

CITY COUNCIL MEETING – MONDAY, JANUARY 24, 2011

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, January 24, 2011 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. Zakany, Mr. Baker, Mr. Tarbert, Mrs. Gentry, and Mr. Vincent.

Mr. Baker moved to excuse Mr. Tilton, seconded by Mr. Roberts. Motion carried.

APPROVAL OF MINUTES

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

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication From Howard S. Zwelling, Mayor – RE: Board Appointments

Center for Seniors Board of Trustees – I am hereby recommending appointment of Mr. Rennie Posey to the Senior Center board of Trustees. Mr. Posey's term will expire January 12, 2014.

MCCFA Board – I am hereby recommending the reappointment of Durb Dunzweiler on the Muskingum County Convention Facilities Board. Mr. Dunzweiler's term will expire December 31, 2014.

Community Improvement Corporation (CIC) – I am hereby recommending the reappointment of Gene MacDonald, Gretchen Sayre, and Henry Sullens to the Community Improvement Corporation. Their term will expire on December 31, 2013.

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

Communication From Howard S. Zwelling, Mayor – RE: Board Appointments

Design Review Board – I am hereby recommending the appointment of Lori Wince to serve as a member of the Design Review Board to fill an un-expired term ending December 31, 2013.

Mr. Roberts moved to receive and concur, seconded by Mr. Tarbert. Motion carried.

PROPOSED ORDINANCES

Mr. Roberts moved to add Ordinance No. 11-09 as Item 5A, seconded by Mr. Hutcheson. Motion carried.

Ordinance No. 11-06 – Introduced by Council – Rescinding Ordinance Nos. 10-92, 10-93, and 10-101, and declaring an emergency.

Mr. Kilpatrick moved to waive the three readings, seconded by Mr. Baker.

R. C. to waive
8 Ayes – 0 Nays
Motion carried.

Mr. Baker moved for passage, seconded by Mr. Hutcheson.

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

Ordinance No. 11-07 - Introduced by Council – An ordinance authorizing the proper city official to pay an invoice to the Treasurer of the State of Ohio for additional monies required for the ODOT paving project along a portion of SR 146, and declaring an emergency.

Mr. Zakany moved to waive the three readings, seconded by Mr. Hutcheson.

R. C. to waive
8 Ayes – 0 Nays
Motion carried.

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

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

Ordinance No. 11-08 - Introduced by Council – An ordinance enacted by the City of Zanesville of Muskingum County, Ohio for resurfacing and related work to Wayne Avenue, and declaring an emergency.

Mr. Zakany moved to waive the three readings, seconded by Mr. Hutcheson.

R. C. to waive
8 Ayes – 0 Nays
Motion carried.

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

Mr. Kilpatrick: Mr. Sims, in this project is the state just a pass through body for federal funds?

Mr. Sims: Yes, basically they pay 80% of the funds that comes through for the program and the city is responsible for 20%. It is a federal allocation dropped down through the state.

Mr. Kilpatrick: That gets to my second question, how much do we end up paying?

Mr. Sims: 20% of whatever the estimated project cost actually ends up. That is what resulted in the need for me to come back on previous ordinance because the preliminary legislation just says the City is buying in and now we can continue with the design, come up with a cost estimate, and then there will be final legislation once they determine that cost. We have some preliminary figures of \$178,000 would be our portion.

Mr. Vincent: We are pretty confident in this situation that there will not be any additional cost for right-of-ways or utility costs at the end?

Mr. Sims: Whenever we stay within the right-of-way it is usually cut and dry. If there is right of way acquisition or if they have an unforeseen and had to go outside the right-of-way and acquire it then that could hurt us, but in this case I do not foresee anything major. We have to put in 8 or 10 handicapped ramps. Any time we use ODOT funding we have to improve the handicap access at the intersections. That is all accounted for in the project so I do not see any major problems.

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

Ordinance No. 11-09 - Introduced by Council – An ordinance authorizing the City Auditor to pay the invoices of various departments using 2011 money for 2010 invoices, and declaring an emergency.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Hutcheson.

R. C. to waive
8 Ayes – 0 Nays
Motion carried.

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

Mr. Zakany: The price of electric or what we are paying Ohio Power. Knowing what the price of electric is for the residents, do we do better than that?

Mr. Sims: It depends on the actual usage and tariff that they assign to it. The street lights are relatively low cost to us and the large users are a little better rate than the not so larger users; however, not in the water plant's case, but in the wastewater plant's case we have a demand charge for when we use the microwave. That can get very pricey because when you pull that switch it costs us \$5,000 for the month whether you use it once or twenty times that month. There are variable tariff rates based on the usage.

Mr. Zakany: We can thank our "lucky stars" that Ohio Power uses coal for this electricity compared to other areas of this country. We are very fortunate.

Mr. Sims: I looked to see if we can save any if we went to the deregulated side of AEP, but it really does not look like there is much of a savings right now. Not enough to warrant a switch.

Mr. Vincent: The Ohio Municipal League Magazine had an article in there, I will have to get it to you. I thought I had it here, but it talked about local governments going together to combine and get better rates. I do not know if that is something that would work for us or not, but it might be worth checking out.

Mr. Sims: We are kind of in that with the gas, a managed pool. That is something we could consider looking at. We only had a couple of the deregulated power companies call me the electric side and I am a little leery to go very far outside of AEP's district because of the reliability of service. If we have a failure we would not have to depend on servicemen from another state coming in a disaster rather than our own people. It is something we could consider.

Mr. Vincent: Critical service like sewer and water, do they have generators?

Mr. Sims: Small ones. The water plant will be fully operational with its own generator when it is completed next year. Sewer plant just has some small ones.

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

ORDINANCES FOR ACTION

Ordinance No. 11-01 – Introduced by Council – An ordinance authorizing the proper city official to renew a lease agreement with the FAA for office space at the Zanesville Municipal Airport.

Mr. Tarbert moved for second reading, seconded by Mr. Baker.

Mr. Kilpatrick: What does the FAA do at that location?

Mr. Sims: That is where they base the gentleman that takes care of all the navigational equipment for the Southeast District. It is not just for our airport, but any other airports that have navigational aids or equipment. He is the troubleshooter.

Mr. Zakany: Does that include the utilities?

Mr. Sims: Yes, that is the flat rent. It is a 10' by 12' space for one guy.

Mr. Roberts: Has this rate been flat for the past years?

Mr. Sims: It has been flat for five years. For such a small space I did not really see the need to make waves with the 95% - 5% match that the FAA gives us on projects.

Mr. Roberts: That is another thing I was going to ask, if we received anything...

Mr. Sims: All their grants are 95% grants and we pay 5%.

Mr. Vincent: It is a great asset to the area.

Motion carried.

Ordinance No. 11-03 - Introduced by Council – Establishing pay ranges, terms and conditions of employment, and personnel policies for the Police Captains' Bargaining Unit represented by the Fraternal Order of Police, Ohio Labor Council, and declaring an emergency.

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

Mr. Roberts: Mayor, I know there was discussion earlier this year about the police captains and everyone knew that Mr. Baker was going to be leaving. In some form of emails we heard that there was the idea of just not replacing Mr. Baker's position and dividing those duties amongst the two captains, but now seems that we will not refill that position or awhile. We are still thinking about filling it down the road. I was wondering if you had any comments.

Mayor Zwelling: I was going to comment on this during my segment later. It is a possibility still that we could just go with two captains and it is a possibility that we could delay the filling of the position for a period of time. We will choose one of these options and I discussed it with Mr. Brandford and Chief Lambes this morning. We have not decided yet what we are going to do. I think it is recommended by Civil Service that we delay. We are considering that recommendation.

Mr. Roberts: I know we have to pay out a lot of things. Do we know how much that is going to be for Captain Baker when he does retire?

Mrs. Moyer: About \$50,000.

Mr. Vincent: As far as changing this and approaching Civil Service, whose responsibility is that?

Mr. Hillis: The appointing authority. If they want to eliminate a position it is the appointing authority's duty to inform Civil Service if that is their desire. It is going to be complex because you have unions involved. All the lower unions are going to gripe because they have a right to test and be promoted and make more money, so I am sure they are going to weigh in if we let the position set empty for a period of time or they try to eliminate it.

Mr. Vincent: I think the interest is in management and getting more officers on the street, so it will be interesting to see...

Mr. Hillis: I understand that. Certainly that is a great idea, but the lieutenants might not think that is such a great idea when they would like to be promoted and go up the chain. Now they won't be able to move up or a sergeant won't be able to move up or a patrolman won't be able to move up so I am sure all those unions will have opinions on what is best and what is not.

Mr. Vincent: Yes, that will be interesting since we hear they want more officers on the street.

Mr. Baker: This is a point of information. The last time we moved a captain up weren't there only two candidates for the job from Civil Service?

Mr. Hillis: There are only two lieutenants that can take the test for captain. Assuming one of them passed and moved up you have all the sergeants who would want to test for the lieutenant position. Then you have all the patrolman that would test to fill the sergeant's position. Each one of those unions is going to feel they have the right to a promotion.

Mr. Tarbert: This was the negotiation that neither you nor Jonathon Downes was at, correct?

Mr. Hillis: Are you talking about the contract in Ordinance No. 11-03?

Mr. Tarbert: Yes.

Mr. Hillis: Right.

Motion carried. Mr. Baker abstained.

Ordinance No. 11-04 - Introduced by Council – Authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses.

Mr. Zakany moved for second reading, seconded by Mr. Kilpatrick. Motion carried.
Mr. Tarbert abstained.

Ordinance No. 10-99 - Introduced by Council – Authorizing the proper city official to provide funds to the Greater Muskingum Pro-Youth Coalition in support of its county-wide basketball program.

Mr. Tarbert moved for three reading and passage, seconded by Mr. Hutcheson.
R. C. for passage
8 Ayes – 0 Nays
Motion carried.

PRIVATE PETITIONS AND COMMUNICATIONS:

Petition from Michael L. Wyatt, 1158 Selsam Street

Mr. Wyatt: I don't want to address Council; I would like to address the Mayor. I understand basically he may not run the next time. That is what the paper said. So I just like to tell him Thank him very much, thank him very much, because nobody has ever done this for me before. I appreciate him going and wish him luck in whatever endeavor he ends up to, even if it is maybe the J.E.D.D. person down there. That is all I have. Thank you.

Petition from Don Jones, Zanesville Crime Stoppers Watch Crime State 2010 Fourth Quarter Report:

Private Communications - Crime Stats 2010 Fourth-Quarter Report

I'm Don Jones, from Zanesville Crime Stoppers Watch, and tonight ZCSW has the Fourth- Quarter Crime Stats for Zanesville. All crime stats are purchased from ZPD Records Office.

We had a total of 425 tracked crimes in the fourth-quarter of 2010, or 5 crimes daily, which is a reduction from the Third-Quarter, which is normal for the Fourth Quarter, as well as the First Quarter, which are winter months. The major reductions were drug busts from 50 to 27, Petty Theft from 161 to 122, thefts from motor vehicles from 86 to 57.

These are not the total crimes, but only the crimes that ZCSW tracks.

The total crimes for the fourth-quarter were 1,107. ZCSW tracked 38% of the total crimes. We will be modifying what and how we track crimes this year to make it more effective to the citizens and the media.

All Crime Stats and Maps are posted on the Zanesville Crime Stoppers Watch Website [http://www.neighborhoodlink.com/Crime Stoppers Watch/pages](http://www.neighborhoodlink.com/Crime_Stoppers_Watch/pages).

You can Google or Bing our name.

ZCSW is just starting a new program called Crime Corner, which will help inform all citizens of crimes which are happening in their neighbourhoods in real time, so they can help be the eyes and ears for our law enforcements. We will be working with The Times Recorder, WHIZ, and all the radio stations. Also, this year, we will expand this program to cover Muskingum County.

Also, in the near future, ZCSW, MCCSW, and all citizens throughout Muskingum County will be asked to start a Web Cam Watch, where all citizens with Web Cams can start watching their property and streets 24/7, but especially at night. First we must get which laws cover webcams and video surveillance, before anyone actually starts recording, or we start the program. Can you just imagine if several hundred or even several thousand citizens start watching their property and streets, the effect it could have in reducing crimes and apprehending, criminals?

In February ZCSW will present the total tracked crimes for 2010 to council. We are waiting on the 2010 Police Report from Chief Lambes to ensure our figures match.

Update: ZCSW attended the Police Advisory Committee Meeting in December, which Mayor Zwelling holds monthly. Chief Lambes suggested ZCSW use the present communications method, which is already in place, meaning call 455-0700 to report non-emergency reports, and 911 for emergency reports.

In the January ZCSW Board of Directors Meeting, we modified our reporting system, which ensures 24/7 coverage, and decreased lag-time between ZCSW receiving a report and ZPD and the Muskingum County Sheriff receiving that report.

Thank you for your time! May God bless each of you and your families, and bless and watch-over Zanesville, and all of Muskingum County and its citizens.

Mr. Vincent: Thank you Mr. Jones, I do appreciate all you work.

MISCELLANEOUS AND UNFINISHED BUSINESS:

Mayor Zwelling: We dealt with the emails I got regarding the police captains. I got a couple of emails from Mr. Hutcheson about Building Maintenance and Traffic Signal Divisions. We talked about reorganizing those and it appears it would be \$50,000 overage that we have after balancing the budget that we will be able to restore those people back to or close to fulltime, if not fulltime and we had a meeting with both departments this afternoon. There will just be a little juggling around of two people gave up two hours each a week in order to give Jamey four more hours because he is the HVAC certified specialist and he is the only one in the City so we can use him for a lot of work. Fred Buck is going train him on traffic lights so in a couple of years when Fred plans to retire somebody will be fully knowledgeable about traffic lights in Zanesville. That is what went on this afternoon and that is the answer that Mr. Vincent very ably answered that in his email that it look like it was not going to be necessary to reorganize those two departments. So we are going to go on and I think they are going to do an excellent job for the people of the City of Zanesville this year.

Mr. Zakany moved to adjourn, seconded by Mr. Hutcheson. Motion carried

Meeting adjourned 7:30 pm.