

CITY COUNCIL MEETING – MONDAY, April 25, 2016

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, April 25, 2016 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

The following members of Council answered roll call: Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of Monday, April 11, 2016 as printed, seconded by Mrs. Osborn.

Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communications from Public Service Director Jay Bennett – City Cemeteries 1st Quarterly Report (2016) - In accordance with Ohio Revised Code, the 1st Quarterly Report of 2016 for the City of Zanesville Cemetery Division is hereby submitted from Jeff Johnson, Cemeteries/Parks Superintendent.

Mr. Wolfe moved to receive, seconded by Mrs. Norman.

Mr. Wolfe: Could you identify whether those are above projections or below budget? I mean the figures for the first quarter.

Mr. Bennett: I have looked at those and I think we are just a little bit behind in what we would normally project, but not significantly.

Mr. Vincent: Is there any further discussion? All in favor of receiving signify by saying aye.

All were in favor. None were opposed.

Motion carries.

Communication from Mayor Jeff Tilton – Center for Seniors Board - Mayor Tilton is hereby recommending the re-appointment of Susan Jones to the Muskingum County Center for Seniors Board. Her term will end in April of 2019.

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

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 – City Planning Commission – Mayor Tilton is hereby recommending the re-appointment of Kevin McPeck and Rick Bland to the City Planning Commission. Their terms will end February 1, 2022.

Mr. Foreman moved to receive and concur, seconded by Mr. Wolfe.

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 – Civil Service Commission – Mayor Tilton is hereby recommending the re-appointment of Mrs. Diana LeVeck to the Civil Service Commission. Mrs. LeVeck's term will expire April 19, 2022.

Mr. Foreman moved to receive and concur, seconded by Mrs. Osborn.

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. 16-47 – Introduced by Council – A Resolution authorizing identified land within Riverside Park to be designated and used for the purpose of a dog park.

Mr. Vincent: We are at first reading.

Ms. Gildow moved for first reading, seconded by Mr. Baker.

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. 16-41 – Introduced by Council – A Resolution authorizing the proper city official to apply for a Brine Water Permit through the Ohio Department of Natural Resources Division of Mineral Resource Management.

Mr. Roberts moved for second reading. It was 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. None were opposed.
Motion carries.

PROPOSED ORDINANCES

Ordinance No. 16-48 - Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into a contract for the 2016 Citywide OPWC Overlays with the lowest and best bidder.

Mr. Vincent: We are at first reading.

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

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

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

Ordinance No. 16-49 - Introduced by Council – An Ordinance authorizing the City Auditor's Office to enter into a credit card agreement with the depository for the City of Zanesville.

Mr. Vincent: We are at first reading.

Mrs. Norman moved for first reading, seconded by Miss Bradshaw.

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.

ORDINANCES FOR ACTION

Ordinance No. 16-42 - Introduced by Council – An Ordinance designating certain banking institutions as eligible City Depositories for the five-year period beginning June 1, 2016 and expiring May 31, 2021 and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? We are up against a deadline here that it is expiring. Hearing none we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

7 Ayes

0 Nays

2 Abstentions Ms. Gildow and Mrs. Osborn

Motion carries.

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

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

Mr. Vincent: Is there any discussion?

Mr. Wolfe: How are the amounts determined in the various amounts? Is that by bid, by the various amounts that are in the limits?

Mr. Vincent: These are proposals. I will turn it over to Mrs. Heskett.

Ms. Heskett: It actually comes from the Treasurer's office.

Mr. Vincent: Defer to Mr. DuBeck, Mr. DuBeck if you would like to.

Mr. Paul DuBeck: Which amounts are you referring to Mr. Wolfe?

Mr. Wolfe: The Interim and Inactive for the various institutions.

Mr. DuBeck: Those are the amounts the banks can handle. Those are the amounts of money and those are the amounts they have already sent me those and they are the amounts they can handle. That will effect who will gets the banking business.

Mr. Wolfe: An inactive account means?

Mr. DuBeck: We don't have any, but it is just money that sits there for no reason at all. We have active accounts and we have the interim accounts.

Mr. Wolfe: Inactive is not like an investment account?

Mr. DuBeck: No, that is something entirely different.

Mr. Wolfe: I was just curious. Thank you.

Mr. Vincent: Okay, thank you. Is there any further discussion from Council? Hearing none, we will have roll call vote for passage. Thank you Mr. DuBeck.

Roll call vote for passage.

7 Ayes

0 Nays

2 Abstentions Ms. Gildow and Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 16-43 - Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

Mr. Vincent: We are at second reading.

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

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. 16-45 Amended – Introduced by Council – An Ordinance authorizing the proper city official to enter into a lease with AK Steel Corporation.

Mr. Vincent: We are at second reading.

Mrs. Osborn moved for second reading, seconded by Mr. Wolfe.

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. 16-46 - Introduced by Council – An Ordinance authorizing the proper city official to enter into a lease agreement of a street sweeper for the Department of Public Service Street Division through State Purchase Agreement, and declaring an emergency.

Mr. Roberts moved to amend in Section Two to replace the word "of" with "not to exceed".

Mr. Vincent: So Section Two your motion is to amend this Ordinance the word "of" right in front of \$70,000.

Mr. Roberts: No, the "of" right before the \$31,642.17.

Mr. Vincent: So change that to "an annual lease payment of \$31,642.17 to "not to exceed" an annual

Mr. Roberts: Change it to, "with an annual lease payment not to exceed \$31,642.17."

Mr. Vincent: I have a motion.

Mr. Baker seconded by motion.

Mr. Vincent: Is there any discussion?

Mr. Wolfe: I would just like to note that purchase option is actually our option. As I understood the process that if the equipment would be worth less than that we could actually not decide to purchase it. It is not our guarantee; it is they are guaranteeing to offer it to our purchase for that amount, if I understand the process. Thank you.

Mr. Vincent: Thank you. Is there any further discussion? The proposal is to change the "of" lease payment of in Section Two to "lease payment not to exceed the \$31,642.17". With that 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 16-46 as amended. Do I have a motion for second reading? Excuse me to waive?

Mr. Foreman moved to waive the readings, seconded by Ms. Gildow

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 and it was 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. 16-37 - Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract with Crawford, Murphy & Tilly, Inc. Consulting Engineers (CMT), for the design & bid, as well as the construction oversight, of the Airport Security Fence Installation Project.

Mr. Vincent: We are at third reading.

Mr. Roberts 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

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Bennett: Just quickly as a reminder to Council and our community that beginning this Wednesday at the Singer Center at Zanesville Metropolitan Housing. We will be hosting an open house on our draft Comprehensive Plan. So that is from 5:30 p.m. until 7:00 p.m. This Thursday we will be at Zanesville High School at the same times: 5:30 p.m. until 7:00 p.m. Then next Monday, May 2 we will be at Zanesville Civic League from 5:30 p.m. until 7:00 p.m. Then on Tuesday we wrap up our open houses and we are still taking public comment through June, but on Tuesday, May 3, we will be at Secrest Auditorium from 1:00 p.m. until 2:30 p.m. to try to allow some business folks to come and look at the Comprehensive Plan and ask questions of staff. We invite the public to please come and meet staff and meet members of the community who served over a year every Thursday giving their time and energy to creating long term goals for the City. We will have representation from that committee there as well.

Mr. Vincent: Thank you, Mr. Bennett. With that it is available if the public wants to review it prior to coming to any of the meetings it is available on the City of Zanesville web-site.

Mr. Bennett: Correct. Right on the front page you will see Comprehensive Plan, a picture of it, just click on that and it will take you right to the web page.

Mr. Vincent: Click on that and a PDF can be reviewed. I recommend reviewing it before coming to the meeting.

Mr. Bennett: That would be great.

Mr. Vincent: To get a better understanding to be able to ask questions.

Mr. Bennett: If not, we have tables set up with Tri-folds created and we will have folks to act as chaperones and help folks go around and go to each element and they will be able to read as they go there and ask questions as well; a very interactive opportunity for the public.

Mr. Vincent: So with this it will be more of a casual come in and talk to different people; not coming in for a presentation, question and answer session?

Mr. Bennett: Correct.

Mr. Vincent: So it will be more intimate, more one to one. Okay, great, thank you, sir. Is there anything else from Administration?

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH 43701 regarding racism of indifference vs. fair trial.

Mr. Eric Jones mentioned the court date that is coming up on 5-24 and for those who do not know this it will be one of the more important jury trials in Zanesville's history. Seriously, it will be that important. The last meeting I was speaking about racism of indifference vs blacks not being on the police department. For the same reason there aren't any blacks, you cannot find any candidates to be a police officer, is going to be the same reason I am not going to get a fair trial. Let's be clear on this. The right to a jury trial is consider my sixth amendment right and if you would think through the numbers real quick it goes 90% of trials don't get there as they are plea bargained out. Over 9% of the trials are going to be by a judge. Now you are down to about 1% of trials that actually go to jury. You have a right to a jury trial, but you only get about 1% of them showing up. That is how the numbers work out. So does anybody here think I am going to get a fair trial? Anybody? Good I want more hands up. Technically every hand should go up on the expectations of a fair trial. Every hand should go up. Literally, if less than 100% then something is wrong. Let's start with something easy. Do we have any citizens in Zanesville? Hi, my name is Eric Jones. I am the only citizen in Zanesville. As an invitation for any other citizens in Zanesville to step up and say I am a proud citizen of Zanesville, Ohio. The Mayor hasn't said it. Connie Norman hasn't said it. Nobody else has said that because the next words out of your mouth ought to be and I disagree with Zanesville City Council designating them other than a citizen of Zanesville. Don't take my word for it. Read the Declaration of Independence sometime folks. It is not that hard of a read. You can do it in ten minutes. That is reading it out loud. Everything over here is based on that. If you are not a citizen, again, don't do the Pledge of Allegiance, don't do the National Anthem, and do not try to honor any of your dead veterans because by

not being a citizen you have already dishonored them. That is just real easy stuff. I won't be hard on you. The court I am referring to is my trial is supposed to be a cross section of Zanesville. That is 10% black people, I don't think there are going to be any blacks on my jury, but again that is not going to be death to a fair trial. Thank you very much.

Mr. Vincent: Thank you, Mr. Jones. Is there anything else from Council? I will entertain a motion to adjourn.

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

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

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

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

The meeting was adjourned at 7:20 p.m.