

## **CITY COUNCIL MEETING – MONDAY, January 12, 2015**

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, January 12, 2015 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: Mr. Baker, Mrs. Norman, Mr. Sharrer, Mr. Hutcheson, Mr. Roberts, Ms. Gildow, Mr. Foreman, Mrs. Gentry, and Mr. Vincent. Mr. Tarbert was absent.

Mr. Baker moved, seconded by Mr. Roberts, to excuse Mr. Tarbert.

Mr. Vincent: Is there any discussion on excusing Mr. Tarbert? A voice vote was held with all present in favor of excusing the absence of Mr. Tarbert. None opposed. Motion carried. Mr. Tarbert stands excused.

### **APPROVAL OF MINUTES**

Mr. Sharrer moved to approve the minutes as presented, Mr. Roberts seconded the motion. No discussion was requested and a voice vote was held with all present in favor. None opposed.

Motion carried. Mr. Tarbert was absent. Minutes stand approved.

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

Communication from Jay Bennett, Public Service Director-City Cemeteries 4th Quarter Report (2014)-In accordance with Ohio Revised Code, please find attached the 4th Quarter Report of 2014 for the City of Zanesville Cemetery Division from Jeff Johnson, Cemeteries/Parks Superintendent.

Mr. Roberts moved to receive, seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of receiving signify by saying aye. All present were in favor. None opposed. Motion carries. Mr. Tarbert was absent.

### **PROPOSED ORDINANCES**

Ordinance No. 15-01 - Introduced by Council . An Ordinance 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. Vincent: We are at first reading and this is a pretty routine request if someone wanted to waive the readings.

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

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Tarbert

Motion carries.

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

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

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 Absent Mr. Tarbert

Motion carries. Ordinance is passed.

Ordinance No. 15-02 - Introduced by Council . An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for City employees; amending Ordinance No. 13-15 (Amended), which authorized a maximum schedule of positions; and amending Ordinance No. 13-16 (Amended), which established pay, benefits, and employment policies for unaffiliated employees and declaring an emergency.

Mr. Roberts moved to amend Section Two (second page) beginning with, %s hereby amended to read under classification Assistant Fire Chief 40 hours number authorized to read as one (instead of two)+. This motion was seconded by Mr. Sharrer.

Mr. Vincent: Motion to amend section two on the back page, the second classification Assistant Fire Chief 40 hours from two to one. Is everyone clear on the motion? All in favor of the amendment signify by saying aye. All present were in favor. None were opposed.

Motion carries.

Mr. Vincent: We are now at Ordinance 15-02 as amended. With that I need a motion to waive.

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

Mr. Vincent: Is there any discussion on waiving of the readings? We will have Deputy Chief Eric Waltemire speak here shortly to give an explanation. Hearing none, we will have roll call vote on waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Tarbert

Motion carries.

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

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

Mr. Vincent: Is there any discussion? And maybe before Council has questions if we could hear from Deputy Chief Eric Waltemire, if you will step up and give us information on this please.

Deputy Chief Eric Waltemire: Alright, I am currently the Deputy Chief. So basically I am demoting myself from the Assistant Chief and I will be promoted to Chief February 6<sup>th</sup>, 2015. Currently we don't have any flexibility in our Assistant Chief ranks. I can't go back if I have an Assistant Chief off for an extended illness, plus we have a need for a 40 hour position. The last two years we did an average of 400 inspections in the City of Zanesville. The 40 hour position oversees that duty. We also did 3,200 hours of training this past year. The Deputy Chief or the Assistant Chief's positions will receive that also among other things and duties, operations and the like. But if I have an Assistant Chief go off, I can't slide over and fill that so there wouldn't be overtime. Where I can slide that 40 hour Assistant Chief over to do it. It gives me flexibility to move the individual around also. Where now I don't have as they cannot move into Deputy Chief's position. If I need to move them around for whatever reason, I can do it.

Mr. Vincent: So with that when you talk about you can't do that as far as the person in the position of Deputy Chief, can't slide into the Assistant Chief's position to fill in?

Eric Waltemire: I can, but you are paying Deputy Chief's wages to fill an Assistant Chief's slot. Whereas if I have an Assistant Chief in that 40 hour position I can slide them over there and I can pay them dollar for dollar. You are paying Deputy Chief's wages, if I slide into an Assistant Chief's slot. I have done that, they don't pay me overtime, but I earned comp time, but I limit myself to twelve hours when I do fill those positions because they do not pay me overtime. It is an agreement I had with the Chief that I didn't get overtime. So I worked for comp time for those extra hours.

Mr. Vincent: Is there anything else from Council?

Mr. Sharrer: With the fifty-six hour Assistant Fire Chief, you have some flexibility with them as well as the forty hour position?

Eric Waltemire: Yes, we can move them around on shift.

Mr. Sharrer: Ok.

Eric Waltemire: It is just that if I have an Assistant Chief that for some reason I want to move into that forty hour position or move them around, I need that forty hour position. Because they oversee operations daily, they handle maintenance on the trucks and oversee it; you need that continuity there. The Chief does not have the time to do all of that, trust me. I have seen what Chief Thomas has done the last couple of years and you have to have that forty hour position there. I wouldn't even consider taking the Chief's job without that forty hour position being there. I know how busy I have been the last two years. So I need that, but I also need flexibility if I need to move an Assistant Chief around for whatever reason. It gives me a lot more flexibility than we have with that Deputy Chief and three Assistant Chiefs.

Mr. Sharrer: Thank you.

Mr. Vincent: Is there anything else from Council?

Mr. Buck: There is a formula we use to move them between forty hours and fifty-six hours. It is a percentage of they move up or they move back in pay. Naturally the forty hour one makes more per hour and if he goes to the fifty-six hour position he gets the fifty-six hour rate. We have had that for years. So it does work quite well.

Eric Waltemire: He can slide over there and cover a day shift at the fifty-six hour rate and slide his wages over there and change his wages to the fifty-six hour wage. It gives us a lot of flexibility.

Mr. Vincent: In summary, just to make sure I understand correctly. So this is taking the Deputy Fire Chief position, your current position now, making it into a forty hour a week Assistant Fire Chief position and that will save the City money?

Eric Waltemire: It should.

Mr. Vincent: So we are not gaining any positions and we are not taking any away. We are just basically moving down to the Assistant Chief. In the future then for a Fire Chief, as far as naming a Fire Chief, does that open the pool up to all of these Assistant Fire Chiefs to make that next step?

Eric Waltemire: To be promoted to Fire Chief? They are all eligible for testing. Now what you have is you still have it open for Assist Fire Chiefs. If I wasn't getting promoted to Chief I would have to compete with the Assistant Chiefs in that test for Fire Chief.

Mr. Vincent: So nothing really changes there then?

Eric Waltemire: Nothing really changes.

Mr. Vincent: Is there anything else from Council? Thank you, sir. When do you take over?

Eric Waltemire: February 6<sup>th</sup>. Chief Thomas retires February 5. I have big shoes to fill.

Mr. Vincent: Good luck. Thank you, sir. We appreciate it. If there is nothing else from Council, we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Tarbert

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

Ordinance No. 14-56 - Introduced by Council . An Ordinance to vacate a portion of Balls Lane in the City of Zanesville, Ohio as herein provided.

Mr. Vincent: We are at second reading.

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

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Tarbert

Motion carries.

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

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

Mr. Vincent: Is there any discussion? Council feels like they have a good understanding of what is going on? No additional questions because we don't have anyone here tonight to speak. I know they have sent a lot of information to us in the past and a lot of detail and made it very clear.

Mr. Sharrer: Just to clarify, I do see Mr. Richard Duncan in the audience if Council does have any questions, but I think we have covered it in committee meetings pretty thoroughly.

Mr. Vincent: I do see him back there. Great, if there is nothing else from Council we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Tarbert

Motion carries. Ordinance is passed.

Ordinance No. 14-85 - Introduced by Council . An Ordinance authorizing the proper city official to advertise for bids and enter into contract for purchase of various insurances.

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 present were in favor. None opposed.  
Motion carries. Mr. Tarbert was absent.

## **TRAFFIC ORDERS**

Order Number 15-01

Section One: There is hereby established a Loading Zone in front of 28 S. Sixth Street.

Section Two: The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

A motion was made by Mr. Roberts to receive Traffic Order No. 15-01, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? No questions? All in favor of receiving signify by saying Aye. All present were in favor. None opposed. Mr. Tarbert was absent. Motion carries.

Order Number 15-02

Section One: Traffic Order 15-02 is hereby to establish Two (2) hour parking on South Slope Bay on the north side across from 1101 to 1132.

Section Two: The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

A motion was made by Mr. Sharrer to receive Traffic Order No. 15-02, seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion? Mr. Buck I think you have talked to numerous people up there and I have heard from some people also that there is a problem up there as far as getting through the street for emergency vehicles.

Mr. Buck: It is tight for emergency vehicles so two hours will allow anybody to deliver, to come in drop off whatever they have, or if it is some kind of repair man he will be able to come in to do his job and if he moves it should take care of any issue we have there. Actually it was just one vehicle, so we tried.

Mr. Vincent: So that opens it up so people can come in and load, unload, and do things, but it is not leaving vehicles there on and on and making it so difficult to get through. It is a tight turn there. Is there anything else from Council? All in favor signify by saying Aye. All present were in favor. None opposed. Mr. Tarbert was absent. Motion carries.

### **PRIVATE PETITIONS AND COMMUNICATIONS**

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH 43701

Mr. Vincent: With that, Mr. Jones I know you like to have things on the record, so I want to let you know ahead of time if there is any name calling you will be done. Ok?

Eric Jones: I will begin with a teaching moment real quick. Mr. Vincent, you are a presiding officer. As a presiding officer if you are going to give me a warning, I have given you the rules on how I am supposed to act. I am the rulee. You have to let me know what dispatch it is that you are going to be using and the format for you to make a ruling. Now, as pursuant to the Ohio Revised Code for you to say that you are making a ruling or that you are warning me, that doesn't work. You have to do it the way it says so. You have the parliamentarian sitting there. Make sure you understand this because I am speaking up. We have been deprived of a republican democracy here in Zanesville. This is a charity of the majority. I want you to understand silence equals consent. Silence shall be construed as consent. I want you to imagine, how would you oust a republican democracy from the community? What kind of things do you have to do? I am here in my role as citizen tribune. I am here to judge you. There will be some. I am letting you know step by step. I gave you a year to read two books. If you read either one of them you know what I am saying is rock solid. Again Mr. Hillis, he can advise you, but he cannot rule. The only person here who can rule is you and you can only rule from the beginning of the meeting to the end of the meeting. You can't say anything to me before the meeting that has any validity or after the meeting that has any validity. If you don't know that then you don't know civics. At the last meeting you were upset because I used the term %whore+.

Mr. Vincent made strikes with the gavel.

Mr. Vincent: Please sit down, you are done.

Eric Jones: That is a legitimate word.

Mr. Vincent: Please sit down sir. You are done.

Eric Jones: That is a legitimate word.

Mr. Vincent: Sit down sir.

Eric Jones: That is a legitimate word.

Mr. Vincent: Sit down sir!

Eric Jones: That is a legitimate word.

Mr. Vincent: Sir, sit down or please leave.

Eric Jones: Wait, do I have a right

Mr. Vincent: Sir, you are done, please sit down.

Eric Jones: Do I

Mr. Vincent: Sir, please sit down! Moving on to miscellaneous and unfinished business.  
(Mr. Jones was still speaking loudly in the background)

Eric Jones: You have to make a ruling.

Mr. Sharrer: I move we adjourn.

Ms. Gildow: I second.

Mr. Vincent: All in favor signify by saying aye.

Ms. Gildow: Wait a minute. The Mayor would like to speak.

Mr. Vincent: Would you like to withdrawal your motion?

Mr. Sharrer: Yes.

Ms. Gildow: I withdrawal my motion.

### **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mayor Tilton: I would just like to thank Council, the Administration, and the City employees and everybody that conveyed condolences on the passing of my son. Thank you.

Mr. Vincent: Thank you Mayor Tilton. Mr. Buck wanted to share something.

Mr. Buck: On a lighter note, we have one of our sons from our area that is playing for Ohio State Buckeyes. He walked on. He is from Rosecrans. They should be very proud. I think we should be very proud. Aaron Parry is his name. If you see this young man you will really like him. He is really a straight up kid.

Mark Baker: I taught him everything he knows.

Mr. Sharrer: Except football.

Fred Buck: I just wanted to bring it up and he is number 91 and very proud to have him from our area.

Mr. Vincent: Thank you. We appreciate it. Is there anything else from Council?

Mr. Sharrer: I move we adjourn.

Ms. Gildow: I second it.

Mr. Vincent: Motion and second to adjourn. All in favor of adjournment signify by saying aye. All present were in favor. None were opposed. Mr. Tarbert was absent.

Mr. Vincent: Motion carries. We stand adjourned. Thank you everyone and have a good night.

The meeting was adjourned about 7:21 p.m.