

CITY COUNCIL MEETING – MONDAY, JUNE 9, 2008

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, June 9, 2008 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Zakany led those present in the Lord's Prayer. Boy Scout Troop #164 led us in the Pledge of Allegiance to the Flag.

The following members of Council answered roll call: Mr. Mc Peek, Mr. Vincent, Mr. Phillips, Mr. Zakany, Mrs. Gentry, Mr. Tarbert, Mr. Dittmar, Mrs. Norman and Mr. Kilpatrick.

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

APPROVAL OF MINUTES

Mr. Mc Peek moved to dispense with the reading and approve the minutes of the Regular Meeting of May 27, 2008, seconded by Mrs. Gentry. Motion carried.

PROPOSED ORDINANCES

Ordinance No. 08-65 – Introduced by Council – An ordinance for the acceptance of the final plat for Philip's Subdivision in the City of Zanesville, Ohio as herein provided.

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

Ordinance No. 08-66 – Introduced by Council – An ordinance authorizing the proper city official to purchase water meters and accessories without bidding from Badger Meter Company for the replacement of water meters in the City's well field.

Mr. Tarbert moved for first reading, seconded by Mr. Dittmar.

Mr. Kilpatrick – Mr. Sims, how many meters are we talking about?

Mr. Sims – We would be buying twelve meters.

Motion carried.

Ordinance No. 08-67 – Introduced by Council – An ordinance authorizing the proper city official to enter into a professional contract for major repairs to an electrical bus at the Water Treatment Plant and declaring an emergency.

Mr. Vincent moved to waive the three readings, seconded Mr. Phillips.

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

Mr. Tarbert moved for passage, seconded by Mr. Dittmar.

Mr. Vincent – How often do we use this and are we going to have a problem if we need this back and it is not there because we are waiting on bids to come in?

Mr. Sims – We have some preliminary quotes out that we have requested and we are waiting on passage – we should have some answers back on the quotes in the next day or two.

Mr. Vincent – The requirements

Mr. Sims – I understand in discussion with the Auditor since it is a professional service, we don't have to do a formal bid proposal – we just have to get quotes from licensed electricians for this.

Mr. Kilpatrick – Is any of this damage covered by insurance?

Mr. Sims – I doubt it because of the age of the components – it is a 1952 vintage.

Mrs. Moyer – Our deductible is \$10,000

Mr. Mc Peek – Do we anticipate getting multiple estimates back?

Mr. Sims – We are trying to get as many as we possibly can but including locals and we do have a company from Newark that’s looking at it right now, too. There aren’t a lot of vendor’s out there willing to work on it.

Mr. Mc Peek – This won’t be phased out – it is working in conjunction with our new plant when it comes in?

Mr. Sims – No, that’s something that we will discuss in the Public Service Committee meeting on June 19th. Two Council meetings ago, I’d indicated that there was going to be a change of scope in the Water Plant design. Unfortunately, the ordinance had passed third reading before I got that proposed change. It will have to go back through Council but I thought it would be appropriate to meet with the Public Service Committee to go over it. Some major changes after we had the electrical engineer from the consulting firm in the building. So, to answer your question, no, this is simply going to carry us, at this time, based on Council approval of our Water Plant design. This is just going to carry us up through construction of our new plant.

Mr. Mc Peek – Do you have an anticipated time frame?

Mr. Sims – Two years to construction and probably a year and a half or two years to do the completion.

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

ORDINANCES FOR ACTION

Mr. Phillips moved amend 08-44 by substituting Ordinance 08-44-A, seconded by Mr. Tarbert. Motion carried.

Ordinance No. 08-44 – amended - An ordinance amending Chapter 189 of the Codified Ordinances of Zanesville.

Mr. Tarbert moved for third reading and passage, seconded by Mr. Mc Peek.

Mr. Kilpatrick – What are the changes between the original 08-44 and 08-44-A?

Mr. Hillis – The changes that Mr. Vincent requested at the last meeting – we changed the whereas to read or local trade unions and we made the language consistent throughout the entire ordinance when it talks about local employees and local work force.

Mr. Vincent – The intent was to make it non-union shops, not just union only because we have some excellent non-union shops.

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

Ordinance No. 08-47 – Introduced by Council – An ordinance to amend Section 1119 of the City of Zanesville’s Planning and Zoning Code.

Mr. Phillips moved for third reading and passage, seconded by Mrs. Gentry.

Mr. Mc Peek – One concern from other meetings, that we have had, has it been looked into to see if there are other ordinances that may take precedence over this one?

Mr. Vincent – It is just making it clear, that they can get expert opinion from other Boards.

R.C. for passage
9 Ayes – 0 Nays

Motion carried

Ordinance No. 08-48-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. Vincent – I would like to remove 08-48. I talked with Jerry Nolder and it is up in the air as to what is being done to this property. It is his request until they have some more progress out there.

Mr. Vincent moved to remove Ordinance 08-48, seconded by Mr. Phillips. Motion carried.

Ordinance No. 08-53 – amended – Introduced by Council – An ordinance revoking a Community Reinvestment Area agreement for 35 S. Fourth Street.

Mr. Kilpatrick moved for third reading and passage, seconded by Mr. Mc Peek.

Mr. Vincent – This bothers me that Mr. Cottrill spent a lot of money in the downtown saving buildings – the Nader building, he got into something that was a lot more expensive than he anticipated – with that he may have saved an entire block of the City. My understanding it has caused him some problems with this project. He spent \$750.00 to apply for this CRA and it basically has saved him about \$700.00 a year. But also, I understand this cannot be transferred or signable to a new owner.

Mrs. Clapper – What we are dealing with is the revocation of this agreement – we need to keep in mind that the Tax Incentive Review Council – did vote to terminate this agreement and their reasons for termination of agreement is that Mr. Cottrill has not fulfilled his obligations under that agreement. There should have been an investment in improvements in the building of approximately \$145,000 and should have been completed by June 2007, then he should have created one job which should be done by December 2008. With no investment made in the property and no intention to occupy the building, we don't feel that it is possible there will be a job created in the next few months. I have spoken with the Ohio Department of Development, a CRA agreement can be transferred if we choose to but the terms of the agreement will remain the same. We believe there was no compelling reason to continue this contract at this time.

Mr. Tarbert – You say, he has had no investment in the property?

Mrs. Clapper – He has had some investment. The amount of investment that should have been put into the building was just a little over \$145,000. Mr. Cottrill has not provided me with the exact amount. The only investment that I am familiar with would be work with the Downtown Facade Improvement Program and received \$2,500 that he himself spent \$2,500.

Mr. Tarbert – He was suppose to have an employee by the end of this year?

Mrs. Clapper – Yes.

Mayor Zwelling – It is apparent that he hasn't complied with what is expected of him, at that location. There is a non-compliance issue at 616 Main Street, also. We are working with him to try to get some of that waived. Stacy do you want to tell them about that?

Mrs. Clapper – Yes, in the funding that went into the 616 Main Street property, that he did renovate includes a grant of \$200,000, also a Revolving Loan Fund of \$120,000. With Revolving Loan Funds, we are required to see job creation and since loan agreement requires five full-time equivalents created, in that building. At this point we

have granted him a six month extension which gave him through June of this year to create those jobs and he is identifying that he is unable to fulfill that. I have spoken with the Ohio Department of Development and they have advised that they will grant a waiver as long as we enter into a new loan agreement with them for the monies that are outstanding.

R.C. for passage
8 Ayes – 1 Nay, Mr. Dittmar Motion carried

Ordinance No. 08-60 – Introduced by Council – Authorizing the proper city official to enter into a contract for the purchase of real property.

Mr. Vincent moved for third reading and passage, seconded by Mr. Phillips.

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

Mr. Case has a problem with the City purchasing this property. He thinks it is too much money to spend right now.

Mr. Dittmar – In all my research and why we should spend this kind of money – is it the ISO rating?

Chief Lacy – That is correct the Insurance Services Office.

Mr. Dittmar – From what I understand, that station will make us compliant which will save a lot of people homeowners and businesses alike, a lot of money on their insurance.

Chief Lacy – It will keep our rates from going up. Right now, we are rated a Class Three and I hope when we get audited again, we stay at Class Three. That Class covers the whole City, so if we don't get enough points for response time and we go up to a Class Four that includes the whole City.

Mr. Dittmar – I wanted to know about spending taxpayers money – besides just having a fire house, they are going to save money on their homeowners insurance. Don't you have a lot of equipment stored all over the place?

Chief Lacy – I have equipment stored in water towers and around. We will be able to put it in that facility.

Mr. Mc Peek – Do you have any idea what it would take to get that building where it could be occupied?

Chief Lacy – I would say probably \$25,000 - \$30,000

R.C. for passage
8 Ayes – 0 Nays
1 Abstention – Mr. Tarbert Motion carried

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Zwelling – The Summer Meals will start Wednesday. This is a great program and it is completely covered by State grant money.

The cost of gasoline is starting to give us reason for concern in the City of Zanesville. All of the departments use gasoline in their vehicles and the various budgets – Police, Fire, etc. have budgeted for gas in accordance with prices that are higher now than what they were. The Police Department has \$8,000 a month in the budget – they are spending \$11,000, now. We are keeping a close eye on it.

Bob Mattingly passed away from Mattingly Foods which was a great employer in this City. When I was cutting a ribbon there last month, I ask how much it cost to fill one of those trucks and they said about \$1,000, on the road that will last about four or five days.

We had a very nice meeting of the Police Advisory Committee, this morning. Mr. Brandford, myself, the Police Chief, former Police Captain Clark, former Fireman Gabe Weatherspoon, former State Highway Patrolman Verlin Archer, and Father Connelly, they are the Police Advisory Committee.

We had J.E.D.D. meetings this afternoon for South Zanesville-Springfield Joint Economic District and Zanesville-Washington Township Joint Economic District. These are annual meetings. We have one more meeting to go.

Mr. Vincent – Mr. Brandford, just being out there to the property considering for the Fire Department and also, the accident this past week-end – just concerned with the NorthPointe – Fairview Road intersection – I was also noticing, when we were leaving tonight, the grass out there is kind of high which limits the sight and makes it much more difficult if you are checking for traffic. I would like to see the grass cut – I am not sure who owns that property.

Mr. Brandford – That is one of things, that I talked to you about earlier. When this gets passed for a Fire Station, we definitely will have to have lights coming out into that intersection.

Mr. Phillips moved to adjourn, seconded by Mr. Mc Peek. Motion carried.

Meeting adjourned at 7:40 p.m.