

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON APRIL 8, 2024 WITH PRESIDENT DON KEMP PRESIDING. COUNCILMAN RIPPETH 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  
MR. STEVE RIPPETH  
MR. TOM SIMMELINK  
MR. MIKE WALKER

EXCUSED ABSENCES: MRS. CHERYL RAMOS  
AUDITOR BETH GUNDY  
LAW DIRECTOR FETE

- MR. RIPPETH MOTIONED TO APPROVE TONIGHT’S AGENDA  
MR. WALKER SECONDED THE MOTION  
6 YEAS  
TONIGHT’S AGENDA HAS BEEN APPROVED
  
- MR. KREINBIHL MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON MARCH 25, 2024  
MR. PACE SECONDED THE MOTION  
6 YEAS  
MINUTES FROM THE MARCH 25, 2024 COUNCIL MEETING HAVE BEEN APPROVED

**CORRESPONDENCE** . . . . . CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Assistant to the Service Director Jonalee Fernatt, dated April 1, 2024. This is an email titled “Hydrant Flushing Schedule”.*
2. *To Council and Administration from Income Tax Administrator for the City Carly Loos, dated April 1, 2024. This is the Income Tax Report for the Month of March 2024.*
3. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated April 1, 2024. This is the March 2024 End of Month Report for the Mayor’s Office.*
4. *To Council and Administration from Assistant to the Service Director Jonalee Fernatt, dated April 4, 2024. This is the April Board of Zoning Appeals Meeting Minutes.*
5. *To Council and Administration from Mayor Day, dated April 8, 2024. This is an email titled “Tuscarawas Valley Farmer’s Market Event Invitation”.*
6. *To Council Clerk from Treasurer Gerber, dated April 8, 2024. This is the City of New Philadelphia Investment and Savings Report for March of 2024.*
7. *To Council and Administration from Mayor Day dated April 8, 2024. This is a*

MAYOR'S REPORT/REQUESTS ....MAYOR JOEL B. DAY

Mayor Day had the following report:

***City Receives an ODOT-Aviation Grant for Airport Taxiway Relocation***

April 15<sup>th</sup> is the scheduled start date for a major construction project at Harry Clever Field. The project will be fully paid for by Federal and State grants. It will relocate and reconstruct the taxiway that is parallel to the main runway at the airport. To pay for the \$2.8 million dollar project, the City received a \$2.6 million dollar grant from the FAA and a \$144,606.00 matching grant from ODOT-Aviation. The project will be done in four phases. All airfield lighting and NAVAIDS will be out of service during the construction period. And the main and grass runways will be closed periodically. ProAv, the airport manager, will issue all applicable NOTAMs or notices to aviators. The annual fly-in pancake breakfast fundraiser by Experimental Aircraft Association (EAA) Chapter 1077 on Sunday, May 26<sup>th</sup> should not be affected by the project.

***Goshen Twp Trustees Receive Notice of a Fire/EMS Contract Price Increase***

A letter signed by myself, City Safety Director Popham and Fire Chief Parrish has been sent to the Goshen Township Trustees, informing them of a cost increase should they decide to renew the township's fire and EMS contract with the City in 2027. New Philadelphia's taxpayers have been subsidizing the fire and EMS services to the township for many years. The level of service by our Fire Department to the township is identical to the level of service received by New Philadelphia residents. Therefore, the cost per call should be the same.

There are two years remaining on the current contract, which has the township paying the City \$180,000.00 per year. That would increase to \$537,691.87 annually, based on a per-call cost of \$1,122.53. Last year, the New Philadelphia Fire Department answered 479 calls in Goshen Township. We sent the cost increase notice early to give the Trustees time to inform their constituents and plan for future fire and EMS service to the township.

***Art on the Alley Vendor Spots are Sold Out***

The downtown New Philadelphia "Art on the Alley" event continues to grow. Wilma Mullet, the executive director of the Tuscarawas Arts Partnership, reports that all vendor spaces are sold out for the Sunday, May 5<sup>th</sup> event. And, as of this writing, there are only 28 spots available for the Art on the Alley October 6<sup>th</sup> event. More information about the events can be found at <https://www.tuscarawasartspartnership.org/art-on-the-alley>.

***The First Draft of the City's Complete Zoning Code Revisions***

Wendy Moeller of Compass Point Planning is expected to unveil the first draft of a complete revision of the City's zoning and planning codes at tomorrow's (Tuesday) monthly meeting of the City Planning Commission. She has been working on the project for the past year, updating the codes to meet modern land uses and standards. Tomorrow's 1pm meeting will be recorded, then posted on the City's YouTube channel. Once the final draft of the codes is completed, it will be presented to City Council for its adoption.

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

Mr. McAbier had the following report:

Just an add-on to the taxi lane; during the construction period, which will be around 90 days there will be no night flying at all during that time because of the lights being out. Also, last week we had the Franklin Square Phase 2 Bid Opening. I was happy to see that we had three very competitive bids. Woodford Construction, which did Phase 1, also gained the bid for Phase 2. It was just about 3 percent under if you do the math. The Engineer's estimate was about \$1,082,117.00. Woodford Construction committed \$1,049,518.00. Also, about the mapping. I want to thank Jonalee Fernatt. I just gave her the task and asked her to come up with something and she did. We started flushing last night. We started on the Southside and we've been doing valve exercises. We found four valves on the Southside which weren't open. Late last week I had gotten an email from Councilwoman Ramos about the Kent State Connector Trail. If anyone has any questions regarding the email I'll be happy to answer them at this time.

Mr. Rippeth thanked Mr. McAbier's office for that map and list stating it was a huge help.

AUDITOR .....MS. BETH GUNDY.....EXCUSED ABSENSE

SAFETY DIRECTOR .....MR. GREG POPHAM.....NO REPORT

Mr. Popham commented that the Fire Chief had a formula to come up with the numbers in the Goshen Twp. Email and anyone can reach out to him to find out how he arrived at those numbers. Mr. Popham also invited all Councilmembers to the Police Department and Fire Department to spend some time with them so they can have an idea of what's going on out there.

Mr. Lanzer commented that they do such a great job that we don't realize how dangerous their jobs are.

Mr. Rippeth had the following comment:

With the lights at Harry Clever Field down for 90 days. Will that effect anything with the Life Flights?

Mr. Popham:

Mr. Popham said they can adjust for anything like that.

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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

The Planning Commission will be meeting tomorrow. Wendy Moehler will be unveiling the 1<sup>st</sup> Draft of A complete revision of the City's Zoning and Planning Codes at tomorrow's meeting. Tomorrow's 1:00 PM Meeting will be recorded and posted on the City's YouTube Channel.

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

The Board of Zoning Appeals will meet April 9<sup>th</sup> at 5:00 PM in Council Chambers with two variance Requests to be heard.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will be meeting tomorrow evening at 6:00 PM at the Harry Clever Field Meeting Room.

PARK BOARD.....MR. MITCH PACE

The Field 8 Softball Dug-outs have the block up today. Those should be done by the end of the week. All the fields were full this evening so baseball and softball is in full swing. The Trout Derby is only Two weeks away, on April 27<sup>th</sup>.

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

HEALTH BOARD ..... MR. TOM SIMMELINK  
The Health Board will be meeting on Wednesday at noon in Council Chambers.

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. STEVE RIPPETH.....NO REPORT

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

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

ZONING AND ANNEXATION COMMITTEE.....MRS. CHERYL RAMOS.....EXCUSED ABSENSE

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

## VISITOR'S COMMENTS

Mike Barnett of 445 East High Ave. had the following comment:

I'm here this evening just to see what the plans are for the bike trail on East High Ave. East High is probably the busiest street in New Phila and it's about a two-and-a-half mile stretch from Beaver Ave. to University Dr. I have been hit by a car so I fully understand the safety concerns for people riding bikes on that street. We have semis that travel on that street at around 2:30am. I think because it's a straight stretch everybody goes fast.

Jill White with Martinelli Pools had the following comment:

*(Ms. White passed out a handout to everyone on Council and Administration)*

This is a continuation of the conversation on Erie Canal lands. I know we had the rezoning issue over the past month, and you guys voted unanimously to have the land rezoned before all the investigation was done. I know Council said that they would look into reversing that decision. I did a lot of research and that's what I handed you tonight.

*Ms. White summarized the report.*

David Hipp of 705 East High Ave. had the following comment:

I just want to follow-up about what Mike Barnett said about the bike path. I know that the Council has been considering this for some time. There have been a lot of discussions. The question I have, the City has the right-of-way on the Ray Ave. extension from Beaver to 8<sup>th</sup> or 9<sup>th</sup> Street. The bike path could run along Ray Ave. extension and avoid all the issues of the parking problems and traffic problems on East High Ave. Has it been considered to use the area along Beaver Creek?

*President Kemp explained to the audience that this issue was approved by Council in 2021..*

Marlena Allen of 467 East High Ave. had the following comment:

I want to back up what everyone else has been saying about the parking issues. We have events along through there from time to time. We have yard sales in the Summertime. Street parking is very, very important.

Dale Burk of 1003 Ray Ave. NE had the following comment:

Tonight, I am submitting a petition with 238 more signatures to add to the 174 that I submitted back in March of ministers, businesses, residents, and people who live outside the City who come here to spend their money in businesses in this town regarding DORA. We've discussed the different reasons for the DORA initiative and what some people view as positive for that. The one thing that's been missing from this discussion so far is the moral principals of in initiative like this and what it's going to do to our City. This is a family oriented city. This initiative does nothing to promote that atmosphere. This will encourage more alcohol consumption in our town and I don't think it's the right fit.

Elizabeth Hipp of 705 East High Ave. had the following comment:

As a parent of one-time small kids, we were always looking for somewhere to take the kids on their bikes. East High Ave. is not a place that most young families are going to take their kids. Some of the cars drive fast as well as semi-trucks and farm equipment. Safety should be the first thought regarding families on the trail.

## COUNCIL COMMENTS

Mr. Pace had the following comment:

I believe the legislation for this current bike trail was passed in 2021. Mr. Mayor, when they drew the map for the bike path were other options looked at?

Mayor Day replied yes, and that ODOT drew the map for that project, and East High was their best option.

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES: NONE

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.  
2<sup>nd</sup> Reading

MR. LANZER MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 6-2024  
MR PACE SECONDED THE MOTION

Service Director McAbier had the following comment:

Back in 2021, the bike trail legislation came out of Mr. Ricklic’s Finance Committee, and all seven members of Council voted unanimously to pass the legislation on emergency. Right now in this project we have \$252,000 of grant money used at this point for design and engineering. This legislation is just stating the line items that the grant money is coming out of. This is ODOT dotting the I’s and crossing the T’s. I’m sure we could return the \$252,000 in grant money, but why would we do that when we have \$361,000 left of the project to get it completed?

6 YEAS  
RULES ARE SUSPENDED ON RESOLUTION 6-2024

MR. LANZER MOTIONED FOR APPROVAL OF RESOLUTION 6-2024  
6 YEAS  
RESOLUTION 6-2024 HAS BEEN APPROVED.

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**

With no other business to discuss Mr. Lanzer motioned to adjourn at 8:15 PM.

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

APPROVED \_\_\_\_\_

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