

State Treasurer Josh Mandel's Online Checkbook presentation was scheduled by Dan Risko to be made in Council Chambers at 6:00 p.m. Monday, January 23, 2017 to show the program to Councilmembers, the Administration, and to the public. The presentation was slightly delayed, but was televised for the public. Mayor David A. Mathew and Fiscal Officer Natalie Stillion Grable from the Village of Dresden were also present as they were launching their program also. The software is to help be more transparent on accounts and review of spending for various government entities and the software is provided at no additional cost to local taxpayers as it is state funded. Mr. Risko reviewed the website to show the various options available on the site. The presentation ended about 6:40 p.m.

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JANUARY 23, 2017

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, January 23, 2017 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. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of January 09, 2017 as written, seconded by Mr. Wolfe.

A voice vote was taken with all in favor. None were opposed. Motion carries. The minutes stand approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Mayor Jeff Tilton - Zanesville Community Improvement Corporation Board – The Mayor is hereby recommending the re-appointment of Christy Woodburn, Gretchen Sayre, and Andrew Roberts to the Zanesville Community Improvement Corporation Board. Their terms will expire December 31, 2018.

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

A voice vote was taken. All present were in favor except Mr. Roberts and he abstained. None were opposed. Motion carries.

Communication from Mayor Jeff Tilton - Muskingum County Center for Seniors Board – The Mayor is hereby recommending the appointment of Ginger Hamilton to the Muskingum County Center for Seniors Board. Ms. Hamilton will replace Ms. Sue Wilson. Ms. Hamilton's term will expire January 31, 2020.

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

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

Communication from Jay D. Bennett, Public Service Director - City Cemeteries 4th Quarter & Year End Report (2016).

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

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

Communication from Jay D. Bennett, Public Service Director – Zanesville Municipal Airport Quarterly Report for the 4th Quarter period 10/01/2016 through 12/31/2016.

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

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

Resolution No. 17-12 - 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. Roberts moved to waive the readings and it was seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion on waiving? The deadline to submit is February 10.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Resolution is passed.

This paving of the state routes within the City is done by ODOT at no cost to the City. It is quite a bit of paving. It includes five significant streets in and through the City limits

being SR 146 down Adair and Underwood; Sharon Avenue to 9th Street; State Street off of I-70; A few downtown streets. This is significant and at zero cost to the City.

The City will also pave Linden Avenue this year, once the waterline project is completed by the City crews, which is saving the City a lot of money.

PROPOSED ORDINANCES

Ordinance No. 17-13 - Introduced by Council – An Ordinance amending Chapter 922 and Chapter 923 of the City of Zanesville’s Codified Ordinances, regarding discharges to the Sanitary Sewer Systems.

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

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

Ordinance No. 17-14 - Introduced by Council – An Ordinance authorizing the proper city official to enter into an agreement with Zanesville City Schools and declaring an emergency.

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

Mr. Buck asked for the emergency language to be removed and for Council to waive the readings. The Zanesville City School Board meets the third week in February so that is why we recommended removing the emergency clause as there really was no reason for it after we talked to them. Mr. Buck provided Council with an overview of how the Resource Officer is being paid and what we are doing. We are trying to avoid coming back every year with this same Ordinance and we need to change a few things:

1. In the preamble we need to remove, “and declaring an emergency.”
2. In Section Three we need to change, “mutually agreed upon to terminate this agreement” to just say, “this agreement may be terminated by either party without notice”. To help it flow we could break it into two sentences. We could place a period after hereafter. Second sentence, “This agreement may be terminated by either party without notice.” Mr. Tarbert agreed.
3. Section Four: We need to totally remove the current language and it should say, “This Ordinance shall take effect and be in force from and after the earliest period allowed by law.”

Mr. Buck does not see the agreement needing to be canceled, but if there is any type of failure with the Police Department where we don’t have the manpower we need to be able to adjust. We talked about this with the school board. We don’t intend for it to happen. The Law Director and Mr. Buck talked about it and we are kind of tied in if it is mutually agreed, so we needed more flexibility. This contract is made to help with some of the problems the school has had and Mr. Foreman could probably tell you more about it. All of the Administration from the Zanesville City Schools knows how well this is working.

Mr. Baker made a motion to adopt the amendment and the language that was just reviewed.

Mr. Roberts seconded the motion.

A voice vote was held with all in favor except for Mr. Foreman and he abstained.
The motion carries.

Ordinance No. 17-14 Amended- Introduced by Council – An Ordinance authorizing the proper city official to enter into an agreement with Zanesville City Schools.

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Abstention Mr. Foreman

Motion carries.

Mr. Baker moved for passage as amended, seconded by Ms. Gildow.

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstention Mr. Foreman

Motion carries. Ordinance is passed as amended.

Ordinance No. 17-15 - Introduced by Council – An Ordinance authorizing the Community Development Director to execute a Task Order for a Phase I Environmental Review for the City owned property located at parcel number 62-58-02-38-000 and declaring an emergency.

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

Mr. Baker moved for some proposed amendments to this piece of legislation. First of all this was reviewed by the Community Development Committee of City Council. We approved this and it was just brought to my attention by Mr. Bennett that he would like to remove the emergency clause as it is not necessary. Because of those reasons Mr. Baker would like to move to strike in the Preamble, “and declaring an emergency.” Also in Section Two he would like to eliminate all of the language pertaining to the emergency clause and replace Section Two with, “This Ordinance shall take effect and be in force from and after the earliest period allowed by law.”

Miss Bradshaw seconded the motion.

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

Ordinance No. 17-15 Amended - Introduced by Council – An Ordinance authorizing the Community Development Director to execute a Task Order for a Phase I Environmental Review for the City owned property located at parcel number 62-58-02-38-000.

Mr. Roberts moved for first reading as amended, seconded by Mr. Baker.

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

Ordinance No. 17-16 - Introduced by Council – An Ordinance authorizing the proper City Official to enter into a professional contract with AECOM for the final design of the R-8/R-9/R-10/R-11 Combined Sewer Project.

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

This project is to combine four smaller basins into one project. The larger and more expensive projects are still to come.

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

Ordinance No. 17-17 - Introduced by Council – An Ordinance authorizing the City Auditor to pay the invoices of various departments using 2017 money for 2016 invoices and declaring an emergency.

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

Roll call vote on waiving of the readings.
9 Ayes
0 Nays
Motion carries.

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

Roll call vote for passage.
9 Ayes
0 Nays
Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 17-01 - Introduced by Council – An Ordinance authorizing the installation of a recognition sign to be placed at the Riverside Dogville Dog Park.

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

A voice vote was taken with all present being in favor. None were opposed.
Motion carries.

Ordinance No. 17-02 – Introduced by Council – An Ordinance to Amend Chapters 1105, 1109, 1113, 1115, 1137, 1155, 1159, & 1189 of the City of Zanesville's Planning and Zoning Codes.

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

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

Ordinance No. 17-03 - Introduced by Council – An Ordinance to vacate a portion of Fourth Street between Elberon Avenue and Interstate 70 in the City of Zanesville, Ohio as herein provided.

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

A voice vote was taken with all present being in favor. None were opposed.
Motion carries.

Ordinance No. 17-05- Introduced by Council – An Ordinance awarding management services of Gant Municipal Stadium and authorizing the proper City Official to enter into a Management/Concession Agreement and declaring an emergency.

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

Ms. Gildow mentioned a small group has been working to make some revisions that are mutually beneficial to everyone involved in the agreement. That meeting will take place Monday of next week.

A voice vote was taken with all being in favor, except for Mr. Wolfe and he abstains. None were opposed.
Motion carries.

Ordinance No. 17-07 - Introduced by Council – An Ordinance authorizing the installation of a recognition sign to be placed at the Maple Hill Pickle ball Court.

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

Mr. Foreman asked if this is at no cost to the City. That is correct. It will be covered by donations.

A voice vote was taken with all being in favor. None were opposed.

Motion carries.

Ordinance No. 17-11 - Introduced by Council – An Ordinance authorizing the proper City Officials to execute a road dedication plat for portions of Airport Road and Air Park Drive to Muskingum County for public use.

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

A voice vote was taken with all present being in favor. None were opposed.
Motion carries.

Ordinance No. 16-130 – Introduced by Council – An Ordinance authorizing a Tax Increment Financing Agreement with Dutro Real Estate LLC.

Mr. Baker moved for third reading and passage, seconded by Ms. Gildow.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed. A special thank you to Dutro Real Estate for all of the improvements they are doing for the downtown.

Ordinance No. 16-131 – Introduced by Council – An Ordinance authorizing the proper City Official to dispose of surplus property known as the Kidzville Play Structure.

Mrs. Osborn moved for third reading and passage, seconded by Mr. Foreman.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

This will be processed according to the Disposal Policy adopted by City Council previously and will advertise it. Habitat for Humanity has expressed interest and hopefully there are others as well.

Ordinance No. 16-132 – Introduced by Council – An Ordinance repealing Ordinance No. 15-128 which established a Tax Abatement on certain improvements to Muskingum County Tax Parcel No. 84-24-03-11-000 AKA 111 North 4th Street.

Mr. Baker moved for third reading, seconded by Mrs. Gentry.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

Traffic Order No. 17-01

Section One: Portion of Traffic Order 68-01 is hereby rescinded being a No Parking on the West side of 4th Street from South Street to Canal Street.

Section Two: Traffic Order 17-01 shall establish Police Parking Only on the West side of 4th Street from South Street to Canal Street being approximately 90 feet.

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

Mr. Baker moved to receive Traffic Order 17-01 and it was seconded by Mr. Foreman.

All present were in favor of receiving. None were opposed.
Motion carries.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton had a couple of items.

On January 17th of this year we received the authorization for approval of the construction on the replacement of the bridge on Dearborn Street. The total cost will be \$313,883.87 and the federal share will pay 80% and we will match with the 20%.

Also on February 6th at 6:00 p.m. in Council Chambers the Mayor will be giving the State of the City Address. It is open to the public and he hope people will attend.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH speaking on appeal 2/22/2017 Oral Argument.

Mr. Eric Jones spoke on oral arguments coming up on February 22, 2017. It may or may not happen. Oral arguments may not be permitted at an appeal. Most of the appeal is covered by written material. He provided a quick review of the jury trial. Mr. Jones said he was charged with disturbing a public meeting. He received a punishment of \$100 and 30 days in jail plus cost of the jury. He also said that will probably be taken care of, but he hasn't really read the material yet. He is in the process of getting that. The Law Director will probably handle that as he is after the truth and not after the punishment. Mr. Jones mentioned his jury at the trial was an all-white jury. He thinks they are going to say that he actually had a chance to have a black on the jury, but technically no. At the end of the day they ended up having to waive one of his friends from being, you know. They kept him in the jury pool; even that was probably a bad sign for everybody. People have asked why I did the jury trial. The purpose was to get notification for the City that we had a tyrant for President of Council. It never did make

the paper. That is something you might want to question too considering that we only had three jury trials in seventeen years. It would have been news worthy any place else. If you think it through for a little bit, those of you who think you have a right to a jury trial, ponder the fact that we have only had three in seventeen years. As I said you lose your rights by disuse. Normally nobody comes and forces you to give up your rights. Finally the question that has been asked and you might want to answer this question yourself is what difference is it if the residents of Zanesville live in a democracy or a tyranny. It was asked of me and a lot of you seem to think there really is no difference. If that is the case, you might want to read the material that I have suggested. You are going to get Constitutional lessons here big time. I mean big time coming at you. The ladies up there your first time for a majority...

The time limit was reached.

Mr. Vincent: Thank you, Mr. Jones. With that if there is nothing else I will entertain a motion to adjourn.

Mr. Roberts moved to adjourn and seconded by Mr. Foreman.

A voice vote was taken with all present being in favor. None were opposed.
Motion carries.

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

The meeting adjourned about 7:35 p.m.