

R.C. to waive
8 Ayes – 0 Nays

Motion carried

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

Mr. Vincent – Mr. Sims, in looking at that figure for our people to buy the equipment, to be able to do that?

Mr. Sims – We could only find this company and two subsidiaries and they are all in West Virginia. There are companies that can do 12” and smaller line stop inserts but this is the only company that we could find to do that. You are talking 20” – 1913 vintage cast iron pipe. We want to take every precaution that we don’t drain our system because this is the main feed lines. I apologize for the emergency; our crews did not want to attempt this in the summer with low water levels because we will be shut down for maybe six to eight hours. We are going to have to have all the towers completely full; shut this off, have the crews ready to jump in and do the valve replacement and then we will have to float the water levels from tower to tower to keep the City in business while we make this change.

R.C. for passage
8 Ayes – 0 Nays

Motion carried

Ordinance No. 08-117 – Introduced by Council – Amending appropriation Ordinance No. 08-28 and declaring an emergency.

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

R.C. to waive
8 Ayes – 0 Nays

Motion carried

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

Mr. Kilpatrick – On page 2, under Police Fund it says “negotiated pay-out to a former employee” – I would like to hear a little more about that.

Mr. Raines - An employee had been charged with a crime – those charges were dropped. They negotiated that he would not come back but he was paid.

R.C. for passage
8 Ayes – 0 Nays

Motion carried

ORDINANCES FOR ACTION

Ordinance No. 08-110 – Introduced by Council – Adopting a wage continuation policy for injured workers and authorizing a wage continuation pay category.

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

PRIVATE PETITIONS AND COMMUNICATIONS

Petition from: Rick Wisecarver, 1429 Linden Avenue, Zanesville, Ohio

Mr. Wisecarver – Was asking for additional manpower for the Zanesville Police Department. He gave Council a chart with figures from 2007 with population, violent crime rates, rape, robbery, vehicle theft, arson, etc. He thinks there is a real crime problem in Zanesville and there should be no reason for it.

Mr. Hillis – Asked Mr. Wisecarver if he had met with the Police Chief and discussed this problem with him and what he would like to see happen. I think it is a serious problem but I just don’t understand why you wouldn’t talk to the Chief of Police about it and get

him on board so that he could meet with the Safety Director and the Mayor and propose a solution.

Mr. Wisecarver said he was not familiar with the workings of the Police Department. I am just a regular citizen.

Petition from: Tom Porter, 332 South Street, Zanesville, Ohio

Mr. Porter – I am a Zanesville Police Officer and currently the Vice President of the F.O.P. Zane Lodge #5. I am accompanied here tonight by many of our officers from various shifts. The FOP is the voice of those who dedicate their lives protecting and serving the communities. The FOP is committed to improving the working conditions of law enforcement officers and the safety of those we serve. I would like to present these following facts. Currently the Zanesville Police Department is working the same budget as in 1998. In 1998 we had 56 sworn officers. Today, the ZPD employs 49. In 1998 the City population was 28,655, covering 9.7 square miles. The city population today is approximately 25,586 people covering 12.3 square miles. The police department insures the safety of over 4,000 students who attend schools in Zanesville City limits. The day time population changes to 33,784 an increase of 32.4 % due to commuting out of town workers. The calls for services in 1998 were 35,758, today we stand at 31,351. There is an over-time budget set for the Police Department and it is at \$100,000. As of September 25, 2008, we paid out \$141,151.17. Officers are being requested to repeatedly work additional hours even after their eight hour shift. This is to insure the safety of fellow officers, as well as the community, for an additional forty-eight hours. This is clearly an officer safety issue. The City sees fit to increase their need for fire service due to the growth and development of our town, yet the Police Department has stayed the same. The Police Department has replaced personnel lost but has not expanded personnel in many years. The officers of the ZPD are doing a remarkable job serving the public and keeping our city streets safe but still so much more could be done. Having spoken with some of the business owners of the community, I know first hand their concerns. Some have asked – why don't I see officers on foot patrol? Why aren't there officers targeting higher crime areas? And why don't I see officers working more traffic enforcement? I have to respond with there may be only four or five officers on our street. Right now we have four officers on our street. We have an officer standing guard and as soon as he is done, he will go back out on the street – that will make five. Some of you know first hand what we are doing as far as the call volume and work and let me tell you thanks. Thanks for taking the time to look into an eight hour day for the ZPD. The FOP Zane Lodge #5 is asking the City of Zanesville to carefully review this manpower situation for the safety of our officers as well as the citizens of Zanesville. With more adequate staffing the police department will be better able to serve the community by having the ability to become pro-active and not re-active. I have patrolled the streets for almost eight years and I can say first hand, I see the need. I am asking you, Council to assist us in protecting our officers of the community by looking into funding for the need of manpower.

If I could respond to your question, Mr. Hillis, I have spoken with the Chief who would like to have more officers.

Mr. Dittmar - It seems like we do have quite a few problems and I was wondering if we could do a work session or something with the Administration and any of us that could attend.

Mr. Zakany – I am all for it. I am going to mention one thing – when we passed the half percent for the Police Department, I was a member of Council, and the city administration committed themselves to 47 officers and at one time they went down and Council encouraged it and they brought it back up to 47. What you are pointing out the City was 28,000 then and we have more mileage, now. As far as I know the City Administration and the Safety Director has kept that 47 going and you are saying that it is not enough.

Mr. Porter - In 98 we were up to 56 sworn officers. The population has gone down but I would venture to say, now that we have NorthPointe with business development, housing

development, and new housing developments going in, it's great as far as growth but our Police Department is scary for officer's safety.

Mr. Zakany – I think we all realize that with economics has caused a lot of crime to creep up.

Mr. Kilpatrick – Did you mention, what you thought the increase in head count should be, to have a pro-active police department?

Mr. Porter - To have seven officers on the street, every shift.

Petition from: Darnell Brown, 467 Spangler Dr, Zanesville, Ohio

Mr. Brown - I am not here to argue with Council, or to challenge Council, we submitted what we thought was our research. We are prepared to dedicate the bridge. I want to thank Council for working with us. It has been a very long difficult process.

Petition from: Carl Robinson, 817 Maple Avenue, Zanesville, Ohio

Mr. Robinson – Spoke with the Mayor regarding a six month moratorium on code violations. He said, he asked that nobody be drug into court for six months. He wants legislation drawn up stating the six month moratorium. After much discussion on the moratorium -

Mrs. Gentry moved to let Mr. Robinson have another three minutes to speak, seconded by Mr. Kilpatrick.

R.C. on motion

7 Ayes – 1 Nay, Mr. Tarbert

Motion carried

Mr. Robinson said that he had spoken to City Council about Code Enforcement not being fair.

Mrs. Norman – You were sited to repair your sidewalk? If you were to get a bag of quikrete?

Mr. Robinson – My hope is to replace my sidewalk. I would like to have a nice clean slab of concrete in front of the house.

Mrs. Norman – So, patching is not an option?

Mr. Robinson said all he wanted was for the citizens who care to just sit down with him and look at the facts. Call him anytime day or night.

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

Mr. Case – I need to address Mr. Robinson's accusation that I am getting treated better than other citizens. I know I have code violations against my house, my house is an old beat up house, I bought it that way and little by little as I can afford to, I am fixing it up. Tim Smith came by and complained about my son's car – we're keeping it covered and on blocks, like Mr. Smith said would be okay. I need to paint, but the weather is getting too cold to paint. My front and back porch are falling apart; I admit that, I plan on replacing them. Before I came up close to the time that Tim Smith gave me, I went to his office, and explained it all and he gave me an extension the same way any citizen in this town can get. I agree with the Mayor a moratorium is not the best idea.

I would like to thank the Mayor for the 10 pancake day tickets he donated to the McIntire-Munson Elementary All-Pro Dads Day Breakfast which is held five months out of the year, at school.

Mr. Vincent – I did not realize but Tim Smith is here, tonight and I would like for him to come up and make some comments and address Council's questions.

Mr. Smith – First of all, I would like to challenge anybody to prove that Code Enforcement is bias. Mr. Robinson can claim bias but Mr. Robinson has had over five years to repair his sidewalk. The need for a moratorium does not really exist. First of all when we give violations this time of year for non-safety related items, we normally give up to a year or more. As Mr. Case has already indicated, when people call us and inform us they have lost their job, that they are on fixed income, we certainly are more than willing to work with them. You have to understand when Code Enforcement officers inspect properties, they are dealing with properties. At that time they have no idea other than the owners name and address; the economic situation, the age, or anything about these individuals until they communicate with Code Enforcement. Once we receive that communication and find out that individual has a specific need, we work tirelessly to find funding to help these individuals with these code violations. To the point that Mr. Spraggins and I both volunteer our time on a private sector committee called Community Build. We hold golf tournaments; we have other fund raising activities where we raise funds, that we can help these individuals with the violations. We are also active participants in the Youth Build Program and we obtained \$30,000 for that program, last year that we have actively used to help individuals to replace their sidewalks, paint their house, side their garages, put spouting up, build handicap ramps; these are things we volunteer to do. I think we are being unfairly singled out by one individual and it is not right. I look at this, not as a job but as a community service. I am not back slapping but I have put a lot of effort and time in to try to better this city as have a lot of police officers, in here. I have worked hard to get cooperation with the police, fire, and court systems. I am proud of what my inspectors do and how they work with people and do we take people to court? Yes, we do. Do we scrutinize those that we take to court? Yes, we do. We will not take a Senior Citizen on a fixed income, if we know it, to court. We encourage people to communicate with us and we are willing to work with people. So, giving some sort of moratorium or whatever; really isn't necessary. We do everything we can to work with people to the best of our ability.

Mr. Robinson called me the day after we went to court and he did request that I come to his house and I told him that I was not comfortable doing that. The last time I was over there, he accused me of trying to run over him which he still brings up. Basically, there was no proof to that. I refuse to go over there and meet him, one on one.

Mrs. Norman – But, does he need a new sidewalk?

Mr. Smith – No, all he has to do is eliminate the hazards and he has been given ample time to do that. He requested an extension, when we sighted him. There is a long history on this case but we had dropped one case against him that was tied to the painting of his house. We reactivated a new case, gave him a year to comply, he requested an extension, we gave him an extension and told him that was the final extension. When we took him to court, along with his wife because whose ever name is on the deed of the property that is who we file an avadavat on. We are not singling him out – if it is a dual owner, both owners are going to get sighted into court. That was the case with him. He chose to plead not guilty which basically leaves it in the court hands at that point. He called me after he went to court and he wanted to negotiate a settlement and I told him it was in the courts hands at this point. If he wanted to change his plea to no contest, we would work out a deal with the Judge. I offered the information as to what we were going to ask the court for as penalty and I sent him that information. He is trying to use that against me. I've tried to work with this guy to the fullest extent. The only people, I loose my cool with are the people that start swearing because the minute they start swearing, I will no longer talk to them and they are no longer welcome in my office. I will not tolerate that abuse to my employees, my inspectors, or myself. If you tell me you are going to fix this house up over a four year period, bring me something in writing that tells me what you are going to do to bring that house into compliance over that period of time and we will work with you.

Mrs. Norman – So, would a couple of bags of quik mix, would that fix his problem?

Mr. Smith - I told him all he has to do is clean the grass out and fill the cracks; to eliminate the hazards. It is a temporary fix but a lot of people do it if they can't afford to fix their walks.

Petition from: Kathy Brantley, PURE Center, 522 Woodlawn Avenue, Zanesville, Ohio

Mrs. Brantley – I am here to request to use Secrest Auditorium. We are the Putnam Underground Railroad Education Center. We are going to present a program for Abraham Lincoln. We will be celebrating his 200th birthday. We have Pete Riley, from Ohio; he is a member of the association of look-a-like Lincoln. We would like to present a school program for our area students to come to Secrest Auditorium to actually learn the history of Abraham Lincoln. We are asking that we utilize Secrest at no cost. The program will have over 800 students and will also open it up to the public so they can attend and learn all about Abraham Lincoln's life.

Mayor Zwelling – I told John Kunkle to give her a better rate but we have expenses tied up with this also. We don't cut the rate for Salvation Army, the Red Cross, Big Brothers and Big Sisters, and the auditorium operates at a deficit. The reason it operates at a deficit is because we have been bad business people and I have set down some rules. There is a little bit of lead way in those rules and I talked it over with John Kunkle and told him to give her a special rate but make sure our expenses were covered.

Mrs. Brantley – At this particular time, Secrest Auditorium is open at 9:30 a.m. The workers are already on board. The kids will be there one hour and forty-five minutes. We are not asking for any special equipment or any services other than for the seats to be utilized. This is a special program, Abraham Lincoln is turning 200 years old and this is an educational program for our kids. The money that we do have, we would like to utilize it for busing the kids. We have to get the kids to Secrest.

Mr. Tarbert – How much were you quoted?

Mrs. Brantley - \$475.00.

Mr. Tarbert – You don't think you can raise that through private donations?

Mrs. Brantley – If I get \$475, I can get several more buses of kids to Secrest Auditorium. I am trying to get as many kids to Secrest, as possible. If I need money to go to Secrest which is already open, -

Mayor – It costs us \$200 to open the doors, every day.

Mrs. Brantley – But, you are already open that day. We are educating our kids and you can't educate your kids better than an arts program and this actor. This program is designed to teach our kids American history.

Mr. Tarbert – Do you see the Mayor's problem? If the Salvation Army comes in here and says, the doors are already open and we should get it for free – I don't disagree that this is an important program but every charitable organization or educational organization comes in here and they all have wonderful reasons to use Secrest for free. I think the Mayor's point is valid, look we agree here's a really good rate but I don't know that just because the doors are open that they should be able to use it for free.

Mrs. Brantley – Our children are what I am concerned about. How many different organizations would have an arts program?

Mr. Tarbert - I understand that but come when the Salvation Army comes and give that same speech, how important is the work that they do. We hear important things all the time and to just open the auditorium for every important group that comes in here, we would love to do it. Like the police officers, if the money was there we would put on 20 police officers – At some point we have to draw the line.

Mrs. Norman – We make exceptions all the time and we just gave Habitat for Humanity tap fees.

Mayor – I said I hope that's a one time event for Council because I had turned them down. It is hard to turn down Habitat for Humanity. We run a business here, you know and there is nothing better than what Kathy Brantley has said but if we give it to her free, how can I turn down Big Brothers and Big Sisters, next week. The Red Cross the week after and the Salvation Army, the week after that.

Mrs. Norman – Do you suppose we could do \$200. as, opposed to \$400.?

Mayor – I think John and I agreed on \$300.

Mr. Mc Peek – You say if you had \$475. , you could get more buses but if some people come forward and say we will donate the Secrest Auditorium, for that specific purpose, could you not say, we'll take it and we will try to get some more money for buses?

Mrs. Brantley – Yes, I would take it.

Mr. Mc Peek – The date on this and the time frame that you are talking?

Mrs. Brantley - The date is February 25, 2009. The program will start at 9:30 a.m. at Secrest Auditorium; with or without.

Mrs. Brantley – The school is not charging us for the buses. We are paying for the gas for the buses. We negotiated a deal, we are not paying for the bus drivers. We are having twice as many kids attend, that way.

Mr. Mc Peek – When does this have to be taken care of, by when to secure the auditorium.

Mrs. Brantley – The date is open for the auditorium, they have been very gracious to hold it for us.

Mr. Mc Peek – Between now and January 1, if that money is raised?

Mrs. Norman - What needs to be done? Can we put on legislation to vote on whether we do this or not? I would like to sponsor legislation; say \$200. Then if you should happen to raise the money in that time.

Mr. Vincent – I just want Council to know that Habitat for Humanity is a one time thing. It won't be coming back again.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Zwelling – Secrest – next Saturday, the Miss Southeastern Ohio Pageant. I would urge the citizens to support that.

The following Saturday is the Moscow Ballet Company from Russia. They will present the Nutcracker.

Last Friday, I had the privilege of meeting with the Governor, the Lt. Governor, Chancellor Fingerhut, people from the Department of Development, along with 19 other mayors. We shared a lot about Main Street America and the present economic difficulties. The Governor and the Lt. Governor are definitely working hard to initiate the programs that will help the economy. I was the only Mayor who was able to tell them that we are going to have several hundred new jobs within the next few months, in our community. Also, I made a point that if it were not for the Governor, the Lt. Governor and the Department of Development; we would not have gotten the Avon Distribution Center, here. That is how much the State of Ohio helped us.

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

Meeting adjourned at 8:30 p.m.