

CITY COUNCIL MEETING – MONDAY, JUNE 22, 2009

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, June 22, 2009 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

The following members of Council answered Roll Call: Mr. Vincent, Mr. Tilton, Mr. Zakany, Mrs. Gentry, Mr. Dittmar, Mrs. Norman, Mr. Kilpatrick, Mr. Mc Peek, and Mr. Hennessey.

Mr. Tilton moved to excuse Mr. Tarbert, seconded by Mr. Vincent. Motion carried.

APPROVAL OF MINUTES

Mr. Zakany moved to dispense with the reading and approve the minutes of the Regular Meeting of June 8, 2009, seconded by Mr. Tilton. Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Howard S. Zwelling – Mayor – Subject: Board Appointment

Center for Seniors Board of Trustees – I am hereby recommending appointment of Mrs. Priscilla Andrews to the Senior Center Board of Trustees. Mrs. Andrews will replace Mary Thomas whose term expired May 10, 2009. Mrs. Andrew's term will expire May 10, 2012.

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

PROPOSED ORDINANCES

Ordinance No. 09-69 – Introduced by Council – Authorizing the proper City official to provide funds to the Zanesville Memorial Concert Band as a donation for the presentation of the musical composition, "A Muskingum Portrait".

Mr. Vincent moved for first reading, seconded by Mr. Tilton.

Mr. Vincent - Mayor, could we have some additional information on this.

Mayor Zwelling – This composer is a professor at Ohio State. He wrote a song about Zanesville and Muskingum County. The Memorial Band is going to play that song and they would like to bring him down as guest conductor, that night. I told them, I would bring it to Council to see for \$1,000.

Mr. Vincent – What does the \$1,000 cover? What if we don't get that? If this didn't pass, what would happen?

Mayor - I don't know if they would have him down but they would still have the concert. They would probably play it but they think it is special to have the conductor to come down. They are a great source of entertainment. This is a one time deal. They don't ask for money every year and I understand that Muskingum County gives them \$1,000 every year.

Motion carried.

Ordinance No. 09-70 – Introduced by Council – An ordinance authorizing the proper City official to apply to the FAA and ODOT Aviation for grant funding for taxiway improvements at the Zanesville Municipal Airport, and declaring an emergency.

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

R.C. to waive
8 Ayes – 0 Nays

Motion carried

Mr. Tilton moved for passage, seconded by Mr. Vincent.

Mr. Kilpatrick – Just looking at the two ordinances here 70 and 71 – the first the taxiway rehabilitation and the next one talks about taxiway “A”. I am not familiar enough with the layout, out there. We are talking about two different taxiways here?

Mr. Sims – It is the same taxiway – one is to apply for the grant from the FFA. The other is to hire the design firm to do the design work for that. It is a rehabilitation project, but we do have to relocate a certain portion of it to meet – what they call a whole back threshold for a certain size aircraft. They are both tied together – one is deadline of June 30, this one is asking for emergency – the other could go the full three readings before we formally contract with the engineering service.

R.C. for passage
8 Ayes – 0 Nays

Motion carried

Ordinance No. 09-71 – An ordinance authorizing the proper City official to enter into a professional contract for engineering design for the Airport Taxiway Relocation.

Mr. Zakany moved for first reading, seconded by Mrs. Gentry.

Mr. Vincent – You said this could go for three readings,

Mr. Sims – It could because it is going to take a little time for the FAA to turn around the grant agreement for our signature and get it back to them. It may be such that when we get to the third reading, I may ask to have the 30 day wait waived. I can’t enter into an agreement with them until we get the FAA agreement back.

Mr. Vincent moved to waive and insert the emergency clause, seconded by Mr. Tilton.

R.C. to waive
2- Ayes, Mr. Vincent, Mr. Tilton
6 – Nays

Motion defeated

Mr. Vincent moved for first reading, seconded by Mr. Dittmar. Motion carried.

Ordinance No. 09-72 – Introduced by Council – An ordinance authorizing the proper City official to incorporate the new Section 923.28 into the City of Zanesville Codified Ordinances Chapter 923, Sewer Use Regulations.

Mr. Zakany moved for first reading, seconded by Mrs. Norman.

Petition from: Jim Adornetto, 285 W Willow Lake, Zanesville, Ohio

Mr. Adornetto – I am here to just find out a little bit about this ordinance. I operate three businesses in the City of Zanesville. We have grease traps at all three businesses and one particular business; we have cleaned three times a year. Two of my businesses, once a year. We monitor this very closely because if a grease trap overflows, you don’t ever want to get into that situation. I was under the impression that it is going to be a mandate, that you clean the grease traps, four times a year.

Mr. Sims – We just received the attachment from the Law Director and I haven’t had a chance to digest it yet. I have seen nothing of any mandates but it would be set up on a schedule of a business by business basis, based on the Health Department and our Industrial Pretreatment Coordinator’s inspections. That could vary from business to business and the type of food industry that it is and the amount of _____

Mr. Adornetto – That relieves me very much because you have got a lot of small businesses in town and if this was a mandate; this service costs about \$225. every time

you get them cleaned out. People who do millions of dollars in the restaurant business in Zanesville, can afford that but your small business it's an obstacle.

Mr. Sims – As you mentioned in your first statement, to have one of these overflow is quite a mess and when it gets into our sewer stream it's quite an expense for us to try to clean those main lines out as well. The EPA has mandated that we implement some kind of program. They haven't told us how. We are doing it as harmlessly as we can.

Mr. Adornetto – This is a mandate from the EPA, not the Health Department?

Mr. Sims – No, it is an EPA recommendation - they have asked us several times where this program is and they will stay after us until we have something implemented.

Mr. Vincent - While we don't want to cause any problems with out sewage system and why this is being implemented – quite a few of us on Council are very concerned about what this might do to small businesses and aware of the potential impact there. We would appreciate any further input that you have as you read through this and appreciate your expertise.

Motion carried.

Ordinance No. 09-73 – An ordinance authorizing the proper City official to apply for an O.W.D.A./D.E.F.A. Loan for the R-13 (Roosevelt Avenue and Peters Alley) Sewer Separation Project and advertise for bids for the construction, and declaring an emergency.

Mr. Tilton moved to waive the three readings, seconded by Mr. Dittmar.

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

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

Mr. Vincent – Do we know we are getting the stimulus money on this?

Mr. Sims – We were notified Friday that this is included. We have until next Monday to have five different applications ready for submittal.

Mr. Vincent – Are we on target for that?

Mr. Sims – We are going to be.

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

ORDINANCES FOR ACTION

Ordinance No. 09-63 – Introduced by Council – Amending Ordinance No. 97-127, as amended, which authorized a maximum schedule of positions.

Mr. Tilton moved for first reading, seconded by Mr. Vincent. Motion carried.

Ordinance No. 09-65 – Introduced by Council – Authorizing the proper City official to expend funds to improve Interskate Skateboard Park, to seek bids and enter into contracts where required, and declaring an emergency.

Mr. Zakany moved to waive, dies due to lack of second.

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

Mr. Vincent – I am interested and I think some other members of Council are interested in adding some wording in here, passing it so if there is not grant funding, we need to

reconsider whether or not we spend this money. I understand that we will find out in August if we are going to get the funding.

Mr. Hillis – It is only second reading, tonight. If you want me to draft language to amend this, I could have that for the next meeting.

Mr. Vincent – Could we reconsider it at that point?

Mr. Dittmar – Could we just table it until we know if we get the grant funding or not?

Mr. Zakany – A skate park like that, what's the life of it?

Mr. Sims – We are looking at a poly coated galvanized steel unit. We will have open bids, so we're liable to get anything as long as it is equal to. The company that we got the quotes from has twenty year life warranty.

Mayor – What I am going to say applies to the Skateboard ordinance, the Auditorium and the Stadium. These are not things that you just pay for in cash out of the budget; we have retired twenty years of long term loan, we have a lot of room for twenty year indebtedness. We try for grants everyday and we just got notice that the omnibus grant for the State Street Bridge is coming through; well in excess of \$400,000. We try for every possible grant, that we can get. We are going to try for and we think we are going to get this grant. Riverside Park is never going to pay for itself; the Stadium is never going to pay for itself; the improvements for the Auditorium is not. These are all things that bring people to the community, that occupy the hotel rooms, that patronize the restaurants, and the other businesses in this community that make this community thrive economically. I have talked to a lot of Mayors and we are doing better than any of them, right now. We are going to see an increase in our Income Tax because the pipe liners are here for six months. The Stadium is a long term thing; it's going to bring teams to town from out of town. The Auditorium brings people in from out of town. We think we are going to get the skateboard grant; we try for every grant imaginable, so work with me. We ought to do the skateboard park; we are getting a quality skateboard park, it is going to have a twenty year guarantee on it. We can't take the money for Gant out of the budget. I just got this, it is an estimate from the Frueh Company to tighten up and make safe the towers - \$78,770 to make those towers safe. The first estimate on the stadium lights was \$135,000 and it went to \$165. I called them to see why; they said you were originally going to put the lights on the towers. Now, we are putting up the poles, that's why we increased that. Fred Buck says, we have to wire them and there should be an amendment to include \$20,000 for wiring. It is a lot of money but it is long term money, we can't find it in a \$52,000,000 budget, there is no padding in that budget, we can't do that.

Motion carried.

Ordinance 09-66 - Introduced by Council – Authorizing the proper City official to expend funds on improvements to Gant Municipal Stadium, to seek bids and enter into contracts where required, and declaring an emergency.

Mr. Vincent moved for second reading, seconded by Mr. Mc Peek.

Petition from: Jim Brown, 1116 Indiana Street, Zanesville, Ohio – opposed to this ordinance.

Mr. Brown – Zanesville needs jobs – Zanesville ranks 31 in unemployment. Unemployment rates have almost doubled from a year ago – going from 7.7 to over 12%. Ordinance 09-65 – spending \$65,000 of public money on a skateboard park. Ordinance 09-66 – spending \$385,000 of public money on Gant Stadium. Ordinance 09-67 – spending \$283,000 more of public money on Secrest Auditorium. Add it all up that would be spending over \$733,000 of public money and creating zero long term jobs. Unemployment is running out for a lot of people; it's up to you to stop wasteful spending of public money and time to invest in some jobs.

Petition from: Randy Case, 916 Vine Street, Zanesville, Ohio

Mr. Case – I went on the tour around Gant Stadium and Secrest Auditorium. I agree the lighting really needs something done to it. I cannot see spending \$230,000 on a concession stand and restrooms. The Mayor told us they lost \$8,000 last year, so we are going to invest in a concession stand for them when they are loosing money. I think the curtains need to be replaced at Secrest Auditorium; but we are spending all this money and Mayor is telling us, we have a loan that we are retiring and we have this money. We need to utilize that money to buy material, so the water crew can replace the water lines around our City. We had seven water lines pop in one day. We have old water lines throughout this whole city and they need to start being replaced Water lines going to peoples homes is more important than Secrest Auditorium having a lift and the Old Timers having a concession stand.

Mr. Zakany – I understand the Water Department is self sustaining. If you get too much money in the Water Department, it's your obligation to lower the cost of the water. If it goes up, it's your obligation to make sure it is self sustaining.

Mr. Sims – I am not familiar with it ever going down but yes, under the O.R.C. it is my responsibility.

Motion carried.

Ordinance No. 09-67 – Introduced by Council – Authorizing the proper City official to expend funds for improvements at Secrest Auditorium, to seek bids and enter into contracts where required, and declaring an emergency.

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

Mr. Mc Peek - Regarding this water line issue – are we able to take out these twenty year notes for accelerating improvement for our water infrastructure or is that something that has to be handled in a different way?

Mr. Raines - We are issuing a debt for the Wayne Avenue project – we are borrowing money.

Mr. Mc Peek – Where are we at currently on our program for replacing and upgrading the water lines?

Mr. Sims – What we try to do and what we are limited to by budget; we have over 800,000 feet of water main in the City, different sizes. We try to work it in with our paving program, at least the last four or five years, we've tried to make a better attempt at trying to make sure we are replacing the worst lines in the worst areas, especially when there is a street paving going to go on. It happens quite often, it happened on West Main Street, we just had brand new pavement last year and it blows up one year later. We've had some of the older lines break within a matter of a few weeks after the pavers move through. It is not something that you are going to fix in five years; it is something that you may be able to accomplish in thirty or forty years.

Mr. Mc Peek – How far would \$500,000 go towards water lines?

Mr. Sims – It would do one half of Wayne Avenue from Marietta Street to the City limits. Approximately a little more than one-half mile of sufficiently size water main.

Mr. Vincent - All three of these ordinances – we talked about the HVAC and the roof at the jail. I think that falls in place as to how we are spending this money. The plan for that is being worked on, my understanding.

Mayor – We are working on it and at this time we are talking to two different companies about it.

Mr. Sims – Johnson Controls has given us some preliminary estimates – we don't have them under contract for design. That along with the stadium lights are two other stimulus projects that I have grants that have to be in by the 25th, Thursday. We are attempting to going for 100% because I don't know where else we are going to come up with it, for the jail and the stadium lighting. It is a very slim chance the money that was made available was for entitlement – city's over 35,000, county's over 200,000, the 2% of \$4,000,000 available for competitive grants. It is a long shot but so were the other ones and we ended up with \$12,000,000. There was another contractor in at the jail, last week, a problem that our guys couldn't repair and I ask them for their evaluation of the system which I haven't gotten, yet.

Mr. Dittmar – I could help everyone feel a little bit better about that because I know the contractor. He wanted some more time to really go over the control system and see what else is going on. He said, we do have a good system; he said we have industry standard compressors and they can be rebuilt and there are many systems throughout the County that are ten or fifteen years older than the one we have. He doesn't see any reason why it couldn't be repaired. I asked him for a ballpark and he said it could be as bad as \$80,000. to get it done right.

Mr. Sims – He was in the office looking for control prints which we do not have. They should have been down at the Safety Center.

Mr. Dittmar – He said, even if we put a new control system in and one that either he could do or Johnson Control could do; it would make the system better and would last longer.

Motion carried.

Ordinance No. 09-61-amended – Introduced by Council – An ordinance allowing a moral claim.

Mr. Kilpatrick asked to table this ordinance; there are some remaining questions from Council members and Mrs. Thomas was not able to be here this evening.

Mr. Kilpatrick moved to table for two weeks, seconded by Mr. Dittmar. Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Zwelling – Summer Lunches in full swing – over 400 meals a day served to young people. Add this to the Salvation Army, the Senior Center, Christ's Table – I don't think anybody is going hungry in Zanesville.

The Martin Luther King Jr. Bridge was dedicated Saturday. It was a beautiful ceremony; the committee did an excellent job. The plaques furnished by the Zanesville Rotary Club and Lionel Construction are magnificent.

The Stone Academy had its 200th Anniversary, this week end. I was there for a couple of programs on Saturday and learned a lot of history. About 180 years ago the town of Zanesville and the town of Putnam were at big odds about slavery. The town of Putnam was pro-abolitionist; the town of Zanesville was pro-slavery. They had meetings at the Academy and people came over across the Third Street Bridge; went over with clubs and rocks and dragged people out of the Stone Academy and beat them up. That's the history that we had here and hadn't thought about and learned about over the week-end.

Brandford and I had the pleasure of being on the roof of the Safety Center, this morning, at the request of the people doing the repair work there. They sucked all the stone off of there; then they found the problem. They fixed it and put new stone down. They raised the edges and sloped them down, like they are suppose to be. It was \$30 to \$35,000 and the company paid the whole thing.

Mr. Mc Peek – I wanted to add an addition to the Crime Stoppers, this week in my Ward. We generated another 23 to 24 people and that is still not covering the entire Ward. We are showing a positive movement toward membership and I want to thank everybody who participated in that.

Mr. Tilton moved to adjourn, seconded by Mr. Dittmar. Motion carried.

Meeting closed at 7:45 p.m.