

CITY COUNCIL MEETING – MONDAY, AUGUST 24, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, August 24, 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. Foreman, Mr. Sharrer, Mr. Tarbert, Mr. Baker, Mrs. Gentry, Mrs. Norman, Mr. Hutcheson, Mr. Roberts, Ms. Gildow, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Hutcheson moved to accept the Council minutes dated August 10, 2015, as printed, seconded by Mr. Roberts.

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

Mr. Hutcheson moved to accept the minutes of the Special Meeting dated August 6, 2015, as printed, seconded by Mr. Tarbert.

All were in favor. None were opposed except Mr. Roberts and he abstained from the vote.
Motion carried.

Mr. Tarbert moved to accept the minutes of the Special Meeting dated August 10, 2015, as printed, seconded by Ms. Gildow.

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

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication Report from Jay Bennett, Public Service Director – This is for the Quarterly Report for the Zanesville Municipal Airport for the 2nd Quarter of 2015.

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

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

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

Communication from Mayor Jeff Tilton - Appointment of Kevin McPeek to fill the unexpired term of Brad Stubbs to the City Planning Commission. Mr. McPeek's term will end February 1, 2016.

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

Mr. Vincent: Is there any discussion? Hearing none all in favor of receiving and concurring with the Mayor signify by saying aye.

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

Communication from Mayor Jeff Tilton – Appointment of David Wagner to fill the unexpired term of John Raytis to the Board of Zoning Appeals. Mr. Wagner's term will end December 31, 2017.

Ms. Gildow moved to receive and concur, seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of receiving and concurring with the Mayor signify by saying aye.

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

Resolution No. 15-96 – Introduced by Council – A Resolution declaring “Beggar’s Night”/”Trick or Treat” for the City of Zanesville.

Mr. Vincent: We are at first reading.

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

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.

Resolution No. 15-97 – Introduced by Council – A Resolution accepting the amounts and rates as determined by the budget commission, authorizing the necessary tax levies, certifying them to the County Auditor, and declaring an emergency.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion? With that, I think you all received a letter but we have until October 1 as far as to get this approved. All in favor of first reading signify by saying aye.

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

Resolution No. 15-98 – Introduced by Council – A Resolution authorizing the proper city official to file a grant application for certain improvements to the Zanesville Municipal Airport and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? As you read, this is due September 1 for this grant to apply. The City costs will be \$43,550.00 and State costs will be \$471,000.00. It is a pretty good size grant. Okay, if no discussion, 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.

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

Mr. Vincent: Is there any further discussion? Mr. Bennett, chances of this grant? Who knows or do you think pretty good?

Mr. Bennett: Well, it is certainly competitive. I think we attached some information on how it is evaluated. We feel the cross winds runway improvement project certainly is desperately needed. As Council has been made aware in the past the FAA has kind of pulled back from investing federal money on what they view as general aviation facilities. So therefore the condition of it certainly I think would dwarf that investment. We have and will make in the application the case for our crosswind runways are the one in the area that people would be diverted to, so from a state level that certainly will play very well. The other small part of the project is obstruction removal off site. We are still working with the property owners off site to be able to take down some trees. We have invested in kind of tying the yellow ribbon around those trees so that we can get that cost estimate. That is critical to make sure that our instrument landing system is up, operational, and lights are lit. The state is certainly interested in funding that project as well. I feel good about it. This will be our share of the money being \$2,000 outside of the engineering of the improvements on the runway \$20,000. We will work on that this fall. The remainder of our commitment would be in 2016.

Mr. Vincent: Thank you. Is this the one where we have to pay for it up front and get reimbursed or is that another one?

Mr. Bennett: No, we would be able to bill against the state grant.

Mr. Vincent: Alright. That is a chunk of change.

Mr. Bennett: Yes.

Mr. Vincent: Is there anything else from Council? If not, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Resolution is passed.

Resolution No. 15-99 – Introduced by Council – The following Final Resolution enacted by the City of Zanesville, hereinafter referred to as the legislative authority or local public agency (LPA), in the matter of the stated described project, 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 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.

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

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. Resolution is passed.

PROPOSED ORDINANCES

Ordinance No. 15-100 – Introduced by Council – An Ordinance declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a Public Improvement Tax Increment Equivalent Fund for the deposit of service payments.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion?

Mr. Sharrer: Mr. Bennett, this is a non-school TIF?

Mr. Bennett: This is proposed to be a non-school TIF.

Mr. Vincent: With that, that means basically that you probably already know but just too kind of go over that again. Is it won't impact the schools as they won't lose any of their taxing income then so they won't be harmed.

Mr. Bennett: Correct.

Mr. Vincent: So with that we are at first reading, all in favor of first reading signify by saying aye.

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

Ordinance No. 15-101 – Introduced by Council – An Ordinance authorizing the assessment of liens against certain properties for demolition and clearance activities, and declaring an emergency.

Mr. Vincent: Motion for first reading or to waive.

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

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

Roll call vote on waiving of the readings.

9 Ayes
0 Nays

Motion to waive carries.

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

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

Mr. Vincent: Is there any discussion? With no discussion, 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. 15-91 A - Introduced by Council – An Ordinance enacted by the City of Zanesville of Muskingum County, Ohio for resurfacing and related work on US 40 and State Routes 60/60D/60G/146.

Mr. Vincent: We are at second reading.

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

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

All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-95 – Introduced by Council – An Ordinance authorizing the appropriate city official to waive the ordinary rental fees charged for Secret Auditorium for the November 6, 2015 program honoring veterans.

Mr. Vincent: We are at second reading.

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

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

All were in favor. None were opposed.

Motion carries.

Ordinance No. 15-87 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for city employees; amending Ordinance 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.

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.

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

Mr. Vincent: We are at third reading.

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

Mr. Vincent: Is there any discussion?

Mr. Tarbert: After our last meeting we had some comments from the public and in front of us tonight is Ordinance 15-44 as amended specifically there is only one section that was amended. It was 111.13 Addressing Council. In that section it was paragraph (e). I am not going to give just the words. I will just read what the new paragraph is going to say.

“Speaking before Council is limited to only once for each Communication, Resolution, or Ordinance, and only once for a Private Petition/non-Agenda item per Council meeting. A completed petition is required for each request.”

Mr. Vincent: Okay, thank you. With that, just to refresh people this is a working tool as far as amendments to that we had an initial meeting where we got feedback from the public and we took some stuff out as far as Council discussed. That was an hour and a half meeting, we came back to another almost one hour long meeting then after those changes were made and discussed all of those and then this came after the last meeting as far as someone had some good thoughts here as far as to make a clarification on this as Mr. Tarbert just read. So, with that, Mr. Tarbert, did you make a motion to add this amendment in or do you want further discussion?

Mr. Tarbert: Yes.

Mr. Vincent: So, your motion is to?

Mr. Tarbert: I move to add this in as the amended Ordinance 15-44 with that language change.

Mr. Vincent: The entire packet plus the additional that you just read?

Mr. Tarbert: Yes. Right.

Mr. Vincent: So, I have a motion to add in the working document, the amended version and with the changes read tonight by Mr. Tarbert, with that, a second from Mr. Baker. Correct?

Mr. Baker: Yes.

Mr. Vincent: Okay. Is there any discussion? This vote is just for accepting the amended version. So, all in favor of adopting this amended version signify by saying aye.

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

Mr. Vincent: You are now at Ordinance 15-44 as amended. With that, a motion for third reading just to be cautious here.

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

Mr. Vincent: Is there further discussion? Okay, with that, I have several people that would like to speak. Mr. Michael Wyatt, 1158 Selsam Street, Zanesville, Ohio is speaking in opposition to this.

Mr. Wyatt: As always I am expressing disapproval of this 15-44 A. This document lacks professionalism required to maintain an orderly Council meeting for the good of the community and its security. Council members balance approach between business and citizens must be the same. It must be in the interest of all parties. And welfare on both sides of the coin. Now, which one are we talking about amended? I had one that comes out of the committee meeting, I read it. Then tonight I come and I found another one here. So which one are we dealing with? That is what we need to know because basically there is under Section 111.16 it indicates that it has to be presented; legislation has to be presented on Wednesday 12 noon for City Council before so you can rule on this. But I would like to know which one we are ruling on? I guess I need some feedback because I got mixed feelings about this. It appears nobody knows what the devil they are doing up there. Nobody! What you need is somebody that knows what they are doing and start from there. I ask that you disapprove this. I ask if you have any comments. I would appreciate which one of the amended Ordinances you are voting on now. Does anybody know?

Mr. Vincent: With that Mr. Wyatt, you have three minutes to speak and then I can answer your questions? Do you have anything else you want to share?

Mr. Wyatt: Yeah, I just want to know which one we are voting on. That is all, it is a simple question.

Mr. Vincent: So you are done then? Is there anything else you want to present?

Mr. Wyatt: It figures. Thank you, sir. I appreciate it.

Mr. Vincent: You still have time if you want to speak, I just wanted to give you a chance to speak and then after you are done, I will answer your questions.

Mr. Wyatt: Okay, I am done until you tell me which one you are dealing with. I mean, you got two Ordinances here floating as amended. You tell me which one that we are voting on and which one you are trying to figure out. Then I may have a couple more comments on the other one. I am done other than that.

Mr. Vincent: Okay, thank you Mr. Wyatt. You are welcome to have a seat. You may go ahead and sit down. I will answer your questions then.

Mr. Wyatt: Oh, you don't want to talk to me?

Mr. Vincent: Your three minutes. Oh, yeah, I am going to share with you. So we are not going to debate, I can tell you that. This is not a debate.

Mr. Wyatt: I ain't asking for a debate. I am just asking for information so I can follow up and I am not pushing this and I am not trying to get rowdy. I am not pushing this; I want to know what Ordinance we are dealing with. The people out here wants to know too.

Mr. Vincent: Thank you, sir. Okay, thank you. I will explain. Please, your time is up. Thank you. With that, to explain, we had two special meetings. The first special meeting we talked about the Ordinance as it was written as it was presented. From that we got feedback from numerous people in the community, Council members, with that we discussed changes. So those changes were incorporated into this working document. It is a process of evaluating and getting feedback, because the of Sunshine Laws we cannot all sit down and meet together so we need to do a special meeting so Council can speak and we invited public input. We got that so from there we made changes. We took those into the next meeting. So that was an hour and a half meeting and then we took it to a second meeting, those changes, for additional discussion, additional feedback, and the only thing that really came out of that was the one thing that Mr. Tarbert shared tonight. That someone expressed and I am sure that person will acknowledge who that is but someone expressed concerns over some wording as far as not meeting what we intended to do. So I met with the Law Director and changed that wording that Mr. Tarbert expressed tonight, a few simple words. I met with the gentleman afterwards and it met his needs and I brought that back then tonight. So as I

explained in the meetings it was a working document, a tool to work with to help make progress. It is kind of hard; typically when we make amendments to Ordinances it is as simple as adding in a number. Say somebody moved to add in \$4,200 or something like that. That is pretty easy to keep track of so this is a little more complex. So that is why we used a working tool to make that happen. So what we are using tonight is actually what is in the back. That was decided to add in as an amended version. It is in the back and it is identical to the one at the previous meeting and with the one change that I just talked about. As far as not knowing what we are doing, I mean I worked with the Law Director numerous times. I worked with another attorney who also serves on Council and another gentleman that I have great faith in them. I also have a petition from Mr. Randy Case speaking in opposition to this.

Mr. Randy Case, 916 Vine Street, Zanesville, OH 43701

Mr. Case: I guess the first thing is you are talking about this being a working document and all of that. The working document should have come before Council even before it came up as an Ordinance. I mean, you guys, if this was something Council wanted to do, then you should have had a Council meeting as a Committee-as-a-Whole to sit down, brought up your rough drafts and started hashing it out. You passed this thing on the first two readings and then tabled it now for almost six months. Now you are bringing up, this is our draft after you changed the original Ordinance drastically. Okay, which went unopposed to most of the changes that are made? They are a little better. But to go from this is third reading, that is it. You have still been working on it. You are working on it up to this minute. This is not ready to be passed. I don't think this should have ever been amended. I think you should have voted down the original Ordinance and brought back another Ordinance. You didn't have to wait six months or anything like that with it being a different Ordinance and a different form it could have been brought back at the next meeting. Yes, Rob. The other thing, I just discussed with Mr. Tarbert about the fact that I don't agree with the issue of having to come here before 5:00 p.m. on the night before Council and have to fill out a petition to speak. So I have to make two trips down here in order to be able to speak on an Ordinance. I mean, we can get down to the nitty gritty of it. This Ordinance by some might be, you know, hey, trying to improve things. By others I would say this and by all appearances this is an Ordinance to restrict and inhibit people from speaking at Council. The harder you make it for people to come to speak at Council the less likely you are hoping that they will come to speak to Council. I mean, I understand there is a person on Council that has been trying to change this for over a year and a half but didn't want to bring it before Council; he just wanted to do it himself. But he found out he had to bring it before Council. So now it is finally brought before Council but you are bringing it up two Ordinances, I mean, bringing it up and passing it the first two readings and now we are going to make all of these changes and boom we are going to pass it on the third when it is still being worked on up until almost to this day. It is not ready to be passed. If you all pass it, you are passing a failed piece of legislation and it could turn around and bite you on the back side to put it politely. I don't agree with this. It needs a lot more changes. It needs a lot more discussion.

Mr. Vincent: Alright, thank you, Mr. Case.

Mr. Sharrer: With that the way the Codified Ordinances of the City of Zanesville are currently this Ordinance cannot be brought back in the same form within that six month timeframe. So this is the way that it had to be done. So,

Mr. Case: Is this the same format as what you originally presented?

Mr. Sharrer: This isn't a debate.

Mr. Vincent: Mr. Case, Mr. Case, this is not a debate, sir.

Mr. Sharrer: We have to do it this way. There are rules and how it has to be done; this is how it has to be done. As to Council as a Committee-as-a-Whole that is what we did. We made a rough draft, we presented it then in a special meeting to Council as a Committee-as-a-Whole because of Sunshine Laws that we are not allowed to discuss with a majority of Council. So therefore any discussion that Council had in regards to this Ordinance was done so by less than a majority of Council so hat we were still in compliance with the Sunshine Laws, until we came to that Special Meeting and we brought all of Council-as-a-Whole in.

Mr. Vincent: Thank you Mr. Sharrer. Is there anyone else? With that, the process here as far as putting this together had to do with feedback, issues, and comments over a period of time. We put this together as a starting point and brought it to Council. The first reading is a chance to discuss for public input, for Council input, questions answered. The first meeting there was no input. It came back a second meeting no questions, no input. I assumed Council was fine with the way it was. After the second meeting, I heard some concerns and so Council wanted to check on some things. With that, we came back to a special meeting so we could get additional input. I liked the process and I think the process has worked as far as getting input and making changes. I think Council has voiced what they had concerns with and we have come up with something. Probably not something that everyone agrees with all parts. I don't think we ever get that, but that is compromise and that is the way things are worked out. So I think the process has worked quite nicely. We spent considerable time on it, as far as preparing it and considerable time then researching concerns then and follow up. Then with the meetings making edits and making sure those met the needs. So, is there anything else from Council?

Mr. Sharrer: I would also like to address something that I believe Mr. Case is correct in one thing. I would like to propose an additional amendment to 15-44. In Section 111.13 Section (c) about the fifth line down where it says to address Council on an item that is on the agenda the petition must be provided to the Clerk of Council prior to 5:00 p.m. the night of the meeting. Obviously there are times when that could be prohibitive and just from a perception standpoint we are not trying to make it difficult for people to talk to Council and to address Council so I would move to amend prior to fifteen minutes before the beginning of the meeting.

Mr. Baker seconded.

Mr. Vincent: I have a motion from Mr. Sharrer under Section 111.13 Item (c) the fifth line down where it says prior to 5:00 p.m. the night of the meeting to change to fifteen minutes prior to the beginning of the meeting. Would it be easier to do the time?

Mr. Sharrer: Well the reason that I didn't was if a meeting was occurring at a different time.

Mr. Vincent: So your motion is, give it to me again. Fifteen minutes

Mr. Sharrer: prior to the beginning of a meeting.

Mr. Vincent: So your motion is for fifteen minutes prior to the beginning of the meeting. It was seconded by Mr. Baker. Is there any discussion? With that, with the 5:00 o'clock time we took that from Columbus. That is what they use there. The time there and we are looking at ways as far as e-mailing this in. So concerns as far as people who had a chance to read that over and also submit it and of course Council would always have the right to override that. Anything if someone comes in out of town, didn't know about it they could make a motion to have that included. Just being a matter of someone filling out a petition and speaking to someone and for them to make a motion to override the rules. Which I think Council has demonstrated over, and over, and over again their willingness to allow people to speak with significant items. So the issue becomes then is with the fifteen minutes prior is that we often have meetings right before so I guess we will have to work even harder to make sure our meetings are earlier, to make sure we do have time, because we do need some downtime before the meeting to make sure things are in order, so we don't miss petitions and we don't miss speakers, so they get filed in the right spot. It is very difficult at one minute until 7:00, or thirty seconds, or fifteen seconds before 7:00 p.m. and you get a handful of these things and the poor clerk has to try to fit them in where they go and then make sure we are not missing them. Is there any further discussion? Okay, so a motion to amend it to fifteen minutes prior to the meeting, so all in favor of the amendment signify by saying aye.

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

Mr. Vincent: So we are at 15-44 as amended for the second time. Being cautious we will entertain a motion for third reading again as amended.

Mr. Tarbert: Should we wait until we hear just in case we?

Mr. Vincent: Sure. Is there any other discussion? Okay, I have a petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio in opposition to this Ordinance.

Mr. Eric Jones: Hello everybody. I will try to get this out of the way because it might be the last time I can ever say this again. We have been deprived of democracy in Zanesville. What we have here is tyranny of the majority. Mr. Vincent is a liar, he is a tyrant, and he is a traitor. I should have a right to say that as a matter of dissent. Now, we are not Columbus, Cincinnati, or Cleveland; we are Zanesville. My first question is do we have a parliamentary authority? He is looking at 111.09 which is Rules of Order. My question is Robert's Rules of Order since it is a guide; does that make the Ohio Revised Code a parliamentary authority? Now, any question pertaining to the rules of order will be decided by the President. My question is what is the President's qualifications to be interrupting the Ohio Revised Code? When it comes time for that, who can ask him for clarification? When can it be on record? Now when Mr. Sharrer said that this is for clarification as far as doing an amendment. That is not actually correct. What I asked for is clarification for the original one. I would ask Mr. Vincent questions, direct questions, simple things, like does he know the difference between private person and a public figure? Which he refuses to answer. It says what a person can say within the content of those three minutes. Within those contents of those three minutes they are supposed to be a compelling State reason. Its not simple, its not (unable to understand) you can't technically give a compelling State reason because you are not representing the State. So as we move on, that covers 111.09 real quick. If we move over (111.13 Addressing Council) it says a reasonable, time, place and manner. We are only talking about three minutes. We are not talking somebody is coming up here and talking for ten minutes or anything, even though you are allowed ten minutes. Now, I like the fifteen minutes prior that makes sense. When it says numerous courts have upheld, I am running out of time, being ejected from Council meetings based on speakers going off topic, being unduly repetitive, and all of that, alright. Within the three minutes I think you should be pretty much able to say what you want to say about an elected official. If you got something bad to say about them even if it is in a hostile manner, as long as I am not putting my hands on you or doing anything outrageous, I think I should be able to say you are a tyrant and you are a traitor. Thank you very much.

Mr. Vincent: Thank you, Mr. Jones. With that I have a petition from Mr. Larry Emerson, 13290 Pear Orchard Road, Dresden, Ohio speaking in opposition.

Mr. Larry Emerson: I am Larry Emerson. I don't live in Zanesville. I have business interest in Zanesville. I live in Dresden, Ohio which is one of the problems that I have with this amendment is the fact that I do live out of town and kind of like Mr. Case said it is making me make extra trips if I want to speak. I would need to come in on Wednesday to speak to Council next Monday. I would have to make an extra trip in and we spoke on the phone about that and you had mentioned one thing, but it is not in here about maybe being able to make a call in and have the Clerk fill my petition for me and then come into the meeting and sign it, a filled out petition. But it wasn't in there anywhere. I am speaking in opposition to this, but I am not deadly opposed to it. It is getting better every time with every amendment you are getting this better. Which still makes me wonder if maybe it shouldn't be tabled for another meeting because it is being improved every time and maybe it could make a little more yet? But the one that

we spoke about and yes it is slightly negative on giving us a right to express our views and problems with Council. But it is mostly just going to be on minor views because if anything is a moderate or major importance we will find ways to get it before people. We'll get that done. But it is mostly the thing that still hangs up most is the thing of having to do this the Wednesday before to speak on a Monday. I don't have a computer. You said I could call you on, you said I could do this online. But I am one of the last old faces out in the hills; I do not have a computer. Out where I live I can't get them because there are no cables coming out there. You can't get them over the telephone out there. The only way you can get one is over a dish. They do not work well. They are expensive and they don't work well. So I do not have a computer. I am left with having to come in in person to make my trip to sign a petition and a lot of times Wednesday is a long time before Monday. That should be shortened or else there should be something in there to make it a little easier to get the petition signed so that I could speak on Monday if I wish to. I have said otherwise this amendment is getting better all the time. I really wish that you would postpone it for another two weeks because it is getting better all the time. I couldn't half wait to see what it would be like in two more weeks. But I am not drastically opposed to it but it still does need just minor tweaks on it. I thank you.

Mr. Vincent: Alright, thank you, Mr. Emerson. With that, sir, I didn't get my timer started here so I think you are under three minutes, I hope. But that was my fault. Are there any other petitions? Regarding online that is still something I hope to do to make it easy. We have done all sorts of things to make it easy as possible for people to receive agendas, receive minutes, receive packets; we have done lots of things. I just don't have the answer yet for the ability to do it online. I think I can. I just ran out of time this weekend as far as to work on the type of PDF file that can be used for that as simply as far as typing in the information and hitting send that it would be e-mailed off. So I think it can be done. We also need some feedback from the IT Department also. I just don't have enough information, but I do hope to implement that. I do want to make this easy. I also need to find out information if that is acceptable as far as initialing the box that they agree with something versus actually signing it. So these are becoming more and more acceptable today with computers. Contracts are now signed on line so we do hope to get that worked out. We have thirty days if this passes tonight to get that figured out. And if it doesn't, it won't be an issue. Is there anything else from Council on this? Any further amendments or discussion? Just to be cautious, we moved to accept.

Mr. Tarbert: I move to pass 15-44 as amended with Mr. Sharrer's last amendment and the original amendment this evening.

It was seconded by Mr. Hutcheson.

Mr. Vincent: A motion by Mr. Tarbert to pass 15-44 as amended the first and second time tonight. It was seconded by Mr. Hutcheson. Is there any further discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

7 Ayes Mr. Foreman, Mr. Sharrer, Mr. Tarbert, Mr. Baker, Mr. Hutcheson, Mr.
Roberts and Ms. Gildow

2 Nays Mrs. Gentry and Mrs. Norman

0 Absent

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

Traffic Order 15-09

Section One: Traffic Order 15-06 is hereby rescinded which established No Thru Traffic on Center Drive from Taylor Street North to Fairway Lane to be used for local traffic only.

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

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

Mr. Vincent: Is there any discussion? Hearing no discussion all in favor of receiving signify by saying aye.

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

Traffic Order 15-10

Section One: Traffic Order 15-10 is hereby rescinded TO 87-29 which established No Parking Zone on the south side of Forest Avenue from the intersection of Forest and Ashland Avenues west 100 feet and rescind TO 90-23 which established a No Parking Zone on the south side of Forest immediately north of the helicopter pad.

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

Mr. Vincent: With that, a motion to receive.

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

Mr. Vincent: With that I want to note here discussion that it does say here 100 feet versus the agenda here it says 200 feet. So with that I know Mr. Buck couldn't be here tonight. Mayor Tilton do you know.

Mayor Tilton: I think it is 200 feet.

Mr. Vincent: It is 200 feet then.

Mr. Tilton: Yes.

Mr. Vincent: Okay, alright so with that I will entertain a motion to amend this to 200 feet.

Mr. Tarbert moved and it was seconded by Mr. Baker.

Mr. Vincent: Is there any discussion on amending? Hearing none, all in favor of that amendment from 100 feet to 200 feet signify by saying aye.

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

Mr. Vincent: So we are now at Traffic Order 15-10 as Amended.

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

Mr. Vincent: Is there any further discussion? Hearing none, all in of receiving signify by saying aye.

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

Traffic Order 15-11

Section One: Traffic Order 15-11 is hereby to establish a No Thru Trucks Zone on Center Drive from Taylor Street to Fairway Lane and Country Club Drive.

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

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

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

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

Traffic Order 15-12

Section One: Traffic Order 15-12 is hereby to establish a No Parking Zone on the South side of Livingston Avenue from the stop bar at intersection of Livingston Avenue and Dresden Road for 30 feet east.

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? Hearing no discussion all in favor of receiving signify by saying aye.

All were in favor. None were opposed.

Motion carries.

Traffic Order 15-13

Section One: Traffic Order 15-13 is closing Potter's Alley from Shinnick Street to Spruce Alley to vehicular traffic.

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

Mr. Tarbert moved to receive, seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion? With that Mayor Tilton, this is to allow for work to begin on Secrest Auditorium, correct?

Mayor Tilton: Yes, and the chiller will be set out in the alley at some point plus the loading dock will be put on that side of the building so therefore we are going to have to close that alley to traffic.

Mr. Vincent: So that will come in the future as far as vacating that then?

Jay Bennett: We had significant conversation with Praxair representatives. They still have complete access to their property.

Mr. Vincent: Thank you, Mr. Bennett. Is there anything else from Council? Okay, all in favor of receiving signify by saying aye.

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

MISCELLANEOUS AND UNFINISHED BUSINESS

Jay Bennett: I have something quickly. Last meeting Council allowed us to put an Ordinance forth working with South Rebel Football for some space out at Riverside Park. In the days after the meeting working with the leadership with South Rebels they have elected not to play their game and practices at Riverside. They very much depend upon concessions and that is something we could not offer at Riverside as a result of an agreement. Which it is from my understanding tonight from Mr. Hutcheson that they are working with the Old Timers it appears. They are alive and well and doing well so just wanted to kind of close that loop with Council.

Mr. Vincent: Just as long as they have a place to play and they are happy. Thank you, sir.

Mayor Tilton: Yes, today the appropriate officials signed a GMP so starting Monday the contractors will be moving in for the auditorium work. So hopefully in the next few months we will have a lot more improvements to Secrest Auditorium.

Also, Mr. Buck if you don't know had surgery Friday. He is doing well. He is resting at home so he will be out until sometime the middle of September. So any concerns you have please call my office or Mr. Bennett and we will take care of them for you.

Mr. Vincent: Thank you, Mayor Tilton, we wish him well.

Mr. Vincent: Is there anything else from Council before we go to private petitions and communications?

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH regarding on dissent.

Mr. Jones: Hello everybody again. I thought I would say a few words on dissent. There is no democracy without dissent. In 2014 I tried to get you to read a couple of books. I don't know if anybody has read them yet, but that was back then. Debate, Hamilton, Madison, and Jay they do a much better job of explaining this than I will. Give it time; I am sure the point of fascinating reading. So the question is whether for forum the set requires forbearance. You have to be able to let people come here and basically criticize you. That is why you get paid the big buck. That is why you get elected. You are paid to listen to people's problems, listen to their concerns, and listen to what they have to say. Now if the citizens have to hire attorneys to find out what the procedural rules are to come to this meeting, then the rules are too complicated. The way it is set up right now you have to know Robert's Rules of Order, they have to know the Ohio Revised Code, and be able to put them together and derive the rule from that. As I say Mr. Vincent is not qualified to do that. If he is qualified to do it then so am I. The poor lawyers spent a long time in school for nothing. Now for the sinners they are basically your early warning system is your last line of defense. That is what we get. I know you don't like that but there weren't that many of us for a City of 28,000 or so. Only like five of us came down here. Most people don't even show up. Most people have never been to a City Council meeting. It is kind of bizarre when you think about, it if you have citizens or subjects. I can understand subjects not wanting to come down to talk to the tyrant. I get that. Citizens, my attitude is Mr. Vincent, he is a tyrant and if I have this correct and this is a tyranny of the majority then he is not supposed to get my respect. He is supposed to get my disrespect. He is supposed to get my disdain. He is supposed to get my defiance, if I am correct; and I am correct. I said this right. Now, what I will do about this is I will try to do a Initiative Petition to change this to where Robert's Rules of Order will be the parliamentary authority as the state recommends. They recommended that for a purpose. Because this is the only time you get to be a democracy at this level right here. After this you go to groups, bigger groups, and the biggest groups on the national level. Thank you very much.

Mr. Vincent: Thank you, Mr. Jones. With that I have a late petition that came in. So following all of the rules I will go to Council to see if they want to make a motion to waive the rules and allow this person to speak. It is Mr. Otis Moses, II, 1016 Grace Avenue, Zanesville, OH and he wants to speak on Community Outreach.

Mr. Sharrer moved to allow him to speak for three minutes. It was seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of allowing Mr. Moses to speak for three minutes, please signify by saying aye.

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

Mr. Vincent: Mr. Moses, you have three minutes, sir.

Mr. Moses: Thank you. My apologizes for the late submission. However, I am just here to talk about the community as always and what we can do better. I had something written, but I am going to go off the cuff here. Basically, it is just not complaints that I have; it is concerns. I am concerned for what I have seen in the community as far as in my area where I grew up in even in the area that I am in now. With these parks, I talked with Mr. Bennett and Mr. Johnson about what we can do for Chaps Run. We ran into a slight road block there, but we will get to it later. That is understood. However, I would just like to say to each and every one of you that I know that we can come to some resolution to improve these areas whether it be the parks, the neighborhoods in general, and along with that is activities and recreation for these kids. I just want to take another look and I know there are some things coming up possibly that we can help do that with all areas: Greenwood, Putnam, the Manor, Ohio Street, Luck and all of these places. I have lived in that area of town for most of my life and I live up here now, but it doesn't keep me away from that area and checking out everybody and seeing how everybody is doing. So I just ask that in the future that Council will just take a good look at what is going on on every side of town. It is not just these sides down here. It is happening up here too. You know, but just take a closer look at things and possibly see what we can do to make a better community and a better space for our children to grow up in. Thank you.

Mr. Vincent: Thank you, sir. Okay, with that is there anything else from Council?

Mr. Hutcheson moved to adjourn. It was seconded by Mr. Roberts.

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

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

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

The meeting adjourned about 7:55 p.m.