

Note: Due to the current state of national emergency, from the Covid-19 pandemic, and the need to comply with federal, state and local mandates, and to help prevent the spread of infection, these Council meetings were conducted via teleconference. Council members were on one conference phone with open two-way communications for motions, deliberations, and voting. City Administration was also included on this line for any questions. The public could watch and listen on the Local Cable Access channel 1020 and a second conference phone was provided for the public to call in to listen. This second line could be unmuted if the public petitioned to speak before Council. Y-City News also broadcast the Council meeting on Facebook Live Stream.

Mr. Vincent: Addressing anyone watching, Council is here by conference phone, which you see here in front of me. If you are watching and sound quality is an issue you can also listen in by calling 1-712-770-5505. The access code is 809642. I know that is a lot of numbers. If you have Facebook and you go to the City's Facebook page and those numbers are there also.

PUBLIC HEARING

Mr. Vincent welcomed everyone to the public hearing. For those of you joining on TV we have two members of Council present. With that we have Councilmembers who are tuned in on a conference line. You will be hearing them in a moment when we have roll call. We are here tonight for a public hearing.

A Public Hearing was held at 6:15 p.m., Monday, April 27, 2020 in the City of Zanesville's Council Chambers, 401 Market Street, Zanesville, Ohio to hear a request to amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio from the existing zoning district of I-1, Light Industrial to A&E, Agriculture and Estate on Muskingum County Parcel Number 85-36-01-07-000 situated in the City of Zanesville, County of Muskingum, Ohio, and State of Ohio. All testimony for and against will be heard. I will turn it over to Matthew Schley to give us the information.

Matthew Schley: Thanks for having me here, members of Council. Today you are hearing a zoning map amendment. The parcel as he said is 85-36-01-07-000. It is also known as the Lear property. It is a 28.53-acre parcel. It is currently zoned I-1 Industrial. What is being proposed is a zoning map amendment to change it to A&E which is our Agriculture and Estate zoning. A&E is often referred to as a place holder. It is used to preserve large open areas for future urban development. This was presented to the Planning Commission back in March with the recommendation of approval. They found it was consistent with the Comprehensive Plan objectives. The first one is LUG2, which is the City shall take steps to encourage and enhance riverfront areas. This property is adjacent to the Muskingum River so obviously it is a very valuable piece of land and preserving our riverfront areas. LUG3, Brownfield sites must be changed in order to strengthen neighborhoods. This property sits adjacent to a number of residential properties and legal non-conforming residential properties. It is ultimately in the interest to preserve and to change Brownfield sites to have redevelopment and strengthen those neighborhoods. Next LUP3.2 feeds back into our LUG3 which is abandoned

properties are given preference. There hasn't been any development on this site since 2015 or any changes at all. In 1983 this site was added to the National properties list due to ground water contamination. It is essentially a registered brownfield site. The reason behind A&E is a grant to a new property owner of the maximum flexibility for future development, but also grants the City an added layer of control over what type of development could happen there. A&E is a very restricted zoning classification compared to even I-1 which is a fairly restricted zoning classification of itself. What wouldn't be allowed there is another industrial development. This would allow the City to say how we feel that this property could be used for its best use. With that being said, the Planning Commission did recommend this for approval during the regular March 2020 meeting.

Mr. Vincent: Thank you. We will do roll call at the end, my apologies. If you could again refresh us on A&E the and the potential there.

Matthew Schley: Right now, A&E is really designed kind of a two-phase piece. So, the first phase it was used to bring new properties into the City, large pieces of properties like out on Wayne Avenue. A number of those properties are large lots that are zoned A&E and the purpose of that is it is like a land bank, like a banking of the land almost because we can instead of saying this is going to be residential, industrial, or commercial. We say this is going to maintain the same integrity. The other purpose of A&E behind it is to preserve land for future development that has already been developed. So, things like large vacant sites that have been demolished or things of that nature. You can zone that A&E and it will allow you in the future to do lot splits, or redevelop it the way it is so it is better suited for the future than what it is now.

Mr. Vincent: So in the future different zoning may be needed and then you can go the direction that fits.

Mr. Schley: Absolutely. I mean it is a very large parcel, 28.5 acres. I mean you could easily carve that up into any number of our zoning districts. You could make it PUD or a number of things. The goal right now is preserving it and preventing it from becoming another industrial use that could potentially harm the neighborhood and not help it.

Mr. Vincent: Okay, thank you. Are there questions from Council?

Ms. Gildow: Mr. Schley, does this in any way narrow the target market of entities that might be interested in obtaining the Lear site if this runs through the land bank for acquisition by another entity.

Mr. Schley: I would say no. The reason being is that it really just opens it up to whatever a developer would want to do. It certainly limits it in the scope of what somebody could do today. Once this is passed and in order for somebody to do some sort of commercial/residential development of some sort they would have to come back through this process and gain approval. That would allow the City to have a little better control over what could go there. In my opinion, it would be expanding things instead of

limiting them. As it sits right now it is almost stuck perpetually as industrial. This would allow it to become something better and better suited for the future.

Ms. Gildow: That sounds great! Thank you.

Mr. Vincent: With that and I am not sure who it was of Council on the phone. Do you have a question?

Mark Baker: Could you characterize any of the plans that the City has for brownfield mitigation on the site?

Matt Schley: I believe the Mayor would be better suited to answer that question. I can say there has been mitigation. I believe a Phase 1 and a Phase 2 were done on that site. I believe that the Mayor would have a better understanding as to the future plans for that site.

Mayor Mason: Thank you, Matt. Councilman Baker, could I, as I want to make sure I hear your question better. Could you state it again?

Mark Baker: Yes, without going into a whole lot of detail on it. What are the plans the City has for brownfield mitigation which of course would be necessary to develop that area as the city wants it to be developed anyway?

Mayor Mason: I will try to give you a short answer that doesn't give away any legal strategy to outside parties. This site has been reviewed and walked by Ohio EPA, the Ohio Attorney General's office, and other public members from Zanesville government. There are limited areas where there are materials such as asbestos. We have looked at those. There are other areas to the north that actually fall into a Superfund site. I know you didn't ask about a Superfund, but you mentioned brownfield. We believe that could be redefined. By redefine, I mean, soils testing to see what the delineation of that area is, but then subsequently, again I think you know Mark, I would like to have the city take control and start the cleanup. Again, some of it like the asbestos would have to be hand pulled in order to make sure it doesn't scatter into the wind. The asbestos is actually part of the shingles that are attached to that structure that is still there. A lot of times people look at what is on the ground and think they see something there. There might be some foam or things of that nature there, but the asbestos we believe is actually still attached to the structure that is there. Again, some of that is going to have to go to hazardous disposal and the other can go to a construction site. I can talk about more in executive session if you want to.

Mark Baker: Okay, so Mr. Mayor, would there potentially be superfund money from the federal government for such mitigation in the area? I assume there would have to be some sort of certification involved?

Mayor Mason: You are using some terms that I am not sure they go hand in hand. This site has been certified as a Superfund site. EPA and the Attorney General's office

believes it can be redefined in terms of where the hazardous materials still are and subsurface soils contamination. So, that is one thing that can be done. That is to the north. To the south where the structure is, you will see that there is a building there, a relatively good steel structure standing on the back side and I would have to remember; as I am just going from memory, other locations. There is actually like a shingle covering the building and that is what is asbestos. That would need to be disposed of separately. Now, there are brownfield grants available, that cannot be used on superfund sites. So one of the reasons that it is important to clearly redefine or clearly delineate that area that is a superfund is that it frees up additional acreage or the rest of the acreage, to be used as part of brownfields mitigation and alleviation. So, there is a good chance that somewhere around 20 acres of it; maybe a little more or a little less, is subject to brownfields but wouldn't be subject to superfund.

Mark Baker: That is out of how many acres?

Mayor Mason: It is a little over 28 acres. You may ask Bill Arnett.

Mark Baker: Thank you, Mr. Mayor.

Mayor Mason: Bill Arnett is here and he might have additional information that I have missed.

Bill Arnett: Mr. Baker and members of Council, the Mayor is exactly right. It is really odd, but when you have a superfund site you are not able to access U.S. EPA grant dollars to do remediation or cleanup. So, the road that the city has started down with U.S. EPA Region 5 is to try to determine what needs to happen on the site in total to allow us to, like the Mayor said, re-delineate the superfund portion. The superfund portion is just a small percentage of the total site so once it gets delineated and gets pulled apart where part of it is superfund and part of it is not, then you could actually access money from Ohio EPA or U.S. EPA to help with the cleanup. You have to get the superfund designation off the entire site before those dollars become available.

Mark Baker: Perfect, that makes sense. So, it is basically a re-designation of what is and what isn't a superfund site so that money can be used.

Bill Arnett: Correct.

Mayor Mason: I am just guessing based on legislative history that when the United States Congress set up brownfields, I will call them rules in funding. They probably wanted to make sure that went strictly to brownfields because it could stretch a little bit further. If you applied brownfields' money toward superfund sites it would have sucked that pot dry and you would never have money for true brownfields. So, frankly, I think Congress was wise when they created this in basically two separate pots of money so to protect and allow cities like us to go forward on brownfields.

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Bill Arnett: I think the other point is that United Technologies (UT) has been working to mediate or to remediate the superfund contamination for probably close to 30 years. They have been pumping water to try to clean this up of soil contamination and the ground water contamination. United Technologies is really the responsible party for U.S. EPA for that brownfield contamination. It doesn't deal with, like the Mayor said like the asbestos on the buildings that have been partially knocked down, but in terms of the ground water and the soil contamination. UT has been working on that for years, for decades.

Mark Baker: Okay, thank you.

Mr. Vincent: Are there any other questions from Council? Do we have anyone from the public on the line? The volume is turned up, correct? Is there anyone from the public to speak for or against this? Is there anyone on the public line that is muted that wants to speak for or against this? I will give you a moment here, last chance. Is there anyone to speak for or against this? Ok, one last call out to Council, is there anyone else from Council? Okay, hearing nothing, we will call this public hearing to a close except we will do a quick roll call so we know who is here on the line.

On the line for the hearing were the following Councilmembers: Sandy Gentry, Todd Ware, Jan Bradshaw, Joey Osborn, Rob Sharrer, Steven Foreman, and Mark Baker.

Ms. Gildow and Mr. Vincent were present in person. Mr. Roberts was absent.

Mr. Vincent: Thank you all very much. Council will resume here at 7:00 p.m. You can tune in for the Council meeting. Thank you very much. This concludes the public hearing.

The hearing concluded about 6:30 p.m.

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council

ZANESVILLE CITY COUNCIL MEETING – MONDAY, APRIL 27, 2020

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, April 27, 2020 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent: We have several councilmembers joining us by conference call. We will have some challenges, it will slow us down a little bit more. You will hear roll call votes on everything tonight. This arrangement is best for our health safety. Let's get started.

Mr. Vincent: Good evening everyone. I would like to call this meeting to order for Monday, April 27, 2020.

Mr. Vincent led the Lord's Prayer and the Pledge of Allegiance to the Flag.

The following members of Council answered roll call by telephone: Mr. Baker, Mrs. Gentry, Mr. Ware, Miss Bradshaw, Mrs. Osborn, Mr. Sharrer, Mr. Foreman, and Mr. Roberts. Ms. Gildow and Mr. Vincent were in person.

Mr. Vincent: Good, we are all here. So now we will move on to the minutes from March 23, 2020. We didn't have a first meeting in April. With that Council has a public hearing meeting minutes and also our minutes.

APPROVAL OF MINUTES

Mrs. Osborn moved to accept the minutes of March 23, 2020 as printed, seconded by Mr. Roberts. A roll call vote was taken with the following responses by telephone: Mr. Baker, Mrs. Gentry, Mr. Ware, Miss Bradshaw, Mrs. Osborn, Mr. Sharrer, Mr. Foreman, and Mr. Roberts. Ms. Gildow and Mr. Vincent were in person.

Motion carries. Minutes will stand as approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

There were no communications, reports, and resolutions for this meeting.

PROPOSED ORDINANCES

Ordinance No. 2020-59 – Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property.

Miss Bradshaw moved for first reading, seconded by Mr. Baker.

Mr. Vincent: This is pretty routine and this does propose challenges as far as these teleconference meetings so with that in mind and this being routine, would someone want to consider waiving?

Ms. Gildow moved to waive the readings and it was seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion on waiving? Like I said, this is pretty routine. We do these Internet auctions all the time to get rid of surplus property. Like I said there are challenges with doing this by teleconference as it slows things way down. I appreciate that. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-60 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Transportation Improvement District Board for operational expenses.

Mr. Vincent: This is something we also have done in the past, but we don't do it every year.

Ms. Gildow moved to waive the readings and it was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays

Motion carries.

Ms. Gildow moved for passage, seconded by Miss Bradshaw.

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-61 – Introduced by Council – An Ordinance authorizing the proper city official to apply to the Ohio Department of Natural Resources for a Natureworks Grant for the Lock #10 Canal Trail Project.

Mr. Vincent: First reading, but we would also entertain to waive. This project has been in the works.

Ms. Gildow moved to waive the readings and it was seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion?

Ms. Gildow: May I ask Mr. Arnett if he knows what dollar amount would be the maximum we could hope to get in this grant.

Mr. Arnett: I am going to say \$30,000 is the most that we could get for Muskingum County's allocation for this particular grant; but anything would be helpful.

Ms. Gildow: Thank you. \$30,000 would help.

Mr. Vincent: Are there any other questions?

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-62 – Introduced by Council – An Ordinance authorizing the proper city official to grant an easement to American Electric Power as part of the construction of the Airport Lighting Vault Improvement Project, and declaring an emergency.

Mr. Vincent: A motion to waive to get passed for the emergency or for first reading, but this is an emergency.

Mr. Baker moved to waive the readings and it was seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Ayes in person Gildow

8 Aye by telephone

0 Nays
Motion carries.

Ms. Gildow moved for passage, seconded by Miss Bradshaw.

Mr. Vincent: Is there any further discussion? I think with this is they got into the project they found out they didn't have right of way to get power to the new electric vault that is to be fixed and so Exhibit A as far as the direction they need to go for poles needed to provide power then to this new vault. Are there any questions? Okay.

Roll call vote for passage.
1 Ayes in person Gildow
8 Ayes by telephone
0 Nays
Motion carries. Ordinance is passed.

Ordinance No. 2020-63 – Introduced by Council – An Ordinance authorizing the proper city official to increase the Drinking Water Assistance Fund Loan for the design of Mitchell (Pioneer) Reservoir Replacement Project.

Mr. Vincent: We are at first reading, do we need to move this along Mr. Brown. Would waiving this be helpful?

Scott Brown: Yes, it would be helpful.

Mr. Vincent: Okay.

Mr. Roberts moved to waive the readings and it was seconded by Mr. Baker.

Mr. Vincent: Are there any questions on waiving? We will have discussion with Mr. Brown here shortly. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.
1 Ayes in person Gildow
8 Ayes by telephone
0 Nays
Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any further discussion?

Mayor Mason: I would like to commend both Scott Bryant and Scott Brown for coming up with the concept of reexamining the location of this water facility. The reexamination will save the City over one million dollars and provide better pressure, so I commend both Scott and Scott for their fine work in this area.

Mr. Vincent: Thank you, Mayor. We love to save money.

Mayor Mason: Especially when it is one million.

Mr. Vincent: Mr. Brown, would you like to come up and share anything on this?

Mr. Brown: No, I think the Mayor covered it. Thank you.

Mr. Vincent: We appreciate that. So the increase in cost of preparing this is \$45,000, but we are saving \$1.1 million dollars from what I am seeing. That is excellent. Okay, are there any questions from Council? Okay, we will have a roll call vote for passage.

Roll call vote for passage.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries.

Ordinance No. 2020-64 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a new 2021 Freightliner Vactor Truck 114SB Chassis with a Cummins Engine and Allison Transmission from Jack Doheny Company for the Water Division through the State of Ohio Cooperative Purchasing Program.

Mr. Vincent: With that we are at first reading or I would entertain a motion to waive. I know there are some concerns about spending at this time which we will discuss with the Mayor. We need a motion to waive or first reading. What is Council's pleasure?

Mr. Sharrer moved for first reading, seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion?

Mrs. Osborn: Mr. President, are we discussing waiving or are we discussing the Ordinance?

Mr. Vincent: We are discussing the ordinance right now. It is for first reading. So, it is discussion on the ordinance.

Mrs. Osborn: I was just curious. I know we try to go through the Cooperative Purchasing Program, but did we shop any local vendors that could possibly match it?

Mr. Vincent: With that, I will turn to Mr. Brown. The question here is Councilwoman Osborn is aware this is through the state purchase program which I think is usually the best and very hard to beat. With that, she is questioning whether it has been shopped local or if there are some other options here.

Mr. Brown: This particular unit because it is so specialized there are not a whole lot of companies that make this type of vehicle. There may be a company that is closer than Jack Doheny which is south of Cleveland, so they are in Ohio, but they are a couple of hours away. The State of Ohio gets all of the bid specs and then all of these different companies put in and there is a winner for that year and Jack Doheny was the winner. The water department has spent about eight to nine months scrutinizing all of these different vehicles. They brought in about five different ones. They had to decide whether they were going to use the state purchase or whether or not they wanted to go through the formal bid. They liked the Jack Doheny model the best and it happened to be the winner of the state purchase price so that is how we settled on that one. I honestly am not sure if there is a company that makes vac trucks that is located technically closer to Zanesville than Jack Doheny, but Jack Doheny is within a couple of hours and they are in Ohio.

Mr. Vincent: So you are not sure if anyone local could bid.

Scott Brown: To be honest with you, I am not sure. There is nobody in Zanesville, I know that. There is nobody in Muskingum County that makes this type of vehicle specifically. Whether there is a company within a couple of counties over that is closer than this one, I honestly don't know.

Mr. Vincent: Mrs. Osborn, does that answer your question?

Mrs. Osborn: Yes, thank you.

Mr. Vincent: Are there any other questions from Council?

Mr. Sharrer: I had a quick question on the expenditure of this and the next ordinance. I guess how that fits into the Mayor's memo of kind of watching our dollars right now during this pandemic.

Mr. Vincent: So, turning to the Mayor. I think talking with Rhonda and our local funding here in a month and I will let you go ahead and answer.

Mayor Mason: Rhonda and Scott of course are more free to also address this. We are not using cash outlay for this, Mr. Sharrer, my big concern has been all those items if we were using cash for and Rhonda and I are still watching the numbers. We are looking at the gasoline tax to see if we are going to have enough money for the pavement programs. We are also looking at the fact that there has been a small dip in the water, sewer, and sanitation. I will be curious to see once the moratorium lifts here on May 1 how those numbers respond. Rhonda, do you want to add anything to clarify?

Rhonda Heskett: No, other than the...

Mr. Vincent: Would you come forward just so everyone can hear? This is the Budget and Finance Director Rhonda Heskett.

Rhonda Heskett: Sorry about that. No, I just would like to reiterate what the Mayor said that we had originally intended to purchase this with a cash purchase and now some of the bigger items that we do have laid out for this year we are going to finance to hold onto our cash.

Mr. Vincent: So with this tonight, if Council would decide to waive this and pass it tonight, doesn't mean it has to be purchased right now? I assume you could wait until finance are better and if you find you are concerned that we need to tighten our belt a little bit longer this year that you could hold off on buying this there is not a limit?

Mayor Mason: When I see it from a procedural standpoint, Mr. President, if Council does waive the three readings, we would still have 30 days before the Ordinance became effective unless they declared it an emergency.

Mr. Vincent: Correct.

Mayor Mason: Frankly, we still want to keep watching the numbers. By moving this from being a cash outlay to being financed it would at least alleviate the cash flow issue that I am concerned with. Again, it would be like mortgaging or using a line of credit to put a porch on your house or a new roof on your house instead of using cash. I think that is a good analogy.

Mr. Vincent: Okay, alright. With that, I will ask again, and you do not have to do this Council, because you can do what you want. With that, as far as asking to waive I assume we are going to meet in two weeks by teleconference, but I don't know. Things could get worse. We hope not, but with that just to ask one more time is anyone interested in waiving this and if not it is perfectly fine.

Mr. Roberts moved to waive the readings and it was seconded by Mr. Ware.

Mr. Vincent: Is there any other discussion on waiving? With that we will have roll call vote for waiving of the readings. Waiving overrides the first reading.

Roll call vote on waiving of the readings.

1 Ayes in person Gildow

7 Ayes by telephone

1 Nay - Mr. Sharrer

Motion carries.

Mr. Roberts moved for passage, seconded by Mrs. Gentry.

Mr. Vincent: Is there any further discussion? Hearing none, we will have roll call vote.

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-65 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a new 2020 FYDA Freightliner Western Star 4700SB Dump Truck from FYDA Freightliner for the Street Division through the Ohio Department of Transportation Cooperative Purchasing Program.

Mr. Vincent: We are at first reading or again like the previous one I would ask for a motion to waive if Council so desires.

Ms. Heskett: Mr. President,

Mr. Sharrer moved for first reading, seconded by Mr. Ware.

Ms. Heskett: Thank you. I was just going to ask that the readings on this not be waived because we are going to have to amend it to allow for financing.

Mr. Vincent: Okay, alright. Did everyone hear that? The Finance Director Rhonda Heskett asked for it to not be waived because something needs to be amended on this for financing. So, we are at first reading. Is there any further discussion? Okay, so this is for first reading so a roll call vote for first reading.

Roll call vote for first reading.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries. This will return to Council at the next meeting probably with amendments for financing.

Ordinance No. 2020-66 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract with AECOM for Phase 3 Revisions to the City of Zanesville's Combined Sewer Overflow Long Term Control Plan.

Miss Bradshaw moved for first reading, seconded by Ms. Gildow.

Mr. Vincent: Mr. Brown, does this need to move along?

Scott Brown: Yes, Mr. President, the City Engineer sent out an email last week asking if it was possible for the Council to waive the readings on this specific legislation.

Mr. Vincent: The request for waiving is?

Scott Brown: Sure, I understand the question. So, Phase Three is actually the part where we negotiate with the EPA for our next five-year NPDS Permit and Long Term Control Plan.

Dan Vincent: That is coming up in July, I believe.

Scott Brown: Yes.

Mr. Vincent: So it is coming up quickly then. Okay.

Scott Brown: They have already started to work some behind the scenes on it, but we really do need to get this going.

Mr. Vincent: We need to get this passed, waived tonight, and it will be 30 days before it is enacted to speed up the process to give the engineer ability to get the process going to get the information so we can revise the plan to then meet the EPA and hopeful to receive approval of the revised plan.

Scott Brown: That is correct.

Mr. Vincent: Storm water separation

Scott Brown: For the sanitary sewer and storm water separation, yes.

Mr. Vincent: Thank you.

Mr. Roberts moved to waive the readings and it was seconded by Ms. Gildow.

Mr. Vincent: Is there any further discussion on this? Are there any questions from Council? Okay, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Ayes in person Ms. Gildow

7 Ayes by telephone

1 Nay Mr. Sharrer

Motion carries.

Mr. Baker moved for passage, seconded by Ms. Gildow.

Is there any further discussion on this? Are there any questions from Council? Okay, we will have roll call vote for passage.

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

Motion carries. Ordinance is passed.

Ordinance No. 2020-67 – Introduced by Council – An Ordinance amending Chapter 1141.05 Table 15 Permitted and Conditional Uses in Business Districts.

Miss Bradshaw moved for first reading, seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion? With that we have meetings coming up, Mr. Arnett.

Mr. Arnett: The Planning Commission did recommend approving the code changes, but there will be a public hearing coming up before it finally gets to Council for approval.

Mr. Vincent: Do we have the date of that public hearing?

The Clerk responded May 26, Tuesday.

Mr. Arnett: It will be the Tuesday after Memorial Day, May 26th.

Mr. Vincent: So that will be before the third reading. Okay so there will be a public hearing then on this May 26th which is Tuesday because it is the day after Memorial Day and Council will not be in session on Monday, but will be on Tuesday and there will be a public hearing and the time will be announced which is 6:15 p.m.

Hearing none, we will have a roll call vote for first reading.

Roll call vote for passage.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries.

ORDINANCES FOR ACTION

Ordinance No. 2020-53 - Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into a contract with the lowest and best bidder for the R6 and R8 through R11 Basin Sewer Separation Project.

Mr. Vincent: With that Council, this is at second reading, but to keep this on timeline we are looking at the second reading at the first meeting of April which we did not have due to the COVID emergency pandemic, so with that asking to waive the readings then to make up for the lost time by not having our meeting the last time.

Ms. Gildow moved to waive the readings and it was seconded by Mr. Baker.

Mr. Vincent: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

1 Ayes in person Gildow

8 Ayes by telephone

0 Nays Motion carries.

Ms. Gildow moved for passage, seconded by Mr. Foreman.

Mr. Vincent: Is there any further discussion?

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

Motion carries. Ordinance is passed.

Ordinance No. 2020-55 Amended – Introduced by Council – An Ordinance to amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio as herein provided.

Mr. Baker moved for second reading, seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion? With this I know we missed out on a meeting the first of April. Is there a request to waive?

Mr. Baker moved to waive the readings and it was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote to waive the readings.

1 Ayes in person Ms. Gildow

7 Ayes by telephone

1 Nays - Mr. Sharrer

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion?

Roll call vote for passage.

1 Ayes in person Gildow

8 Ayes by telephone

Motion carries. Ordinance is passed.

Ordinance No. 2020-14 – Introduced by Council – An Ordinance authorizing the City to enter into Energy Savings Contracts with ABM Technical Solutions, LLC.

Mr. Vincent: We have postponed this and the next ordinance several times now, at the request of the Law Director, and we are still working out some issues. I was speaking to the Law Director just prior to this meeting and he felt it was best and his recommendation is to go ahead and postpone this again for six months or unless something has been negotiated and the Law Director recommends it can come back to Council. So, I guess what I am looking for then with this is a motion to postpone this for six months to be October 26, 2020, unless the Law Director says negotiations are moving forward and can come back to Council earlier. Would anyone like to make a motion?

Miss Bradshaw moved to postpone, seconded by Mr. Baker.

Mr. Vincent: Miss Bradshaw first and second by Mr. Baker for that motion to postpone. Is there any further discussion?

Mr. Sharrer: Mr. President, I think we need to have the motion actually spelled out for the six months.

Mr. Vincent: Okay, so the motion was for six months. So, October 26 would be the six-month period unless the Law Director, is that your concern, unless the Law Director says it can come back sooner? Mr. Sharrer, does that work?

Mr. Sharrer: Yes, I just think the motion actually needs to be laid out exactly as the intent is so for the motion to be postponed for six months or until the Law Director negotiates whatever we need done on it.

Mr. Vincent: Okay, so give it to me again, Mr. Sharrer. Postpone for six months and what about the Law Director right before that? I didn't hear what you said.

Mr. Sharrer: I was saying or until the Law Director finishes his negotiations and allows it to come back on to Council's Agenda.

Mr. Vincent: Okay. Is that different than what I said?

Ms. Gildow: You did, but the people making the motions didn't say it, is his point I think.

Mr. Vincent: Okay, so with that Mr. Sharrer you are saying you would actually like to make the motion. I think the use of the word "or", but I think what I said was the same thing.

Mr. Sharrer: All I was saying, Mr. President, is the motion that was put on the floor by Miss Bradshaw did not delineate the six-month timeframe for the postponement. All she made a motion for was a motion to postpone. It didn't have a timeframe on it. I think we need to be clear in what we are motioning.

Mr. Vincent: Okay, so with that Miss Bradshaw, I know what you are saying now Mr. Sharrer. Thank you. I thought you were disagreeing with what the motion that I proposed. So with that,

Miss Bradshaw: That is what I was doing.

Mr. Vincent: So, your motion is to... postpone

Miss Bradshaw: My motion is to postpone for a six-month period or until the Law Director sends it back to Council.

Mr. Vincent: Okay, thank you. With that the second was?

Mr. Baker: I will second again.

Mr. Vincent: Okay, so we have a first and second. Does that sound good to everyone? Mr. Sharrer, does that sound good?

Mr. Sharrer: Yes, thank you.

Mr. Vincent: Sure thing. So, everyone is clear? So, the motion on the floor is to postpone this Ordinance for six months or until the Law Director says it can come back to Council.

Roll call vote for postponing.

1 Aye in person Ms. Gildow

7 Ayes by telephone

1 Nay – Mr. Roberts

Motion carries.

Mr. Vincent: This Ordinance is postponed for six months or until the Law Director sends it back to Council.

Ordinance No. 2020-15 – Introduced by Council – An Ordinance authorizing the City to enter into a Tax-Exempt Municipal Lease for the funding of Energy Conservation Measures in the city provided by ABM Technical Solutions, LLC.

Mr. Vincent: We are at third reading, but asking again as the previous ordinance.

Ms. Gildow moved to postpone for six months until October 26, 2020 or until such time when the Law Director deems appropriate to send back to Council.

Mr. Vincent: Thank you, Ms. Gildow. Is there a second?

Mr. Baker seconded the motion.

Mr. Vincent: Is there any discussion?

Roll call vote for postponing.

1 Aye in person Ms. Gildow

7 Ayes by telephone

1 Nays - Mr. Roberts

Motion carries.

Mr. Vincent: The Ordinance is postponed for six months or until the Law Director recommends it come back to Council. With that, thank you everyone. There are some challenges with the hearing and communications due to teleconference. I think we got where we needed to be so thank you.

Ordinance No. 2020-45 – Introduced by Council - An Ordinance authorizing the proper city official to advertise for bids and enter into a contract for the 2020 Citywide OPWC Overlay with the lowest and best bidder.

Mr. Baker moved for third reading and passage, seconded by Ms. Gildow.

Roll call vote for passage.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-47 Amended (2) - Introduced by Council – An Ordinance authorizing the proper city official to commit city funding as a match for an Appalachian Regional Commission Grant for contracting of a GPS Data Collection and GIS mapping Service.

Ms. Gildow moved for third reading and passage, seconded by Mrs. Gentry.

Roll call vote for passage.

1 Aye in person Ms. Gildow

8 Ayes by telephone

0 Nays

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

No traffic orders were filed for this meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Mason: Thank you very much, Mr. President and members of Council. I would be absolutely remiss if I did not thank William Arnett for his service to the City of Zanesville. He is moving on to Appalachian Partnership for Economic Growth. His talents were

recognized in a higher pecuniary amount that we could recognize for his talents. In other words he is getting a pay raise. His responsibilities will be handled by Matt Schley as the Acting CD Director. I have been so happy to work with Bill for all of 100 and some days now and I think we will be in good hands with Matthew. We have been working with Matthew the last week to bring him up to speed on a lot of the projects we are working on and I am very excited to be working with Matthew as I was with William.

Mr. Vincent: Thank you, Mayor. I appreciate it. Mr. Arnett, I have shared with you personally on the phone. You have done a wonderful job. I really appreciate you and I know Council appreciates you. You couldn't have been any easier to work with. You always did your very best and went above and beyond over and over again as far as giving great service to the City of Zanesville, people in the City, and also Council and the Administration. You simply to an excellent job. I am happy for you moving on to a bigger position. I wish you were serving our county with this, but maybe that will change sometime. I do appreciate you very, very much. I am sad to see you go, but very happy for you. Thank you.

William Arnett: Thank you.

PRIVATE PETITIONS AND COMMUNICATIONS

No Non-agenda item petitions were filed for this meeting.

Mr. Vincent: Is there anything else? Is there anything else from Council? Anything from the Administration? Mayor, did you have anything else?

Mayor Mason: The only thing I was going to mention and we sort of covered it earlier is we are doing what we can to, by we, I mean Rhonda, Scott, Doug, and William are doing what we can to watch what our cash outlay will be over the next few days and weeks. The big issues are in everybody's experience is the drop in gasoline sales will lead to a drop in gasoline tax so we will be looking at our resurfacing. We have a project that was bid. It came in well under the engineering amount which it had to, but we haven't awarded yet because we wanted to make sure we had enough cash to cover it. We are paving presently with the 2019 Ohio Public Works Commission funds as you know you just passed an Ordinance for next years. The one being done now is been paid out of money, that was put aside that I think is matched by the state money. So, looking forward to getting some asphalt down. I think it is about \$620,000 on this project. We will continue to take a look. I think Rhonda and I will have a better feel for income tax probably in about another week to two weeks to see what our income tax levels are. We are blessed to have several major businesses in the area: Genesis, Spectrum, Halliburton, as each of those have been impacted somewhat economically. We are going to take a look at those revenues on income tax. Again, that will give us a little bit of a feel come June when we reassess our budget ordinance. We did see a drop of revenue of roughly 28% or 29% on water, sewer, sanitation, and refuse because of the moratorium on disconnects. We will see if that bounces back and recaptures some of those lost revenues. Ultimately it should; it is just a matter of when. So that is why we are watching the cash. We should regain most of our water, sewer, and utilities;

you will probably never regain the income tax. That is a permanent dent. Gas Tax is also a permanent dent. We won't regain that.

On the bright side, I do know the state is pushing some of their projects out into various quarters into other fiscal years. So, if we are bidding projects that might mean it could be a buyers' market versus a sellers' market because we will be having people bid in with less competition from state contracts. So, that might be something we consider if we do in fact reject the bids on our resurfacing, which was a \$420,000 engineer's estimate, and try to rebid because if the state of Ohio isn't bidding we are not competing against them which means we get a better bid. So, we are looking at all of these things trying to keep the big picture, but make sure we take care of the important details.

Mr. Vincent: Thank you, Mayor. Are there any questions from Council? Before we adjourn, I would like to say a special thank you to Y-City News who is live streaming this tonight to help us out. We are also streaming this to the cable access channel. If you are having discoloration that is an issue we are having internally. I hope it is worked out and hope to have it fixed the next time. So, it is not your TV set. I would like to thank Lisa Hittle who is our IT Director here at the City. She has done many wonderful and amazing things to make this happen tonight with two conference lines and running the camera for us. We do appreciate that. Thank you all for being here. We have our masks here and we will mask back up before we leave. The Mayor has his mask ready to go. If there is nothing else from Council, I will entertain a motion to adjourn.

Ms. Gildow moved to adjourn. It was seconded by Mrs. Osborn. A voice vote was taken with all being in favor. Motion carries.

Mr. Vincent: Thank you everyone. Have a good evening, stay home, and stay safe. Thank you and good night.

The meeting ended about 7:55 p.m.

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council