

**City Council meeting
Agenda of business
November 28, 2016**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

D. Proposed ordinances

1. Ordinance No. 16-125 – Introduced by Council – An Ordinance providing Temporary appropriations for use during the period January 1, 2017 through March 31, 2017 and declaring an emergency. (Emergency or First Reading)
2. Ordinance No. 16-126 – Introduced by Council – An Ordinance authorizing the planning team and local stakeholders to provide amenities for the Cool and Connected Broadband Planning Grant workshop and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

3. Ordinance No. 16-120 – Introduced by Council – An Ordinance amending Sections 513.02 and 513.03 of the Codified Ordinances relating to the Gift of Marijuana and drug abuse; controlled substance possession or use of the Codified Ordinances of Zanesville. (Second Reading)
4. Ordinance No. 16-121 – Introduced by Council – An Ordinance authorizing the proper City Official to apply for grant funding from the Ohio Environmental Protection Agency for a 2017 Community Development Recycling Grant. (Second Reading)
5. Ordinance No. 16-122 – Introduced by Council - An Ordinance authorizing the proper City Official to advertise for bids and enter into a contract for the City of Zanesville's Solid Waste Disposal Needs. (Second Reading)

6. Ordinance No. 16-110 Amended – Introduced by Council - An Ordinance adopting the City of Zanesville Comprehensive Plan, as herein provided. (Third Reading)
7. Ordinance No. 16-111 – 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 municipal public improvement tax increment equivalent fund for the deposit of service payments. (Third Reading)
8. Ordinance No. 16-114 – Introduced by Council - An Ordinance authorizing the proper city official to enter into a purchase agreement for Enterprise Resource Planning Software, conversion, installation, training, and maintenance. (Third Reading)
9. Ordinance No. 16-115 – Introduced by Council - An Ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses during the year 2017. (Third Reading)
10. Ordinance No. 16-116 – Introduced by Council - An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2017. (Third Reading)
11. Ordinance No. 16-117 – Introduced by Council - An Ordinance authorizing the proper city official to purchase items for employee recognition. (Third Reading)

F. Traffic orders-None

G. Miscellaneous and unfinished business

H. Private petitions and communications

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH 43701 speaking on So, how exactly do you over-rule “sole-discretion”?

PUBLIC HEARING

Mr. Vincent called a public hearing, on the reprogramming of \$32,000 of PY 15 Community Development Block Grant Funds available from a canceled project, to order at 6:30 p.m. on Monday, November 14, 2016.

Mr. Bennett: Specifically this is referencing Ordinance 16-118 in your packet. More specifically this has to do with Program Year 2015 Community Development Block Grant that the City has received and is currently expending. Those applications were taken last year. The Council had a public hearing on those proposed projects that the Community Citizens Advisory Committee recommended. The projects that were ultimately awarded and contracts were signed with the Ohio Development Services Agency. Those projects for 2015 were \$15,000 for the firefighter turnout gear. That has been accomplished. \$37,000 was slated for city-wide emergency housing program and projects. Those projects are ongoing and being constructed. Then a \$32,000 earmark for the ACCEL roof project on Bluff Avenue. They are a non-profit who does job trainings skills for young adults and low to moderate income individuals. Their roof was in need of repair so they submitted an application during the City's open cycle on February of 2015. It seems like an eternity ago. They had received a local quote. The committee recommended it, Council awarded it, a contract was signed, and we started the process this year.

They do not currently own the property. So working with the owner and the board of ACCEL we had gone out and done the environmental review and got that clearance completed and then enlisted an architect to look to make sure we had specs that were appropriate and uniform as we took quotes on the project. There was a recommendation by the architect to install some air into the roof system that would help. So there was a pricing difference and the contractors came out and the price exceeded the \$32,000 that the City had. The ACCEL board considered additional funding on it and then we were notified a few weeks back that they would not be increasing the extra amount needed to get the project done. So through the Community Development Committee of Council we came in with a recommendation to take this \$32,000 and plug it into the Emergency Housing Repair program city-wide. The committee has recommended that, I believe, for adoption.

If you recall we have a partnership with Muskingum County to do our housing work for the City and those are ongoing currently. In combination with our earmark for Emergency Housing Repair this additional \$32,000 would make a total amount available of \$69,000. There are currently two projects that have been completed: one on Eppley Avenue and one on Wheeling. There are two projects that are active: one on Keen Street and one on Bluff Street. Then there are three projects pending Council's activity. I believe an increase in the amount from \$8,000 to \$12,000 is coming up tonight. Once that is approved tonight, if it is approved tonight, then those three projects come on board tomorrow and are ready to go and be constructed. Then Sheila has received several small plumbing type jobs that people just need help in small amounts. So we have a sufficient amount of projects to complete all of the work necessary by the end of the year. We recommend authorizing this transfer of funds.

Mr. Vincent: Thank you, Mr. Bennett. Are there any questions from Council? I have not looked here, but with what you were just saying it is Ordinance 16-112?

Mr. Bennett: It is Ordinance 16-118.

Mr. Vincent: To move this along you need to move the \$8,000 to \$12,000 Ordinance.

Mr. Bennett: Yes, I believe that is Ordinance 16-112.

Mr. Vincent: That will allow the money to be increased.

Mr. Bennett: It will allow it to be put into motion and be expended. We had several projects, a roof project that was more than \$8,000 and we could not authorize it because of our current policies. On our emergency housing program funding is restricted at \$8,000. The state of Ohio in their program for housing allowed up to \$12,000 so what we are doing is aligning with the state's programs to come from \$8,000 to \$12,000.

Mr. Vincent: Yes, just to clarify for Council we were talking about Ordinance 16-118 regarding changing the funding on the block grant and what I was referring to on 16-112 was changing the dollar figure from \$8,000 to \$12,000 as far as what can be spent on housing repairs. Just to be clear for everyone. Is there anything else from Council?

Is there anyone here to speak in favor? No one was present to speak in favor.

Is there anyone present to speak against? No one was present to speak against this request.

If there are no further comments we will close this hearing. Thank you.

CITY COUNCIL MEETING – MONDAY, NOVEMBER 14, 2016

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, November 14, 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: Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, and Mr. Vincent.

APPROVAL OF MINUTES

Ms. Gildow moved to suggest a correction on page 10 of minutes under Private Petitions where Mr. Eric Jones was speaking. The amendment is to correct tenants by changing to tenets in two places in Eric Jones' section. It should be tenets, like tenets of democracy. Mr. Baker seconded. A voice vote was taken with all in favor. None were opposed. The motion carries.

Ms. Gildow moved to accept the minutes as amended, seconded by Mrs. Osborn. A voice vote was taken with all in favor. None were opposed.

Motion carries. Minutes stand approved as amended.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Jay Bennett, Public Service Director – Zanesville Municipal Airport 3rd Quarterly Report for 2016.

Mr. Wolfe 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 were opposed.

Motion carries.

PROPOSED ORDINANCES

Ordinance No. 16-118 - Introduced by Council – An Ordinance authorizing the reprogramming of \$32,000 of PY15 Community Development Block Grant Funds available from a canceled project and authorizing the execution and submission of documents as necessary, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? I will add we will forfeit the funds if we don't have this done by the end of the year, so that is a good reason to waive. If no further discussion 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 Ms. Gildow

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 further discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstention Ms. Gildow

Motion carries. Ordinance is passed.

Ordinance No. 16-119 - Introduced by Council – An Ordinance authorizing the proper City official to establish the U.S. E.P.A. Brownfields Assessments Grant Fund, a Special Revenue Fund, and declaring an emergency.

Ms. Gildow moved to waive the readings and it was seconded by Miss Bradshaw.

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 Miss Bradshaw.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 16-120 - Introduced by Council – An Ordinance amending Sections 513.02 and 513.03 of the Codified Ordinances relating to the Gift of Marijuana and drug abuse; controlled substance possession or use of the Codified Ordinances of Zanesville.

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

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. 16-121 – Introduced by Council – An Ordinance authorizing the proper City Official to apply for grant funding from the Ohio Environmental Protection Agency for a 2017 Community Development Recycling Grant.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: This came before the Public Service Committee meeting tonight and it was recommended to approve and send this to Council.

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

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

Ordinance No. 16-122 – Introduced by Council – An Ordinance authorizing the proper City Official to advertise for bids and enter into a contract for the City of Zanesville's Solid Waste Disposal Needs.

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

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

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

Ordinance No. 16-123 - Introduced by Council – An Ordinance authorizing advertising for bids and entering into a contract for the purchase of limestone for the City's requirements during the year 2017.

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

Mr. Vincent: Is there any discussion? With that, there was a request from Mr. Bennett to waive the readings on this to get it out for bid. Mr. Bennett if you could explain it further.

Mr. Bennett: There is a requirement to publicize a certain number of times. This is a housekeeping item that in the Public Service Divisions we use a lot of limestone. So, the Purchasing Agent takes care of this for us for our divisions and departments. She prepares the bidding documents, advertises and brings the bids in so she would like to move this along, if not tonight perhaps the next meeting, with the waiving of readings so she could in a timely fashion be prepared to have contracts ready for the Board of Control to review and award at the turn of the calendar.

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

Mr. Vincent: Is there any discussion on waiving? If 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 now need a motion for passage.

Mrs. Norman moved for passage, seconded by Mrs. Gentry.

Mr. Vincent: Is there any further 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. 16-124 - Introduced by Council – An Ordinance amending appropriation ordinance No. 16-24A and declaring an emergency.

Ms. Gildow moved to waive the readings and it was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion on waiving of the readings? With that 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?

Ms. Gildow: I had talked with Rhonda Heskett and we had considered having a Ways & Means Committee meeting relative to this. It related to the budget, but there was nothing really substantive in this. Rhonda is here to answer questions that we might have so there was no need for a Ways & Means Committee meeting.

Mr. Vincent: Are there any questions from Council? Ms. Heskett the \$91,000 federal grant under the Fire Operating Fund, what happened to that?

Ms. Heskett: We didn't get the grant. That is why the Capital Outlay is also decreased, because it was a grant for the purpose of Capital Outlay.

Mr. Vincent: Thank you. Is there anything else from Council? 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. 16-110 – Introduced by Council – An Ordinance adopting the City of Zanesville Comprehensive Plan, as herein provided.

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

Mr. Vincent: Is there any discussion?

Mrs. Osborn: I would like to suggest a small amendment in the fifth whereas down in the last sentence where it has concerning the cities growth. It just needs to be City's instead of cities.

Mr. Vincent: Change it from plural to possessive.

Mrs. Osborn: Correct.

Mr. Vincent: We have a motion for an amendment to Ordinance 16-110 in the fifth whereas changing cities plural to City's possessive.

Mr. Baker seconded the motion. A voice vote was taken with all in favor. None were opposed. Motion carries.

Mr. Roberts moved for second reading of the Ordinance 16-110 as amended. It was seconded by Mr. Baker. A voice vote was taken with all in favor. None were opposed. The motion carries.

Ordinance No. 16-111 – 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 municipal public improvement tax increment equivalent fund for the deposit of service payments.

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

Mr. Vincent: Is there any discussion?

Mrs. Osborn: Mr. Bennett, I know you were in the process of reaching out to the two school districts that this affects. Have you gotten any response from them?

Mr. Bennett: Yes. The Mayor and I met with representatives from the career tech center. We went through the process with them and went through the revenues that they would derive as an undeveloped piece of property and then ultimately what it could be in the future. I think at that point they are fine to move forward. We then met with the representative of the West Muskingum School District. Our proposal to both school districts is to present to them and to you all a 50% sharing arrangement of the new values. That met with their approval. I think you will be seeing a letter from them before the third and final reading, and ultimately, the service payment arrangements and the revenue sharing arrangements subsequent to this.

Mr. Vincent: Thank you. Is there anything else from Council? All in favor of second reading signify by saying aye. All were in favor. None were opposed.
Motion carries.

Ordinance No. 16-112 – Introduced by Council – An Ordinance authorizing an amendment to the City's Housing Policy and Procedures Manual increasing the maximum dollar limit for home repair projects and declaring an emergency.

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

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: Now I need a motion for passage.

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

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. 16-114 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a purchase agreement for Enterprise Resource Planning Software, conversion, installation, training, and maintenance.

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

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. 16-115 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses during the year 2017.

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. 16-116 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2017.

Ms. Gildow moved for second reading, seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion? We have a special guest here tonight, the Director of SEAT, Southeast Area Transit, Howard Stewart. He is here to share with you and give his annual report as far as how money is being spent, progress, challenges, and whatever else is going on at SEAT.

Mr. Howard Stewart: Thank you for having me. Good evening. I passed out to you our ridership for 2016/2015. As you can see we are just about even with 2015 as compared to 2016 for ridership. About 33% of our riders are E & D; that is elderly and disabled individuals. We are averaging about 434 passengers a day so we stay busy. We have had a lot of drivers that have been off on medical leave and we have been operating. In September we moved 448 people a day with an average of six drivers. So my

employees are hopping. Kudos to them; they do a great job. They are professional and safety wise just bar none. We couldn't have better drivers.

For the up and coming year we are going to be putting a canopy over the fuel depot. It will keep the City workers out of the weather, as well as our mechanics and fuelers. We are going to buying three more vehicles. I try to keep new vehicles on the road. When you have new vehicles on the road there is less preventative maintenance.

We are increasing the machinery in our garage. We have sold maintenance contracts so we are able to work on townships, municipalities, and counties to do PM for them. With more equipment in the garage we are able to generate local funds as well. I do anything and everything to generate local funds that help us with our local match. Back in October I was in a meeting with 21 transit agencies and the administrator of ODOT asked how many of the agencies receive local support from their political individuals. Out of those 21 I was the only one that raised my hand; that made me puff my chest out and made me feel proud. We appreciate the support that you give us. In the near future that could benefit SEAT. The administrator for ODOT is very pro-active and he looks outside the prism. So the funds that we receive from you could be matched 50% or it could be matched 100% which is kind of incentivizing some of the other localities in these transit agencies to get involved and show there is some value to public transit.

We are looked at in the State of Ohio, because we are in two counties, as being a regional transit authority. I had a very positive visit with Noble County this past week. They are decimated down there and they don't have public transportation. I am trying to build a coalition of counties and be on the cutting edge so when something comes down the pike for ODOT we have the cart before the horse and we are doing what they want to do.

Financially Ms. Gildow we had a great audit. (She sent a thumbs up.) We had one finding. It was not financial. We didn't list an executive session in the minutes. It was on the agenda. We have done it like that in the past and they didn't catch it in the past, but this time they caught it, but besides that we had a great audit. We are financially sound. We just appreciate all of the support that we get from the city. We partner with the maintenance department and it is just a great relationship. We truly, truly appreciate it. Mayor we appreciate it very much.

You have a rider's guide. That is an updated rider's guide. In October we just started a new riding system. We are going out into the county and doing county-wide transportation. We are going across county lines. With us being in Guernsey County and Muskingum County we are going back and forth between the counties. We have even gone out further. We have been transporting people to Kirkersville and Columbus. That is one of the reasons my drivers have been hopping. They have been very, very busy. It feels like it is going to be very successful. It has just started so we did 117 trips with the new system last month and it is growing by word of mouth. Kudos to Mr. Roberts; he helped us out with the map in the guide. Thank you very much for doing it. It is very instructional.

There isn't any place that you want to go in the city of Zanesville where there isn't public transportation available. If you want to get somewhere, it is there. All you need to do is ride it. We are north, south, and east. Next year we are also going to be looking at a deviated route service. We deviate on our Greenwood route. Mr. Baker, our Greenwood route that comes out by the new senior center. We have people that are getting off on Market Street and walking down to the senior center. Someone saw an elderly lady walking with a walker whose ankles were swollen and it took her about 20 minutes to get to the senior center. We are not going to do that anymore. We will deviate and go down and drop them off right in front of the senior center and swing right around the corner and come right back down to our transit center. We also deviate on the Maple Avenue route. At the Social Security Center if individuals need to go to that location, it is an on call. We will swing out there and drop them off. That is a very important office for people to get to. We come right back and do the Northpointe loop, down through the mall and right back down Maple Avenue. Public Transportation is all about time. We do our best to stay on time and keep people happy.

I think you have a system you can be proud of. There are a few more rural transits that are getting fixed routes and they are following our lead. There are 61 public transportation providers in the state of Ohio and 34 of them are rural transits. We are one of the biggest. We appreciate all of your support. I will entertain any questions.

Mr. Vincent: Is there anything from Council?

Mr. Wolfe: When you talk about the deviation from a route, is that on a case by case or need by need basis?

Mr. Stewart: Yes, it is an on call option since time is of the essence with everything. So if someone is dropped off at the Social security office they can give a call into our transit center and on our next loop going up Maple Avenue we will swing over and pick them up. The same thing with the senior center; if we drop someone off there we ask the senior center to call our transit dispatch and we just swing the bus down there to pick them up and get them to where they need to go.

Ms. Gildow: I would just like to say how much many of us appreciate that you and your team think outside the box and never are satisfied with the status quo. You are always looking for something to serve the community better or improve cash flow. It is quite noticeable.

Mr. Stewart: It is an education process. Public transportation is not a taxi service so we continue to educate individuals. It is actually, if you need to get to a bus stop, if you can't get to a bus stop then we have a service that can get you picked up if you fill out the application. It is an E&D (Elderly and Disabled) so if you qualify we will swing around and pick you up at your front door, it is called curb to curb, and we will get you to where you need to go. It is a vital part of the community.

Mr. Vincent: I assume a lot of those are for doctor's appointments.

Mr. Stewart: Just about all of them are doctor's appointments. We have a few hairdressers. You don't want to miss one of these appointments. It is a rough phone call there. We have to keep the ladies happy. That is very important.

Mr. Bennett: On behalf of Councilperson Norman and myself who are appointees by the Mayor and confirmed by Council to the SEAT Board. We get to see every month the staff and the leadership from Mr. Stewart and to see where it was a few years ago to where they are today. When you see the inner workings of the operations, and Howard touched upon it; time is everything because if you are not on time that's a bad thing. Talk about Federal highways funding, but ultimately and he kind of breezed by it, but when you think about the amount of money the budget is for SEAT and the requirement for local match and with this subsidy with the creativeness of Howard and his staff to do contractual work with Jobs and Family and seek those arrangements. It keeps fares low for our community and how little of the budget local match is made up of fares. When you are talking about new buses, ODOT requires local match on them. So on behalf of Councilperson Norman and myself, I don't want to speak for you Connie, but the month to month inner workings of the organization. Howard is giving you a brief glimpse of the work they do and the expertise they provide, so thank you, Howard.

Mr. Stewart: Thank you. You are more than welcome any time you want to ride. It is only a dollar. He encouraged Council to come take a ride.

Mr. Vincent: Thank you, Mr. Stewart. We greatly appreciate it. Mr. Bennett, thank you for bringing up those points. Thank you and Mrs. Norman for your service. So with that, we are at second reading so all in favor of second reading signify by saying aye.

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

Ordinance No. 16-117 – Introduced by Council – An Ordinance authorizing the proper city official to purchase items for employee recognition.

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

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

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

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: This Wednesday will be the annual Sertoma Pancake Day at Secrest Auditorium. This is a great event for our community. For those people who don't have tickets, I still have tickets in my office for \$7 apiece through Wednesday. After Wednesday, I will sell them to you for half price.

Mr. Jay Bennett: After the excellent work by the Water Department on Sixth Street there at the bridge up to South Street and getting that work completed very, very timely with minor disruptions. They have now moved to Linden Avenue. You saw the advertisement that it was closing down and restrictions. So we are racing to do the work we talked about in the Public Service Committee and to Council several months ago. This is going to enable us to abandon that failed line to be able to switch over to the other line so we will be successful at getting Linden Avenue repaved in the late spring. Heads up on that. We will continue to put our information out to the businesses and to the community as needed and desired.

The other part of this is this Wednesday at 6:00 p.m. here in Council Chambers the Zanesville-Muskingum County Consortium of the Brownfield Assessment Grant you all heard a little bit about that earlier today. We did receive that grant. It is a consortium of the City, County, and Port Authority and all of the agreements have been signed. The grant is ours. The contractor has started work on the quality assurance quality control plan. Next up is lining up sites. So the meeting is this Wednesday at 6:00 p.m. We sent out invitations to some county, township individuals, and made calls to developers and real estate agents who specialize in some commercial sites. We are inviting them to come learn about this program and how people they might represent, with property that might be impacted with brownfields, could get Phase 1 and Phase 2 assessments at no cost. So again we are trying to get the word out that we are open and ready for business to begin redevelopment work on brownfields across the county.

Mr. Vincent: So with this the meeting will be mostly informational. Is it Q & A also?

Mr. Bennett: Correct.

Mr. Vincent: But not really seeking any input at that point, you are just trying to get the word out.

Mr. Bennett: It is what it is. It is for a Phase 1, Phase 2 assessment. As a property owner it is informational. We will have right of entry. If a property owner was here and said hey, I would like to have a Phase 1 done. We could say sign here and we will get the contractor started on Phase 1.

Mr. Vincent: So you could start that same night.

Mr. Bennett: I hope so.

Mr. Vincent: Great! Thank you. That is a big project. Is there anything else from the administration?

Ms. Gildow: Mr. Bennett, the results of the Phase 1 and Phase 2, is that information proprietary or is it public information?

Mr. Bennett: It is public. If you go on the EPA website which is accessible by anybody you will find information. Yes, it is public money; so it is public information.

Ms. Gildow: So do we have an estimated timeline as to when we believe those results would be available for people to see?

Mr. Bennett: It is dependent on the complexity of the issues and each site is a little bit different, but Phase 1 is fairly quick. You can turn those around because they are record search, title search, and those types of things. Phase 2 certainly gets much more involved with onsite work and could be soil sampling and those types of things. It could take several, several months on the Phase 2.

Ms. Gildow: From the standpoint of financing those environmental reviews they are very important so I would hope that people would look at that as an opportunity to get that done without them having to pay for it.

Mr. Bennett: That is what we are hoping.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio 43701 speaking on tyranny vs. democracy.

Mr. Jones: Why am I making this argument: tyranny vs. democracy? An election, we should have put this down before the election basically because we could apply it either way. We are a nation divided. We are getting around to if you haven't read the Declaration of Independence I suggest everyone in the room get their old dusty copy out and read it. That and the Constitution. They will come in handy. The first thing I want to do is I use Zanesville as a microcosm of Ohio and Ohio is a microcosm of the United States. I am trying to take away ignorance of the law as a defense or an excuse. People look at me like I don't understand why Eric is talking about the Constitution. You took an oath to support the Constitution. It is a duty for you to know it. So if you don't know it, you can't support it and to extend it, those who don't know history are doomed to repeat it. The fire is going to reach us sooner or later. It took a while for it to get here but tyranny is at the grass roots level. Why is Mr. Vincent a tyrant? Mr. Vincent doesn't think he is a tyrant. Some of you don't think he is a tyrant. So I tell you to look at Ordinance 15-44 which is doubling down on Ordinance 84-4 and it has sole discretion. Sole discretion is a nice word for tyranny. If you remember when you passed 15-44 there was no debate. In a tyranny you always try to eliminate free speech. Do you remember

back then, he said it a number of times: this is not a debate. He kept saying it. He refused to have a debate on it. So if these were democratic meetings by now someone would have stood up, either Mr. Vincent himself or one of his lieutenants, and said Mr. Jones, you are wrong. I am not a tyrant or Mr. Vincent is not a tyrant and here is why. It still hasn't happened. It is going on a number of years and that is why I am sitting here. We are going to have to find a way to resolve.

Mr. Vincent: Thank you, Mr. Jones. With that, I will bite. I will go on the record saying Mr. Jones, I am not a tyrant and with that as far as referring to the Ordinances, Council has the power to over-ride me. I am not a tyrant because they can vote and over-ride any of my rulings. It is available and it is provided in that as I explained when we first talked about this Ordinance we put into place.

Mr. Roberts moved to adjourn and it was seconded by Mrs. Osborn.

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

A voice vote was taken with all in favor. None were opposed.
The motion carries.

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

The meeting adjourned about 7:40 p.m.