND THE SEPTEMBER 27, 2023 SPECIAL SESSION OF COUNCIL
MR. RIPPETH SECONDED THE MOTION
4 YEAS
MINUTES FROM THE SEPTEMBER 25, 2023 REGULAR SESSION OF COUNCIL AND SEPTEMBER 27, 2023 SPECIAL SESSION OF COUNCIL HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated September 29, 2023. This is the September 2023 End of Month Report*
2. *To Council and Administration from Heather Denham with the Auditor’s Office, dated October 4, 2023. This is the Statement of Cash Position with MTD Totals, and Expense Report with Encumbrance Details for September of 2023.*
3. *To Council and Administration from Auditor Gundy, dated October 4, 2023. This is the 2024 Temporary Budget. This email was replied to by Mrs. Ramos.*
4. *To Clerk of Council from Treasurer Gerber, dated October 4, 2023. This is the City of New Philadelphia Investment and Savings Report for September of 2023.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

Notice the New Pedestrian Pathway on 1st Drive SW

If you travel 1st Drive SW between West High Avenue and Allen Lane SW, you'll notice that a yellow stripe has been painted on the west side of the alley, marking the area where pedestrians can walk to the entrances of the Branch Church and the Lacey PAC dance studio. The City has installed the pedestrian pathway for safety purposes at the request of business owners.

Public Meeting for a Towpath Trail Design Update

The Ohio and Erie Canalway Coalition is planning another public meeting for Monday, October 16th to gather feedback on the new route it's proposing for New Philadelphia's Towpath Trail. The meeting will begin at 6pm in the City Council chamber. The new route design is in response to recommendations made by Councilwoman Ramos and others who have attended previous public meetings. The trail would follow sections of Front Avenue SW, 10th Street SW and NW, Miller Avenue NW, and Union Avenue NW. OECC Executive Director Dan Rice has mailed meeting notices to residents and businesses along the new route. If you have not received one, email him at drice@ohioeriecanal.org.

Fire Safety Open House

The New Philadelphia Fire Department will hold its annual open house this coming Thursday, October 12th from 5pm to 7pm. Lowe's will provide free hot dogs and the firefighters union will have free popcorn and refreshments. There will be demonstrations that will illustrate the skills of our firefighter/paramedics. As a taxpayer, the open house is always a great opportunity to see the fire department's apparatus and equipment you've purchased and meet some of the employees being paid with your City tax dollars.

Tuscora Park Foundation Chicken BBQ Fundraiser

The Tuscora Park Foundation is raising money for the repair of the rides at Tuscora Park. And you'll be able to help by buying a ticket to the Foundation's Chicken BBQ fundraiser, which will be held this coming Sunday, October 15th. The drive-up event will be held on Al Maloney Drive at Tuscora Park from 11am to 2pm. Tickets are \$15 each and can be purchased from any Foundation trustee (Joel Day, Mike Ernest, Tom Farbizo, Darrin Lautenschleger, Don Kemp, Paul McEwan, Jan McInturf, Rod Miller, and Jim Range), at McInturf Realty, and also at the Mayor's office.

"Flourish": A Newsymom Vision to Help Young Mothers in T-County

Last Friday, I met with Michaela Madison, the founder and executive director of the popular Newsymom.com website, to learn about her new business concept that she says is "designed to empower mothers, enrich the community, support economic growth, and unleash the untapped potential of local mothers". The new business would be called "Flourish" and would be located inside New Towne Mall. The concept is to create a safe, inclusive, and nurturing childcare center for working moms and moms with young children, and a space where moms can focus on their mental well-being, personal growth, and productivity. Over the past several years, I've heard a lot of talk about workforce development. But the subject of childcare has not been raised in the discussions. In my mind, Ms. Madison's "Flourish" concept would address this need while helping employers in our county fill job openings. Her concept has been well-researched. If you'd like to learn more about it, contact Michaela Madison at michaela@newsymom.com.

Dates to Mark on Your Calendars

Downtown Art on the Alley Event – Sunday, October 15th, 11am to 4pm

Halloween Trick or Treat Night – Saturday, October 28th, 6pm to 8pm

City Downtown Christmas Lighting Ceremony – Friday, November 17th at 6pm

City Christmas Parade – Friday, December 1st at 6:30pm

Mrs. Ramos asked the following question:

Can you expand on the grant for Phase II of the Southside Community Park Construction?

Mayor Day:

We've had Quicksall and Associates make an estimate of the cost of Phase II. It includes finishing the access road from the dog park to the high school soccer fields, also building six youth soccer fields just beyond the dog park, lighting along the roadway, and putting reinforced gravel in the parking lots. Youth soccer is such a growing sport in New Philadelphia. The kids need more fields so we want to build them. Also, two concession stands/ restrooms. One will be around the soccer fields and the other will be by the high school soccer fields.

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

Mr. McAbier had the following report:

We'll start with Franklin Square. The great thing to report on is all the pipe is in the ground. It was finished on Friday. They had to compact some things today. Unfortunately, their subcontractor will be on site by Wednesday or Thursday. We're trying to stay ahead of the Shelly Company that's doing the Small Cities Paving for us. I talked with Shelly this afternoon. Where they're at is if you're out on Wabash they'll do the outer lanes tomorrow but they're bringing a second crew in. They will top out Ray Avenue NE tomorrow, so Ray will be completely done. Wabash will not be completely done. The saving grace for us is they have to go in and pull out all the driveways and the side streets. So they still have to finish 16th Street, and they'll still have to do it on Ray and Wabash. I'll touch base with the Shelly Company Superintendent on Wednesday to see if we're all on the same page by Friday. My hope is that we keep Mill Avenue closed on Friday, because if they can get in and do their work on Friday it would make it easier on them, and Mill Avenue could open for the weekend. Also, the two gas line projects in town, the R & R Pipeline one has the line completely put in the ground, it's all restoration now. I hope to do a final walk through of that project by next Friday. Mushrush is not that far in completion. He hopes to get everything done before Art in the Alley on Sunday. Also, the Love Tusc Sculpture is in place by Gavins. Also the Al Maloney restrooms project went out to three contractors. So they can get that work started. We had Diamond in the Rough report back to us, so they're on it and expect to get a quote. We've got RFQs out for three folks, and we still want to get that done this year. I hope by the next meeting that we have a contractor picked out and we can get moving on it.

AUDITORMS. BETH GUNDY

Mrs. Gundy had the following report:

I just want to tell Council we have the need for another appropriation Ordinance and I'm going to ask you to assign that to Finance Committee. I don't have it together yet because I don't have everybody's wants, but it will be for the next meeting.

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following comment:

Last meeting I reported that all the vacancies in the Police Department had been filled. Well, that lasted five days, now we're short a clerk again.

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

LAW DIRECTOR.....MR. MARVIN FETE.....NO REPORT

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission Meeting for this month has been cancelled. In its place we are having Another work session with Wendy Moehler from Compass Point Planning on the 18th at 1:30 Here in Council Chambers.

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

The Board of Zoning Appeals will meet here in Council Chambers tomorrow at 5:00 PM with Two variance requests to be heard at that time.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will be meeting tomorrow evening at 6:00PM here in Council Chambers.

PARK BOARD.....MR. MITCH PACE.....NO REPORT

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

HEALTH BOARD MR. DEAN HOLLAND.....NO REPORT
The next meeting will be September 13 at Noon in Council Chambers.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC.....EXCUSED ABSENSE

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

Mr. Lanzer had the following report:

The Public Works and Economic Development Committee will be meeting at the next Council meeting at 7:00 PM.

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. DEAN HOLLAND.....EXCUSED ABSENSE

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

SALARY COMMITTEE.....NO REPORT.....MRS. AIMEE MAY.....NO REPORT

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

SPECIAL AND CONTACT COMMITTEE.....MR. STEVE RIPPETH

Mr. Rippeth had the following report:

Our Committee met tonight at 7:01 PM and we discussed adding Ordinance 19-2023 and Ordinance 21-2023 to our Agenda and so moved and did that. We had Mr. Lanzer, Mrs. Ramos, and myself in attendance tonight. We adjourned at 7:08.

VISITOR’S COMMENTS

Clay Cole of 310 North Ave. NE New Phila had the following comment:

I was wanting to potentially make a new City Ordinance but I didn’t know the process I needed to follow through with that. It has to do with towing laws in New Philadelphia. I learned the other day for non-consent tows the State of Ohio regulates the maximum limit for a non-consent tow to \$129.00. I just learned a few weeks ago that that is only applicable to private property, so private lots, not public. The State leaves it up to local legislators so cities, etc. to use in their ordinances to actually limit on public roadways. I found out that New Philadelphia actually does not have a limit on towing on public roadways, and I always wondered about this, because around 10 years ago my brother was towed after he was pulled over with no front license plate, and he charged \$250-\$300 for that tow. I thought that’s just what it costs, but later I had a camper towed from a lot and it cost around \$100.00. I found that discrepancy and I thought that it would be a good idea to institute some sort of maximum limit on those public roadways to protect from potential predatory practices from businesses. I learned it’s 100% legal that if you got in an accident and your car was cleaned up and towed, you can charge whatever you want to charge for that and there’s no legal recourse for that. The towing company can charge \$1,000 or more for that tow and it keeps increasing every day if the person can’t pay, and eventually they just lose their vehicle. This I believe is an injustice overall, and at the same time this could have a potential economic impact on New Philadelphia because there are so many working class citizens that rely on their vehicle to work.

President Kemp assigned this issue to the Special and Contact Committee for consideration.

COUNCIL COMMENTS

Mr. Lanzer had the following comment:

I just wanted to take time to congratulate the New Philadelphia High School Marching Band for qualifying for State. If you guys have a chance on October 21st they’ll be having their show at Quaker Stadium and its phenomenal. I encourage everybody to go check it out.

President Kemp had the following comment:

On Saturday I got to attend a 35th Anniversary Party for Dayspring Christian Book Store. They had music and cake and it was a nice celebration.

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

16-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO PERMANENTLY REZONE THE FOLLOWING PARCELS OWNED BY THE LITTLE THEATER OF TUSCARAWAS COUNTY, INC, IN THE CITY OF NEW PHILADELPHIA, OHIO FROM RESIDENTIAL TO BUSINESS ZONE
3rd Reading

MRS. RAMOS MOTIONED FOR APPROVAL OF ORDINANCE 16-2023
MR. LANZER SECONDED THE MOTION
4 YEAS
ORDINANCE 16-2023 HAS BEEN APPROVED

- 19-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND ORDINANCE 1141.05 WITH REGARDS TO THE DEFINITION OF RECREATIONAL VEHICLES TO INCLUDE ALL TRAILERS.
1st Reading
- 20-2023 THE FOLLOWING ORDINANCE IS ENACTED BY THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF THE DESCRIBED PROJECT.
3rd Reading
- MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 20-2023
MR. RIPPETH SECONDED THE MOTION
4 YEAS
ORDINANCE 20-2023 WAS APPROVED
- 21-2023 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.
1st Reading
- 23-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA TO ENACT SALARY RATE INCREASES FOR DESIGNATED NON-BARGAINING UNIT EMPLOYEES AND ELECTED OFFICIALS FOR 2024, 2025, AND 2026 IN ACCORDANCE WITH THE ATTACHED NONBARGAINING WORKSHEET AS LISTED THEREIN, AND SUBJECT TO THE TERMS AND CONDITIONS LISTED THEREIN.
2nd Reading

RESOLUTIONS:

- 12-2023 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, TO COMMEND POLICE CHIEF MICHAEL GOODWIN FOR HIS YEARS OF SERVICE AND DEDICATION TO THE CITY OF NEW PHILADELPHIA DURING HIS THIRTY-THREE YEARS HE SERVED IN THE NEW PHILADELPHIA POLICE DEPARTMENT
5th Reading

MRS. RAMOS MOTIONED FOR APPROVAL OF RESOLUTION 12-2023
MR. RIPPETH SECONDED THE MOTION

Mr. Lanzer had the following comment:

I just wanted to congratulate Chief Goodwin on his retirement. I worked with him quite a few years and he’s always very responsive and he did an outstanding job for the police department. I want to wish him a happy retirement.

Mr. Fete had the following comment:

I want to commend the Chief. I really enjoyed working with you during my 10 years as a Law Director. You are always very professional and responsive, easy to talk to, easy to reach, and extremely helpful. I want to thank you for your years of service and dedication to the community, and I hope you have a wonderful retirement.

Mr. McAbier had the following comment:

This is all work to us, the Chief and I have worked together but it’s always been a great time. He and I worked together when I first started, I didn’t know much about this, but he was great during that time. I was here 31 and a half of his 33 years. He has professionalism, he has a great sense of humor. It was very nice working with him. He’s a great person to be around.

Mr. Popham had the following comment:

I'd like to commend Mike for his time that he has spent here with the City. It's one thing in today's world to be an officer, it's a whole other thing to be in charge of the officers. There's never a dull moment and I'm sure Mike can attest to that. Congratulations and enjoy your retirement.

Mayor Day had the following comment:

Chief, you were a mentor of sorts for me. When I first came to office I didn't know the in and outs of the police department. You taught me that, and I greatly appreciate that. You served the City well and we just thank you, but I need to ask you, did you leave all of your keys when you left? I'm going to give you one which you can keep. This is a Key to the City presented to the Chief of Police Michael Goodwin. Thank you for 33 years of distinguished service to the City of New Philadelphia.

4 YEAS

RESOLUTION 12-2023 HAS BEEN APPROVED

**Police Chief Goodwin was presented a framed Commendation signed by Councilmembers.*

18-2023 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO APPLY FOR FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES THROUGH THE LAND AND WATER CONSERVATION FUND FOR THE PURPOSES OF OBTAINING A PARK GRANT FOR IMPROVEMENTS AT THE SOUTH SIDE COMMUNITY PARK.

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 18-2023

MR. PACE SECONDED THE MOTION

4 YEAS

RESOLUTION 18-2023 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS:

NEW BUSINESS:

With no other business to discuss Mrs. Ramos motioned to adjourn at 8:07 PM.

CLERK OF COUNCIL _____

Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL

Don Kemp