

CITY COUNCIL MEETING – MONDAY, MAY 11, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, May 11, 2015 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

Mr. Vincent: Mayor Tilton, we need an officer.

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

APPROVAL OF MINUTES

Mr. Roberts moved to approve the minutes of April 27, 2015, seconded by Mr. Hutcheson.

All were in favor, none were opposed.

Motion carries. The minutes stand approved.

Mayor Tilton: They have problems, so.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Jay D. Bennett, Public Service Director . First Quarterly report of 2015 for the Zanesville Municipal Airport.

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

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

Motion carries.

PROPOSED ORDINANCES

Ordinance No. 15-57 - Introduced by Council . An Ordinance amending Section 131.02 of the Codified Ordinances of Zanesville, 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? Hearing none, we will have roll call vote on waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: I need a motion for passage.

Mrs. Norman moved for 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.

Mr. Vincent: With this it is just complying with the Ohio Revised Code requirements with the age limits for the ages.

Ordinance No. 15-58 - Introduced by Council . An Ordinance authorizing the proper city official to execute a contract for three roof replacements at the City of Zanesville Wastewater Division, 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: I now need a motion for passage.

Mr. Roberts 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.

Ordinance No. 15-59 - Introduced by Council . An Ordinance authorizing the proper city official to provide lunch for the interviewing team for the Wastewater Superintendent interviews, 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 on 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. Tarbert.

Mr. Vincent: Is there any discussion? I have Mr. Michael Wyatt who wanted to speak in opposition.

Private Petition: Mr. Michael Wyatt, 1158 Selsam Street, Zanesville, Ohio.

Mr. Wyatt: My question about this party you are all going to have. Where are the funds going to come from to interview personnel for employment, a lunch, and a good time? In the Zanesville area where they go dutch or expected a hand out from the people by the way of the General Fund. Our food pantries are broke. The charitable organizations no longer give personal items. I pray the General Fund will not be required to pay for their follies. That is all I have.

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

Mr. Hutcheson: Mr. Bennett, how many people are on these two panels?

Mr. Bennett: There are a total of three panels. All totaled there will be twelve individuals involved.

Mr. Hutcheson: Ok, thank you.

Mr. Vincent: Is there anything else from Council? Mr. Bennett, these people are traveling some distance and we are not paying any of their gas mileage?

Mr. Bennett: No

Mr. Vincent: If we were to hire a consultant or someone to come in, this would be, I imagine it's pretty expensive?

Mr. Bennett: That is correct. It is very generous of them to lend us their assistance that morning. There is a total of about; we figured their travel time, and their time to get back home, and through the four hours of interviews and we talked about it and it will be a seven hour day that they are giving to the City of Zanesville.

Mr. Vincent: So seven people, I am sorry, a total of how many?

Mr. Bennett: A total of twelve individuals will be getting lunches. Only four of those are from outside distance from the City.

Mr. Vincent: So we are looking at basically ten bucks a piece. It is what we are paying for a full day of experts to come in to help with the interview process. Correct?

Mr. Bennett: Yes.

Mr. Vincent: Wonderful. That is very generous of them to do. Is there anything else from Council? Okay, with that 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. 15-55 - 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 second reading.

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

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

Motion carries.

Ordinance No. 15-56 - Introduced by Council . An Ordinance to vacate a portion of an unimproved alley through the former Westview School property at 2256 Dresden Road in the City of Zanesville, Ohio as herein provided.

Mr. Sharrer: I would like to make a motion to amend this Ordinance and insert the following whereas in the top section and that is:

WHEREAS, Zanesville City Schools has indicated that survey work will need to be done and grant funding deadlines are in play thus creating an emergency.

And then insert the emergency clause down in Section Three or Four, I guess.

Mr. Vincent: Mr. Hillis are you OK section three for emergency language?

Mr. Hillis: Section Three.

Mr. Vincent: Okay. A motion by Mr. Sharrer to insert that language as far as why it is needed as an emergency and then also Section Three.

It was seconded by Mr. Roberts.

Mr. Vincent: Is everyone clear on that amendment?

Mr. Tarbert: I am clear on the motion, but I am unclear on the reasoning.

Mr. Sharrer: The Zanesville City Schools has contacted me. I had a couple of people contact me to see if we could put this through as an emergency. They have a perspective buyer or transferee to this building. Since the unimproved alley runs completely within their parcel they asked that we pass it as an emergency as this buyer is accessing some grant funds and they have some deadlines they are trying to meet.

Mr. Vincent: Is there anything else from Council? Is everyone clear on that? So 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 Ordinance 15-56 as amended. With that, is there a motion to waive?

Mr. Sharrer 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.

8 Ayes

0 Nays

1 Abstention Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

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

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. Foreman

Motion carries. Ordinance is passed.

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

Mr. Tarbert: Mr. Sharrer and I, and maybe some others, are still working through some things on this Ordinance. I would request some more time. I would like to table it until the meeting on June 8.

Mr. Baker seconded the motion.

Mr. Vincent: Motion to Table until June 8. All in favor of tabling signify by saying aye. All were in favor. None were opposed.

Motion carries and it does stand tabled until June 8th. With that our petitioners when something is tabled Council and petitioners are not allowed to speak on the Ordinance.

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 third reading.

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.

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

Mr. Vincent: We are at third reading.

Ms. Gildow moved for third reading and 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.

TRAFFIC ORDERS

None

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Dave Rogers, 1104 Benjamin Street, Zanesville, Ohio regarding Claim 13-20.

Mr. Dave Rogers: This is concerning a moral claim I made almost two years ago, 13-20. Me and Mr. Hillis tried to work with the City's insurance adjuster. One adjuster saw no just cause in the incident and then he turned it over to another adjuster who said file a different claim; which made no sense to neither one of us. So this is leaving me with the only option I have is to file the brief and paperwork with the Federal Court and I hope to have that done the first part of June. I basically am going to include some of the paper trail from before the events because I had discussed the law enforcement officers in this community. I don't want to go over my three minutes, but if Mr. Hillis gets in contact with the insurance adjuster and works something out between now and June that is totally in his hands. One other thing, Mr. Tarbert, you got the Republican nominee for Law Director. I guess that is supposed to be congratulations. But you ran with the word integrity, but yet when it comes to sitting at Council meetings and listening to people speak you walk out. That is all I have to say.

Mr. Vincent: Alright, now we have a petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio regarding death of private petitions.

Mr. Eric Jones: Okay, I am going to say the same thing over again. We have been deprived of democracy, republican democracy, in Zanesville. We have a tyranny of the majority. I have asked Mr. Vincent to show me his badge. Show me that he has authority to be Presiding Officer. A Presiding Officer is only the Presiding Officer from the time the meeting starts until the time the meeting ends. He is the only one in the room that can make a ruling from the time it starts until the time it ends. Anybody who tries to do anything after the meeting, trying to make a type of ruling or anything else, that doesn't count, it doesn't work. There is no such thing as a proxy Presiding Officer. If you want to check, by all means do so. I ain't got a problem with that. As a matter of fact, I am trying to get somebody to refute me. I have been doing it for almost a year and a half now. Just a refutation. The problem is this, the color of my skin. You don't want to take advice or hear anything from an uppity nigger. At the end of the day, that is what is causing all this right here. It is a simple matter to read a couple of books. Five of

you have not read the books. You have used the lack of time, or whatever. So that makes you connivers. Because if you want to find time, here, let me give you a pool of time. All the people that gave their lives for the Constitution, there is a pool of time there. Some twenty year-old kid gets killed a little bit of time goes there. If you can find fifteen minutes or half-an-hour from your day; go to that pool and pull that time. Now that five, you have to have somebody in charge of that. I am going to put Connie in charge, excuse me, Mrs. Norman, in charge of that. She has reneged on her promise to support the Constitution. That makes her the head reneger in charge. Let me spell that, I don't want you to make a mistake, R-E-N-E-G-E-R. I did not do renigger, which would be N-I-G-G-E-R. I can give you the history of nigger if you want it, but you wouldn't like it very much. I could do that. I got the skills. We move on to the four who are active participants backing this liar, this tyrant, this traitor. That would be you, Mr. Baker. That is you, Mr. Tarbert. That is you, Mr. Roberts. And that is you, Mr. Sharrer. You turn your back. You hear it and you can warp your reputation against it, an uppity nigger. That is what I want to hear. I want during the meeting someone to give what they believe to be their reasoning for what they are doing. Now, my time is up.

Mr. Vincent: Mr. Jones, your time is up, sir. I have a petition from Mr. Michael Wyatt.

(Mr. Jones continued speaking while Mr. Vincent was moving to the next petitioner.)

Mr. Vincent: Mr. Jones, your time is up. Mr. Jones (striking the gavel to call order) you are out of order. Please sit down.

(Mr. Jones and Mr. Vincent were talking at the same time.)

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

Mr. Jones: Under my interpretation, under my interpretation.

Mr. Vincent: Sir, please sit down. Please sit down, sir.

(Mr. Jones was speaking but difficult to determine what was being said as Mr. Vincent was trying to bring order to the meeting.)

Mr. Vincent: Mayor Tilton, can you call an officer please?

Mayor Tilton: Eric, please sit down.

Mr. Vincent: Please sit down sir. Sir, please sit down.

Mr. Jones: Who is responsible for the police officer? Are you responsible for the police officer or is the Mayor responsible?

Mr. Vincent: Sir, please sit down.

Mr. Jones: What we need to have here is a

Mr. Vincent: (Hitting the gavel and trying to bring the meeting back into order.) Sir, you are out of order. Please sit down.

Mr. Jones: I asked you to make a ruling, and then I am going to ask for

Mr. Vincent: I have a petition here for Mr. Michael Wyatt of 1158 Selsam Street, Zanesville opposing Council meeting 4-27-2015.

(Mr. Jones was still talking and would not take a seat.)

Andrew Roberts: You do not have the grounds to challenge the ruling, Eric. You are not a member of the body.

Mr. Vincent: Mr. Roberts

Mr. Jones: I want to hear

Mr. Vincent: Mr. Jones, (while hitting the gavel) please sit down.

Mr. Jones: All you got to do is

Mr. Vincent: Mr. Jones, please sit down. Mr. Jones, please sit down.

Mr. Jones: If I am out of order,

Mr. Vincent: Mr. Jones, please sit down! (Hitting the gavel again) You are out of order, sir. Please sit down! Please sit down, sir!

Mr. Jones: I would like somebody up there to challenge what he said and that way we know. We know.

Mr. Vincent: Sir, please sit down.

Mr. Jones: As soon as you make ruling. To are to make a ruling it goes like this.

Mr. Vincent: Sir, please sit down.

Mr. Jones: Section number

Mr. Vincent: Sir, please sit down. Please sit down. Please sit down.

Mr. Jones: The minute you make it I

Mr. Baker: I make a motion to take a break for ten minutes.

Mr. Vincent: A motion to recess for ten minutes.

Mr. Roberts seconded.

Mr. Vincent: All in favor of recessing for ten minutes signify by saying aye.

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

The recess occurred at approximately 7:22 p.m.

Mr. Jones then took a seat.

An officer came in in about ten minutes and Mr. Vincent asked him to remove Mr. Jones from the meeting and the officer spoke to Mr. Jones.

Mr. Jones: For what reason? Are you acting as Sargent or Arms or are you acting as a Police Officer?

Police Officer Keck: As a Police Officer.

Mr. Jones: I will accept, but I want you guys to understand that a Sargent of Arms, a Sargent of Arms you would not be able to do this. I would have walked out with a Sargent of Arms. This is the way, this is what happens when you have somebody trying to serve two masters.

The Officer escorted Mr. Jones out of the building and returned to the meeting.

Mr. Vincent: Ok, with that we will resume the Council meeting. To be cautious we will have someone make a motion to resume, since we went beyond.

Mr. Baker moved to resume. Mr. Foreman seconded to resume at about 7:34 p.m.

Mr. Vincent: Is there any discussion? All in favor of resuming the Council meeting signify by saying aye. All were in favor. None were opposed.
Motion carries.

Mr. Vincent: With that there is a petition from Mr. Michael Wyatt of 1158 Selsam Street, Zanesville regarding closing of Council meetings 4-27-2015.

Mr. Michael Wyatt: I want you to know that I am a Veteran and the reason I stand here is I want to defend the Constitution, period. I know a lot of you took the oath, but you just kind of (waived over his head) over your heads. I want you to know I will stand here until the very last bit of need to make sure that you guys have the right to live and do the things you want in this country. What I really wanted to talk about was prior to closing

the Council meeting. A gentleman on Council, there was a citizen speaking and he interrupted the meeting by saying, "We like to adjourn." The meeting was still in process. The gentleman out here did have the floor. I am not saying I agree with his conduct or anything like that, but the floor belonged to him. The second thing was then a straight man sitting up here approved and said ah, okay let's go ahead and pass it. Now you guys are wrong in this thing. And then your leader here, the President, didn't get up and what he should have done was dismissed those two people because they disrupted a lawful meeting. But he let it go by. I am not going to raise a lot of Cain as we have had enough action for tonight. But if I had the right to the floor, I have the right to speak. Until you take that right away, if you tell me I can't speak no more that is fine. But you as individuals cannot violate that law either. The gentlemen I am talking to, they know who they are; and you know who they are. I ain't going to mention no names. But I think these people ought to have some type of discipline against them for their inaction or at least some kind of training so they understand what a Council is about and how important it is for people to address Council on matters and what have you. Other than that I don't have anything. But I appreciate your time for allowing me to talk and I appreciate you. The one thing I talked about before you guys accepted and I appreciate that so much. I want you to know. Does anybody have any questions or remarks?

Mr. Vincent: Thank you, Mr. Wyatt.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: Is there anything from the Administration?

Mayor Tilton: No, sir.

Mr. Vincent: Is there anything else from Council?

Mr. Hutcheson moved to adjourn and it was seconded by Ms. Gildow.

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

The meeting adjourned about 7:37 p.m.