

CITY COUNCIL MEETING – MONDAY, OCTOBER 26, 2015

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

We are honored to have two scout troops with us this evening. Scout Troop 194 from Avondale and Scout Troop 158 from Euclid Avenue Church. That is excellent. We are glad you are here gentlemen. If everyone will stand and join me in the Lord's Prayer and then we will have our Scout Troops lead us in the Pledge of Allegiance to the Flag.

Mr. Vincent led those present in the Lord's Prayer.

The Boy Scout Troops led those present in the Pledge of Allegiance to the Flag.

Mr. Vincent: Thank you gentlemen. We are honored that you are here.

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

APPROVAL OF MINUTES

Mr. Vincent: We are now at the approval of the minutes for October 13, 2015.

Mr. Roberts moved to make a correction to page 13 of 16 should be libel not liable. It was seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of the amendment signify by saying aye.

All were in favor. None were opposed.

Motion carries.

Mr. Vincent: We are now at the approval of the minutes for Tuesday, October 13, 2015 as amended.

Mr. Hutcheson moved to accept the minutes of October 13, 2015 as corrected, seconded by Ms. Gildow.

All were in favor. None were opposed.

Motion carries. The minutes stand approved as amended.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Resolution No. 15-111 – Tabled until November 9, 2015

PROPOSED ORDINANCES

Ordinance No. 15-119 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2016.

Mr. Vincent: We are at first reading.

Mr. Baker moved for first reading, seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion? We have Mr. Howard Stewart, the Director, is here and Council you also have it looks like a table here in front of you showing some expenses. Mr. Stewart, thank you for coming. We appreciate it, sir. We are looking forward to the annual report.

Mr. Howard Stewart: Thank you for having me. First of all I want to give this to Ms. Gildow because I know she is going to ask the question. We have errors at S.E.A.T. and it is called B.H. before Howard. When I started in 2012 we hadn't done a 2010 audit or a 2011 audit and we did those in about four months. It was taxing believe me not; learning about transit, federal compliance, and the shape we were in. We had fifty-five findings in 2010, in 2011 we had eighteen, in 2012 we had five, in 2013 we had three, and in 2014 we were perfect. We have no findings and no issues what so ever. So Ms. Gildow, as far as finances are concerned; we are in great shape.

Ms. Gildow: May I make a comment?

Mr. Vincent: Sure.

Ms. Gildow: Great Job!

Mr. Stewart: My staff did a tremendous job on a little under a three million budget. We are purchasing buses every year. We are working collaboratively with the City. We are purchasing capital assets for improvement of the building. Our partners in Cambridge we are making sure they are satisfied with buses over there. So that is a 20% match on our behalf on local funds and that is what helps us, the local match coming from the City of Zanesville to help us purchase that equipment. We will keep improving. We will keep the buses clean. We keep nice buses running on the street. I think you have something to be very proud of as far as rural transit is concerned here in Zanesville. We get a lot of complements. Again we are one of the largest rural transits in the State of Ohio out of thirty-three. Of course, we can't compete with COTA, or Akron Metro, or Greater Dayton, or Greater Cleveland, but we can hold our own as far as transportation is concerned. In front of you, you have a rundown of our operations for 2015 thus far this year. We have our fixed routes there. That is just this year. We have our E & D. That stands for elderly and disabled. That is how many elderly and disabled individuals we have transported this year to date. EZ Ride, that is elderly and disabled, on the street route. If you are an EZ Ride client you also qualify for E & D as well. So you put those two numbers together and that is the total individuals we are hauling as far as E & D is concerned, plus a few other miscellaneous contracts. You can see the totals over here for 2015 so far. Matching it up with 2014, over 2013 we are about 7% over 2013's

number and about 3.5% over 2014's number so people are taking advantage of public transportation. They are utilizing it. Mr. Baker, we are still working on Greenwood. We are pulling and pulling and believe it or not it is up.

Mr. Baker: He knew that was coming too.

Mr. Stewart: I knew it was coming. Believe it or not, Maple used to be our biggest route, but the Putnam/Brighton/Pine has surpassed Maple Avenue. A lot of people are going South. We are looking at that route. It is kind of hard to make it down Maysville Pike in half an hour and back with the traffic. Of course you have all been on SR 22 especially on a Friday and when you are stopping and picking up people. We have seven wheelchairs on that route. So when you are loading wheelchairs, it takes about three to five minutes to load a wheelchair. If you load a wheelchair first and you are driving to where that first wheelchair needs to get off first you have to unload the second chair and get that person off and then put the other wheelchair back on, all within a time frame. This is the puzzle we put together every day transporting about 450 people a day with our demand response and our street route. So it is taxing. We have some great drivers. They do a great job. They are courteous. They are professional. We had a rough summer. We had a driver pass away. We had two drivers have heart attacks. We had a hip replacement. We only have twelve drivers and when you take four out of it plus during the summer months are vacations. We had a lot of overtime, but we got it done. We got people where they needed to go and kudos to my staff. They did a great job. I have some great people working for me so I give them all of the credit. So if there are any questions. Mr. Bennett, you are a board member if you would like to add anything.

Mr. Bennett: I am the Mayor's appointment confirmed by Council, earlier this year, and coming on to the board and coming up to speed on the past and kind of understanding what happened several years ago. And then seeing the leadership that Howard and his current staff provided just in turning around this agency; that is so critical to building a community. We sat in a meeting last week and talked about economic development and getting people to jobs and having people job ready; this agency helps provide that. The funding, from the City, helps provide that, so kudos Howard. Thank you very much.

Mr. Stewart. Thank you. I appreciate those kind words.

Mr. Vincent: Thank you, Mr. Stewart. Is there anything else from Council?

Mr. Baker: I know that a while back that there had been some discussion about repair of the bus depot shelters particularly on the east side that have been deteriorated.

Mr. Stewart: Where at on the east side?

Mr. Baker: It has been too long. I can't remember off the top of my head.

Mr. Stewart: We have a bus shelter. We have two at the transit center. We have bus shelters that have been donated to us that we can track down clear back into the 1990's

from Kiwanis in front of the high-rise and down in South Zanesville. I am unaware of any other bus shelters on the east side of town. If there is, that is news to me.

Mr. Mark Baker: Okay, well if I find out some more information.

Mr. Stewart: Yes, please do. ODOT was giving away some bus shelters and they were the size of garages. They were 12' X 24'. I was trying to work with the hospital on Maple Avenue to try to get a bus shelter out there. We were going to go up and tear the bus shelter down and bring it back and we were asking them to pour a pad in between their surgery center and their new entrance. They were just not interested in that. We use the hospital as an on call type, if someone needs to be picked up we swing in there and if not Maple Avenue is such a tight route as well, that we keep on going. We do the same thing with the Social Security office and Autumn Healthcare out there. If there are people going to work we get them there. If we don't need to pick them up we go on to Northpointe, swing back around and start coming south. We call that an on call or deviated route. We are looking at that for Putnam as well. We have a lot of demand for kids going to Foxfire. We think that would be important to be a part of that route. I am looking at making that an hour long route. If we make that an hour long route that means we need to have a second hand route to meet the Brighton/Pine which I am looking at the west side of Zanesville. That means two more drivers. You are talking about \$54,000 a year in salary plus benefits, plus the overhead of a vehicle, somewhere in the area of \$7,000 to \$8,000 for equipment and gas. It is costly to do that. So they call me bottom line, my staff does. That is how we do things. Everything runs through the board. It is transparent. Jay shrills a little bit and says haven't we already gotten that taken care of in that Resolution? But I go ahead and do it anyway. So it is kind of double checking ourselves and making sure we are okay. Because ODOT keeps a thumb on us and then the FTA keeps a thumb on ODOT. In our audit, Ann, this is how complicated it can get. The GAAP accounting procedures say you are supposed to do it this way, but the FTA wants it done this way, so the two don't mesh together. Then we are two dings prior year, so actually we didn't get dinged for that this year and I don't think we should have gotten dinged for it the last couple years. So we were doing it the way that ODOT told us to do it, but the Auditor's, Mr. Yost, says to do it this way.

Mr. Foreman: I have a question. The route that you designed that goes to the east end out to National Road and Troon Crossing; do you have any numbers? Is that successful? Is that something that is being utilized? Is it going well is what I am asking.

Mr. Stewart: Sure, that is part of the Greenwood route. In 2014, I am looking at my numbers and we had total passengers of 3,813. We had 492 elderly and disabled take advantage of that route. We had 232 student fares, 1,333 regular fares and then there were 1,750 other fares. Those are transfers; people transferring and going to other facilities. Thus far this year we are at 3,274 so it looks like we are going to surpass 2014 numbers. 273 elderly and disabled and our regular fares are about 2600 and other is about 223.

Mr. Foreman: That is good. I am glad to hear that and I greatly appreciate your help with that because you were vital to making that happen. I think it is extremely important to the people on the east end of town who send their children out to National Road to have access to them during the day regardless of their own personal transportation issues. So that is very helpful and I appreciate it.

Mr. Stewart: We had a letter come in from Washington Place apartments out there and we had people sign that and we drove the route, looked at it, and we thought it made sense to go out that far, especially since the National Road School was out there and Troon Crossing income housing out there. It just made all the sense in the world. So if we are going to go west, we are going to look at something like that, out on the west end as well. Especially hit the apartments right there on 40, the income, with Eagle View apartments there? So we are looking at that. When you do something with ODOT it takes about six months to get things done.

Mr. Foreman: I know that I was very adamant about that, working with you. Just so you know it does benefit our students as well because our volunteerism is up at that school as well as participation at the parent/teacher conferences. I solely place that on that route. I think that is a major influence there.

Mr. Stewart: We appreciate that very much. I appreciate it.

Mr. Vincent: Is there anything else from Council? I bet you were surprised to hear that your services are impacting education to our students in the city?

Mr. Stewart: You know we are out there and we can't force people to ride, but we try to keep our services on time, our drivers are customer oriented, too customer oriented some times. They just get involved in just a little too much information with the passengers. It is there, but if people don't take advantage of it then shame on them because it is; you should be proud to have public transportation in Zanesville. That is the bottom line; that is what it boils down to, you should be proud.

Mr. Vincent: Okay, is there anything else from Council? Thank you, Mr. Stewart. We appreciate it. We can tell you have the pride in the services you provide and your staff. So that is great, thank you. So with that, if there is nothing else from Council, we are at first reading so all in favor of first reading signify by saying aye.

All present were in favor. None were opposed. Mrs. Gentry had stepped out for a moment.

Motion carries.

Mr. Vincent: With that if I could have a motion to temporarily excuse Mrs. Gentry.

Mr. Roberts moved.

Mrs. Gentry returned.

Mr. Roberts withdrew his motion.

Mr. Vincent: With that Mrs. Gentry, are you in favor of first reading for Ordinance 15-119.

Mrs. Gentry: Yes.

Ordinance No. 15-120 – Introduced by Council –An Ordinance amending Appropriation Ordinance 15-23 and declaring an emergency.

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

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.

9 Ayes

0 Nays

Motion carries.

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

Mrs. Norman 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.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-121 – Introduced by Council –An Ordinance authorizing the proper city official to enter into a Federal Local LET Project Agreement with ODOT for the resurfacing and related work to Northpointe Drive from SR 146 to Maple Avenue, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? With no discussion, 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: I now need a motion for passage.

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

Mr. Vincent: Is there any discussion? Mr. Bennett, it may have been in here but the timeline for this will be?

Mr. Bennett: This is scheduled for 2018. But it is a resurfacing project so if we push and we have the match then we can move it up.

Mr. Vincent: I went out specifically last night to drive that to see what kind of shape it was in and some areas are still very good and some areas that may look really bad with this winter coming.

Mr. Bennett: Yeah, we put some money in to it this year and we will continue to keep it patched up. It is Chip and I's mind to go ahead and push this forward quicker.

Mr. Vincent: Thank you and will Mr. Saunders be over this project as far as evaluating and save the City some money?

Mr. Bennett: Yes.

Chip Saunders: It is a local LET which means we will put the plans together. We will bid it. And we will be over the construction.

Mr. Vincent: So that will be our part for the twenty percent.

Mr. Bennett: When you see that is some of the match.

Mr. Vincent: So that is our City Engineer that is helping save money. So thank you. Is there anything else from Council? Okay we will have roll call vote for passage then.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-122 – Introduced by Council –An Ordinance authorizing the proper city official to accept 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. 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: I now need a motion for passage.

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

Mr. Vincent: Is there any discussion? Mr. Bennett, do you want to add anything?

Mr. Bennett: I am excited to receive \$150,000 offer to be matched by \$150,000 local money. A project has to be done by 2017. We received an abundance of community support letters. Some big football team from Muskingum College is willing to come help build this thing. So all of that donation counts as part of our match. So it is a good project and excited to get going over the winter on planning it.

Mr. Vincent: Very exciting and I think a lot of the people who originally helped built it will be excited to come back and help redo things.

Jay Bennett: I have heard that they gave out kind of a medal for those who participated. That would be kind of cool to kind of reinvent that again.

Mr. Vincent: Okay. Is there anything else from Council? I guess one more thought that not only as far as serving the children and citizens here in the City; it is also an attraction here for people who come in from out of the City. I think that could benefit businesses.

Mr. Bennett: It is part of the design kind of concept that we submitted. We talked about adding a splash pad feature to start to incorporate water to the facility. I think that would draw people as well.

Mr. Vincent: I agree. I will look forward to that. With that we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-123 – Introduced by Council – An Ordinance amending Chapters 922 and 923 of the City of Zanesville's Codified Ordinances, regarding discharges to the sanitary sewer systems.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: Jay, a lot of discharge talk in here, could you boil this down for us into what this is going to accomplish?

Mr. Bennett: Specifically the City is permitted by Ohio EPA through its Waste Water Treatment Plant permit. We are required and have been for years to regulate industrial users that discharge into the sewer system. The City has been in compliance with those requirements for years. Mid to late 2000 the EPA came out with new streamlining regulations. It is interesting when they talk streamlining and it requires that much text to streamline. But it does. I got back last year and this was kind of sitting, waiting, and staff and I kind of took it on and worked with Ohio EPA. They have finally signed off on the changes that you see as compliant with their regulations; so next up would be for Council's consideration. I am happy to kind of work through that in a presentation with Council before you get to third reading.

Mr. Vincent: Is there anything else from Council? Mr. Bennett that is all guided by the EPA? Some of the wording though we had some leeway in it as far as deciding how we met the requirements?

Mr. Bennett: There is very little of that. We are required to develop standards. We have some local standards on oils, greases, and things of that nature, but when you start getting into more of the toxic type discharge, those are called categorical standards. The language talking about best management practices. There is some ability to consider that and to negotiate with our industries on that and some of that is outlined.

Mr. Vincent: With that, I think my interest and I think also Council's would be how much of this is EPA driven that we have no choice in versus is there anything we need to focus on that the City has some options in that we would want to consider.

Mr. Bennett: Yes, we can certainly present that before the second reading. We will have a presentation at the next meeting.

Mr. Vincent: Wonderful. Sounds good. Thank you, sir. Is there anything else from Council? With that, we are at first reading so all in favor of first reading signify by saying aye.

All were in favor. None were opposed.
Motion carries.

Ordinance No. 15-124 – Introduced by Council –An Ordinance authorizing the proper city official to execute a change order to Shelly & Sands for the 2015 Overlays Project, 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.

8 Ayes

1 Nay- Mr. Baker

Motion carries.

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

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

Mr. Vincent: Is there any discussion?

Mr. Baker: What is the deterioration that led to the overrun?

Mr. Bennett: Center Drive, there were two decisions made that were out of necessity if you will. Extending Ohio Street beyond the projected limits as that project was going down Ohio Street it was looked at and decided, if we could, we needed to extend it to get on down to Westbourne. That was part of it. Once as many have seen, as you took off asphalt on Center Drive there was no base. So they had to add additional quantity to just bridge it if you will. So it was those two projects that.

Mr. Baker: Road extension and road stability basically. Okay.

Mr. Bennett: Correct.

Mr. Vincent: Is there anything else from Council? With that we have no other comments so we will move on to roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Mr. Vincent: Moving on to Ordinance 15-125 and before we start with that or ask for a motion on that; there was an error on the agenda. It doesn't change the actual Ordinance. The information is correct on it as far as with that the company is actually KE Site Company DBA Kendrick where the agenda has Shelly & Sands instead of the

KE Site Company DBA Kendrick. So with that if I could have a motion to amend the agenda.

Mr. Roberts moved, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? All in favor of amending the agenda with the wording signify by saying aye.

All were in favor. None were opposed.
Motion carries.

Mr. Vincent: We are now at Ordinance 15-125 with the correction to the agenda and no correction to the Ordinance itself.

Ordinance No. 15-125 – Introduced by Council –An Ordinance authorizing the proper city official to execute a change order to KE Site Company DBA Kendrick for the Ridgewood Storm Sewer project, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? If there is no discussion we will go for roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.
8 Ayes
0 Nays
1 Abstention Mr. Sharrer
Motion carries.

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

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

Mr. Vincent: Is there any discussion? With no discussion we will have roll call vote for passage.

Roll call vote for passage.
8 Ayes
0 Nays
1 Abstention Mr. Sharrer
Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 15-115 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Muskingum Economic Opportunity Action Group.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: I guess in general if somebody could answer a question as to why we are donating \$10,000 to a 501(c) 3. I spoke with the Mayor earlier and it seems we have been doing this forever, but it has always been one of my favorite questions is to ask why we have been doing this forever. I have no quandaries with these people doing wonderful, wonderful work for the community. However, I question public purpose for taxpayers' dollars being given to a non-profit entity.

Mr. Vincent: Okay, thank you.

Rhonda Heskett: I feel that the City has always felt that it was important to support their cause because of the veterans they help, the senior citizens, and the underprivileged people. That has always been my impression as to why this Ordinance is always put on and why we expend those public funds for that purpose.

Mr. Bennett: Secondly I think what we have heard is the volume of external money they bring in to deliver those services. The City support is specifically to kind of pay for those audit expenses and those operational things that there never seems to be that amount of money. That seems to be why the City has always participated.

Mr. Roberts: I guess my only concern is several other entities such as this exists within the City. I don't want it to look like we are just giving this one \$10,000 a year and not contributing money to other ones. Or, opening ourselves up down the road to someone saying hey, can we also have \$10,000. I guess it is just my stance that these are public funds. This is a quasi-private entity.

Mrs. Norman: How many years have we done this? I have been on Council for twenty hundred years

(laughter broke out)

Mrs. Norman: and they have always given to this cause which helps a lot of senior citizens especially.

Mr. Roberts: I guess Mrs. Norman that is kind of part of my question. Just because things have always been done in a certain way doesn't always mean that they were done for the right reasons or it sometimes clouds our judgement in the fact that oh we have been doing this since this long ago. I guess I just wanted to open it up for discussion so that we actually vetted it and thought about what we were doing.

Mr. Tarbert: Would it be possible to have someone from this group come to the next Council meeting? We are at second reading tonight, correct?

Several people commented yes to second reading.

Mr. Tarbert: Could we have someone come to speak about this to see how they are using the money.

Comments were she was here at first reading.

Jay Bennett: I am sure they would have

Several people talking at the same time.

Mr. Vincent: Please, hold on, let's keep in order here

Mr. Tarbert: Mr. Roberts, do you have questions specifically for what is here?

Mr. Roberts: It is not even, I have looked through the materials they provided and I looked at their website to see if the services that they give to the community and don't get me wrong, I think they are doing very, very good things. I just question whether we as a municipality are in the business of doling out funds to non-profit entities in general, not so much specific to this exact one.

Mr. Vincent: Thank you, Mr. Roberts. Is there anything else from Council?

Mr. Baker: Are there any other non-profits that we contribute to? I don't recall any off the top of my head.

Jay Bennett: Certainly through CDBG we participate.

Howard Stewart: When I was at the Zanesville Civic League we had what we called Partnership for County-wide Basketball and the City through the Department of Recreation gave to the Partnership for County-wide Basketball. That was a collaborative engagement between Eastside Community Ministry, Salvation Army, Pierce Street Community Center and the Zanesville Civic League.

Mr. Vincent: Thank you Mr. Stewart. If you will wait to be recognized here.

Mr. Roberts: It was actually a question for Mr. Stewart. I believe I remember that coming through and I believe it was somewhere in the amount of \$500.

Mr. Stewart: If was no more than \$1,000 I know that.

Mr. Roberts: I guess that is kind of my point. That is an example of what we have of contributions to other non-profit entities in the City.

Mr. Vincent: With that I want to say, and I am sorry, but I need to keep things fair so with that please wait to be recognized as far as I can't have people talking out from the public. Okay? Is there anything else from Council? We are at second reading, all in favor of second reading signify by saying aye.

All were in favor except Mr. Roberts voted nay.
Motion carries.

Ordinance No. 15-116 – Introduced by Council – An Ordinance authorizing the proper city official to provide amenities for the City Employee's United Way Fundraiser.

Mr. Vincent: We are at second reading.

Ms. Gildow moved for second reading, seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion?

Mr. Baker: Do we want to take a note that this is pretty much the same thing by providing amenities we were just talking about. I just thought I would throw that out there.

Mr. Vincent: Okay, Mr. Baker. Is there anything else?

Mr. Roberts: I guess the way that I would view this is it is an internal use of funds for the benefit of City employees and we are controlling the funds, I believe, so not exactly on the same basis.

Mr. Vincent: Is there anything else from Council? Okay, with nothing else we are at second reading so all in favor of second reading signify by saying aye.

All were in favor. None were opposed.
Motion carries.

Ordinance No. 15-117 – Introduced by Council - An Ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses during the year 2016.

Mr. Vincent: We are at second reading.

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

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

All were in favor except Mr. Tarbert and he abstained. None were opposed.

Motion carries.

Ordinance No. 15-118 A - Introduced by Council – An Ordinance to adopt Chapter 182 of the Codified Ordinances of the City of Zanesville regarding Municipal Income Tax.

Mr. Vincent: We are at second reading.

Mr. Hillis: It has come to my attention that the first Whereas in the Ordinance contains a typo when it refers to the Home Rule Amendment of the Ohio Constitution being Article XVII, Section 3 and it should be Article XVIII, Section 3. So if someone would please make a motion to amend that I will type up the amendment for your next meeting.

Mr. Roberts moved to amend, seconded by Mr. Tarbert.

Mr. Vincent: A motion by Mr. Roberts to amend under the first Whereas where it says Article XVII in Roman Numerals to change that to Article XVIII. It was seconded by Mr. Tarbert. Is there any discussion on that amendment? Hearing none, all in favor of that amendment signify by saying aye.

All were in favor. None were opposed.
Motion carries.

Mr. Vincent: We are now at ordinance 15-118 as amended for a second time. We are at second reading. Do I have a motion for second reading?

Ms. Gildow moved for second reading, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? Hearing none so all in favor of the second reading signify by saying aye.

All were in favor. None were opposed.
Motion carries.

Ordinance No. 15-112 – Introduced by Council – An Ordinance authorizing a partnership agreement between Muskingum County and the City of Zanesville for the creation of a Countywide Analysis of Impediments Plan for Fair Housing and declaring an emergency.

Mr. Vincent: We are at third reading.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: Jay, do you need us to waive this or is emergency language enough?

Mr. Bennett: No, this is fine.

Mr. Vincent: Is there any other discussion? With that, the emergency language in this it will pass as soon as I sign it and the Mayor signs it so we will be good to go. Okay, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-113 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract for grant writing and technical services for brownfield assessments and declaring an emergency.

Mr. Roberts moved for third reading, 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.

TRAFFIC ORDERS

Traffic Order 15-14

Mr. Vincent: First Traffic Order 15-14. With that, I went down there last night trying to figure out where this location was and there is a word missing here to help clarify where it is. With that, the No Parking Zone is actually on Putnam Avenue. It is the only thing that fits here. So with that if Council so choses if they want to insert in Section One after No Parking Zone insert on Putnam and prior to 50 feet they can do that or if you are uncomfortable and want to wait for that to come back again, correctly, we can also go that route.

Mr. Hutcheson moved to amend Traffic Order 15-14 to read under Section One: Traffic Order 15-14 is hereby to establish a No Parking Zone on Putnam Avenue 50 feet from Jefferson Street south on the west side of the street.

It was seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion on the amendment? Hearing none, all in favor of the amendment signify by saying aye.

All were in favor. Motion carried.

Traffic Order 15-14 as amended

Section One: Traffic Order 15-14 is hereby to establish a No Parking Zone on Putnam Avenue 50 feet from Jefferson Street south on the west side of the street.

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

Mr. Tarbert moved to receive, seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion? Mr. Buck the reason for this is?

Mr. Buck: It is for sight distance. It is a dangerous situation there. When cars park at the Salvation Army down there you really can't see the oncoming traffic at all when you go to pull out there. With that distance it gives a line of sight with thirty-five miles per hour if they travel the speed limit.

Mr. Vincent: Have we had any accidents?

Fred Buck: No, we actually put up a speed sign. We have a mobile one to record any possible speeds we have there. It actually has been anywhere from 31 to 35 mile per hour. I am sure we are going to have some spikes in there, but we watched it and looked at it a couple of different times and pulled it and it seems to be okay. We are going to reverse it and look at the north bound traffic also.

Mr. Vincent: I did see a sign put up down there to tell people traveling through there as far as what their speed is. Hopefully that creates awareness then. Okay. Is there anything else from Council? Okay all in favor of receiving the amended traffic order signify by saying aye.

All were in favor. Motion carried. The traffic order is received.

Traffic Order 15-15

Section One: Traffic Order 06-02 is hereby rescinded which established a speed limit on Northpointe Drive from Newark Road (SR 146) to Brandywine Blvd. at 45 miles per hour.

Section Two: Traffic Order 15-15 is hereby to establish a 35 mile per hour speed zone on Northpointe Dr. from State Route 146 to Frazeyburg Road.

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

Mr. Hutcheson moved to receive and it was seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Fred or Chip, what was the road designed, what was the speed for it?

Fred Buck: I think originally it was designed at 45 mph.

Chip Saunders: That is correct.

Fred Buck: But the problem of it is the crest of the hill versus traffic. Also the speed we are having there is a lot more than 45 mph. We had thirty-one accidents in the area. We have been given tasks to look at what we can possibly do to lower the traffic accidents. One of the things we talked about in Traffic Committee is we can put this out here. We can study it again for a few months and see if this works. If it doesn't work then we have to look at something else. This seems to be our best fit instead of putting a signal in.

Mr. Roberts: I understand that and I get why you are doing this, but I guess my only thought on this is if the road is still designed as a 45 mph road with the lane widths being what they are and no impediments being put up. I am sure people will get heftier tickets, but is it actually going to decrease speed. Is there anything that we have looked at in the way of crosshatch paint on the roads at dangerous intersections or something like that to help?

Fred Buck: No, we thought about signing it potentially with dangerous intersection ahead, but the problem is the people coming out of Military. It isn't actually Northpointe. It is the people coming out of Military and pulling in front of other people because of the blind spot that is there like SR 719.

Mr. Roberts: That is what I was going to say. Could you use a flash signal or anything like that? I mean anything that would get somebody's attention.

Fred Buck: Well, as you know that area that is 45 mph for some reason there is no lighting in it. The 35 mph area is well lit if I do say so myself. That side with the higher speed and then we picked up a lot of businesses in that area. So that was another factor we looked at in the meetings so we are actually putting a surgery center in there I believe.

Mayor Tilton: Yes.

Fred Buck: And it might be an inconvenience for people for a little while but I think it is going to lower the accidents and we thought for the cost versus benefit it seemed to be the best route we could take.

Mr. Roberts: Okay.

Mr. Vincent: Is there anything else Mr. Roberts? Is there anything else from Council?

Chip Saunders: Just to add to that, the last accident, the last bad accident that we had there it was actually somebody pulling out from Military and hitting the car on Northpointe. It is not like you can't see to get out at Military. It is the fact that a car is

coming toward Military from the south and wanting to turn in and there is another car beside them and they don't see that person and they don't wait until that person makes their turn to pull out. So that is the situation that we are seeing. So the first thing we can try to do is lower that speed to give that person a little bit more time.

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

Mayor Tilton: If you remember once we first opened this road it was at 35 mph and they thought because there was no development on that end we raised it to 45 mph, but now we are getting development in that area and we need to look at the speed.

Mr. Vincent: Thank you. Is there anything else from Council? With that, Mr. Saunders, you are probably the expert here. There is still a large area that is open. As far as keeping it at 45 and then reducing it right there at the dangerous area.

Chip Saunders: I think you have to be uniform. I really do. I think we are just kicking off out there. Sometimes it just takes one project to get the ball rolling. And the surgery center is going to get done and I can't see that triangle at Kerns Drive being much longer. The other thing is the success of our project that we did with the turn lane; it is continuous now. The traffic is, you don't get the gaps where you used to get them from the traffic down on SR 146 having to sit at the red. The only time that light is red now is if somebody is coming from Newark and turning left onto Northpointe Drive. That is the only time it is ever red for all of those people that used to back up in the right turn.

Mr. Vincent: Thank you. Mr. Buck, you said there have been 41 accidents?

Mr. Buck: 31.

Mr. Vincent: 31 accidents there over what time period.

Fred Buck: Well I think my Chief is back there. Has that been over a three year period?

Mr. Vincent: Chief Miller, do you have that memorized?

Chief Miller: No, I don't.

(Laughter broke out)

Fred Buck: I think it has been the last two years. I think we just looked at 2013 and no it was 2014 and 2015. I am sorry.

Mr. Vincent: I guess my thoughts are if we are looking at this and we want to see if there is improvement it would be nice to have a timeframe and be able to look back and say yes this action did help. I know things are changing such as increased traffic and if there are going to be more businesses out there then too. There have been quite a few

accidents so we don't want to cause any more injuries. Okay, is there anything else from Council? All in favor of receiving signify by saying aye.

All were in favor. None were opposed.
Motion carries.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: As you can see out here at the corner of Fourth and Market Street we've had to cut a hole in our new blacktop. The reason for that being is the renovation at Secret. We could not get the water shut off so we had to cut a hole in there to put a new valve in so that we could get that water shut down. That is the reason for cutting our new black top.

Mr. Vincent: That is unfortunate.

Mayor Tilton: Unfortunate.

Mr. Bennett: Those things you don't realize until you cannot get it shut down. That is the point where you go back in and make that improvement. Part B is as of last Friday there was a discussion with Shelly & Sands for the last remaining street on this year's paving. So are we still on schedule Mr. Saunders?

Mr. Saunders: As of this morning we were still on schedule.

Mr. Bennett: That would be Bell Street this week.

Mr. Vincent: So Bell Street is coming up this week for repair.

Jay Bennett: Correct.

Mr. Vincent: That is good news as that street is rough. Okay, is there anything else from the administration?

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Dan Vincent: I have a petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville regarding amended Chapter 111 rules.

Mr. Eric Jones: Hello everybody. I am still housekeeping basically. At the last meeting my course is the public address system didn't work. It didn't work properly or it didn't work up to its regular standards. A number of people said they couldn't hear me; a couple on TV and a couple in the room. I don't know what the procedure is but let's say somebody is in the back of the room and they can't hear. You can explain this after I get done speaking. What they should do when they can't hear. Now that was the last meeting. I am going to do this one more time. The truth is an absolute defense against

libel and slander even when voiced maliciously. I understand you made the rules for speaking before Zanesville City Council. I appreciate that; that is a good start. The question becomes what will be your sole determination of what the rules will be. You need to know that before you find out if you are dealing with, and I do this because language becomes the problem if the person is not going to use Webster's Dictionary as the standard or Black's Law dictionary as the standard. Language becomes difficult. By looking at Mr. Vincent and saying he is truth challenged then I need a different word. Is that acceptable? If I say to you, if I look at Ms. Gildow and say Ms. Gildow you are rendering your services for an unjust cause; an unjust cause being tyranny of the majority. If you use a definition, but not being able to use the word the definition is from you start to see kind of the difficulty involved. Because you don't like a word even though it is not profane or vulgar considering Webster's dictionary, considering the Bible, considering the Federalist Papers. You can't use the word, but you can use the definition of that word. Now this is the third time I am discussing this particular Ordinance. The question becomes can I ask you questions about procedure after this or am I closed out now? This is the last time I can ask you a question about what I can or cannot say at Council. Which can ask you with repetition, if we are talking about this particular Ordinance again or not. Again you can answer these after I get done talking. I can give different examples and I like as I said a reasonable content based descriptions. The question becomes what is reasonable? Thank you very much.

Mr. Vincent: Thank you Mr. Jones. Okay, with not being able to hear. With that we did have a microphone problem. It has been a while back and we replaced it with a microphone that did work. I thought that took care of that. I guess I would encourage people to move forward if they are having trouble hearing and we will have to look at the system again but we did have a professional look at it then and I am not sure what other options we might have, but we will look at that again. My apologies.

With that I have a petition from Ms. Cyndi Royce; 1543 Ridge Avenue, Zanesville, Ohio regarding missing garbage bag found at murder scene unsolved murders.

Mrs. Royce was not present.

Mr. Vincent: So she is not here then. Okay.

Mr. Roberts: I believe we have the Chief of Police and Detective to answer her questions here so I just wanted the record to show that we have the people who she asked to be here for her petition and she is not present.

Mr. Vincent: Okay, thank you Mr. Roberts. So noted we do have the Chief of Police here and a detective then also here. With that gentlemen, do you want to speak or say anything? I think there is an issue as far as that an open investigation kind of limits what you can say. But beyond that I, and don't feel you have to.

The detective said this is not the proper forum to discuss this.

Mr. Vincent: Not the proper forum, okay, I will accept that then. So we don't want to create any problems. I need you gentlemen to be able to do your jobs and help solve crimes and not cause problems.

The detective: I can assure her there is no conspiracy going on. There is no missing evidence. It is all there.

Mr. Vincent: Sir, for the records if you will give us your name.

Mr. Taylor: Harry Taylor

Mr. Vincent: Detective Harry Taylor. So no conspiracy and the other part of that was?

Detective Harry Taylor: She is free to come down. Anyone is free to come down and we can speak to what we can speak to at the police station during normal business hours. To my knowledge she has never come down and asked any questions of us.

Mr. Vincent: Okay just to relay because you don't have a microphone back there, the detective did share that people are invited to come down to the police station during regular business hours and they can answer questions to a certain point. They can speak to someone regarding the case and provide information and ask questions and I am sure that answers can be given will be given, during regular business hours. Alright, thank you. Is there anything else? We do appreciate you gentlemen coming in this evening. We appreciate your work here in the community. Is there anything else from Council?

Mr. Hutcheson: I move we adjourn.

Mr. Sharrer: I second.

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

All were in favor. None were opposed.
Motion carries.

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

The meeting adjourned about 8:00 p.m.