

CITY COUNCIL MEETING – TUESDAY, MAY 26, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Tuesday, May 26, 2015 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer and we are honored to have Boy Scout Troop 128 of Trinity Lutheran Church led by Kevin Vincent to lead the Pledge of Allegiance to the Flag.

Mr. Vincent: Thank you gentlemen. We appreciate it.

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

APPROVAL OF MINUTES

Mr. Sharrer moved to amend a one letter typo in the minutes on page 7 of 11 the third line up from the bottom, the first full sentence, the eighth letter if we can change from a p to an f just so the minutes are accurate.

Mr. Vincent: Reputation to refutation, correct.

Mr. Sharrer: Correct.

Mr. Tarbert seconded.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of that amendment, please signify by saying aye. None were opposed. Motion carries. We are now at approval of the minutes for Monday, May 11, 2015 as just amended.

Mr. Roberts moved to approve the minutes as amended, seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion? All in favor of approving the minutes as amended signify by saying aye. All were in favor. None opposed.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

None

PROPOSED ORDINANCES

Ordinance No. 15-60 - Introduced by Council –An Ordinance authorizing the proper city official to submit an application to the Ohio Development Services Agency for an award of Community Development Allocation Program funds and declaring an emergency.

Mr. Roberts moved for first reading and it was seconded by Mr. Sharrer.

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. 15-61 - Introduced by Council-An Ordinance authorizing the proper city official to apply for grant funding through the FAA for the East Apron Rehabilitation and advertise for bids for the construction of said project, 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? With that this is due on July 2, so 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.

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

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.

ORDINANCES FOR ACTION

Mr. Vincent: Ordinance 15-44 is still on the table until June 8. It will return then at the next Council meeting so we are moving on to Ordinance 15-55.

Ordinance No. 15-55 - Introduced by Council – An Ordinance to vacate a portion of the original right-of-way of Dresden Road in the City of Zanesville, Ohio as herein provided.

Mr. Vincent: We are at third reading.

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

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.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: I would like to say we have four RFQ's back for the Secret Auditorium project and we will be reviewing them over the next week to pick the Design Builder for that.

Also if you didn't see the news tonight, the SR 146 Turn Lane is completed. We finished the programming of the signals today and we are doing some testing for the rest of the week and we will officially open on June 1. So that is another project we have in the books.

Mr. Vincent: Two items that are wonderful news; that turn lane especially.

Mayor Tilton: I would like to thank the Commissioners who with their cooperation helped us to do that project.

Mr. Vincent: Wonderful.

Mayor Tilton: Oh, yes, tomorrow we will do the resurfacing of Linden Avenue where we had the problems of the asphalt breaking up. They are going to come in tomorrow and put one inch overcoat on Linden from the bridge to the railroad tracks. That will be done tomorrow.

Mr. Vincent: So that is like warranty work?

Mayor Tilton and Jay Bennett: Yes.

Mr. Vincent: It is covering up where we had a problem. I noticed some bricks sticking out there.

Mayor Tilton: The asphalt came up very quickly. Thank you.

Mr. Vincent: That is much appreciated. Thank you. Is there anything else from Administration? I would also like to thank the Boy Scouts again for coming tonight.

PRIVATE PETITIONS AND COMMUNICATIONS

Private Petition from Mr. David Rogers, 1104 Benjamin Avenue, Zanesville, OH representing himself on a statement made on Claim 13-20. He would like to see Council go into executive session with Mr. Hillis on the case.

Mr. Rogers: I have a brief statement here on Claim 13-20. One adjuster saw no justification and didn't want it to go to court. When I first met with Mr. Hillis he said I could be looking at a sizable claim. Then it was turned over to another adjuster who said to file a claim under something else. He didn't see anything wrong. I have a nice paper trail of going back before the incidents even happened, as how the police being held under more scrutiny. I am surprised that Council hasn't viewed the tapes from the Police Department from outside the Court room that showed the full attack. But it was definitely an unlawful bias. The police was in violation of their contract. At this time I would like to ask Council to go into executive session and let Mr. Hillis fill Council in on all of the details and potential litigation that could occur. Which somebody from Council like to find out from Mr. Hillis what is going on and what can potentially happen?

Mr. Vincent: Mr. Rogers why don't you go ahead and finish what you are going to say and then if Council wants to do that they can? Is there anything else you would like to share?

Mr. Rogers: No, I would just like to ask if they would like to make a motion to go into executive session to discuss with Mr. Hillis where this could go and the potential of in house. Thank you.

Mr. Vincent: Thank you, sir. Is there anything from Council? Ok, with that I have Mr. Eric Jones representing himself on Parliamentary Procedures.

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

Mr. Eric Jones: We will take a moment to let the Boy Scouts leave.

The Boy Scout leader and young men thanked Council as they were leaving about 7:10 p.m.

Mr. Vincent: Thank you.

Mr. Eric Jones: Hello everybody. I came back from the Police Station. It seems I have a warrant out for my arrest for what I did at the meeting the last time. I have it taken care of as I talked with the Police Officer and we are fine at the moment. He is back there and I didn't want him to jump up and grab me. So I will start where I always start. We are deprived of a republican democracy in Zanesville. What we have here is a tyranny of the majority. Mr. Vincent, as Presiding Officer, is the presiding officer from the time the meeting starts until the time the meeting ends. This is the only time he can make a ruling. If I ask him a question, this is the only time he can answer for a procedural

matter, that is why he gets paid the big bucks to interpret the Ohio Revised Code as it applies to parliamentary procedure. This ain't rocket science, folks. Parliamentary procedure is designed to be understood, not esoteric; it is exoteric, everybody is supposed to be able to understand it. It is based on fairness and justice and all of this other kind of stuff. It is democracy in action. I asked Mr. Buck if he knew parliamentary procedure and he said no; I am pretty sure the police officer back there doesn't know parliamentary procedure either. I sent a (unintelligible word) to Ms. Culbertson and I hope she shared it with you. If so she would have said what I am going to say now. I would have said (unintelligible words), "before, if I have the floor, there is a procedure for me not to have it". Every parliamentary authority has pretty much the same thing. Mr. Vincent is supposed to rule me out of order. If I don't, if I say okay that is his opinion, that is only his opinion. He has to make a ruling. Once he makes a ruling, I get to challenge. I think I have a pretty good argument for saying I've got more than three minutes. I have to be able to address him while he is presiding officer. Not before the meeting, not after the meeting; during the meeting. Again, that is why he gets paid the big bucks. It is relatively simple, everybody should understand that. At the last meeting he didn't follow procedures. It is not about civil disobedience; it's about civil obedience and I want him to abide by the rules. A simple matter. If I ask Mr. Vincent, "Mr. Vincent do I have freedom of press, not freedom of press; do I have freedom to speak while I am speaking? He is not going to answer that. "Mr. Vincent, do you have an answer for that?" No answer, right? Let me put it to the test. "Ms. Culbertson, I am going to say G O T.

Mr. Vincent: Thank you, Mr. Jones. Your time is up.

Mr. Jones: Mr. Vincent, (continued to talk over Mr. Vincent)

Mr. Vincent: With that... Mr. Jones, your time is up please. Please sit down, sir.

Mr. Jones: Make the ruling.

Mr. Vincent: Sir, sir, your time is up. Please sit down. Mr. Jones, please sit down. (gavel was struck) Mr. Jones, let me be clear, you are out of order. Please sit down.

Mr. Jones continued arguing, but it was difficult to understand.

Mr. Vincent: Please sit down you are out of order.

Mr. Vincent: Officer, will you please remove this man?

Mr. Jones: He has, he has to be, he has to be as a Sergeant of Arms first folks; not as an officer.

Mr. Vincent: Please remove him.

Mr. Jones: Are you here as a Police Officer or are you here as a Sergeant of Arms?

Mr. Vincent: He is here as a Police Officer, Mr. Jones.

Mr. Jones: You are here as a Police Officer. You did not do the rule, right? I am making sure, I want it on the record.

Officer Rice: Okay

Mr. Jones: I want this on the record. I will explain it to the Judge. I got that.

Officer Rice escorted Mr. Jones out of the building.

Mr. Vincent: Okay, with that, we are done with Private Petitions. I will entertain a motion to adjourn.

Mr. Sharrer moved to adjourn. Mr. Roberts seconded the motion.

Mr. Vincent: All in favor of adjournment signify by saying aye. All were in favor, none were opposed. Motion carries. We stand adjourned. Thank you everyone and have a good night.

The meeting adjourned about 7:15 p.m.