

CITY COUNCIL MEETING – MONDAY, JANUARY 9, 2012

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, January 9, 2012 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

The following members of Council answered Roll Call: Mrs. Norman, Mr. Zakany, Mr. Hutcheson, Mr. Kilpatrick, Ms. Gildow, Mr. Tarbert, Mr. Baker, Mrs. Gentry, Mr. Dittmar, and Mr. Vincent.

Nomination and Election of President Pro Tempore:

Mr. Zakany nominated Mrs. Norman

Ms. Gildow nominated Mr. David Tarbert

Mr. Hutcheson moved to close the nominations, seconded by Mr. Baker.
Motion carried.

Mrs. Norman- 5 votes, Mr. Tarbert – 4 votes.

Mrs. Norman is the President Pro Tempore for 2012 – 2013.

Nomination and Election of Clerk of Council:

Mr. Zakany nominated Mrs. Figgins, seconded by Mr. Baker.

Mr. Hutcheson moved to close the nominations, seconded by Mr. Tarbert.
Motion carried.

All in favor of Mrs. Figgins as Clerk of Council.
Motion carried.

Mrs. Figgins was sworn in as Clerk of Council by President of Council Daniel Vincent.

APPROVAL OF MINUTES

Mr. Zakany moved to accept the minutes as printed, seconded by Mr. Hutcheson.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Ordinance No. 11-91 (Amended) – Introduced by Council – An ordinance increasing the salaries of elected officials of Zanesville and declaring an emergency.

Mr. Tarbert moved to pass the ordinance, waive the readings, and override the previous Mayor's veto, seconded by Mr. Dittmar.

Mr. Tarbert: We passed raises for 300-310 employees over the last four years totaling 14% through union negotiations and the employees deserved raises because of cost of living, cost of insurance, and other expenses employees have. Those raises were for 300-310 city employees with no public comment. These are four positions that did not have any pay raises because of the quirks in the Ohio Revised Code. This is the time that we need to give them a raise. We seem to be doing catch up with certain Elected Officials. That is what we have done here, but not to the 14% given to the 300-310 employees. I have found that the positions that are in this ordinance are underpaid. We need to be consistent internally keeping the raises with the elected officials similar to those that were given to the other city employees. The City Council members are not over paid and that is why I removed Council members from the ordinance.

Petition from Mr. Randy Case, 916 Vine Street.

Mr. Case: If you override this veto when do the raises go into effect?

Mr. Hillis: When the Mayor was presented the ordinance and chose not to sign it, he attached a memorandum stating his reasons. Under the Ohio Revised Code, Council is suppose to wait 10 days and then take the matter up at the next meeting. Then if 6 members of Council vote to override the veto it would go into effect as if the Mayor signed the ordinance on the day he returned it to Council with his objections. It would be effective on December 29, 2011.

Mr. Case: I have an opinion by the Ohio Ethics Commission on these raises. The law director has a copy of this opinion. The opinion states it is a violation for ethics law. I cannot see how this ordinance can be legal.

Mr. Vincent: Mr. Hillis, the impression I have on this is we are taking action from something that was put in place last year, prior to the term beginning.

Mr. Hillis: I do not believe that his opinion from the Ohio Ethics Commission applies in this case because Council took themselves out of this ordinance so no member of Council took any official action to obtain any compensation after they were re-elected. The same would apply to the Mayor as Mr. Tilton did not veto or sign the legislation. Mr. Tilton cannot take any action on any increase after his election and before he took over. Same would be true for the Treasurer and Auditor because they do not get to vote. I believe the same would be true for myself. I will provide an answer to Mr. Case. I checked with the Ohio Ethics Commission in December and they told me an ordinance to increase salaries could go on anytime in December and it could be passed by Council. That is what their Chief Attorney told me at the last seminar I attended.

Mr. Case: When you read through the summary it states case law and the opinion has stood. This ordinance was brought before Council by the Treasurer and he was acting to do an increase for all of you.

Mr. Vincent: If it is voted down it will not be an issue, but if it is passed and you find out that is not right we can take care of it then?

Mr. Hillis: If I find out that this is improper, it would be my duty as the Law Director to introduce something to stop the effective date and recover the money that was paid to the Elected Officials.

Petition from Mr. Ben Ahn, 855 Goddard Avenue

Mr. Ahn: I was here two weeks ago when this was brought up as an emergency measure and I do not see how that is fair to anyone. I do not see how fair that is to the people to bring that up as an emergency and pass it that night when no one would have a chance to speak. I do not know of anyone in the private sector that would get that kind of a raise. We are talking about what is fair. If you represent the communities then you should get the same raises that the people in your community get. I do not think that we deserve to have an emergency measure passed on pay without people having a chance to voice their opinion.

Mr. Vincent: I talked to Mr. DuBeck and he held off in bringing this to Council to see what happened with the union contracts. He kept holding off for that and he waited until the last minute to bring it to Council. That is why it became an emergency legislation.

Mr. Ahn: I do think that people deserve a cost of living increase. Anyone that works deserves that.

Mr. Vincent: Health benefits are going up and people will be going backwards, when paying more for their health benefits and taking home less pay.

Mr. Case: In the summary it talks about meaningful opportunity for public input and this was put before Council two days after Christmas. The public did not have a chance to have any input.

Mr. Baker; Mr. Hillis, is it possible to table this for 2 weeks until we have a definitive answer from your research?

Mr. Hillis: I do not believe so. I believe it says you shall take the matter up at the next meeting and vote on it. That would be stretching it out more than is needed.

R. C. to override
8 Ayes – 1 Nay Mr. Hutcheson voted nay.

Communication From Jeff Tilton, Mayor – RE: Board Appointments – Board of Zoning Appeals and Downtown Design Review Board.

Board of Zoning Appeals: I am hereby recommending the re-appointment of Pat O'Brien, John Raytis, Carol Kaido, and David Hillis to serve as members of the board of Zoning Appeals for a term ending December 31, 2014.

Downtown Design Review Board: I am hereby recommending the following re-appointments of Pam Uddin to serve a term ending August 31, 2014, Ginger Boetcher to serve a term ending October 1, 2014, and Mike Nelson to serve a term ending December 31, 2014.

Mr. Zakany moved to concur, seconded by Mr. Hutcheson.
Motion carried.

PROPOSED ORDINANCES

Ordinance No. 12-01 – Introduced by Council – An ordinance establishing the meeting dates of all regular Council meetings for the years 2012 and 2013, and declaring an emergency.

Mr. Baker moved to amend Section Two and add the exception being for the last meeting in December, 2012 which will be December 26, 2012, seconded by Mr. Tarbert.
Motion carried.

Mr. Vincent: We are at Ordinance No. 12-01 as amended.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Baker.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Hutcheson moved for passage, seconded by Mrs. Norman.
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 12-02 - Introduced by Council – an ordinance establishing the salary of the Clerk of Council and declaring an emergency.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Hutcheson.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Tarbert moved to amend Section One to read the annual salary of the Clerk of Council is hereby established at \$35,638 per year, seconded by Ms. Gildow.

Mr. Baker: What is the rationale?

Mr. Tarbert: The rationale is it has been the same since 2003 and there was a jump in 2008, but that was a different Clerk, so that pay has not really changed since 2003. So a 3% raise since 2003 did not seem exorbitant.

Motion carried.

Mr. Tarbert moved for passage of Ordinance No. 12-02 as amended, seconded by Mr. Dittmar.

R. C. for passage
8 Ayes - 1 Nay Mr. Hutcheson voted nay.

Ordinance No. 12-03 - Introduced by Council – an ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organization, promotional, and operational expenses.

Mr. Hutcheson moved to waive the three readings, seconded by Ms. Gildow.

Mr. Baker: Were we funding this for \$50,000 before this ordinance?

Mrs. Heskett: No, last year the city also subsidized \$100,000.

Mr. Baker: When did it use to be \$50,000?

Mrs. Heskett: I do not remember \$50,000.

Mr. Baker: Maybe I am thinking of the County and City going together.

Mr. Vincent: You probably remember the \$150,000.

Mayor Tilton: It was last year or the year before we added \$100,000 then we voted to drop it to \$50,000 then we brought it back up to \$100,000. It was \$120,000 at one time.

R. C. to waive
6 Ayes – 2 Nays Mr. Kilpatrick and Mr. Baker voted nay.
Mr. Tarbert abstained.
Motion defeated.

Mr. Zakany moved for first reading, seconded by Mr. Hutcheson.
Motion carried. Mr. Tarbert abstained.

Ordinance No. 12-04 - Introduced by Council – an ordinance enacted by the City of Zanesville of Muskingum county, Ohio for bridge painting of the structural steel on the MUS-SR 555.11.34 bridge and declaring an emergency.

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

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

Mrs. Norman moved for passage, seconded by Mrs. Gentry.

Ms. Gildow: The ordinance talks about the State assuming and bearing 100% of the costs to the improvement, but it also states the City agrees to pay 100% of cost of those features requested by the City which would be determined by the State and Federal Highway Administration to unnecessary for the project. Is there some cost figure that the City's potential liability would be?

Mr. Sims: The City has no interest in requesting any additional work beyond the scope that ODOT has prepared, this simply painting of the iron on the bridge. That is standard language that appears in all of ODOT's legislation. It is a catchall for them if we want something else done in addition and outside their scope, they will do it but at the City's cost. I have no desire to do that on this project.

Mr. Vincent: I was surprised to find out that bridge is in the city.

Mr. Sims: About two-thirds of it is in the city, to the center of the river.

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

Ordinance No. 12-05 - Introduced by Council – an ordinance enacted by the city of Zanesville of Muskingum county, Ohio for district wide signal upgrade project and declaring an emergency.

Mr. Hutcheson moved to waive the three readings, seconded by Mr. Kilpatrick.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mrs. Norman moved for passage, seconded by Mr. Tarbert.
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 12-06 - Introduced by Council – authorizing advertising for bids and entering into contract for public employee bond coverage.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Hutcheson.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Hutcheson moved for passage, seconded by Mrs. Norman
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 12-07 – Introduced by Council – Authorizing the proper city official to advertise for bids and enter into contract for purchase of various insurances.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Hutcheson.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Kilpatrick moved for passage, seconded by Mr. Tarbert.
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 12-08 – Introduced by Council – An ordinance reauthorizing entering into contract for limestone, and declaring an emergency.

Mr. Tarbert moved to waive the three readings, seconded by Ms. Gildow.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Hutcheson moved for passage, seconded by Mrs. Norman.
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 12-09 – Introduced by Council – An ordinance authorizing the proper city official to apply for grant funding through the FAA for Taxiway “A” improvements priority 2 at the Zanesville Municipal Airport and advertise for bids for the construction of the project, and declaring an emergency.

Mr. Zakany move to waive the three readings, seconded by Mr. Hutcheson.
R. C. to waive
9 Ayes – 0 Nays
Motion carried

Mr. Tarbert moved for passage, seconded by Ms. Gildow.

Mr. Baker: What are the improvements?

Mr. Sims: This is for base mounted lights and replacing all of the defunct wires plus putting it in conduit. Currently it is just buried.

Mr. Baker: How much grant money are we talking about?

Mr. Sims: We are talking about 95% of the total cost of the project. The project cost is \$981,000; FAA's share \$933,000.

Mr. Vincent: I know we invest a lot out there and a 5% local match is a good deal. It is an asset to the city. What about the future and what we need to get done?

Mr. Sims: There is going to be alternate taxiway to be done and the cross-wind runway repaving somewhere down the road. They are starting to push for perimeter fencing due to the terrorist issues. That is something we update every 5 years with our airport layout plan and priority one changes from one year to the next from what the FAA believes is best.

Mr. Vincent: Do you anticipate similar 95% grants like we are getting now?

Mr. Sims: As long as the funding sources are available. The ODOT Aviation funding is no longer available.

Mr. Zakany: The size of the airport and the capability of landing aircraft from anyone coming from anywhere in the United States it is an asset to get them into Zanesville and it shows what we have to offer.

Mr. Vincent: If we get the right plane that can come in here and land, from the right business that could take up the rest of our Industrial Park and bring in something big, it would pay for itself. It will be a great investment.

Mr. Baker: That goes along in line with one of those public services that the city offers that does not make a profit, but it does intangible good for the future. Very similar to the other public services we offer.

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

Ordinance No. 12-10 – Introduced by Council – An ordinance authorizing the proper city official to enter into a professional contract with Sands Decker CPS LLC for storm drainage improvements.

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

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

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

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

Ordinance No. 12-11 – Introduced by Council – An ordinance authorizing the proper city official to advertise for bids and enter into a contract for the leasing of uniforms for public service department A.F.S.C.M.E. employees.

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

R. C. to waive
9 Ayes – 0 Nays

Motion carried.

Mr. Hutcheson moved for passage, seconded by Mr. Baker.

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

Ordinance No. 12-12 – Introduced by Council – An ordinance authorizing the proper city official to apply for a State Infrastructure Bank Loan, (S.I.B.) for the construction of Phase II of the Martin Luther King Jr. Heritage Bridge, (State Street Bridge), and declaring an emergency.

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

Mr. Zakany: What is left on that bridge to do?

Mr. Sims: This is the underneath work that no one is ever going to see. It is the deterioration of the arches and spalling concrete. There were no proper under drains in the original bridge so the salt has leached through, spalled the concrete and left an expansive area of exposed rebar that would shorten the life of the bridge if we do not get that patched. That was where we ran out of money and we had to do this in phases. We did receive an earmark of up to \$100,000 Municipal Bridge Grant from ODOT. Although it does not look like we will need the whole \$100,000.

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

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

Ms. Gildow: I would like to know more about the loan that is mentioned? It references \$107,580 from the S.I.B. loan; do we know the terms of that loan, interest rate, amortization schedule, that sort of thing?

Mr. Sims: We can select between 1 and 10 years for the loan. The interest rate is typically in the 3 to 4.5% range. I will know more about that when the application is completed and that will be determined by the Budget Director and Mayor as to how long we want to extend the loan. If we do not do this and do it as an emergency they are asking for the assurance by January 26, 2012 because if they have to reschedule the bid opening that could cause us some problems with earmark. That is the larger amount of the project funds.

Mr. Baker: Did you say we might not need all the \$100,000 from the ODOT Grant?

Mr. Saunders: They are spending the entire earmark before they touch any of the Municipal Bridge Grant. Regardless, we are obligated to pay 20% on both of those items. The loan represents our 20% of the project.

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

Ordinance No. 12-13 – Introduced by Council – Authorizing advertising for bids and entering into contract(s) for the purchase of highway rock salt and calcium chloride with the lowest and best bidder, or the State of Ohio purchase program.

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

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

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

Mr. Baker: Mr. Sims, with the lack of inclement weather so far, do you have an idea of how much money the city has saved as compared to last year?

Mr. Sims: About \$21–22,000 between last December and this December. That includes manpower, overtime, and since we have used zero salt except for a week ago Sunday we had to go out and spread a load. That is the only salt we have used this year. We used \$12,000 in salt last year just in December. This is for next year. We are obligated from the past year's purchase about 800 tons between now and the first of March. If we have a continuing winter like this we may not have to buy as much next year. If we do not use it there will be an issue of finding a home of it. We are full right now. We will decide when the application comes through from the state and we will make a determination at that time.

Mr. Zakany: Do we cover the salt?

Mr. Sims: Yes, it is covered but the salt bin is in bad repair and we are experiencing some roof leaks, so we are losing some to the elements. We are looking at how we can repair or replace that.

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

Ordinance No. 12-14 – Introduced by Council – An ordinance authorizing the City Auditor to create the combined sewer overflow fund number 613 and declaring an emergency.

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

R. C. to waive
8 Ayes – 1 Nay Mr. Hutcheson voted nay.
Motion carried.

Mr. Tarbert moved for passage, seconded by Ms. Gildow.

R. C. for passage
8 Ayes – 1 Nay Mr. Hutcheson voted nay.
Motion carried.

Ordinance No. 12-15 – Introduced by Council – An ordinance establishing the annual salary of the Public Safety Director of the city of Zanesville, Ohio.

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

Mr. Zakany: What was the prior salary?

Mayor Tilton: It was \$20,000 less. It was \$32,851 and it was a part time position.

R. C. to waive
8 Ayes – 1 Nay Mr. Baker voted nay.
Motion carried.

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

Mr. Hutcheson: Mr. Tilton, do you have any intensions of making this position fulltime?

Mayor Tilton: Yes, it is part time now and it has been part time in the past, but it will become a full time position. That is the reason for the raise in pay.

Mr. Tarbert: To speak in favor of this, the Safety Departments have been an area of concern, not so much last year, but in previous years where there were cost overruns in the millions of dollars. Perhaps the time constraints with a part time Safety Director Job were partially to blame for that. So, I think \$20,000 is a small price to pay for a full time person keeping tabs on this department.

Mr. Baker: As far as moving this from a part time to a full time position, I assume the duties will remain the same? We are talking about an increase of 20 hours?

Mayor Tilton: More or less. I am not sure what the previous Safety Director worked in the past, but it will be a full time position now.

Mr. Vincent: Mayor, do you want to add anything else?

Mayor Tilton: I have sent a letter to the Civil Service Commission to make this a full time position and they will look at it at their next meeting. I wanted to make sure that the money was there before it was made into a full time position.

Mr. Vincent: Mr. Hillis, if this passes and does not become a full time position would the pay stay the same as a part time position, correct?

Mr. Hillis: That is correct.

Petition from Randy Case – 916 Vine Street

Mr. Case: I have some issues with this change to a fulltime position. In the ordinance it compares this position to the Service Director's, which their responsibilities are similar. I do not see this comparison as similar. The Public Service Director's job is more intense than the Public Safety Director's job. My issue is with the raises and you are still in contract negotiations. It does not look good for the city when you give this position a raise and that position a raise.

Mr. Baker: Mr. Tilton, this is not to give anyone a raise, this is creating a new position in a way, correct?

Mayor Tilton: It is the same position. It is going from a part time to a fulltime position.

Mr. Baker: It is not a raise for the same duties being performed before.

Mayor Tilton: Whoever takes the position will not get the same pay as the Public Service Director.

Mr. Baker: As far as the \$52,851 that you have in this ordinance, is there any rationale behind that?

Mayor Tilton: It was a part time position at \$32,851, so we added \$20,000. Even though we added twice as much responsibility we did not add twice as much pay knowing that things are tight.

Mr. Zakany: Will this Safety Director have a secretary?

Mayor Tilton: He has the same secretary they have now in the Public Safety Department.

Mr. Baker: My part of town deals a lot with the Safety Director, issues that the Safety Director intimately involved in. The more proactive the Safety Director, the more full time we can make him, and the more hands on the better.

Mr. Dittmar: When we campaigned the people were interested in the crime, how can they help us with crime, and this is a good step in that direction having someone with hands on.

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

Ordinance No. 12-16 – Introduced by Council – Waiving the residence requirement of the director of public safety and declaring an emergency.

Mr. Hutcheson moved to waive the three readings, seconded by Mr. Baker.

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

Mr. Hutcheson moved for passage, seconded by Mr. Baker.

Petition from Randy Case, 916 Vine Street

Mr. Case: When this was originally passed in the O.R.C. on the waiving the residency requirements and the argument for it was the smaller cities with 5,000 – 10,000 people that it would be very difficult for them to find a qualified person to hold a position. City of Zanesville with 25,000 people would be easier to find someone that lives in the city to hold this position.

Mr. Baker: I think we would be hard pressed to find a more qualified individual than Mr. Buck for this position.

Mr. Hillis: I would like to point out that all of the policemen have it in their contract that they can live outside the city limits of Zanesville and also outside Muskingum County as can the firemen, as can A.F.S.C.M.E.; as can all of the city employees other than the Elected Officials.

Mr. Baker: If in five years moves on to someone else, would something like this have to be passed again or does this stay on the books no matter who the Safety Director is?

Mr. Hillis: This is specific to Mr. Buck.

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

Mr. Hutcheson moved to add Ordinance No. 12-17 as Item 18A to the agenda, seconded by Mr. Kilpatrick.

Motion carried.

Ordinance No. 12-17 – Introduced by Council – An ordinance authorizing the mayor to apply for an OPWC (Ohio Public Works Commission) grant or zero interest loan and execute contracts in connection with the round 26 state issue 1 program, for improvements to 5th Street, and declaring an emergency.

Mr. Hutcheson moved to waive the three readings, seconded by Mr. Kilpatrick.

Mr. Baker: I just want clarification as far as what 5th Street improvements are, before I vote on waiving the readings.

Mr. Sims: This is continuation if the Downtown Enhancement Projects such as Main and Sixth Streets. This includes curb, sidewalk, paving, period lighting, traffic signals and mast arms.

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

Mr. Sims: For clarification purposes, Council approved this ordinance early spring for us to apply for us to go for a grant of \$399,950 and we were one point off of reaching that grant. It is a very competitive grant. If we would have scored at first of four rankings at the subcommittee level, which is the county level, we would have gotten it. I did ask for one executive point (I sit on the Executive Committee) and I could not sway the Committee. The Ohio Public Works did indicate they were \$79,000 short of funding us right now. The project will not bid until next March 2013. If other projects come in below cost and money comes back to pool, they may be able to come closer to funding us with a grant. There is also the possibility they could or would fund us with what money they have and we will just have to borrow the gap at a zero interest loan. Also by waiting a year the \$110,000 from the permissive tax may help us offset the difference.

Mr. Vincent: What are the terms?

Mr. Sims: It cannot extend beyond the expected life of the project. We will have to discuss that Public Works as we get closer to the application. Because we have components of the project that have different life expectancies.

Mr. Vincent: If we get into this and there are financial issues, is this something we can back out of, if we cannot afford the project?

Mr. Sims: Yes, but we would run the risk of losing about \$1 million in grant money including the \$1 million Enhancement Grant from ODOT. And we are also touching into their STIP funds which are 80% grant and 20% city matching. That is not money we would lose, it would just go back into another project. The Enhancement Grant funds could be lost.

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

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

ORDINANCES FOR ACTION

Ordinance No. 11-87- – Introduced by Council – an ordinance amending Chapter 749 of the codified ordinances of the city of Zanesville, entitled taxicab, regarding the licensing and operation of taxicabs in the city.

Mr. Zakany moved to waive the three readings.

Mr. Vincent: Motion defeated due to lack of a second.

Mr. Tarbert moved for second reading, seconded by Mr. Baker.

Mr. Dittmar: I would like to send this to committee. There is a lot of stuff that needs to be gone over or even just send it back to the new Safety Director for revisions. There are a few things I do not like.

Mr. Vincent: Council, do you want to send this to the committee? We are at second reading and it still has time to go before the committee, unless you want to table it?

Motion carried.

Ordinance No. 11-88 – Introduced by Council – An ordinance authorizing the proper city official to enter into a professional contract with URS Corporation-Ohio for the preliminary design of the R-4/R-5 combined sewer project.

Mr. Hutcheson moved for seconded reading, seconded by Mr. Tarbert.

Motion carried.

Ordinance No. 11-89 – Introduced by Council – An ordinance authorizing the proper city official to enter into a contract for the purchase of vehicles for the Department of Public Service by competitive bid or state purchase agreement.

Mr. Zakany moved for second reading, seconded by Mr. Baker.

Mr. Sims: It was pointed out to me prior to the meeting that we have error in the Water Maintenance line item. The line item should be 609 instead of 608. It is under the Water Maintenance Division under the third whereas.

Mr. Baker moved to amend, seconded by Mr. Dittmar.

Motion carried.

Mr. Vincent: We are now at Ordinance No. 11-89 as amended.

Mr. Hutcheson moved for second reading as amended, seconded by Mr. Baker.

Motion carried.

Ordinance No. 11-92 – 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. Tarbert moved for second reading, seconded by Mr. Kilpatrick.
Motion carried.

Ordinance No. 11-93 – 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. Tarbert moved to waive the three readings, seconded by Mr. Hutcheson.
R. C. to waive
9 Ayes – 0 Nays
Motion carried.

Mr. Hutcheson moved for passage, seconded by Mr. Tarbert.
R. C. for passage
9 Ayes – 0 Nays
Motion carried.

Ordinance No. 11-84 – Introduced by Council – Amending Ordinance No. 09-37, which established pay, benefit, and employment policies and procedures for unaffiliated employees in the municipal service, and declaring an emergency.

Mr. Hutcheson moved for third reading and passage, seconded by Mr. Zakany.

Petition from Randy Case, 916 Vine Street

Mr. Case: I spoke on this ordinance before and I do not see how we are taking away the step raise. It was explained that the step raise could be brought back, but think it is hilarious that we have ordinances giving the Elected Officials raises. Ordinances increasing salary and hours of the Public Safety Director and I heard that the Community Development Director received a raise, but other employees (Mr. Case referred to them as “grunts”) are not getting a raise.

Mr. Tarbert: The employees you are referring to had raises over the last four years, while the individuals receiving raises here tonight have not seen a penny increase in the last four years. When you say “fair” I think you need to take that into consideration.

Mr. Case: I am taking that into consideration.

Mr. Tarbert: The cost of living has gone up for everyone and those people that received raises tonight through that ordinance did not have any increase while your “grunts” had increases in those four years.

Mr. Case: I would not argue about this at all if we knew what the budget was going to be, but we are going from last years’ budget and I did not see a lot of “fat” in that budget. It seems all of a sudden we have some fat someplace to give all these raises and pay increases. There are no pay increases for anyone else, that is where I have an issue.

Mr. Vincent: With that, I assume you are quoting Mr. Case when you referred to the “grunts”?

Mr. Tarbert: I was.

Mr. Vincent: I hope you reconsider your reference to city employees in the future, Mr. Case. I think that is very offensive.

Mr. Case: I did not mean it as an offensive term. I meant your regular hourly workers.

Mr. Vincent: The City employees in Zanesville are a very valued and they provide a great service at all levels.

Mr. Case: I did not mean to emphasize that in a derogatory manner, I basically meant your hourly worker.

Mr. Vincent: Thanks for the clarification. I want it to be clear that we do value our employees at all levels. We could not operate the city without them. It has been talked about before as this is

temporary until union negotiations are done and then they will come back to visit this at that time. Council works very hard to be fair to all employees and it is difficult.

Mr. Baker: The easiest thing we could do is deny everybody we can a pay raise, because the perception is unfairness. As Mr. Tarbert points out, the truth is they are playing "catch up". I think you have to evaluate that if you are going to figure out what is and what is not fair to the individual employee.

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

Ordinance No. 11-86 – Introduced by Council – Approving a labor agreement with Local #88, International Association of Fire Fighters, and declaring an emergency.

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

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

PRIVATE PETITIONS AND COMMUNICATIONS:

None

MISCELLANEOUS AND UNFINISHED BUSINESS:

None

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

Motion carried.

Meeting adjourned at 8:30 pm.