

## **CITY COUNCIL MEETING – MONDAY, August 23, 2010**

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, August 23, 2010 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

The following members of Council answered Roll Call: Mrs. Norman, Mr. Kilpatrick, Mr. Hutcheson, Mr. Roberts, Mr. Tilton, Mr. Zakany, Mr. Baker, Mr. Tarbert, Mrs. Gentry, and Mr. Vincent.

### **APPROVAL OF MINUTES**

Mr. Zakany moved to accept the minutes as printed, seconded by Mr. Tilton. Motion carried.

### **COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

None

### **PROPOSED ORDINANCES**

Ordinance No. 10-66 – Authorizing the proper City official to seek bids and enter into contracts for the provision of telephone and Internet services and related equipment, and declaring an emergency.

Mr. Tilton moved to waive, seconded by Mr. Tarbert.

R. C. to waive

9 Ayes – 0 Nays      Motion carried

Mrs. Norman moved for passage, seconded by Mr. Baker.

Mr. Roberts: Are we looking at a cost savings? I know the contract has expired and we are paying a premium. Is there any way we can go to bid and get a lower price on it?

Mr. Raines: Time Warner talked to the Mayor and their proposal is about equal to what the City is paying now with our current contract with Centrex.

Mr. Vincent: My concern is the equipment.

Mr. Raines: I put that in there because Time Warner would come in and provide us with leased equipment. If AT&T, Call One, a reseller of AT&T, they would come in they would use our existing equipment.

Mr. Vincent: With Time Warner could the public access channel be improved? The equipment is getting old and if they were here would that make things better for us?

Mr. Zakany: What length of a contract are you talking about?

Mr. Raines: That would be part of the bid. We are with AT&T and we really did not have a contract with them as far as services for so many years. We have a Centex contract which just listed the charges. If Time Warner comes in, wins the bid, and installs all new equipment I do not know if it would behoove the City to say in three years we are going to bid this contract out again.

Mr. Vincent: Mr. Raines, do you have a resource or other cities to check with that have done this type of thing? This is going to be something new for us and I would hate to learn a lesson from the "school of hard knocks" with some of the things that could happen, but could have been prevented if we knew about possible problems.

Mr. Raines: What I expect is we are going to have two or three bids. Two of the bids will probably be AT&T and a reseller of AT&T. All we are talking about is a change as to whether we are going to go with Time Warner or not. In Time Warner's informal quote they offer some names of Cities that have their systems.

Mr. Vincent: Is Mr. Pyle involved with this too?

Mr. Raines: He is on the Internet side that provides the data and Internet access.

Mr. Vincent: Some of the users here in town have had some problems with paying higher fees to have the bandwidth they need for their business.

Mr. Raines: With our Internet now we get it through Alphalink, but a lot of it is Time Warner Business Class cable Internet.

R. C. for passage  
9 Ayes – 0 Nays      Motion carried.

## **ORDINANCES FOR ACTION**

Ordinance No. 10-63 Authorizing the proper City official to extend the term of the policy for various insurance.

Mr. Zakany moved for second reading, seconded by Mr. Hutcheson.

Mr. Baker: This policy has already been extended once at a guaranteed rate, is that right?

Mr. Raines: Correct.

Mr. Baker: Would it benefit the City or is there a reason why we did not send this out for bid to see whether that contract extension would save the City money or whether a lower bid would come in?

Mr. Raines: No, if we did bid it out I don't know that we would beat this, but the concerns of some Council people who emailed me and received a letter from Mr. Parker. The Mayor talked to Scott about whether this needed to be bid and I think his determination is that we should bid this out.

Mayor Zwelling: It was the Law Director's opinion that bidding would be the safest way to go, but what Rankin and Rankin has done they have guaranteed us we would be "lock in" to this rate in the event insurance goes "sky high" like it has in the past. It does not prevent putting it out for bid. It is just a safety lock that we have if they get the bid or if we choose we can stay at the existing rate.

Mr. Baker: In essence we could do both. We could have the safety net and we can get better prices?

Mayor Zwelling: Right.

Mr. Vincent: So if this passes it guarantees us these rates and we can still go out to bid. Then if someone has a better bid we can go that route.

Mayor Zwelling: Absolutely.

Mr. Vincent: When would that need to happen?

Mr. Raines: Our current year will expire May 31, 2011 so we would go out to bid in April or May of next year.

Motion carried.

Ordinance No. 10-65 – An ordinance authorizing the proper city official to advertise for bids and sell a portion of City property.

Mr. Tilton moved for second reading, seconded by Mr. Hutcheson.

Mr. Tarbert: I am still of the opinion that we should annex this property first. Mr. Hillis said we could do the contract in such a way that says a commercial person buys this then they agree to annex. I do not care if it is commercial or residential. I would like to see Zanesville have a higher population and more residences anyway if it turns out to be residential. I would move to table this then let the annexation take place and bring the back when it is part of the city. Mr. Hillis, how long will it take to do the annexation?

Mr. Roberts: I did learn over the past two weeks that there is a railroad feed between this property and the current jurisdiction line of the City of Zanesville so that portion of the railroad would also have to be annexed. Then it would make it contiguous. This property does not directly abut the current jurisdictional line of the City of Zanesville. Railroads are a little tricky to research.

Mr. Tarbert: I move to table for one month to give the law director time to do research on this.

Mr. Tarbert moved to table for one month, seconded by Mr. Zakany. Motion carried.  
Mr. Roberts abstained.

Ordinance No. 10-57 – An ordinance amending Ordinance No. 05-114 designating certain banking institutions as eligible City depositories for a five year period beginning November 1, 2005.

Mr. Tilton moved for third reading and passage, seconded by Mr. Hutcheson.

Mr. Tarbert: I do not see where we are designating specific banking institutions. What does this ordinance do?

Mr. Hillis: They have two services one is the depositories and one is handling cash management services. For some reason they are on different cycles. Mr. Dubeck just wants them to be on the same cycle so it can be bid at one time and not have two different bids going on in opposite years.

R. C. for passage  
9 Ayes – 0 Nays      Motion carried

Ordinance No. 10-58 (Amended) – An ordinance allowing a moral claim.

Mr. Tilton moved for third reading, seconded by Mr. Tarbert.

Mr. Tarbert: Is Mr. Wisecarver in the audience?

Mr. Wisecarver is not present.

R. C. for passage  
0 Ayes – 9 Nays      Motion defeated.

Ordinance No. 10-59 (Amended) – An ordinance allowing a moral claim.

Mr. Tilton moved for third reading, seconded by Mr. Tarbert.

R. C. for passage  
0 Ayes – 9 Nays      Motion defeated.

## **TRAFFIC ORDERS**

Traffic Order 10-09 – There is hereby established a no parking anytime zone on both sides of Western Avenue from Roosevelt Avenue to McIntire Avenue.

Mr. Zakany moved to receive and concur, seconded by Mr. Tarbert.

Mr. Zakany: Roosevelt Avenue has no parking and there is no traffic. They seem to be doing some sewer work.

Mr. Brandford: This is just that little section on the curve near the new school. We discussed this during the Traffic Committee Meeting. The street is very narrow.

Mr. Zakany: I thought they put a water or sewer line in that area.

Mr. Sims: We have done parts and pieces of sewer separation. The portion they are doing is the last leg of the separation in that area. That is a separate issue and part of the Peter's Alley and Roosevelt Avenue sewer separation project.

Mr. Vincent: Back to the no parking, I did notice yesterday there were a couple vehicles parked along that side of the road even though they have off street parking. Have you considered having no parking prior to school starting until school is out? I know on McIntire Avenue there is no parking from 7:00 a.m. until 5:00 p.m. with parking for evenings and nights.

Mr. Brandford: I don't think we discussed that part of it. It is a narrow street with a curve.

Mr. Vincent: In that area when they have company in the evenings and weekends it would be nice to have parking on the street for the home owners. They also have short drive ways. If it becomes an issue they will see you.

Mr. Zakany: With no parking on McIntire Avenue where you turn to drop your mail and come out on McIntire that is a blessing.

Motion carried.

#### **PRIVATE PETITIONS AND COMMUNICATIONS:**

Petition from Ben Ahn – 855 Goddard Avenue

Mr. Ahn: This is about bow hunting in the City. I do not care one way or another too much whether people are or are not allowed to bow hunt in the City, but the one thing I do see happening a lot is we have laws on the books, but they are not enforced. If you would stop the people from setting out the salt blocks within the City limits and when someone calls to complain about it you need to do something to stop them. Do the same for people that put out feed. I live in a part of town where did not have deer. Now every yard in the neighborhood is completely covered with deer tracks, trees are stripped, and people's gardens are destroyed because of one person.

Mr. Vincent: So someone in your area is putting out a block?

Mr. Ahn: Yes.

Mr. Roberts: Mr. Brandford is there a law on the books to address this? Mr. Hillis do you know of anything that states we are not to suppose to feed wildlife within the City limits?

Mr. Brandford: I would have to research that.

Mr. Roberts: What is the penalty for doing so? We need to deter them from doing it again.

#### **MISCELLANEOUS AND UNFINISHED BUSINESS:**

None

Mr. Tilton moved to adjourn, seconded by Mr. Tarbert.

Meeting adjourned at 7:35 p.m.