

PUBLIC HEARING – TUESDAY, OCTOBER 14, 2008

A Public Hearing was held at 6:45 p.m., Tuesday, October 14, 2008 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Council members present were: Mr. Mc Peek, Mr. Vincent, Mr. Phillips, Mr. Zakany, Mrs. Gentry, Mr. Dittmar, Mrs. Norman, Mr. Kilpatrick, and Mr. Hennessey.

The Clerk had proof of advertising.

Mr. Hennessey turned the public hearing over to Pat Denbow, Zoning Administrator.

Mr. Denbow – This is a request by Brian Addis, representing the Zanesville Country Club to rezone 43 acres located along Military Road, from AE Agriculture and Estate to O-2 Office Park District. The property is located on the southern end of Military Road. Currently the property is vacant.

The Comprehensive Master Plan identifies this area, Zanesville Country Club, as one of the primary AE areas for the city. However, the Plan also identifies this area as having a potential for significant growth.

Staff feels this rezone may further the public interest by increasing the amount of viable, developable zoned land near the intersection of NorthPointe Drive and Military Road.

Staff has no objections to the request as submitted.

Brian Addis Architect spoke – We have met with the Public Service Director, the Public Safety Director, the Zanesville Fire Department, as well as Nate Strum and we are working with Mr. Denbow.

We met all of their recommendations. We had a public hearing with the Planning Commission at which time their recommendation was to grant the rezoning. It is our goal to go from an AE to an O-2 and from an O-2 to an R. We cannot take it directly from an AE to an R, our zoning code does not allow us to do that. We have to go through two steps to get to where we want to be. On behalf of the Zanesville Country Club, we've filed the application to have this rezoned.

Mr. Phillips – In the minutes it talks about enabling them to go to PUD in the future. When you say residential is that what you mean as the PUD?

Mr. Addis – Correct. A PUD can be pretty much anything you want it to be.

Mr. Phillips - Council may understand what PUD's are , but it's a big area that allows a bunch of uses to go on. So, that leaves open the ability to have businesses with housing, with different things. So, it is not going to turn into a RS district or a residential, it is actually going to be a multi-use district.

Mr. Addis – That is correct and we will work with the zoning office as we go into PUD applications. It is a lot more documentation - we have already worked with Public Safety in trying to best identify the best location based on their recommendation – where curb cuts would be off of Military - keeping in mind the residents that still reside there and also the Sandhurst Apartment complex which is on the other side. I know at our meetings, Public Service was in favor of PUD because it will be maintained by the owner.

Hearing closed at 7:00 p.m.

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Joan L. Ziemer  
Clerk of Council

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Ralph D. Hennessey  
President of Council

## CITY COUNCIL MEETING – TUESDAY, OCTOBER 14, 2008

The Council of the City of Zanesville met in regular session at 7:00 p.m., Tuesday, October 14, 2008 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. Mc Peek, Mr. Vincent, Mr. Phillips, Mr. Zakany, Mrs. Gentry, Mr. Tarbert, Mr. Dittmar, Mrs. Norman, Mr. Kilpatrick and Mr. Hennessey.

### APPROVAL OF MINUTES

Mr. Zakany moved to dispense with the reading and approve the minutes of the Regular Meeting of September 22, 2008, seconded by Mr. Tarbert. Motion carried.

### COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Michael A. Sims – Director of Public Service  
Re: City Cemeteries 3<sup>rd</sup> Quarter Report.

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

### PROPOSED ORDINANCES

Ordinance No. 08-98 – 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 moved for first reading, seconded by Mr. Kilpatrick.

Petition from: Michael Micheli, 220 W. Willow Drive, Zanesville

Mr. Micheli – I am here in behalf of Zanesville Country Club. I am asking a favor of this Council to pass this as an emergency measure. We have been working with this developer for over a year now. This is a monumental investment by this particular developer. It is a multi-million dollar project, which will employ a lot of people, a lot of local tradesmen, business men, vendors, etc., in the construction of this project. I can assure you, as a representative of the Zanesville Country Club, we worked very hard to make sure whatever went into this sight was to be a first class quality project. One of the big things that is a issue here is that if anybody turned a TV on in the last month, we all understand that trying to do projects such as financing. We have been told by the developer and I have spoken to the Attorney; it is going to commit the financing for this project on the passage of this ordinance. The intended use of this project will not create any major issues relative to the schools. This is not the Sandhurst project; this is a completely different concept.

Mr. Tarbert – Mr. Mayor, what is your feeling on this? You are going to have to sign off on this, as well.

Mayor – I would be willing to sign off on this ordinance if Council so chooses to make it an emergency. I think people have had a chance to react because they have been advertising for their previous hearings for the Planning Commission and Zoning. It is not springing something on the public.

Mr. Tarbert moved to amend and add the emergency clause, seconded by Mr. Zakany.



designate that it was a R-17, R-19 Sewer Separation Project and there was also another job that was done by a separate engineer for a portion of Peters Alley and Roosevelt Avenue. It was always meant to be one project, however, we had different design firms do that. Since, we have to do some changes with the R-17, R-19 project – we have found several homes that have been demo'd since the design plans were done. Also, some commercial properties along Seventh Street that were demo'd, that now have an effect on the depth of the sewer. We might be able to decrease costs, revamp the project a little bit. That forces me to clarify this and separate it for auditing purposes.

Mr. Kilpatrick – The funding from the State of Ohio – what would be the term of repayment for that loan?

Mr. Sims – Dale, would probably want to go with a ten year loan on a project of this nature.

Mr. Kilpatrick – Any expectation what sort of rate they will charge us?

Mr. Sims – The last couple that we have gotten have been around 3 – 3 ½ %. I don't know what current rate is but I would say it is within that range.

Mr. Zakany – Is this complying with some of the State mandate?

Mr. Sims – Yes, this is the very beginning of our long term control plan. This is the first of two projects that were required by 2020.

Mr. Vincent – The \$200,000; where is that coming from?

Mr. Sims – That will be in the next ordinance 08-103, Dale was looking at this and since we have made some structure changes on our sewer capacity fees for our commercial properties – we have come a long way and we were able to put enough money back to add \$200,000 out of that, so we don't have to borrow the entire amount.

R.C. for passage  
9 Ayes – 0 Nays

Motion carried

Ordinance No. 08-103- Introduced by Council – Authorizing the proper city official to advertise for bids and enter into a professional contract for the separation of combined sewers R-17 and R-19 along with Roosevelt Avenue and Peters Alley as required by the Ohio Environmental Protection Agency, and declaring an emergency.

Mr. Zakany moved to waive the three reading, seconded by Mr. Kilpatrick

R.C. to waive  
9 Ayes – 0 Nays

Motion carried

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

R.C. for passage  
9 Ayes – 0 Nays

Motion carried

Ordinance No. 08-104 – Introduced by Council – An ordinance authorizing the proper city official to apply to the Ohio Department of Natural Resources for grant funding to renovate Interskate Park on G.W. Morse Street.

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

Mr Sims – The application period isn't even available to us until – the deadline is February 4 and the new rules are not even out, yet. They should be coming out anytime soon. We won't get the funding until spring, anyway. When you apply for a grant, there is usually a waiting period before it is available to you. What we are looking at to renovate this skatepark is to do an asphalt overlay over the entire surface. Ideally, it



Mr. Hennessey – I believe that Mr. Vincent is working on putting an ordinance together. The ordinance will be in front of us the next meeting if you could come back the next meeting, we could talk more.

#### MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Zwelling – First, there was a magnificent concert Saturday night, at Secrest. We have had 80 events at Secrest for this year. The auditorium has gotten some significant use.

I attended scholarship awards, this morning, at Zane State College and 78 students received scholarships. They have been graduating 330 people each year, in the two year program. Zane State is number nine in the country for two year programs. Ohio University Zanesville has been graduating 170 a year for a total of about 500 degrees. Both are full to capacity, enrollment wise.

I attended, this afternoon, at Mid-East Vocational School, they are partnering with Zane State. We had a dedication and ribbon cutting in the computerized machine tool systems laboratory. It's a joint venture and a good venture because this is where the Avon's, the Emco's, the Bilco's, get their work force. If you haven't had a chance to go through there and look into the classrooms in progress, it is an amazing thing to see and we are lucky to have it in this community.

The Humane Society – Beulah Hague has retired after many, many years. She was on the County payroll – she was put on there twenty some years ago. To the extent of \$23,000 plus P.E.R.S. She reports to the humane society, so now with her resignation and the humane society looking for a successor the County Commissioners have decided that they don't want to have this employee on their payroll because they don't have any control over it. We have put \$208.00 a month in for the City but as I recall as Municipal Judge, for sixteen years, we didn't have a humane officer case – maybe two in sixteen years. I think that the livestock, horses, those kinds of mistreatment cases are all out in the county – we have some dog cases in the City and sometimes the police handle those. As to the new humane officer, the County has decided that they are going to just put \$600.00 a month in. They have gone from \$23,000 to \$600.00. They are going to pay that to the humane society. The Humane Society is asking the City to put in \$400.00 a month, so there would be a \$1,000 a month. Before, I commit to that, I thought I would bounce it off of Council because in a way the County is reducing it's input by 90%, we would be increasing our input by 100%. Percentage wise it is not good for us but it's \$400.00 a month, it's not a real large amount of money, we were already putting \$208.00 a month. I just wondered if any of you had any thoughts about it.

Mr. Tarbert – What do we get for \$1,000 a month – if we don't have an officer, what do they do with our \$1,000?

Mayor – We would put in \$400 a month.

Mr. Tarbert - I mean the \$1,000 that comes from

Mayor – To hire the new humane officer and they don't have \$23,000 on the County payroll, so this new humane officer is only going to get \$1,000 a month, evidently. It is probably going to be a part-time position.

Mr. Zakany – The Humane Society, they would choose the person?

Mayor – They have already advertised.

Mr. Vincent – I think it would be helpful to see some of the figures as far as the City's use of this service.

Mayor – Beulah Hague was very well thought of and claims she worked from daylight to dark, some days. We thought of all kind of alternatives, as far as having the Sheriffs Department take it over – the Sheriffs Department would train a deputy to be a humane

officer. The Sheriff really doesn't want a deputy chasing animals. It has been suggested that we have the law enforcement school at Zane State get involved in this. \$400 is not a lot of money to have a humane officer on call.

Mr. Vincent – There are a lot of animal lovers out there and they might be willing to do it for that amount of money. I think the sheriff's deputy would be awfully expensive, I understand why didn't go. If it is no hassle for us, if they are providing for our needs and we are doing only 40% of it, even if we don't get 40% use out of them, it's hands off, hassle free and we get our needs met. Maybe it's worth it.

Mr. Hennessey – I would defer this directly to you. We are not close enough to the whole situation.

Mayor – If nobody has any objection to it, I will probably say, yes.

Mayor – The Forbes story – I wanted to tell City Council and the people of Zanesville what actually happened with the Forbes story. I got a call from a young lady; I think her name was Rebecca Ruiz. She said she was from Forbes magazine and she was doing an article on Main Street USA and the economic difficulties, we are having now. Would I talk to her, I said sure I would talk to her. We talked about 45 minutes. She wanted to know the pluses and the minuses of the economy. I told her about the Longaberger lay-offs, about Lear is going to go to Mexico in 2009, the All American Homes pulled out, 100 jobs lost. I also told her about Bilco, Emco, Avon, Kellogg's, AK Steel, and Time Warner – all the success stories. I told her that we would be getting several hundred new jobs, early winter. We talked about 45 minutes, never once did she say that her main premise for a story is higher employment rate which was one point. The fact that we have a poverty rate of something like 16% and that only 18% of the people in this area have associate degrees or better. She never mentioned those criteria, so that I could speak to them. I did tell her about the jobs which I think addresses the higher employment rate and the poverty point. As to the degrees, I was satisfied this morning when we graduated 500 people a year out Newark Road, that number is going to get better, not worse. So, she did her study, she called me the next day and she said well, we are on the most vulnerable list. I said, would you please explain to me, what vulnerable means – vulnerable to what – she didn't satisfy me with any explanation. So, I dismissed it. She did a study of 114 cities of 10 to 25,000; I would venture to guess there is a hundred many 200,000 cities that size, in this country. I can't imagine that the other nine on this ten most vulnerable list, can say to her that they are going to have several hundred new, in that town, putting out 500 graduates a year. I think we got a bum rap out of it. I wanted to tell Council and the people of Zanesville how it all transpired. I understand that WHIZ wants to interview me about it, so I will go into more detail, tomorrow.

Mr. Brandford – I wanted to update you on the metal detector. We had a person who was suppose to do the training, there was an emergency situation happened. Everything is in my office ready to go.

Mr. Zakany moved to adjourn, seconded by Mr. Tarbert.

Meeting adjourned at 7:55 p.m.