

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 24, 2023 WITH PRESIDENT KEMP PRESIDING. COUNCILMAN RIPPETH OFFERED A PRAYER, AND ALL IN ATTENDANCE RECITED THE PLEDGE OF ALLEGIANCE.

COUNCIL MEMBERS IN ATTENDENCE

MR. DEAN HOLLAND
MR. DAN LANZER
MRS. AIMEE MAY
MR. MITCH PACE
MRS. CHERYL RAMOS
MR. KELLY RICKLIC
MR. STEVE RIPPETH

EXCUSED ABSENSES: AUDITOR BETH GUNDY

- MR. LANZER MOTIONED TO ACCEPT TONIGHT'S AGENDA
MRS. RAMOS SECONDED THE MOTION
7 YEAS
TONIGHT'S AGENDA HAS BEEN ACCEPTED

- MRS. MAY MOTIONED TO APPROVE THE MINUTES FROM THE APRIL 10, 2023 REGULAR SESSION OF COUNCIL
MR. HOLLAND SECONDED THE MOTION
7 YEAS
MINUTES FROM THE APRIL 10, 2023 COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Auditor Beth Gundy, dated April 11, 2023. This is an email with a sample bill that the Water Office will send to those with credits.*
2. *To Council and Administration from Councilman Dean Holland, dated April 14 2023. This is an email titled "Health Department Annual Report".*
3. *To Council and Administration from Mayor Day, dated April 20, 2023. This is an email titled "City Planning Commission Recommendation for the New Location for the Homeless Shelter". This was replied to by Councilwoman Ramos.*
4. *To President Kemp from Law Director Fete, dated April 21, 2023. This is an email titled "Please Assign to the Special and Contact Committee" with Proposed Resolutions 7, 8, and 9 as the attachments. President Kemp asked Mr. Rippeth to take all three pieces of legislation into his Committee.*
5. *To Council and administration from Mayor Day, dated April 24, 2023. The Mayor's Report.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY

Mayor Day had the following report:

Short-Term Rental Regulations Are Needed

Local realtors that I've spoken to recently have said that there has been an increased interest in purchasing homes in residential areas to operate as short-term rentals, more popularly known as Airbnbs or Vrbos. The City doesn't necessarily want to discourage this type of business development, but it does need to be regulated like our hotels and motels. Presently short-term rentals are not required to meet the code requirements, have inspections, or collect and remit lodging tax as hotels and motels must do. Apparently, the state legislature is no longer interested in enacting legislation to address the issue. So, I'm asking Council President Kemp to assign the development of short-term rental regulations to the appropriate Council committee. Law Director Fete has draft legislation that the committee can use to get started.

Upcoming Weekend Events in New Philadelphia

This will be a busy weekend in the City with opportunities to spend time outdoors with the family. It begins on Friday at 10 a.m. with the City's annual Arbor Day tree planting ceremony at the Southside Community Park. Then on Saturday, the City's first Trout Fishing Derby at Tuscora Park gets underway at 8 a.m. And later in the morning, the first day of the annual Soap Box Derby will start on the Wabash Avenue hill. The Derby will continue on Sunday. Also mark on your calendars that the spring Art on the Alley festival is coming up on Sunday, May 7th from 11 a.m. until 4 p.m. According to the Tuscarawas Arts Partnership, the event's organizer, all vendor spots have been sold so you'll be able to meet new artists and purchase new artwork and crafts.

Update on Construction of the KSU-Tusc Connector Trail

Last Wednesday, a kickoff meeting was held between the City administration, Quicksall and Associates and the Ohio Department of Transportation. Its purpose was to begin planning for the 2024 construction of the Kent State – Tuscarawas bicycle and pedestrian trail to downtown New Philadelphia. The construction plans drawn up by Quicksall and Associates will be reviewed over the next two months to measure environmental and traffic impact. An Open House to gather public comment on the project is scheduled for Monday, July 10th at 6:30 p.m., prior to City Council's regular meeting that evening.

The New Owner Plans to Reopen the Former Fuel Depot on East High Avenue

Singh Sukhjinder, the new owner of the former Fuel Depot on East High Avenue, has had representatives contact the City's Service Department to inquire about the steps that need to be taken to reopen the gas station in the near future. According to Josh Mathias, the City's Zoning and Building Code Administrator, an architect from Kent needed information to build an addition onto the existing building and another representative inquired about signage permits. Mr. Mathias said he was told that the business will reopen as a BP station. City Fire Inspector Captain Jim Sholtz has been in contact with the State Fire Marshal to make sure that the underground storage tanks meet BUSTER criteria to reopen.

Tribute to Jesse Sefert

Those of us who knew him and worked with him are still shocked by the sudden passing of Jesse Sefert. I appointed Jesse to the City's Housing Board of Appeals because of his knowledge of real estate and his desire to improve housing conditions in our City. He was also a member of the steering committee that is developing a strategic plan for the downtown and surrounding economic development areas. Jesse Sefert loved New Philadelphia and Tuscarawas County, and as a community leader, he led by example. The quality of our town is the result of the commitment and vision of people like Jesse. And I encourage people to follow his lead because you truly will make a difference.

Mrs. Ramos had the following question:

My concern as a resident and a Councilperson, can council deal with the air bnb and rental legislation matters at the same time?

Mayor Day:

Yes, they can deal with both issues at the same time.

Mrs. Ramos:

It's not safe to have multiple families living in a single family home and people living in basements without egress windows.

****President Kemp assigned that matter to Mr. Lanzer's Public Works and Economic Development Committee.***

Mr. Holland had the following comment:

I would like to see Mr. Fete's legislation to include air bnbs and the overall bed tax.

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

Mr. McAbier had the following report:

Last week we held the preconstruction meeting for the improvements on Glen Drive. We have a tentative start date of May 8th. As we know that will be our next Council Meeting. Also, the 2022 CDBG Project is wrapping up. We had some money left on the grant, on 2nd Street NE to Minnich Ave. NE they installed roughly 200 feet of new sidewalk there. Also, if anybody has been down to the Skate Park, the renovations that we talked about and we got the grant for and had the GoFundMe page, that started on Thursday. Benchmark Construction is doing that project. They will put two guys on it and it should be done by the end of this week. Also, the docks are both in at 416 and also at the Waterworks Park.

Mr. Ricklic had the following question for Mr. McAbier:

The line on North Broadway, do they have a date set where they're going to hot mix that?

Mr. McAbier answered that they do not.

Mr. Ricklic had another question:

The truck traffic off of Glen Drive for the construction, will they be driving out from North Broadway?

Mr. McAbier said they haven't decided yet.

AUDITORMS. BETH GUNDY.....EXCUSED ABSENCE

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

The Push-in of the new Fire Truck this past weekend was a great event. The weather cooperated and about 100 people were there. It was another fine thing to celebrate.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following report:

Mr. President, I wanted to ask, the Vacant Propert and the Rental Registration Legislation, if you assign that to Committee tonight that's really all I need.

President Kemp stated that he assigned this to Mr. Lanzer's Committee.

In addition we're going to be having an intern in our office. I spoke to them last Friday and arranged for them to meet with the Chief Prosecutor the other day. He's got a last name you might have heard of, it's Ernest. Gabe Ernest is going to be helping us out. He comes from a very good family and looking forward to having him in the office. I've had two interns that went on to work for me and one of them is now a County Prosecutor.

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting May 9th at 1:00 PM. If there are any items that need to be Put on the Agenda. Also, we're going to be having a meeting with Wendy Moehler with Compass Point Planning on the 15th of May at 1:00 PM. I hope you can make that. She'll be going over her Progress so far of writing the City's Zoning and Signage Regulations.

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

The Board of Zoning Appeals met April 11th in Council Chambers with one variance request to Be heard. The address is 135 12th St. NE, which was a sign set-back requirement 1161.08C. \ It was voted on and was granted on a 4-0 vote.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will be meeting here in Council Chambers on May 9th at 6:00 PM.

PARK BOARD.....MR. MITCH PACE

The 1st Annual Trout Derby will be held this Saturday. It will be a great event for the kids. It starts At 8:00.

CEMETERY BOARD.....MR. MITCH PACE.....EXCUSED ABSENCE

HEALTH BOARD MR. DEAN HOLLAND

The Health Board met Wednesday, April 12th here in Council Chambers. Among the items discussed Was the 2022 Annual Report for the City Health District. A copy of this report has been forwarded To Council Members electronically and has specific items for review. I would point to the letter From the Health Commissioner Vickie Ionno pointing our health inequities and barriers to healthcare That many people face in our community. The barriers were met head-on by the City Health Department and service to the Community continued in spite of those barriers, especially during The height of the pandemic. Change is continuing to happen in the City Health Department with Personnel retirements and new personnel coming on board, along with continuing workload Increases in the areas of health investigations, continued dramatic increases in patient immunization Efforts, and the need for translation services. I would also point to the workforce development training

In the report, and the furtherance of skills and performance of public health workers. I would Encourage contacting the Health Commissioner with any comments or questions.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. KELLY RICKLIC.....NO REPORT

PUBLIC WORKS AND ECONOMIC DEVELOPMENT COMMITTEE...MR. DAN LANZER....NO REPORT

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. DEAN HOLLAND.....NO REPORT

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 comment:

No formal report, however I would like to schedule a meeting of that Committee for Monday, May 8, at 6:45 here in Council Chambers.

VISITOR'S COMMENTS

Jacob Gilmore of 3159 Ray St. SE had the following comment:

I'm here to discuss the proposed site of the Homeless Shelter in the Brightwood Community. I'd like to start out with a quote from the Facebook of the Friends of the Homeless made on December 5, 2022. "Friends of the Homeless would like to stay in New Philadelphia for many reasons, such as we are walking distance from the Courthouse, the Police Department, and two of the county's employment agencies. The actual location distance from the courthouse is 3.5 miles from the probation department, Mancan, and all the other helpful businesses and healthcare resources. There are also a lot of semis and traffic and no place for children who would be at the shelter to play. Has there been money raised to build the new shelter, and has a third party surveyor looked into this? Brightwood also has some safety concerns. Brightwood is an isolated area and it is currently a safe area. Neither the sheriff's department or highway patrol have any jurisdiction over this area. We would also like to know if background checks and the criteria for those staying at the homeless shelter will be the same. More importantly, what happens to the people who are turned down at the shelter? Safety for the homeless is also a concern with a lack of sidewalks and limited transportation.

Gary Carrothers of 1953 Brightwood Rd. SE New Philadelphia had the following comment:

I've lived in the area 50 years. Brightwood is a mixture of retirement and young families moving in with children. We have 177 private residences and 15 businesses in that area. It's a quiet, peaceful community. We're concerned about property values and safety. Some of the lots

are large, wooded areas and it's easy for people to go in there and cause problems. It makes no sense to put the shelter far away from the agencies they need and the police department.

Ed Verhovic of 1929 Brightwood Rd had the following comment:

There's an issue I'd like to draw attention to. The nursing home is within 100 feet of the proposed site. By necessity nursing homes have drugs delivered to them and you're going to have people in this homeless shelter who may be addicted.

Ashley Casteel of 3273 Crescent St. in Brightwood had the following comment:

I am not opposed to the homeless shelter being located where it's proposed in Brightwood. I really have no problem with it. I'm a mom of a young daughter. We already live near a prison. This idea of vilifying the homeless isn't fair. The homeless problem isn't going to go away if we don't build a shelter. I would just ask that people think about the homeless as an opportunity to improve the community and draw more people in.

Ed Lee of 1633 Brightwood Rd. had the following comment:

One thing we need to look at is economics. I think the Times Reporter said they were going to sell this lot for \$425,000. I think that's an enormous amount of money for them. They're also going to have to build the facility and put water and sewer in. I think downtown where it's located now makes a lot more economic sense.

Rod Wilson of 1640 Brightwood Rd. had the following comment:

I agree with everything that this group is talking about. It does seem like a very poor location for this type of facility. I would think there's much closer locations closer to the access of the needs that these folks have. I also would like to talk about the building they are in now. Why can't they build a new facility on that site? Also, I'd like to talk about the safety of the proposed location adjacent to 250 on Reiser Ave. These people are going to leave the facility during the day. When they leave the site there is no safe place for them to walk back into New Philadelphia. Those facilities are here in town, so they have to get to them from the location on Reiser Ave. The bridge that crosses 250 is now made to handle pedestrian traffic.

Jennifer Townsend of 3115 Brightwood Dr. SE had the following comment:

I have several issues with this site and questions that are unanswered from the homeless shelter. They say 80 to 85% of the residents are from Tuscarawas County. What criteria are they using to qualify them as a resident? It's mostly now staffed with volunteers with no experience needed to work there. The inexperienced staff is definitely a safety concern. Also, we have a lot of wooded area around us, 28 acres of woods. There are no alleyways and areas to patrol. We would have no patrol going through our neighborhoods. I'm terrified of the human trafficking and drug trafficking.

Reverend Joe Svencara, President of the Board of Friends of the Homeless, had the following comment:

Every background check is run through the New Philadelphia Police Department and they give them to us. Our stipulations are that anyone who has had any sex crime violation, arson, or violent crime, is not allowed in the shelter. We do try to network with shelters in other counties to provide people with space so we do not just turn them out into the street. It's the absolute last thing that we would want to do. (The proposed location in Brightwood) is not ideal, but unfortunately the zoning codes make it difficult to build anywhere else.

Corey Mohner, Administrator of Shoenbrunn Healthcare, had the following comment:

I'm in the business of caring for people. Over the years the clientele has changed. We have taken some folks in who may be a little younger and may have a history of drug dependency and mental health. Most of the time it has not turned out well for us. I have had to kick people out because they have been unruly and threatening to folks. It's been my experience that mental health and drugs don't mix well with the elderly in nursing homes. Having those folks in an area near such a vulnerable clientele, the elderly, is a little bit troublesome for me. I know somebody had mentioned about the prison being nearby. A lot of times after they leave the prison they come through the parking lot, and we have had some issues of them coming inside and wanting to use the telephone and different things. We have about 13 to 15 doors, and it presents a real issue with intruding and those types of things for people. We have nightly deliveries of medications at the facility, and that's a concern for someone that's addicted to drugs. They're not always thinking straight and we all know what addiction can do sometimes. We have 100 employees and about 75 residents and I am concerned.

Leslie Booth of 1586 Brightwood Rd. had the following comment:

I've been a 4H advisor for over 20 years and we live right where the homeless shelter would be. We have actually helped the homeless shelter in the past, however my safety is for my kids I'm representing here tonight and 4H families. We walk animals in those woods and we take kids hiking in those woods. We also do bible studies with kids in our home. I'm not discriminating at all against these people. I feel sorry for the homeless but their place should be closer to town. Not having access to that is a concern for us.

COUNCIL COMMENTS

Mrs. Ramos had the following comment:

I mentioned some of my concerns earlier, but I wanted to share an additional concern that I got from one of my constituents: "Zoning regulations is limiting family homes to single families. The issues of junk vehicles, trailers, and even boats in the yards and other locations. Cars, boats, trailers, and trucks which don't have valid license plates. Their concern is the quantity of campers and boats stored in people's yards. Dover has laws in place where you're not able to do this. Sadly, New Phila seems to only care about the new developments and nothing about the old neighborhoods, which are the core of the city. People come to town and visit and they think that New Phila is poverty stricken."

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

- 7-2023 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING THE ESTABLISHMENT OF AN AGENCY FUND, CALLED "CREDIT MEMO CLEARING FUND" FOR THE PURPOSE OF HOLDING OVERPAYMENT OF UTILITY BILLS AND APPLYING THOSE CREDITS BACK TO THE CUSTOMERS OF THE CITY OF NEW PHILADELPHIA.
2nd Reading

MR. RICKLIC MOTIONED FOR SUSPENSION OF RULES ON
ORDINANCE 7-2023
MR. PACE SECONDED THE MOTION
7 YEAS
RULES HAVE BEEN SUSPENDED ON ORDINANCE 7-2023

MR. RICKLIC MOTIONED FOR APPROVAL OF ORDINANCE 7-2023
MR. PACE SECONDED THE MOTION
7 YEAS
ORDINANCE 7-2023 HAS BEEN APPROVED

RESOLUTIONS:

- 5-2023 A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, TUSCARAWAS COUNTY, OHIO, AUTHORIZING AND DIRECTING THE MAYOR TO PROVIDE ENGINEERING AND TECHNICAL SERVICES TO THE CITY OF NEW PHILADELPHIA AT HARRY CLEVER FIELD AIRPORT
3rd Reading

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION
5-2023
MR. HOLLAND SECONDED THE MOTION

7 YEAS
RESOLUTION 5-2023 HAS BEEN APPROVED

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS:

Mrs. Ramos had the following comment:

I've mentioned this before in emails to different people but during my research into the location of the new homeless shelter. I did some research and sent some links to the Law Director. The cities that have permitted homeless shelters have developed rules, or ordinances, legislation governing the operation thereof. I really think that we need to look at that to develop rules. Maybe we should assign this matter to a Committee or discuss that in the Committee of the Whole. I think we need to discuss that. We have a homeless shelter in the City and we don't know where the new location of the shelter will be. Businesses have rules and regulations, residences do too, as well as churches. They all have rules and regulations and I would like to see us discuss legislation for the operation of the homeless shelter.

With no other business to discuss Mr. Holland motioned to adjourn at 8:32 PM.

CLERK OF COUNCIL _____

Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____

Don Kemp