

ZANESVILLE CITY COUNCIL MEETING – MONDAY, MARCH 27, 2017

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, March 27, 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. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of March 13, 2017 as printed, seconded by Mr. Foreman.

Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Public Service Director Jay Bennett regarding the City Water System Policies/Rate Revisions.

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

All present were in favor. None were opposed.

Motion carries.

Resolution No. 17-38 – Introduced by Council – A Resolution of the City of Zanesville, Ohio, supporting an application for Ohio Housing Finance Agency Funding for the proposed affordable residential development project located in the southwest side of the Zanesville Downtown and declaring an emergency.

Ms. Gildow 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 Miss Bradshaw.

Mr. Baker said the Community Development Committee supports this and is in support of the development.

Mr. Vincent said thank you, Mr. Baker. I know there was a long discussion and a lot of information presented. It looked like a company with a project that has good track record.

Ms. Gildow said Mr. Steve Carrel is in the audience this evening and he is quite knowledgeable about the project because of his role with Muskingum Behavioral Health. He has agreed to answer questions any one of us may have.

There were no questions and Mr. Vincent thanked Mr. Carrel for coming.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Resolution is passed.

PROPOSED ORDINANCES

Ordinance No. 17-39 – Introduced by Council – An Ordinance authorizing the Mayor of the City of Zanesville to prepare and submit an application to participate in the Appalachian Regional Commission and/or Ohio Governor's Office of Appalachia Programs and to execute contracts as required and declaring an emergency.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Baker moved for passage, seconded by Miss Bradshaw.

Mr. Baker stated this was fully supported by the Community Development Committee as well.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Mr. Vincent said he does look forward to a mobile phone app that will help guide people through downtown and around Zanesville to lead them to exciting places. It will be available 24/7 versus someone being in the Welcome Center.

Ordinance No. 17-40 – Introduced by Council – An Ordinance authorizing submission of a formal request to Ohio Development Services Agency for approval to expend the City's Economic Development Revolving Loan Fund for the purpose of architectural and construction services of a Main Street Project.

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

Mr. Vincent: Is there any discussion?

Mr. Baker asked Mr. Bennett to describe the project and what benefits it will bring to Main Street through passage of this.

Mr. Bennett started by talking about the funding sources. These are grants the City received for microenterprise and small economic development revolving loan funds. The City has distributed those and made several loans during the 1990's and early 2000's. The usage of those funds stagnated over the last several years as interest rates got very low. These are funds that are in no way supposed to transplant commercial lending. It is for a small business who may not qualify, or the conditions might not be right for a small business to be able to get traditional commercial lending so these are sources of funds to try to create projects around. That said, a couple of years ago the state began pushing communities who still have monies in these revolving loan funds to expend them so much that each of our applications that we have made for competitive CDBG grants require us to pledge these funds. So they want these funds off the books. The City, several, several, months ago made an application to the state for what is known as the "Targets of Opportunity" grants. These are block grant monies specifically designed to make a project happen that in terms are deemed as urgent or if not, but for some funds, the project may or may not happen.

The project we submitted for their consideration is the six hundred block of Main Street. There are buildings that are in various states of significant decline. There are actions taken by the Code Enforcement office to try to get the outside of the City owners, to stabilize those properties. There have been impacts from the condition of these building onto neighboring properties that are occupied and functioning and doing well. The hurdle we have had with the condition of these buildings, and Mr. Bennett would prefer questions around this be directed to Mr. Buck, who is in charge of the Code Enforcement office, but these buildings are connected. We saw this as an opportunity to seek out funding to try to stabilize these buildings. This stretch of Main Street between 6th and 7th Streets, are the last contiguous stretch of buildings. So we see that as an important project. The state is pushing us to spend this money to get it off our books. We saw this as a logical fit to say if you will give us grant money, we will take this local money and bring it to this project as well. That is the proposal. That is what the State of Ohio has recognized and said we are interested and the attached letter to the Council Ordinance indicates specific timelines we have to meet. We are in the process of doing that.

Mr. Vincent said the thing that stands out to him is if nothing is done and the buildings fall, the City could end up with a situation like we had on Sixth Street, where the City was hit with a very large bill with the buildings collapse and making it safe again and the City ending up having to pay for removal of those buildings.

Mr. Bennett said there has been a local developer that has expressed interest in partnering to try to save the buildings and improve the buildings. So with that caveat we could see the potential of this state money with this small pot of City RLF Grant money that has been lying dormant as a way to attract other investment and not only save the buildings, but put the properties back on to the tax books.

Mr. Vincent noted they are historic buildings.

All in favor of first reading signify by saying aye. All were in favor. None were opposed.
Motion carries.

Ordinance No. 17-41 – Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

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

All in favor of first reading signify by saying aye. All were in favor. None were opposed.
Motion carries.

Ordinance No. 17-42 – Introduced by Council – An Ordinance amending Ordinance 16-60 which ratified the Community Reinvestment Area Agreement with the Muskingum Motel Corporation and declaring an emergency.

Mr. Baker stated it has come to his attention there are several typos and inconsistencies in the text of this Ordinance and he moved to postpone this and send it back to the Community Development Committee until the next meeting. It was seconded by Mrs. Osborn.

Mr. Vincent: All in favor of postponing signify by saying aye. All were in favor. None were opposed.
Motion carries.

Ordinance No. 17-43 – Introduced by Council – An Ordinance authorizing the Community Development Director to execute all documents to award up to \$6,500.00 in neighborhood grants to support community-building activities by neighborhood groups in the City.

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

Mr. Baker mentioned this was talked about for about 40 minutes in the Community Development Committee meeting a week ago and strongly favored its adoption as a

way to provide seed money to local neighborhoods to start to rebuild our local neighborhoods through community activities and getting people involved in those activities. It is rather complicated for the application process so if you don't mind I would like to have you sort of bullet point this out, Mr. Bennett.

Mr. Bennett said the City has a fund known as City Redevelopment and it has about \$124,000 in it. Over time the money has collected in that fund for the specific purposes of investing it back into the community and trying to spur development or other outcomes. Payments into those funds come from various pieces of property which some have billboards on them. The City has gone through the public process and has leases on those. Those lease fund payments go into this fund. It is not general fund monies that go into this fund; it is investment that has returned investment back into the fund. So looking at that we have various proposals coming over the next year or so for spending and investing that money. One of the things that the Mayor has talked to Mr. Bennett about is the critical need to re-engage our community neighborhoods. If you think about neighborhood associations, neighborhood groups; both formal and informal, they are the heart of our City. This was a way to put together a fair process that those neighbors, those associations, could come together and say there is this small pot of money at the City and let's propose a project. So dividing it up, the proposal is to take \$6,500 of the redevelopment money and split that into two levels.

Level I Grants are for up to \$300 with no match required. So neighbors who look at their neighborhood and say we can pull together and let's make an application. Level I dollars available are \$1,500 and they would fund approximately five projects if \$300 each. The grants could be requested for a smaller amount. These grants are for smaller requests like a block party and could assist with payment of the barricade permits, table rentals, and things of that nature to have a speaker or program to benefit the neighborhood. Other eligible costs might be printing costs for neighborhood maps, one time, small projects. There are examples in the Level 1 projects in the packets and the project must benefit a group and not just one person.

Level II Grants are up to \$1,000 with a 50% match required. A \$1,000 grant is to do something bigger and they would require a \$500 match for \$1,500 to be invested into the event or project. A City investment area will be given a priority status with a 25% match required instead for the targeted areas of the City like the south, southwest areas. Volunteer time counts at \$12 per hour toward the match. Both of these programs are reimbursable programs. Upon award, an agreement is drafted and the group goes forward. They complete the project for the grant level. They then submit their report with the outcomes, the receipts, and the City will reimburse. That keeps the City Auditor very happy. The staff thought there might be service clubs and organizations that might be willing to front the funds for the projects and the City would reimburse the entity accordingly. The \$1,000 projects will be bigger in nature and probably be more of a bricks and mortar type like maybe a beautification project. There are examples in the Level II packets also.

Mr. Baker said this came up in the Community Development Committee meeting that these projects aren't renewable for the same project year, after year, after year. The philosophy being that it is seed money in order to bring people and service organizations together with the hope they will continue this without City assistance on down the line.

Mr. Bennett said that is correct; this is something in the design of it. We want to encourage community, convening, investment, but I mentioned the block party and that could be a one-time thing. Part of the description in the application is how can you take that the next year and move it. They can come back for something else next year, but we cannot continue to invest in the same project. Let's move on and do some other investments. Very specifically this is geared toward residential neighborhoods, not commercial. The way this is set up is it has to be groups of like association established for the purposes of the residential neighborhood or a group of neighbors. This isn't about businesses, faith based organizations, service clubs, or schools making application. This is about neighbors making an application. We encourage the faith based community, service club, or other associations in that neighborhood to partner with them, but we want the lead entity to be the neighbors.

Mr. Baker said as you were saying the money itself is reimbursable. So I assume one of the reasons, if not the big reason for that, other than keeping the Auditor happy, is that you have either organizations or individuals that have something invested up front so that it is not just City money being provided, but the individuals bring something to the table whether that be some sort of service plan or hours or whatever. I think at the end of all of this we hope to have basically a portfolio on outcomes that actually document how it is the various neighborhoods benefited over time for the activity which will be interesting as these project go on to see what effect they have.

Mr. Bennett said absolutely, Mr. Baker, but make no mistake about it, keeping the City Auditor happy is a top priority for my department.

Mr. Vincent said it may seem complicated to some people, but it seems just a matter if anyone is interested, it is a process, there are steps, and if you work through it step by step it is really not that bad. The Community Development Department is willing to help people; especially those first getting involved with this to help them get through the application process and maybe some good suggestions to make their application stronger.

Mr. Bennett said well it is the same principle being worked on for filing the Mobile App grant for \$15,000. When you file a grant for \$250,000 the time invested in that should be significant. We don't want to make it cumbersome to file up to a \$1,000 grant or a \$300 grant. That is not the purpose. We really took that into account when we designed the application process.

Mrs. Osborn asked Mr. Bennett if the Community Foundation or United Way has been approached at all, as far as, on the giving end like how to advertise.

Mr. Bennett said no, not yet because it was coming to Council. Until there was a movement toward yes, let's go ahead and do this then it is just the time invested.

Mr. Vincent: All in favor of first reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 17-44 – Introduced by Council – An Ordinance authorizing the implementation of new Community Development fees for the City of Zanesville.

Mr. Baker moved for first reading, seconded by Miss Bradshaw.

Mr. Baker said these fees have been examined by the Community Development Committee who found them to be very reasonable and proper. We also recommend this be allowed to go all three readings to give Council a chance to examine this a little more closely as far as the individual fees.

Mr. Vincent: All in favor of first reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 17-45 – Introduced by Council – An Ordinance authorizing the Director of Public Safety to sell the Zanesville Police Department's K-9 dog Vesly 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. Osborn.

Mr. Vincent said he did look up the typical life span for this type of dog and he found anywhere from 9 to 14 years based on variables and this dog was born in 2008 so that makes it 9 years old right now.

Mr. Roberts said the other thing to take into consideration as well is the report says that the dog is not trainable by a new handler.

Mr. Buck said he wanted to bring up that this dog was given to the City by the State Highway Patrol. We did have time in training him over again and it was probably about six months long with the handler. He served us well. He has been on a lot of drug busts

and intervention. He is ready to retire. Being a dog person I think this is a great way to keep him with his handler, otherwise, I am not sure what we would do with him.

Support of the K-9 unit is through donations, fund raisers, and it has been a real plus to our department. We liked having one on each shift. It was really great. The Lieutenant back there would tell you the same thing. It really helps a lot, but unfortunately it will be a little while because our department is really getting very young and we want to make good choices on the individual we place in this position. We want somebody with a little bit of time and experience as a patrol officer. It will be looked at hard. The last time they did any type of promotion and now they are doing it through a committee. They bring them in; interview them; seeing how long they are planning on staying; because that is a big investment. Even though it is not investment really to us it is to our manpower. We take it very seriously.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-46 – Introduced by Council – An Ordinance amending Ordinance No. 15-42 which added the position of Victim/Witness Coordinator to the Classified Service of the City of Zanesville by amending Ordinance No. 00-16 to remove the position of Victim/Witness Coordinator from Classified Service and assign the position to the Unclassified Service.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Ms. Gildow moved for passage, seconded by Miss Bradshaw.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 17-32 – Introduced by Council – An Ordinance authorizing the proper City Official to enter into an agreement with IBI Group for bidding and construction administrative services for the Putnam Hill Water Tank and Heritage Tank Improvement Projects.

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

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 17-34 Amended – Introduced by Council – An Ordinance authorizing the Public Service Director to forgive a partial amount of the Y-City Baseball's water bill.

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

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 17-35 – Introduced by Council - An Ordinance authorizing the City Engineer to waive payment of Stormwater Permit Fees associated with the review and permitting of a Muskingum County Constructed Parking Lot Improvement Project.

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

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton said as you see the weather is getting warmer and the grass is growing and we still don't have all the seasonal workers that we need so we are still looking for seasonal employees. They can come to the Mayor's office and get an application filled out so it can go through the process.

The Mayor was informed by the Clerk of Council that Councilmembers are looking for an update on Muskingum Avenue/aka Dug Road. The City crews have taken all of the trees that they can from the hillside. We have one quote about an option on how to fix it and it is a very high quote. We are still looking or waiting for some technical assistance for another quote for a different option. We also have five very large trees that our City

crews can't take down so we have contracted those out and they will be coming down in the next couple of weeks. For right now the road will stay closed.

Mr. Vincent added that as the Mayor had said the trees coming off there, it has been demonstrated by arborists and other technical people they are not providing any stabilization to the hillside.

Mayor Tilton said they were putting more weight onto the hillside, so they said the best thing to do was to take them down and that is what we did. It will actually help with whatever we do or whatever option we take in the future. It will be something that won't have to be done then. Since the road was already down the Mayor decided to take those trees down to make it simpler for those people to give us a quote on what the future holds.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. Dave Rogers, 1104 Benjamin Avenue, Zanesville, OH 43701 speaking on the lack of rebuttal from Administration of topic of ZPD.

Mr. Dave Rogers said first of all he would like to say how nice the alley looks along the river below the Y-Bridge opposite the canal. He is not sure when it was done, but it is something that has been overdue. Now to the topic at hand, when the speaker speaks on the subject matter and there is no rebuttal from the Administration then shouldn't it be the Council's responsibility to find out what is really going on? False paper work by City employees that is being used officially. The failure to properly investigate a then Captain; especially, if the Police Chief's job was filled properly under the Ohio Revised Code. Evidence tampering, anyone involved; their creditability can be an issue on any future case that may come forward with anyone. That scope could become very big depending on the case. Two foot notes: 1.) Still in the process of locating past Council minutes. 2.) Also trying to find an affordable way to undelete data card that the police illegally deleted when phone was in their possession. That goes back to the scope of any future case. When you have police tampering with evidence and deleting said evidence those persons involved in that, their creditability would come into question in any future case that the police may come into contact with, just by them being involved in that case and prior question to their involvement and prior tampering of evidence. Thank you.

Mr. Vincent thanked Mr. Rogers. With that I think if you follow up with the Law Director so I recommend that is your best course.

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio 43701 speaking on fear & lack of faith.

Mr. Eric Jones said hello everybody. I like this subject. What difference should it make if the residents live under a democracy or a tyranny? I have had it asked of me, I have

asked that of you. I am saying we live under a tyranny. I just keep saying do you need proof. I give them different proofs over my speaking here. The first one is I seem to be having a monologue versus a dialogue. When I come I speak and you all sort of look at me. I get that look of, you don't know what you are really talking about, Eric, but you want to. I have asked you to read some material and I don't know if any of you have read it yet. Again, I can repeat it. It is the Declaration of Independence, the Constitution, Roberts Rules of Order, and what is the fourth one? Does anybody know? The Federalist Papers, there you go. I like it when people are listening to me. Part of the fear is basically based on ignorance. If you have read the material you would at least be able to follow along with what I am saying and that will get us to how do you overcome fear? You basically, do your homework. You study. Read the basic civics. If you can do that, we can work our way to overcoming the tyranny. I was going to use, what do you use to get through that? They are overcoming the fear. Basically you need to think to combat fear. And, again, you go back to the Declaration and the Constitution. If you believe in that, we can work our way to doing what needs to be done here. I won't take up a lot of your time today. Thank you very much.

Mr. Vincent: With that Mr. Jones, you speak on the same thing each time and please take that into consideration the next time as part of the Ordinance is speaking on the same subject three times and I think you're well beyond that since that Ordinance was put into place. So keep that in mind for the next subject.

Mrs. Osborn asked if she could add to that and then she said she has sat here for one year and heard that folks in this room are not sure whether we have read or understand the documents that we took an oath to uphold and my response to that is, "We the people of the United States of America in order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

Mrs. Osborn stated that is just the preamble; I could go on, but I won't. I am really tired of the insinuation that I haven't read or know any of those documents you have mentioned, especially the Constitution, because not only have I read it, and know it, I had to re-write it in my own words in order to graduate from Philo High School in 1997. So I would just like the point to be made that the folks up here know what we have taken an oath to uphold and I would appreciate it if you would understand that. Thank you.

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

Mr. Roberts moved to adjourn. It was seconded by Mr. Foreman. A voice vote was taken with all in favor. None were opposed. Motion carries.

The meeting stands adjourned at 7:43 p.m.