

NEW PHILADELPHIA CITY COUNCIL MET IN REGULAR SESSION IN COUNCIL CHAMBERS ON JULY 8, 2024 WITH PRESIDENT PRO TEM DAN LANZER 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
MRS. CHERYL RAMOS
MR. STEVE RIPPETH
MR. TOM SIMMELINK
MR. MICHAEL WALKER

EXCUSED ABSENCES: PRESIDENT DON KEMP

- SAFETY DIRECTOR POPHAM REQUESTED AN EXECUTIVE SESSION DURING TONIGHT’S MEETING REGARDING A PERSONNEL MATTER

MR. RIPPETH MOTIONED FOR AN EXECUTIVE SESSION
MR. PACE SECONDED THE MOTION
6 YEAS
THERE WILL BE AN EXECUTIVE SESSION FOLLOWING THE LEGISLATIVE AGENDA TONIGHT

- MR. RIPPETH MOTIONED TO ADD ORDINANCE 20-2024 TO TONIGHT’S AGENDA
MR. KREINBIHL SECONDED THE MOTION
6 YEAS
ORDINANCE 20-2024 HAS BEEN ADDED TO TONIGHT’S AGENDA

- MR. RIPPETH MOTIONED TO APPROVE TONIGHT’S AGENDA
MR. SIMMELINK SECONDED THE MOTION
6 YEAS
TONIGHT’S AGENDA HAS BEEN APPROVED

- MR. WALKER MOTIONED TO APPROVE THE MINUTES FROM THE REGULAR SESSION OF COUNCIL ON JUNE 24, 2024
MR. SIMMELINK SECONDED THE MOTION
5 YEAS, MR. PACE ABSTAINED
MINUTES FROM THE JUNE 24, 2024 REGULAR COUNCIL MEETING HAVE BEEN APPROVED

CORRESPONDENCE CLERK, JULIE COURTRIGHT

1. *To Council and Administration from Executive Administrative Assistant to the Mayor Jami Bailey, dated July 1, 2024. This is the Mayor’s Month-end Report.*
2. *To Council and Administration from Income Tax Administrator for the City Carly Loos, dated July 1, 2024. This is the June Month-end Report.*
3. *To Council and Administration from Auditor Heather Denham, dated July 3, 2024. This is the Post Audit Report from Rea and Associates.*
4. *To Council Clerk from the Ohio Public Utilities Commission, dated July 7, 2024. This is a CD titled “Staff Report of Investigation”.*
5. *To Council Clerk from Treasurer Gerber, dated July 8, 2024. This is the City of New Philadelphia Investment and Savings Report for June of 2024.*
6. *To Council and Administration from Mayor Day, dated July 8, 2024. The Mayor’s Report.*

MAYOR'S REPORT/REQUESTSMAYOR JOEL B. DAY
Mayor Day had the following report:

Another Successful First Town Days Festival

For the 47th consecutive year, the First Town Days Festival Committee members did another awesome job of giving us a celebration to remember at Tuscora Park. It was great to see families enjoying all the festival's events. The Grand Parade was one of the best ever. The Marching Quaker Band alumni were a huge hit. The City Slickers beat the County Terminators 21 to 1 to win the annual City-County softball game. I want to congratulate Coach Chaz Willet for assembling another team of sluggers who work for the City. The park was filled for Saturday night's fireworks display. And the quality of entries in Sunday's car show made it very tough to pick the trophy winners. I want to thank the sponsors of this year's First Town Days Festival events. We are grateful for your support of the festival and our community.

Work is Progressing on the Relocation of the Taxiway at Harry Clever Field

The project to relocate the taxiway at Harry Clever Field is over 50 percent completed. According to the construction schedule, this month the new taxiway will be paved, and the dirt areas seeded and mulched. The taxiway will be opened by the end of the month and new electrical wiring and lighting will be installed. The schedule calls for completion of the project by the end of August. Notice to Aviators (NOTAMS) are being posted during the construction period to let flyers know about runway closures.

Tuscora Park's Pickleball Courts are Closed for Resurfacing

The pickleball courts at Tuscora Park will be closed for the next two weeks for resurfacing. Vasco Asphalt is applying a new topcoat to the court surfaces in keeping with the Parks Department's maintenance schedule. It's going to take around a week and a half for the resurfacing to cure before play can resume. The reopening date should be Monday, July 22nd. Check the City's Facebook page for updates.

Mark Saturday, July 20th on Your Calendar

Downtown New Philadelphia's Summer Sales and Summer Sounds event is coming up on Saturday July 20th. The event starts with sidewalk sales at 10am, followed by Chetsville Live's Music on the Square from 2pm to 10pm. You can explore over 100 artisans and shops. And there will be food trucks. The event has been organized by Alley Cats Marketplace, Fresh the Market and Chetsville Live, as well as the New Philadelphia Advancing our Community Together (NPAct) organization. Don't miss it!

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

Mr. McAbier had the following report:

First, an update on the 2024 Paving. Today there was grinding on Kaderly Ave, from Wabash to the end by the unnamed alley. They'd love to do that by the end of Wednesday. We still have 3rd Street to complete from Ray Ave to the end of Wabash. That will take them the rest of this week and some of next week. They'll finish up on Grandview and then the 2024 Paving will be finished. I believe at the Meeting on the 22nd I will be able to give the full update and it should be completed by then. Also the Mayor in his report brought up about the airport and the taxiway relocation. That's coming along well. It's moving good and we're keeping up to date on that. We did have one hiccup today, they were running some wire today with a trencher and off to the right of the runway on the East High Ave. side our manholes sit there. We put about 150 to 200 brick in the manhole and we were able to get our jetter down in there. They've got it coned off now and they'll have to repair it. Also, Phase 2 of the Storm Sewer Project, right now it's scheduled to start in August. We had a pre-construction meeting but we don't have that date nailed down. I hope to have that also on the 22nd of July. No pre-construction meeting yet for the KSU Connector Trail. The same company doing work on the airport also has that job. When I talked to him he thought it would be in August also, but I hope to give an update on that at the July 22nd meeting.

AUDITORMRS. HEATHER DENHAM.....NO REPORT

SAFETY DIRECTORMR. GREG POPHAM

Mr. Popham had the following report:

An update in the Police Department, last week the body cams were all put into service. They are up and running and at this point no glitches.

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

LAW DIRECTOR.....MR. MARVIN FETE

Mr. Fete had the following comment:

I would request, Mr. Lanzer, that you assign to your own Committee Resolution 9-2024. This legislation pertains to the administration negotiating with Hootie Bear LTD, the company that operates Magoo’s Restaurant. Part of the lease agreement is that the rent is a percentage of the profits at three percent. They’ve negotiated an increase to four percent. It’s a fantastic place and it operates at full capacity all the time. I’d like to get this going by September 1st. I also want to report that the Supreme Court did rule that you can criminalize some aspects of homelessness. Some folks from Oregon who were homeless advocates brought this action because people were sleeping on the streets and they had no way of getting them off the streets and into shelters and treatment. By a vote of 6-3 the Supreme Court approved making it criminal to camp on public lands. We’re going to be revamping Ordinance 973 which pertains to our parks, and hasn’t been updated since 1960. Certainly we’re going to make this something we consider. This will make sure the folks who don’t have anywhere to go gets the shelter and treatment they need. If Council would like me to send out a memorandum that breaks down the entire case I would be happy to send that out, because you may want to incorporate this into other aspects. I just know the park is an immediate concern because of an issue we’re having down by the waterworks. If you want to consider that as a part of legislation as a whole I’d be happy to consider that.

**Mr. Pace and Mrs. Ramos both commented that a memorandum would be ideal for Council. Mrs. Ramos commented that the memorandum highlights how the court case pertains to us.*

BOARD/COMMISSION REPORTS:

PLANNING COMMISSION.....MAYOR JOEL DAY

The Planning Commission will be meeting here in Council Chambers tomorrow at 1:00pm. The Commission will be looking at a possible new development at 2nd and 3rd Street SW. If we have And remaining time we will be reviewing the first and final draft of the new Zoning Code. Wendy Mohler from Compass Point Planning will be planning a meeting the week of July 22nd, and the Planning Commission will be taking the comments from that Public Hearing and considering That at their meeting in August. After that they’ll be making a recommendation to City Council.

Mrs. Ramos asked if the final draft of the Zoning Code was on the City Website. Mayor Day said it is under the Documents Section on the website.

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

The Board of Zoning Appeals Meeting scheduled for tomorrow at 5:00 PM with no variance requests To be heard has been cancelled.

AIRPORT COMMISSION.....MR. DAN LANZER

The Airport Commission will be meeting July 9th in the Airport Meeting Room at Harry Clever Field at 6:00 PM.

PARK BOARD.....MR. MITCH PACE

I want to echo what Mayor Day said on the First Town Days volunteers, RTY, and our Superintendent Adam Fulton and our Assistant Superintendent, on how great the part looked over the weekend with the American Flags flying, the rides going, kids enjoying it. I don't think you could ask for anything better. I certainly appreciate everybody and it was a great weekend in the City of New Phila.

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

HEALTH BOARD MR. TOM SIMMELINK

The Health Board meets this Wednesday at Noon, but in the meantime I passed out to you some information. Our City Health Department was part of Healthy Tusc, which was created in 2009 in response to concerns about obesity. Since then, it's been expanded to 20 different Health and Human Services Organizations. There's a Q4 code you can scan and take a survey on your phone. You can put your name on it or be anonymous. They also are getting ready for mosquito spraying.

STANDING COMMITTEE REPORTS:

FINANCE COMMITTEEMR. STEVE RIPPETH

Mr. Rippeth had the following comment:

The Finance Committee met tonight at 6:15 PM here in Council Chambers. One item on our Agenda tonight was for Ordinance 20-2024 which we've added to tonight's Agenda for a vote, which is just Appropriating some funds for that mosquito spraying that we just discussed. That meeting took until about 6:15 and we adjourned.

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

Mr. Lanzer had the following report:

We met this evening at 6:30 and we had one item to discuss, which was the Sanitation Rates for 2024. We voted to move that on with a \$3.00 increase to have the Law Director draw up the proper legislation. We'll look at that again next meeting for Committee and we'll move it on to Council.

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

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

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

Rhonda Stover of 850 Orchard Ave. NW has the following comment:

In November of 2022 we lost a family member to the ravages of alcoholism. After years of being a closet alcoholic she turned to harder stuff, binge drinking when no one was around, until her organs began to deteriorate to the point that she could no longer hide it. Toward the end it was like watching someone commit suicide in slow motion. Rather than gathering to celebrate the birth of Jesus and the promise of a new year, we gathered on New Year’s Eve to mourn the loss of our dear cousin. She left behind a husband, three sons, and a daughter-in-law. She never got to meet her first grandson who was born four months later. I’m sure when Becky first began drinking at family gatherings and social events, she had no idea that was where it would end. Most people don’t. They treat the consumption of alcohol casually, because alcohol permeates everybody’s lives, appearing everywhere from birthday parties and weddings to even funerals. Its possible dangers are often obscured. Which would be the case if the City of New Philadelphia created a DORA.

Adults walking around downtown carrying a glass of alcohol as casually as they would an ice cream cone or popcorn sends a very dangerous message to the children, who will be adults of our community, as well as to the people staying in the homeless shelter, or those struggling with alcoholism. According to the Association of American Medical Colleges, alcohol related deaths in the United States have surged by a whopping 30% in recent years and is now responsible for nearly 500 American deaths every single day, whether it’s been from car accidents, liver disease, or dozens of other risks. In 2022 two million teens and adults self-identified as having alcohol use disorder, that is, the inability to control drinking despite adverse consequences. Our Becky suffered from that. Of those, 756,000 are young people ages 12 to 17.

We are all familiar with the public health media campaign that was created by Prevention Alliance. They use the phrase “Parents who host lose the most”. Why? Because it helps prevent underaged drinking in our community by targeting young people’s access to and the availability of alcohol. This campaign reminds parents that it is unhealthy, unsafe, and unacceptable to provide alcohol to young people and warns parents of the legal risks they may face. I’m representing people this evening who believe cities who hose lose the most. That would be cities who have a DORA. There are reasons why restaurants and stores need to obtain a liquor license to sell the stuff. There are reasons why we have laws that prevent the open consumption and open carrying of alcohol. It’s because it is not a benign substance. As leaders of our City, it is your responsibility to provide a safe, family friendly environment for our citizens. It is imperative that you do all within your power to make the area a safe, wholesome place to live, shop, go to the library, see a movie, concert, attend church, etc, without encountering people on the sidewalk who are casually consuming an addictive mind impairing beverage. No temporary monetary gain could outweigh the long-term negative consequences that a DORA creates. We just hosted First Town Days, a successful family friendly event that draws people to our City without the use of alcohol. It can be done. We are New Philadelphia, the new city of brotherly love. Let’s reject DORA, lean on our Christian heritage, and ask God to show us life giving ways to draw people to our downtown. Thank you.

Wilma Mullett of New Philadelphia had the following comment:

I'm one of the organizers of Art on the Alley, which has been a growing arts festival here in downtown New Philadelphia. I am here to support DORA. I know what I've seen in other communities and other arts festivals and community events where they've had a DORA implemented and there haven't been negative consequences because of it. If anything helps shine a light on the availability for it and also the responsibility that people take during it, I do want to emphasize that there's more responsibility behind it as well. We trust our bartenders to check people's IDs that should be of legal drinking age. The DORA cups ensure that there is a level of safety because there is responsibility behind it. Bartenders also know when they see someone impaired and when to cut off. By having a DORA there are more benefits to alcoholic development.

Jessica Haney owner of My Museum Tattoo Studio in New Phila had the following comment:

I have been involved in Art in the Alley for years. Knowing what I see as being a part of the community. I see a lot of people who carry around alcohol because they have to hide it. I don't drink because I have alcoholism in my family. I see alcoholism ravage everywhere whether we have a controlled area or not. I looked up our state and who has DORA. A lot of communities have a DORA. I don't want to say we'd be eliminating people by not having it, but I don't know that we open up that can of worms by having it. I feel like I'm for it, and it can always be taken away. It should be something that we explore for our community.

Council Comments NONE

READING OF ORDINANCES AND RESOLUTIONS

ORDINANCES:

20-2024 AN ORDINANCE BY THE COUNCIL OF THE CITY OF NEW PHILADELPHIA, OHIO, AMENDING AND ADJUSTING THE PERMANENT APPROPRIATIONS ORDINANCE FOR THE YEAR 2024
1st Reading

MR. RIPPETH MOTIONED FOR SUSPENSION OF RULES ON ORDINANCE 20-2024
MR. KREINBIHL SECONDED THE MOTION
6 YEAS
RULES ARE SUSPENDED ON ORDINANCE 20-2024

MR. RIPPETH MOTIONED FOR APPROVAL OF ORDINANCE 20-2024
MR. KREINBIHL SECONDED THE MOTION
6 YEAS
ORDINANCE 20-2024 HAS BEEN APPROVED

RESOLUTIONS: NONE

Council adjourned into a 5 minute recess at 8:06pm before going into an Executive Session which started at 8:11pm. Council reconvened into Regular Session at 8:14pm.

UNFINISHED OR OLD BUSINESS: NONE

NEW BUSINESS: NONE

With no other business to discuss Mrs. Ramos motioned to adjourn at 8:15 PM.

CLERK OF COUNCIL _____
Julie Courtright

APPROVED _____

PRESIDENT OF COUNCIL _____
Don Kemp