

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON MAY 30, 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  
MRS. CHERYL RAMOS  
MR. STEVE RIPPETH  
MR. TOM SIMMELINK  
MR. MICHAEL WALKER

EXCUSED ABSENSES: MR. MITCH PACE

- MR. RIPPETH MOTIONED TO ADD RESOLUTION 8-2024 TO TONIGHT’S AGENDA FOR 1<sup>st</sup> Reading  
MR. LANZER SECONDED THE MOTION  
5 YEAS (MR. KREINBIHL RECUSED HIMSELF)  
RESOLUTION 8-2024 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MRS. RAMOS MOTIONED TO ADD ORDINANCE 19-2024 TO TONIGHT’S AGENDA FOR 1<sup>st</sup> Reading  
MR. WALKER SECONDED THE MOTION  
6 YEAS  
ORDINANCE 19-2024 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. SIMMELINK MOTIONED TO ADD ORDINANCE 18-2024 TO TONIGHT’S AGENDA FOR 1<sup>st</sup> Reading  
MR. KREINBIHL SECONDED THE MOTION  
6 YEAS  
ORDINANCE 18-2024 HAS BEEN ADDED TO TONIGHT’S AGENDA
- MR. SIMMELINK MOTIONED TO APPROVE TONIGHT’S AGENDA  
MR. WALKER SECONDED THE MOTION  
6 YEAS  
TONIGHT’S AGENDA HAS BEEN APPROVED
- MR. RIPPETH MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON MAY 13, 2024  
MRS. RAMOS SECONDED THE MOTION  
4 YEAS (MR. SIMMELINK AND MR. WALKER ABSTAINED)  
MINUTES FROM THE MAY 13, 2024 COUNCIL MEETING HAVE BEEN APPROVED

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

1. *To President Kemp from Law Director Fete, dated May 23, 2024. This is an email titled “Please assign to Mrs. Ramos’ Committee with Proposed Ordinance 19-2024 as the attachment.*
2. *To Council and Administration from Mayor Day, dated May 23, 2024. This is an email titled “Letter Appointing Heather Denham as Acting City Auditor May 23, 2024”.*
3. *To Council Clerk from Hallie Saferin at Ohio.gov, dated May 30, 2024. This is a notice of a hearing on June 21, 2024 at 1:00 PM regarding New Philadelphia City Council’s objection to transfer ownership of the C1 Liquor Permit from Harsv Petroleum LLC to Sarai Petroleum LLC. I forwarded this notice to all of Council and Administration.*
4. *To Council and Administration from Mayor Day, dated May 30, 2024. The Mayor’s Report.*

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

Mayor Day had the following report:

### ***The Summer Season is Officially Underway in New Philadelphia***

Though the calendar says June 20<sup>th</sup> is the first day of summer, the season is already underway in New Philadelphia. It began with the opening of Tuscora Park over the Memorial Day weekend. City Parks and Recreation Superintendent Adam Fulton reported that, despite the occasional rain showers, large crowds of visitors were lined up to ride the rides, swim at the pool, and buy food and drinks at the concession stands. Rain cancelled the opening performance at RTY's Summer Showcase and the ceremonies to unveil a new historical marker and to thank the donors who purchased the new mini-Ferris wheel kiddie ride. Those ceremonies have been rescheduled for this coming Sunday, June 2<sup>nd</sup> at 6:30pm.

Meanwhile, RTY is awaiting the delivery of the new train it purchased for Tuscora Park and for the installation of a new drive shaft to get the Ferris wheel running. Both of those projects should be completed before the rides close in September. RTY's Greg Rees provided the photo below of the new train's engine still under construction.



### ***Tuscora Park Now Has an Ohio History Connection Historical Marker***

Thanks to the data gathering and fundraising efforts of New Philadelphia Rotarian Sam Hitchcock, the Ohio History Connection has given the Rotary Club a marker that designates Tuscora Park as a historically significant site in New Philadelphia. The club invites you to attend the marker's dedication ceremony this Sunday, June 2<sup>nd</sup> at 6:30pm. It's been installed in an area across from the park office building.

The Ohio Historical Markers program began in the 1950s. There are approximately 1,750 such markers, including three in New Philadelphia: at Courthouse Square, the Schoenbrunn Village school house, and at Ohio and Erie Canal Lock 13 on Commercial Avenue SE. To learn more about the marker program, visit <https://www.ohiohistory.org/preserving-ohio/history-preservation-where-you-live/ohio-historical-marker/>.

### ***Renewing Your Vehicle Registration Just Became Easier***

Earlier today (Thursday) I had the honor of attending the unveiling of a new self-service BMV Express Kiosk inside of Discount Drug Mart on 2<sup>nd</sup> Street NW. The Bureau of Motor Vehicles has been locating these kiosks across the state to give Ohioans a faster, easier way to renew their vehicle registration. More locations can be found here: <https://ohiobmvexpress.com/>. By using the kiosk, they claim it should cut the time to get an auto registration card and license validation stickers to under two minutes.

### ***Best Wishes for Retiring City Auditor Beth Gundy***

Monday, June 3<sup>rd</sup> will be the final day in office for City Auditor Beth Gundy. She is retiring after serving the City for just over 28 years. On behalf of the citizens of New Philadelphia, I wish her much health and happiness in her retirement years.

As permitted by Ohio Revised Code section 733.13, I have appointed Heather Denham to be the interim City Auditor. She currently serves in the Auditor's office as the executive assistant. A new City Auditor will be appointed by the New Philadelphia members of the Tuscarawas County Republican Party's Central Committee within the next two weeks. The application deadline for the position is May 31<sup>st</sup>.

Mayor Day requested an Executive Session at the conclusion of tonight's meeting to discuss a personnel issue that could effect the General Services Department.

MR. LANZER MOTIONED FOR AN EXECUTIVE SESSION FOLLOWING THE LEGISLATIVE AGENDA PORTION OF TONIGHT'S MEETING  
MR. SIMMELINK SECONDED THE MOTION  
6 YEAS  
THERE WILL BE AN EXECUTIVE SESSION DURING TONIGHT'S COUNCIL MEETING

Mayor Day gave the remainder of his time to Jim Knisely to give an update on the NPact Organization.

Mr. Knisely gave a presentation to Council and Administration.

**Highlights of the Presentation on NPact:**

- This organization was formed in 2021.
- The group hired Ned Parks to do a strategic plan for the new organization.
- They sent out surveys to Community Members to find out the pressing issues.
- They had several pressing issues.
- The top six areas they decided were important were 1. Parking 2. Safety 3. The arts 4. New Business 5. Empty Buildings 6. Activities and Events
- They had to come up with a strategic plan and a road map for the future and bylaws.
- NPact is an organization to provide a partnership with the City to provide projects to enhance our community.
- NPact's Mission Statement: New Philadelphia Advancing the Community Together for the Good of All.
- NPact's Vision: Using Collaboration, Communication, and Innovation to foster a vibrant community that's welcoming to citizen's, businesses, and visitors.
- Some events that the group has worked on are the downtown Easter Egg Hunt, Music on the Square, and the Sidewalk Sales.
- Currently there are 7 board members and they can have up to 9.
- Meetings are the first Wednesday of the month at 8am at Council Chambers.
- Group is looking for a full time director.

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

Mr. McAbier had the following report:

Some new 12 inch waterline is going in at Alan Lane. We're paving that area this year so we wanted to get the new waterline in before we pave. The CDBG Project on College Ave and 11<sup>th</sup> Street looks fabulous. The topsoil is going in tomorrow. Contractually they had 5 weeks but they might be done in 3 weeks. We're planning a construction meeting for Franklin Square Phase 2. We had two rounds of funding for the H2Ohio Grant. You can be awarded up to \$10,000. We were one of the cities that got \$10,000.

Mrs. Ramos had the following question:

College Ave. looks great, how far are you coming around 11<sup>th</sup> Street?

Mr. McAbier:

What you see now. My goal is to transform that whole area.

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

SAFETY DIRECTOR .....MR. GREG POPHAM

Mr. Popham had the following report:

An update in the police department. Back several months ago with the help of then Councilman Dean Holland, the Police Chief, and Captain Rossi, they applied for a grant through the state for body cameras. We did receive the grant and the cameras have arrived. They're starting to update the car cams to be able to receive information from the body cams. They should be up and running within the next few weeks.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following comment:

I've been working very closely with Wendy Moehler. The most recent issue that we addressed was signage for advertising. There were a couple different options we had. This is impacted by the 1<sup>st</sup> Amendment. Hate speech is protected under the 1<sup>st</sup> Amendment. Under the 1<sup>st</sup> Amendment Government can regulate time, place, and manner of speech but not content. There is flexibility when it comes to advertisement, but you can't have false advertising and you can't advertise something that's illegal. I went with the least restrictive time place and manner exclusions.

**BOARD/COMMISSION REPORTS:**

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting in Council Chambers on Tuesday, June 11<sup>th</sup> at 1:00 PM. We'll get another visit from Wendy Moehler. She'll give an update on the revisions she made on the 1<sup>st</sup> Draft of the Zoning Code.

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

The Board of Zoning Appeals will meet June 11<sup>th</sup> at 5:00 PM in Council Chambers.

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

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

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

HEALTH BOARD ..... MR. TOM SIMMELINK.....NO REPORT

**STANDING COMMITTEE REPORTS:**

FINANCE COMMITTEE .....MR. STEVE RIPPETH

Mr. Rippeth had the following report:

The Finance Committee met tonight here in Council Chambers at 7:00 to discuss Resolution 8-2024 authorizing the Mayor and the Service Director to enter into a loan agreement to purchase a VACALL Street Sweeper. That legislation was placed on tonight’s Agenda for a 1<sup>st</sup> Reading by unanimous vote of the Committee. No other issues to come before us, so we adjourned at 7:13 this evening.

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

SAFETY, HEALTH, AND SERVICE COMMITTEE.....MR. TOM SIMMELINK

Mr. Simmelink had the following report:

The Committee met tonight. We had sent Council legislation regarding the use of vehicle in addition to bicycles prohibition on sidewalks in the downtown area.

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

Mrs. Ramos had the following report:

The Committee met tonight to discuss Ordinance 19-2024 which changes how we are going to notify for Zoning changes. This is in preparation for the Zoning Code audit that we’re having and the zoning code for everybody will change in the City. We placed that on the Agenda tonight for 1<sup>st</sup> Reading.

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

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

**VISITOR’S COMMENTS**

Nick Javas of 439 Fair Ave. NW had the following comment:

As a person in recovery and someone who also runs a nonprofit for women in recovery that’s going to be opening a location in New Phila. I’m also looking at starting a business downtown. This is how I heard about the DORA, and I wanted to take a few minutes just to share my perspective. I’m not afraid of alcohol for all the reasons that I just mentioned and the people that I work with. That is not why I’m here. I’m here because of my family and small children. My opposition is mainly concerning events. We’re at all the downtown events, and I believe that introducing alcohol freely at an event changes the culture from family friendly to something where not everyone is included. With the nonprofit that I’m running the decisions we make benefit everybody, and I’m not sure this decision does.

Dean Holland of 335 Springbrook Dr. SE had the following comment:

I just found out about the pension system and how it impacts elected officials and those that have only been in the Ohio Public Employees Retirement System for a short period of time. I had a friend that contacted me that had been in OPERS for 13 years, and got out and went into another field where OPERS opportunity was not available. She began to pull her monies out and it impacted her social security by 66%. She was left with 33% of her social security. Once I found out about that I contacted Social Security. I talked with them and I talked with OPERS and having only been in the system for 8 years, and no one had every mentioned that there might be an adverse impact on my social security. I think somehow there ought to be a way to at least notify new Council Members as they come on each year that they have this possible impact if they’ve been paying into Social Security for a number of years. I’ve been paying for a number of years, and I went to Social Security and discussed how much I was going to be impacted. I found out there are a number of papers that have to be sent from OPERS to Social Security for them to be able to calculate that. If someone is on for less than 30 years and decide to take your pension and draw it out on a monthly basis you’re not as adversely impacted as you would be if you drew it out in a lump sum. If you’re on Council for just a few years you’re adversely going to be impacted. I would really recommend to you that you contact whoever does your tax work and contact Social Security and discuss it with them so you at least can plan on what the adverse impact is going to be.

**COUNCIL COMMENTS**

Mr. Kreinbihl had the following comment:

We’ve got four New Phila athletes competing at the State track meet starting tomorrow. Eliot Brady, Preston Reiger, Alec Adelman, and Marcus Adelman will be competing in the 4 x 8 and then Preston will begin an 800 on Saturday. I just want to wish all of them good luck. They’ll be down in Dayton representing New Philadelphia proudly.

Mr. Popham had the following comment:

I heard the rumor that the City of New Philadelphia was named one of the top three Safest Cities in Ohio.

*\* President Kemp gave an update on the recovery of Sam Hitchcock after suffering injuries from an accident.*

**READING OF ORDINANCES AND RESOLUTIONS**

ORDINANCES:

17-2024 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE CITY OF NEW PHILADELPHIA NOT REQUIRED FOR PUBLIC PURPOSES, PURSUANT TO OHIO REVISED CODE SECTION 721.15- DISPOSITION OF

PROPERTY UNNEEDED, OBSOLETE OR UNFIT FOR MUNICIPAL PURPOSES.

3<sup>rd</sup> Reading

MR. LANZER MOTIONED FOR APPROVAL OF ORDINANCE 17-2024

MR. RIPPETH SECONDED THE MOTION

6 YEAS

ORDINANCE 17-2024 HAS BEEN APPROVED

18-2024

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND CODIFIED ORDINANCE SECTION 373.10 RIDING ON SIDEWALKS TO PROHIBIT SKATEBOARDS AND LOW-SPEED MICROMOBILITY DEVICES FROM BEING OPERATED IN THE RESTRICTED AREA.

1<sup>st</sup> Reading

19-2024

AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AMEND SECTION 1151.05 (A) OF THE NEW PHILADELPHIA CODIFIED ORDINANCES TO INCLUDE AN EXCEPTION CLAUSE FOR ZONING NOTICES.

1<sup>st</sup> Reading

RESOLUTIONS:

7-2024

A RESOLUTION BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO TO AUTHORIZE AND DIRECT THE AUDITOR OF THE CITY OF NEW PHILADELPHIA TO TRANSFER UP TO \$2,299.53 FROM THE SAFER GRANT 2019 FUND #223 TO THE GENERAL FUND #101, AND UP TO \$8,850.20 FROM THE TV CABLE FRANCHISE FEES FUND #260 TO THE GENERAL FUND #101 AS PREVIOUSLY APPROPRIATED.

2<sup>nd</sup> Reading

MR. RIPPETH MOTIONED FOR SUSPENSION OF RULES ON RESOLUTION 7-2024

MR. KREINBIHL SECONDED THE MOTION

6 YEAS

RULES ARE SUSPENDED ON RESOLUTION 7-2024

MR. RIPPETH MOTIONED FOR APPROVAL OF RESOLUTION 7-2024

MR. WALKER SECONDED THE MOTION

6 YEAS

RESOLUTION 7-2024 HAS BEEN APPROVED

8-2024

A RESOLUTION AUTHORIZING THE MAYOR AND THE SERVICE DIRECTOR OF THE CITY OF NEW PHILADELPHIA, OHIO, TO ENTER INTO A LOAN AGREEMENT WITH FIRST FEDERAL COMMUNITY BANK FOR THE PURPOSES OF PURCHASING A NEW 2024 VACALL STREET SWEEPER.

1<sup>st</sup> Reading

**Council adjourned into a 5 minute recess at 8:18pm before going into an Executive Session which started at 8:24pm. Council reconvened into Regular Session at 8:40pm.**

**UNFINISHED OR OLD BUSINESS: NONE**

**NEW BUSINESS: NONE**

With no other business to discuss Mr. Walker motioned to adjourn at 8:41 PM.

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

APPROVED \_\_\_\_\_

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