

## **CITY COUNCIL MEETING – MONDAY, APRIL 13, 2015**

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, April 13, 2015 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer. Michael Murphy from Boy Scouts Troop # 164 is working on his Citizenship in the Community Merit Badge and lead the Pledge of Allegiance.

The following members of Council answered Roll Call: Mr. Foreman, Mrs. Gentry, Mr. Tarbert, Mr. Baker, Mrs. Norman, Mr. Sharrer, Mr. Hutcheson, Mr. Roberts, Ms. Gildow, and Mr. Vincent.

### **APPROVAL OF MINUTES**

Mr. Hutcheson moved to accept the minutes of March 23, 2015 as printed, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion or corrections? Hearing none, all in favor of approving the minutes as printed signify by saying aye. All were in favor. None were opposed. The minutes stand approved.

Motion carries

### **COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

Communication from Tom Poorman, Zanesville-Muskingum County Port Authority Board Member. RE: Tax Incentive Review. The Council recommended for the City Council to continue all of the existing enterprise zone agreements. The ones listed were Economy Linen and Towel Service of Zanesville, Time Warner, and Worthington Foods.

Mr. Roberts moved to receive the communication from Tom Poorman. It was seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion? All in favor of receiving signify by saying aye. A voice vote was held with all in favor except Mr. Tarbert and he abstained.

Motion carries.

Communication from Mayor Jeff Tilton . Committee appointments for the Community Development Block Grant Advisory Committee.

Mr. Roberts moved to amend Ward Six from Ken Corbin to read Peggy Corbin. It was seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? Ok, all in favor of that amendment, signify by saying aye. A voice vote was held with all in favor. None were opposed. Now we are at the communication by the Mayor as amended.

Mr. Roberts moved to receive and concur with the appointments and it was seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of receiving and concurring, signify by saying aye. A voice vote was held with all in favor. None were opposed.

Motion carried.

Mr. Bennett: Just if we could just take a minute and recognize some individuals who came tonight. Thank you, Mr. Vincent, for offering. I would like to welcome the members who have shown up tonight and asked them if they would please signify so we can identify them to the members of Council. These individuals have a very difficult job. I think Council is aware of each year the City receives a very small amount of money from the State of Ohio to invest in projects that predominately benefit low and moderate income individuals. The City has gone out; we have taken information from the community on needs and priorities, so we have collected those. We prioritize those based upon that group. We have gone out and advertised for projects to be submitted. We received some of those in. This is the group that will be making some very difficult determinations to recommend allocations of those funds to this Council coming up in June. So I commend them. It is always a very difficult job. I was with them last year and they struggled to decide between priorities. So, thank you for your time and effort. The application period is closed. We will be sending out the applications to the committee members so you will have several days to review those prior to our meeting coming up next week. I am not sure if Mr. Bates is here representing Ward 1?

Mark Baker: No he is not.

Jay Bennett: I see Jan Bradshaw. Jan, thank you very much. I see a long time member, Mr. McAuley. Mr. McAuley when I was here before so I have been to the west coast traveled and came back and you are still here. Now that is dedication.

Mr. McAuley: You were here under Jack Fenton.

Jay Bennett: Yes, I was. You are right. This is Edward McAuley representing Ward Three. Peggy Ware is in the back row. Thank you very much, Peggy. New this year is Mr. Brian Gadd. Thank you very much, Brian. And then I am not sure if Ms. Corbin is here.

Andy Roberts: I don't believe so.

Jay Bennett: Again, thank you folks. We will be getting the packets off and will look forward to seeing you here next week. Thank you.

Mr. Vincent: I would also like to echo that, thank you all for volunteering to do this. I appreciate your willingness to serve and we look forward to hearing your recommendations here at Council. Thank you again. Thanks for coming tonight.

## **PROPOSED ORDINANCES**

Mr. Vincent: We are moving on to Proposed Ordinances. We have some additional Ordinances that Mr. Sharrer wanted to add.

Mr. Sharrer: I would like to add as Item 7A to the Agenda Ordinance Number 15-50 from Zanesville Municipal Court under William B. Joseph and as Item 7B 15-51 from Mr. Bennett the Service Director. If we could add those to our agenda this evening?

Mr. Roberts seconded the motion.

Mr. Vincent: Is there any discussion? All in favor of adding those two items to the Agenda signify by saying aye. A voice vote was held with all in favor. None were opposed.  
Motion carries.

Ordinance No. 15-45 - Introduced by Council . An Ordinance authorizing the proper city official to enter into a (5) five year agreement for Professional Services for auditing the City of Zanesville for Fiscal Years ending December 31, 2014, 2015, 2016, 2017 and 2018 and declaring an emergency.

Mr. Hutcheson moved to waive the readings and it was seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

7Ayes

0 Nays

2 Abstain Sharrer and Roberts

Motion carries.

Mr. Vincent: Now I need a motion for passage.

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

Mr. Vincent: Is there any discussion? Hearing none, I do have a petition from Mr. Michael Wyatt, 1158 Selsam Street, Zanesville, Ohio regarding opposition to this Ordinance.

Mr. Michael Wyatt: I oppose this agreement made by this Council or this body for getting somebody to come in to do their audit for them. I remember back maybe a year or so ago when we had a million dollars sitting back and we wanted to lay off all but a few employees. The example at this time we had an audit done by a local firm. Then we happened to find it and we said ok well, we will put everybody back to work now. I think this has to be an independent organization that does this with nothing with our fingers in it what so ever. So that is about all I have to say and I appreciate it. Thank you.

Mr. Vincent: Thank you Mr. Wyatt. Is there anything else from Council? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

7 Ayes

0 Nays

2 Abstain Sharrer and Roberts

Motion carries. Ordinance is passed.

Ordinance No. 15-46. Introduced by Council . An Ordinance authorizing the proper city official to apply for an OPWC (Ohio Public Works Commission) Grant and zero interest loan and execute contracts in connection with the Round 30 State Issue 1 program if approved.

Mr. Vincent: We are at first reading.

Mr. Tarbert moved for first reading, seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of first reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-47 . Introduced by Council . An Ordinance authorizing the proper city official to enter into a LPA Purchase Agreement with ODOT for the purchase of roadway signs.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of first reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-48 . Introduced by Council . An Ordinance authorizing the proper city official to apply for grant funding through the Land and Water Conservation Fund for replacement of the play structures at Kidzville, located at Riverside Park, and declaring an emergency.

Mr. Tarbert moved to waive the readings and it was seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion on waiving? With that the deadline is May 1 which Council is probably aware and this is a fifty percent grant. We will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: Now I need a motion for passage.

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

Mr. Vincent: Is there any discussion?

Ms. Gildow: Mr. Bennett, is this something where support letters would strengthen our application?

Mr. Bennett: Absolutely. There will be a letter coming out of the Mayor's office to various service clubs, organizations, other football teams, if you will, looking for support. Either all of the above, monetary, if they want to do fund raising, or volunteer labor. We envision this again as a community build project. This is a one hundred fifty thousand dollar grant that will need to be matched with one hundred fifty thousand dollars that can be made up of volunteer labor. When Kidzville was built originally in the 1990's a significant portion of that was community build. They recognized each hour of volunteerism as worth fifteen dollars per hour. So you can imagine you get a lot of football players out there; we can get some work done and rack up that investment. There is also a small amount of money at the Muskingum County Community Foundation that was earmarked for this project when it was to take place. I have talked to the Director there and they will be sending their support letter and indicating how much money, I think he was talking about there is approximately \$25,000 there of which they would make some of that available. They did not want to drain all of that out. And then lastly, specifically if awarded in the fall we would program any cash we would need to fill a short fall in next year's budget because this would be a 2016 build project in the summer. So it will be programmed next year.

Mr. Vincent: Is there anything else from Council? I guess I do have one question, Mr. Bennett. I pulled it up but I didn't get a chance to read through the Natureworks Grants. What with this that the Natureworks Grant did not fit in as far as this project to add it in?

Mr. Bennett: As far as the Natureworks? This is the Land and Water Grant.

Mr. Vincent: They talked about that the committee could apply for both the Land & Water and the Natureworks for the same project, except separate applications are required. Would this fit?

Mr. Bennett: It would. However, the next up on the agenda is the Natureworks and we are looking at creating a pickleball court for that group. The Natureworks Grant is I think there is \$36,000 allocated for all of Muskingum County. So it is a very, very small pot of money. We thought we as administration would recommend just singling out one project making reuse of an under-utilized facility for that pot of money and go after this as a separate project.

Mr. Vincent: Ok, more interest in playing pickleball than Kidzville?

Jay Bennett: The Maple Hill Park is the location where that basketball court has been under-utilized and abandoned for years and years. That was the location the group of pickleballers have identified that would make a real cool location and we can re-lay that out and reconstruct that into and make use of it for sixty folks my age out there batting the ball back and forth.

Mr. Vincent: Alright. Is there anything else from Council? We will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-49. Introduced by Council . An Ordinance authorizing the proper city official to apply for grant funding through the State of Ohio Natureworks Grant Program for the construction of a pickleball court, and declaring an emergency.

Mr. Sharrer moved to waive the readings and it was seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: Now I need a motion for passage.

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

Mr. Vincent: Is there any discussion?

Mr. Bennett: Similar situation with this grant, again award in the fall. We would look at the construction for next year. Next year's budget rather than a 50%/50% proposition on the previous grant this is a 75% grant 25% match on this project.

Mr. Vincent: I know you said a group came forward as far as interest in this.

Mr. Bennett: Believe me for about a month all I knew was I got educated on what pickleball is all about. Very active.

Mr. Vincent: So pickleballers have been knocking on your door and the Mayor's door?

Mayor Tilton: They had a petition and everything.

Mr. Bennett: Yeah.

Mr. Vincent: It is going to be interesting. Is there anything else? Ok, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Mr. Vincent: Mr. Bennett, I am sorry, this is a little late but the cost on this? What are we looking at? I know you talked about using the Maple Hill basketball court that is not being used for anything.

Mr. Bennett: Yes, the cost of this I have estimated is \$22,000 total project cost of which 75% of it would be through the Natureworks Grant.

Mr. Vincent: Ok, thank you. You probably said that in a previous meeting. Thank you. Moving on to Item 7A.

Ordinance No. 15-50 - Introduced by Council . An Ordinance authorizing the appropriate official to apply for a Technology Grant with the Ohio Supreme Court and, if awarded, accept said grant monies, and proceed with hiring a vendor to digitize court files and declaring an emergency.

Mr. Tarbert moved to waive the readings and it was seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: Now I need a motion for passage.

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

Mr. Vincent: Is there any discussion? I do have Vicki Kirk from Municipal Court to speak in favor of this Ordinance and probably give us some more information on it.

Vicki Kirk: I am just here in case anyone has questions.

Mr. Vincent: Does Council have any questions? Nothing? Can you give us a little bit of information? The cost, is it all covered by the grant then? Correct?

Vicki Kirk: This was a grant I found out about through the Ohio Supreme Court. There is no set amount that they are offering. We won't have to match anything. They did ask if we could contribute any funds to the project. I did seek out three estimates from three different vendors with the lowest being \$79,000 and the highest being \$160,000. There are approximately 125,000 case files that need to be digitized. Currently the majority of them are out at the building at Northpointe. Which I found out in the newspapers recently being leased to Columbia Gas, so I am not sure where I am going to put those files right now. But the company that we have been looking at is Scanworks for \$79,846. They come down, they take all of the files, they scan them, and they destroy them when they are done. They follow the Supreme Court guidelines. They notify the Ohio Historical Society. They do all of that and then we have a program, we have the option that we can store that program to determine how we get the digitization whether it be added into the current system that we have or if we have a separate hard drive for those or how that works. We will determine what kind of space we have. I have consulted our IT Department regarding that and they are working with Scanworks to determine that. The deadline for the grant is May 15, 2015 and June 1 is when they awards are going to be made.

Mr. Vincent: Thank you very much. This will save space, keep records, and archive them digitally. Then will they be available to the public as far as access?

Vicki Kirk: Yes. They will be. Similar to what is on the internet now. They will be able to access any public record. They won't have any access to social security numbers or anything like that. It will be made available to those by our Internet files.

Mr. Vincent: Thank you very much. Ok, is there anything else from Council? If not, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance 15-51 as Item 7B. Introduced by Council - An Ordinance authorizing the proper city official to enter into an agreement with Dutro Real Estate, LLC to perform certain excavation work on property owned by the City and declaring an emergency.

Mr. Tarbert moved to waive the readings and it was seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: Now I need a motion for passage.

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

Mr. Vincent: Is there any discussion? Mr. Bennett, why don't you start out and give us an overview and talk about how the City is protected on this?

Mr. Bennett: Sure. I think Mr. Graham signed up to speak as well so he is available to answer any questions. As Council is aware the project down at the Dutro property is proceeding. The various actions that this Council has taken, the advertisements and such that the public have been made very much aware of the project as it is happening. A meeting today was held that they would like to proceed. They see a window of opportunity to get started with excavation work on their property and along with that is the companion small piece of the City's parcel that is identified within the Ordinance and then in the subsequent attachment. This window has availed itself, they are ready to go, they have equipment on site, and they would like to get started. Mr. Hillis took a look at the Ordinance, he created the Ordinance, and we have been working on crafting the agreement between the parties tomorrow and it will contain I am sure conditions of excavation and hold harmless and those types of things.

Mr. Vincent: And with that if it doesn't work out as far as the property being sold then it will be put back into the condition it is in now.

Mr. Bennett: I will be put back as soon as they start taking it out and then ultimately there will be a condition to be returned to similar or improved, putting better soils in the property certainly improves it right off the bat. Yes, Mr. Vincent, absolutely if it is parking lot it would be returned to us as a parking lot.

Mr. Vincent: Alright, is there anything from Council? I do have Mr. Cole Graham here to speak.

Cole Graham: I am here to answer any questions you might have. We are excited to get moving forward.

Mr. Vincent: Are there any questions from Council? If there is nothing from Council, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

Ordinance No. 15-36 . An Ordinance establishing wages for unaffiliated employees in the Municipal Service.

Mr. Vincent: We are at second reading.

Mr. Hutcheson moved for second reading, seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-37 - Introduced by Council . An Ordinance establishing health insurance benefits for unaffiliated employees in the Municipal Service.

Mr. Vincent: We are at second reading.

Mr. Roberts moved for second reading, seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-42 . Introduced by Council . An Ordinance amending Ordinance No. 13-77 which created the position of Victim/Witness Coordinator and Ordinance No. 00-16 which adopted a Classification Plan by adding the position to the Classified Service of the City of Zanesville and removing it from the Unclassified Service.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-44 . Introduced by Council . An Ordinance amending Chapter 111 of the Codified Ordinances of the City of Zanesville.

Mr. Vincent: We are at second reading.

Mr. Tarbert moved for second reading, seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion? We do have some petitioners here: Mr. Michael Wyatt would like to speak of 1158 Selsam Street, Zanesville, Ohio. He is in opposition to this.

Michael Wyatt: This is the most unconstitutional piece of literature I have ever seen. For having three people sitting in here that got some knowledge about the Constitution, it is scary. You each took an oath of office to support the Constitution and you can be liable for the shortcomings that you will do here today. Of course, I was going to read you the oath you took, but I am hoping that somebody remembers it or at least can find it somewhere. This violation of this oath should cause harsh penalties of Constitutional law that the new Ordinance could cause extreme penalties. The first amendment of the United States Constitution is to protect the rights to freedom of religion, freedom of expression, consistent of the right of freedom of speech, press, assembly, and peaceful petition of the government for redress or grievance. And the Supreme Court entered into some extent of protection afforded in these rights. Three minute rule does not apply in this Council meeting or any other Council meeting because it is not, it is a local law and it interferes with the Constitution and you cannot limit that time to anybody, legally you cannot. How long does it take to redress your grievance? Three minutes? That is stupid. I could sit up here and talk for an hour and you would never hear what my grievance is or understand it. These rules that you got is stupid. Robert's Rules is not Constitutional and it overrides the Constitutional Law. The President of Council has no input on voting bill exceptions for induction, the votes are City Council people only. No special privilege should be given any personnel without complying with the standards required by you requires the citizens on any subject matter. If comments are made directed to the President in Office then the comments are only accepted by the body making the request and if Council has a whole member it must be available to address your grievances without interfere of the President in office.

Mr. Vincent: Ok, thank you. Mr. Wyatt, thank you sir, your three minutes are up.

Mr. Wyatt: Alright, sir, I am glad you said that and I would like to make sure that is in the minutes.

Mr. Vincent: Yes, it will be. We will make sure. Thank you.

Michael Wyatt: When I go to Federal Court I want to make sure it is in there.

Mr. Vincent: Thank you. I have a petition here from Mr. Eric Jones speaking in favor of this Ordinance.

Private Petition: Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio.

Mr. Eric Jones: Hello one and all. I could agree with Mr. Wyatt, but that is not going to be my argument. I don't care what the laws are. My argument is way more basic. My argument only goes to Mr. Vincent. Mr. Vincent, as presiding officer, you cannot make a ruling. I've said this before, it starts the meeting he is the Presiding Officer all the way through the end of the meeting needs a presiding officer. Through that period this is official, an official session of Council. Don't have democracy here you don't have democracy in Zanesville. Mr. Vincent cannot make a ruling. He cannot be overruled. He cannot be overruled? You have lost the checks and balances, if you don't have checks and balances, you don't have a democracy. Mr. Vincent, I will give you an opportunity, come on, because I am a business man, I said to

myself, how is it possible, it says Rules of Order. That is impossible for Mr. Vincent. If you can't make a Rule of Order you can't rule. You can't do anything. I will ask him a real quick, let's say, I have called Mr. Vincent this. He said I was name calling. I'm not even going to use, I called him 1, 2, 3. I'm not even going to use them. Let's assume I did that. How are you going to rule me out of order, Mr. Vincent? Here is how you are supposed to do it. Let me explain your job to you. You are supposed to give a statue and the section of that statue and then say I rule that Mr. Jones is out of order. That has never happened. Mr. Vincent never made a ruling during the time he has been here. Ever! Either he is perfect, or for the Christians that are here, the last time I checked you only got one guy that you know is perfect. It ain't him. So if he has been here for the last eight years and never made a mistake Mr. Vincent is perfect. At least in his own mind. Now I have done everything I can to get the citizens here of Zanesville to recognize what Mr. Wyatt said that he took an oath of office to support the Constitution. One of the things in there, but I am running out of time, says to secure the blessings of liberty for ourselves and for our posterity. We got a voice down here thinking he is seeing democracy and he is seeing tyranny of the majority. Everything I say can be proven. I am out of time. Thank you, Mr. Vincent.

Mr. Vincent: Is there anything else from Council? With that, all in favor of second reading signify by saying aye. All were in favor. None were opposed.  
Motion carries.

Ordinance No. 15-31 . Introduced by Council . An Ordinance adopting an updated Citizens Participation Plan required for Community Development Block Grant (CDBG) and Home Funding.

Mr. Vincent: We are at third reading.

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

Mr. Vincent: Is there any discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-32 - Introduced by Council . An Ordinance authorizing the proper city official to provide funds to the Transportation Improvement District Board for operational expenses.

Mr. Vincent: We are at third reading.

Mr. Sharrer moved for third reading and passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstain Mr. Tarbert

Motion carries. Ordinance is passed.

## **TRAFFIC ORDERS**

None

## **PRIVATE PETITIONS AND COMMUNICATIONS**

Mr. Vincent: Another from Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio on Democracy vs. Tyranny and I can tell you Mr. Jones if you are going to speak on the same thing I will stop you. You are not going to use a petition to speak twice to get six minutes as we talked about the last time and as you have done in the past.

Mr. Eric Jones: Let me start there. I never get to give the speech I want to do. He always say something to interrupt me, he says something that is plan flat out wrong. Let me explain to you why it is wrong. Again, let me explain your job to you. When you have the debate, alright, I get three minutes there. The debate has certain rules to it. Right? You can rule out of order for a lot of things. This is a private petition, Mr. Vincent. This is me getting my first amendment right to petition the government for regress of grievances. I get free speech here. Three minutes, I'm supposed to have three minutes where I can say whatever the heck I want to. I can sing you a song if that is what I want to do. Make a ruling, Mr. Vincent. Again, easy for you to do. Rule me out of order. It is something simple, but you haven't done it yet. I have yet to be, you have kicked me out of a meeting before, but did you rule me out of order? It is called misrule, Mr. Vincent. The big word is malversation. The little rule is misrule. You have to give the authority, which you are going to be using, to do anything. If I get a traffic ticket and you look at it, if I get a parking ticket, you will see at the bottom of it statute number section. I get three minutes here Mr. Vincent unless you want to make an Ordinance that will overrule the Constitution of the United States. I want to hear that one. I want to see you do it. I called you a liar to your face, I called you a tyrant to your face, and I am calling you a traitor to your face. I understand the Constitution. I carry it as a shield. I carry it as a shield. So guess what? If you have something to say, if you want to rule me out of order, by all means do so. I am waiting for you to make a ruling on anything. Anything what so ever. You have a history major, got a guy with political science degree and they don't know the difference between democracy and tyranny. I do. If you think I am going to give up, think again. Wait until you get people behind this order. This whole thing right here, I am not a deadbeat. Mrs. Norman over there has the highest duty in the room because she is the furthest away from white, Anglo-Saxon, protestant, male with money. It is actually an aristocracy that started the thing up. People saw through that. The guy never stood. Eventually women got included, black people got included, you are a tyrant. I want everybody in this room to know it. If you ain't going to honor your oath, quit.

Mr. Vincent: I have a petitioner, Mr. Michael Wyatt. Ok, Mr. Michael Wyatt left. Please note it Mr. Michael Wyatt left. He must have forgotten he wanted to speak.

We have a petition from Mr. Dave Rogers, 1104 Benjamin Street, Zanesville, Ohio regarding the Ohio Sunshine Law.

Mr. Dave Rogers: Yes, I was going to read the fourth paragraph from the Ohio Sunshine Laws. I wasn't able to complete it at the last meeting. Additionally the office publishes the Sunshine Laws manual which can help answer questions about Ohio's Open Government Law. This booklet is intended as a guide, but because much of open government laws come from case law or the interpretation of statutes of courts we encourage local governments' guidance from their legal counsel when specific legal questions about these laws arise. And I have two questions. What case law permits Council members not to be addressed by name and ask questions? That is question number one. Question number 2: What permits you from stopping a person from mentioning names from public record? Could I have the case laws? Both incidents have occurred.

Mr. Vincent: You still have time to speak so I will let you finish speaking first because I have had people upset because I have interrupted their three minutes so I want to make sure you get your three minutes.

Mr. Dave Rogers: I had the two questions and now I would like to know if you have the case law on how you have been conducting Council.

Mr. Vincent: Are you done speaking then?

Mr. Dave Rogers: I am asking you if you have a reply.

Mr. Vincent: Ok, I am saying, you have your three minutes to speak go ahead and speak and then I will answer your questions when you are done speaking.

Mr. Dave Rogers: Those are my two questions that deal with case law and how you have been conducting Council.

Mr. Vincent: So you are done speaking then?

Mr. Dave Rogers: Yes.

Mr. Vincent: Ok, alright, thank you. With that we had many attacks from many different people, personal attacks on people. In our Codified Ordinances it talks about not personalizing, not making things personal. So based on that, to protect order of the meeting that is why I put into place as far as not using names to help protect people so things can continue and they can still express what they wanted to express and not get themselves removed from the meeting. So that was it.

Mr. Vincent: Is there anything else from Council?

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

Nothing.

Mr. Vincent: Is there anything from Administration?

Mayor Tilton: I would like to say this Wednesday at 10:00 a.m. at District Five ODOT is having a pre-con meeting for the Shinnick Street Enhancement project. We will be moving forward. Also this week we have a pre-con meeting for the R3-R7 and Ridgewood Sewer project so we will be having both of those and they will be starting here very soon.

Mr. Vincent: Ok, thank you. I have one more thing Mr. Rogers. With that, I am sure you looked over the new Ordinance as far as that is not included in there as far as the personalization part. So yes, names can be used; and there are other things to help protect to make sure people are kept polite, pleasant, and peaceful so we can conduct a proper meeting here. People can express themselves without causing problems.

Is there anything else from Council?

Mr. Hutcheson moved to adjourn and it was seconded by Mr. Sharrer.

Mr. Vincent: All in favor of adjournment please signify by saying aye. A voice vote was taken and all were in favor. None were opposed. Motion carries.

We stand adjourned. Thank you everyone and have a good night.

The meeting was adjourned at 7:45 p.m.