

CITY COUNCIL MEETING – MONDAY, JULY 11, 2016

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, July 11, 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: Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Norman, Miss Bradshaw, Ms. Gildow, and Mr. Vincent.

Mr. Wolfe made a motion to excuse Mrs. Gentry and it was seconded by Mr. Foreman. A voice vote was taken with all in favor.
Motion carries. Mrs. Gentry stands excused.

APPROVAL OF MINUTES

Mr. Wolfe moved to accept the minutes June 27, 2016 as provided, seconded by Mrs. Osborn.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Rhonda Heskett, Budget and Finance Director-Alternative Tax Budget Information – Pursuant to Ohio Revised Code 5705.281, the County Budget Commission has waived the requirement for taxing authorities within Muskingum County to adopt Tax Budgets. However, the Commission does require taxing authorities to provide information in the form of an Alternative Tax Budget. It has therefore been submitted.

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

With no further discussion, all were in favor of receiving. None opposed.
Motion carries.

PROPOSED ORDINANCES

Ordinance No. 16-61 - Introduced by Council – An Ordinance authorizing the proper city official to apply for an Ohio Water Development Authority Loan for multiple water projects and authorizing the expenditure of funds for the purchase of materials for the construction of said projects, and declaring an emergency.

Mr. Roberts added a note this was discussed in a Public Service Committee meeting and it is the recommendation of said committee to advise Council that the Committee

recommends both waiving the readings and approving this legislation tonight. With that, I will move to waive.

The motion was seconded by Mr. Foreman, with no further discussion from Council.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries.

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

Mr. Vincent: Is there any discussion? What came from the meeting and I have had calls on this, up in that area the supply lines are very small. There is very little water pressure and it would be very hard to shower in the areas like Lookout Drive, Venture Lane, and some of the others. It will be a big help. Some people have installed pumps to draw water from the line to give them more pressure, but it is a detriment to their neighbors. This would be very helpful and bring more supply. Some of these areas are served by two inch lines and will need bigger lines in the future, but this will make a difference.

Mr. Bennett explained this is one of four projects that the City would propose to use with the money. One of the other areas is the remaining Linden Avenue, north of Adair, going out to McConnell and on out to improve the water lines in these areas also. The City will try to expedite that project and it will be the first one in order to go ahead of the paving that is due for North Linden Avenue next spring. The other project is a small alley water line in the Laurel Avenue area that will help circulation. The last project proposed with these funds would be the cleaning of water wells 11 and 16. In order for City crews to get that much line laid, between the other work they do, they will start late summer and it will go into the spring of 2017.

Mr. Vincent said there were a lot of great comments made about the City workers and the Water Department as far as their abilities to lay water line and how well they perform. It is very much appreciated and this is saving tax payers money.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Ordinance is passed.

Ordinance No. 16-68 - Introduced by Council – An Ordinance amending Ordinance No. 00-16 the Classification Plan, and Ordinance No. 13-16A the Unaffiliated Employees Ordinance increasing pay range of the Municipal Court Probation Officer.

Mrs. Osborn moved for first reading, seconded by Ms. Gildow.

Mr. Vincent explained Judge Joseph was not available and the Municipal Court Clerk Vicky Kirk was asked to come in case Council had any questions or if she had information to share.

Vicky Kirk, Municipal Court Clerk, explained in May that Jim Evans of Evans and Associates was requested to point factor the changing job description for the Probation Department. This was in part due to the job duties changing because the position had taken on the title of Program Director for the grant that partially funds the Probation Department. With this grant there are 48 different standards that have to be met every year. If any one of the standards is not met at any time we could lose that funding. It is important and when we had Mr. Evans look at the job description he felt it needed to go from a pay range seven to a pay range nine.

The grant amount is around \$60,020 a year, but not sure on the actual amount. The City contributes some money to for pay and benefits, but without it we would be without that entire amount. The state is in the process now of trying to re-doing the standards for Municipal Court because they are similar to what they have at the Common Pleas Court level. Some of those standards are ones that really do not benefit the Municipal Court Probationers as well as they want to develop them.

Mr. Vincent said so there is increased duty and increased cost, but it is far less than what the grant totals, so very important.

Mrs. Osborn asked if it is an ongoing grant year after year or is this something that will need to be re-evaluated once the grant is over.

Ms. Kirk said the grant is audited once a year to make sure we are meeting the standards. The grant goes from July 1 to July 1 of the following year so it was actually just renewed for the 2016-2017 year. It is something we count on and it is something that is audited every year. So far we have been able to meet those standards.

Mr. Vincent commented there are significant requirements to hold this position.

Ms. Kirk said there is a lot that the position is required to do. He does a pretty good job at it.

A voice vote was taken and all were in favor of first reading. None were opposed. Motion carries.

Ordinance No. 16-69 Amended - Introduced by Council – An Ordinance authorizing the proper city official to submit an application to the U.S. Environmental Protection Agency for an award of Brownfields Area-Wide Planning Grant and declaring an emergency.

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

Mr. Bennett asked if the revised copy was available. Yes, it is available and needs a request to amend.

Ms. Gildow would like to propose that we amend Section Two of Ordinance 16-69 in the first line of Section Two the word Resolution should be replaced by the word Ordinance. It was seconded by Mr. Baker.

A voice vote was taken on the amendment with all present in favor of the motion. Motion carries.

Mr. Roberts moved to waive the readings on Ordinance 16-69 as amended and it was seconded by Mr. Baker.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries.

Mrs. Norman moved for passage and seconded by Mr. Baker. No further discussion.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries. Ordinance is passed.

Ordinance No. 16-70 - Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into contracts for cleaning, rehabilitation, and maintenance of potable water supply wells #11 and #16.

Mrs. Osborn moved for first reading, seconded by Mr. Foreman.

Ms. Gildow asked if this would be the correct time to recommend that we pass this as an emergency.

Mr. Vincent asked Mr. Bennett if there is any rush on this Ordinance. Mr. Bennett said with the application going in to OWDA at the end of this month it could go another reading. Mr. Vincent asked if they waived the readings at the next meeting we would still have 30 days holding and we are still fine? Mr. Bennett said yes, that would be perfect.

Mr. Vincent asked if there is anything else. There was no response, so a voice vote was taken with all present in favor.

Motion carries.

Ordinance No. 16-71 - Introduced by Council – An Ordinance authorizing the proper city official to execute a change order to Brian Addis Architect, LLC for the design build project for Secrest Auditorium, and declaring an emergency.

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries.

Mrs. Norman moved for passage, seconded by Miss. Bradshaw.

Mrs. Osborn asked what the additional work performed was.

Mayor Tilton shared the extra work was on the west wall. There was an opinion that the wall coating was asbestos so we had to have it tested. We found out that it was not asbestos, but that was the additional cost.

Vincent: So it was good news and less expensive for testing and the negative results.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries. Ordinance is passed.

Ordinance No. 16-72 - Introduced by Council – An Ordinance authorizing the purchase of real property identified as Muskingum County Tax Parcel Numbers 83-09-01-02-000 and 83-09-01-03-000 (Also known as 454 Cliffwood Avenue), and declaring an emergency.

Mr. Roberts stated this also came before the Public Service Committee earlier tonight and it was suggested to Council that this be passed as an emergency tonight and with that I will move to waive.

It was seconded by Mr. Foreman.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries.

Mr. Foreman moved for passage, seconded by Mr. Wolfe, with no further discussion.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 16-67 Amended - Introduced by Council – An Ordinance authorizing the proper city official to enter into Lease Agreement No. 001-0645290-301 with TCF Equipment Finance and declaring this ordinance to be an emergency due to the financing timeline.

Mr. Foreman moved to waive the readings, second by Mr. Roberts.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mrs. Sandy Gentry

Motion carries.

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

Mr. Bennett explained he wanted to make sure he met with the Fleet Manager and the Street Superintendent to go back to the previous purchase the City had made in 2003 of a Regen Sweeper. He wanted to check the data on what was spent on parts, equipment, labor, for the first five years. After review of the information Mr. Bennett is satisfied the City within that five-year time frame if we chose to trade it in and get another one and measured that 30% tire wear I felt like we would have that met and he is fairly satisfied that we would be fine with that five-year term to give ourselves an option to trade it in or go ahead and keep it.

Mr. Wolfe asked Mr. Bennett about Section Two of this Ordinance the terms are slightly different than the previous one. Does that include the purchase agreement in there, but we would still have the option to trade it in at that \$70,000 figure?

Mr. Bennett said correct. That commitment is within the packet from the last time from Southeastern Equipment that they would give us that \$70,000 trade-in.

Mr. Wolfe then stated this assumes we would purchase it, correct?

Mr. Bennett agreed it is a lease purchase and if we want to trade at that time and do another one and we would go with Southeastern we would receive that benefit.

Roll call vote for passage.

8 Ayes
0 Nays
1 Absent Mrs. Sandy Gentry
Motion carries. Ordinance is passed.

Ordinance No. 16-63 – Introduced by Council – An Ordinance authorizing the proper city official to establish a Municipal Facilities Capital Project Fund.

Mrs. Osborn moved for third reading and passage, seconded by Mr. Foreman with no further discussion.

Roll call vote for passage.
8 Ayes
0 Nays
1 Absent Mrs. Sandy Gentry
Motion carries. Ordinance is passed.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: As you know we were looking to re-build Kidzville this fall, but after talking to the designer and looking at how big this project is and how many volunteers and equipment we will need, we are looking at next spring to build it. Tonight I am asking for community leaders to step forward and help us lead this project in different areas like logistics, donations, and taking food donations to feed the crews. During the winter we will have meetings once a month to make sure we have everything in place so next spring we can hit this project and get it done.

The Mayor also announced that the Y-Bridge Arts Festival will take place again at Zane Landing on August 5 from 8:00 to 10:00 and Saturday, August 6th from 11:00 a.m. to 9:00 p.m.

Mr. Vincent said that is a lot to pull together for Kid-Z-ville and we want to do it right. It will be exciting and I am sure we have a very giving community and many people will step up.

Mayor Tilton said from what he understands when the first Kidzville was built, it happened the same way. Different people took care of different parts of the project and it was done. So that is just what we are looking for is some of those people to step forward again and take over those roles.

Mr. Vincent said like a Kidzville reunion for some of the people who helped before.

Mr. Baker then asked the Mayor if he anticipates having a list of various tasks or jobs with the categories so people know exactly what the needed is and how to fulfill it.

Mr. Bennett said we have a list. If anybody is interested in signing up to lead any part of the project whether it helps the Mayor, fund raising, volunteerism, recruiting, organizing, or taking care of getting tools donated. There is a push I have heard from various individuals and groups saying we would like to buy a brick or have something with some sort of remembrance. Those things can be done. Fund raising can happen. We would prefer to keep that outside of the City. Mr. Bennett sees people almost daily who come up and say when is Kidzville going to be built; I still have my pin from the first one. So buying pins with Kidzville II on them. Those are all fund raising things to sponsor so it will be a huge effort. They are planning a five day build; Wednesday through Sunday. They are talking 140 volunteers on the Wednesday and Thursday dates and Friday, Saturday, and Sunday 220 per day. It is a massive effort to come in and build it. We need the folks as the Mayor asked for leaders to come and say I will lead this part of the project in cooperation with these other individuals. The designer has job descriptions. There is a blue print for this. This is not the first time it has been done either here or across the country. We have all of that information and we are just looking for community leaders to step forward. If they wish to do so, please contact Mr. Bennett's office or the Mayor's office.

Mr. Vincent: We do have people, I think a group of women that lead it before and they had personal experience.

Mr. Bennett said he has had his net out there casting for Tara Poorman. She has eluded his net so far, but he understands from some folks who she works with that they are going to make her available to us again.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH 43701 speaking on tenets of democracy.

Mr. Eric Jones stated instead of speaking on tyranny he will do it this way on democracy. He requested Council to do homework of reading two books. He feels Council should have already read if they plan to support the Constitution. One is Roberts Rules of Order and second is the Federalist Papers. What he is going to do is give quick three minute lessons. First are the tenets of democracy. Basically there are six of them:

1. The quality of rights of the members
2. The majority rules
3. Minority has rights-one of them is to be heard.
4. Right of discussion. That is just between the members.

5. The right of information. You can ask and receive information from the President of Council.
6. Fairness and good faith.

You can say a lot of things about me. He feels he is doing this the right way. He is coming down here trying to have discussion and conversation. He says Mr. Vincent is a tyrant. Mr. Vincent is free to stand up and say why he is not a tyrant. We are going to start with the quality or rights of the members. If you understand that you are the members; Mr. Jones is not. According to 15-44 he is an invitee. There are no citizens of Zanesville. Even though the Mayor said the citizens of Zanesville, he meant to say the residents of Zanesville. That has been taken away by Ordinance. Ordinance 15-44 says we are invited and this meeting belongs to you, the Aristocracy, you can call them the elite. At the end of the day we have been opted out. The only way to get back in is to come down and declare that you do not consent to being an invitee and that you want to be a citizen. Now each time he comes here he is going to try to build on those six things. He said it would be nice if Council did their homework. It is not that hard. Read the Declaration of Independence, the Constitution, especially if you want to support the Constitution. My time is up, thank you.

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

Mr. Roberts moved to adjourn and Mrs. Osborn seconded the motion. A voice vote was taken with all in favor. None were opposed.
Motion carries.

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

The meeting was adjourned about 7:30 p.m.