

CITY COUNCIL MEETING – MONDAY, NOVEMBER 23, 2009

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, November 23, 2009 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Zakany led those present in the Lord's Prayer. Boy Scout Troop, Number 126 from Trinity United Presbyterian Church led us in the Pledge of Allegiance to the Flag.

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

Mr. Tilton moved to excuse Mr. Hennessey and Mr. Dittmar, seconded by Mr. Tarbert. Motion carried.

APPROVAL OF MINUTES

Mr. Tilton moved to dispense with the reading and approve the minutes of the Regular Meeting of November 9, 2009, seconded by Mr. Mc Peek. Motion carried.

COMMUNICATIONS, REPORTS AND RESOLUTIONS

Mr. Tilton moved to add Resolution 09-111 as C-1, seconded by Mr. Mc Peek. Motion carried.

Resolution No. 09-111 – A resolution declaring the intent to appropriate fee simple interest and easements in and to the premises, for construction of the R-13 Sanitary Sewer Separation Project.

Mr. Tilton moved for first reading, seconded by Mr. Mc Peek.

Mr. Sims – The reason for this and I apologize to Council; we are nearing a deadline for the final date of December 10th for approval of our loan for the stimulus project for this R-13 Sewer Separation Project. We struggled with obtaining an agreement with Ohio Central Railroad for several months and didn't know if we were going to get that. The Mayor and I resolved that this morning. Without that railroad crossing easement none of these other easements would have been necessary so, I held off on those. I don't intend to have to utilize this as an eminent domain procedure however, to make sure we don't lose the \$342,000 stimulus grant; I am asking Council to consider this for passage, tonight as a safety net. We still have two property owners to discuss easements with; have had contact with them and I am meeting with one of those in the morning to go over the valuation and appraisals. I wanted to insert this resolution in the event they are uncomfortable with anything that we are wishing to utilize as far as their property for this sanitary sewer project. It is important that we pass it this evening; I don't expect to have to use it but I don't want to take the chance of losing the \$300,000.

Mr. Zakany – Do we need to put this on fast track?

Mr. Sims – Yes, this ordinance is very similar to one that we did last year; apparently it is in the O.R.C. that allows only one reading of this for passage.

Mr. Hillis – Yes, you don't need the emergency clause, it is a resolution for appropriation of property so, all you do is pass it one time.

Mr. Vincent – My concerns were, what this would do to peoples property and you shared that, the only disruption is one fence on one persons property that we would have to replace.

Mr. Sims – That is correct and there are provisions in the contract documents to provide for the replacement of that fence if it is damaged in the process. There are no structures in the way, other than that. We are doing a section where we are boring from one side of the alley to the other side; that should eliminate any concerns from the business owner that we would be disrupting their activities.

Mr. Vincent – Who is producing the show?

Mr. Kunkle – The City. We were going to do a show, anyhow and when I ran into Dan Hartman; you all know what an up person Dan is and I ran into him about two weeks ago and he is just low. They have been hit so hard with fires and other tragedy's – the economy, large sponsors have dropped anywhere from \$10 to \$15,000 in their donations.

R.C. for passage
8 Ayes – 0 Nays

Motion carried

Ordinance No. 09-110 – Introduced by Council – Authorizing a pay step adjustment for two employees in the City Auditor's office and declaring an emergency.

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

R.C. to waive
8 Ayes – 0 Nays

Motion carried

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

Mrs. Moyer – I have a vacancy in my office and I have two employees. We went a month to see if we could do this. They need more training but the right thing to do would be give them a raise since they are learning new things. Especially the new person, that I have in my office, she was never hired to do what she will be doing.

Mr. Tilton – So, their classification will not change, it is just their pay rate.

Mrs. Moyer – Yes, and I am not going to hire someone and I am sure that Dale will, in my payroll account, he will make sure that I only have enough money in there to cover.

Mr. Tilton – But in the future, if you decide that you need another person, what happens then?

Mrs. Moyer - I would have to come back to Council and ask for money. As far as taking the position off the books, that will not be done but I would have to come back to Council to ask for money.

Mr. Tilton – In the future, if you hire somebody then these peoples pay raise would go down – go back to where it was before?

Mrs. Moyer – No, I am not replacing that person.

Mr. Tilton – In the future, if you feel that you need that person and you do replace them, what happens to the two people that got the pay raises, now?

Mrs. Moyer – I can't imagine me doing that but if I did replace it, it would be at the bottom one. The girl that I just recently hired, is at the bottom.

Mr. Zakany – Would you go through Civil Service for this position?

Mrs. Moyer – I don't have to because I am an elected official.

Mr. Vincent – It is a higher paid position, the person has left and the two people involved are picking up at least half of the duties and the rest is going to be contracted out, my understanding.

Mrs. Moyer – The person that left did a real good job on the financial statement but it is easier and cheaper to contract that out with an outside firm. We had an outside firm do the notes.

R.C. for passage
8 Ayes – 0 Nays

Motion carried

ORDINANCES FOR ACTION

Ordinance No. 09-102 - Directing that the City of Zanesville's share of general property tax revenues be deposited into the City's General Fund in compliance with Ohio Revised Code Section 5705.10(A).

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

Ordinance No. 09-105 – Introduced by Council – An ordinance amending Ordinance No. 09-36.

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

Ordinance No. 09-106 – An ordinance authorizing the proper City official to advertise for bids and enter into contract with the lowest and best bidder for the purchase and installation of transient docks at Zane Landing Park.

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

Ordinance No. 09-107 – An ordinance authorizing the proper City official to enter into a L.P.A. agreement with the Ohio Department of Transportation for paving and handicap ramp improvements along a portion of State Street.

Mr. Tilton moved to amend this with the new attachment (A), seconded by Mr. Tarbert. Motion carried.

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

Ordinance No. 09-99 – Introduced by Council – An ordinance authorizing the proper City official to advertise for bids and enter into a professional contract for providing portable toilets in various City parks.

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

R.C. for passage
8 Ayes – 0 Nays

Motion carried.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Zwelling – We had a fine press conference, this morning, we are the first city in the United States to use Varmatic Lightmaster technology on street lighting. That Ohio is one of the states leading the rest of the country in conserving electricity used for lighting, reducing greenhouse gases and saving money in the process. J Core plans to build a plant in Zanesville in 2010 for production and distribution of the Lightmaster and Windmill Turbines.

We are struggling to balance the budget like most cities. The income tax is not what we thought it was going to be. We have a short fall; I have put it into committee to go through every purchase order request of every department. We have asked to cut down to bare necessities for the rest of the year. The committee will be Mike Sims, Bob Brandford, Dale Raines and myself. We will meet twice a week and review every purchase order request. We have cautioned that most will be turned down and they will have to prove that it is an absolute necessity for us to pass it. We would like to have a meeting with Council and we are in a three week period before the next meeting so, would it be possible to meet next Monday at 6:00 p.m.

Secret is going to be busy in December – December 3rd at 7:00 p.m., Southeastern Ohio Symphony Orchestra will present a free concert. The 21st Annual Holiday Choir Concert is December 5th at 7:30 p.m. December 12th the production of “the Gifts”, show starting at 7:00 p.m. The East Central Ohio Dance Theater will complete the month of holiday

shows with its presentation of the “Nutcracker” at 7:00 p.m. on December 19th and 2:00 p.m. on December 20th.

We have an announcement and I would like to call on Stacy Clapper to tell Council and the community about our Clean Ohio Assistance Fund.

Mrs. Clapper – On Thursday, we receive a letter from the Ohio Department of Development, Director – Pat Mc Daniel stating that they were prepared to demonstrate their support for our assessment project at the former GMB property on Moxahala Avenue and with their commitment of \$204,747 in Clean Ohio Assistance Fund. This assessment consists of monitoring wells, soil boring, asbestos survey, evaluation and reporting. It will determine the environmental suitability of the property and the need for remediation there at the property. The commitment is contingent upon final approval by the State Controlling Board which meets on December 14th. After their approval they will forward a grant agreement to us for our execution.

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

Meeting adjourned at 7:30 p.m.