

## **ZANESVILLE CITY COUNCIL MEETING – MONDAY, APRIL 24, 2017**

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, April 24, 2017 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent introduced Shianne Johnson a student from Mid-East Career Center Buffalo Campus, coming to join us this evening for her Government Class.

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

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

### **APPROVAL OF MINUTES**

Mr. Roberts moved to approve the minutes of April 10, 2017, seconded by Ms. Gildow. Motion carries. The minutes stand approved.

### **COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

**Communication from Mayor Jeff Tilton- Board Appointment-Zanesville-Muskingum County Port Authority** – The Mayor is hereby recommending the appointment of Jason Heins to the Zanesville-Muskingum County Port Authority. Mr. Heins will replace Tom Bopley completing the unexpired term ending on October 21, 2017.

Mr. Wolfe moved to receive and concur with Mayor Tilton, seconded by Mr. Foreman. All present were in favor. None opposed. Motion carries.

### **PROPOSED ORDINANCES**

**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 moved to waive the readings.

Mr. Baker said the Community Development Committee, at the request of the Public Service Director, decided to waive the readings, declare an emergency, and vote this down to defeat the motion. The motion is to waive.

It was seconded by Mr. Roberts.

Mr. Bennett then explained with the information presented by the County to the City that the parcel that was identified within the Community Reinvestment Area Ordinance 16-60 had split. So the parent parcel was no longer applicable within that Ordinance. What we prepared was an Ordinance that you have before you, 17-42 that would have amended that parcel number throughout that document. As requested, Mr. Bennett met with the owner of the Muskingum Motel when he was in town, and their financing is not available at this current time. So, as of right now, this project is on hold for them. They are looking at availability for future financing, but nothing imminent. So at this point, rather than go in and amend an Ordinance that ratified that CRA; we would recommend this amendment Ordinance 17-42 just be defeated. Therefore, that is null and void, the 17-42 amending Ordinance. And later on Council's docket is an Ordinance that then repeals the CRA Ordinance 16-60. We would not want to go ahead and grant the tax abatement upon a project that is not happening within the immediate future. As discussed with the owner, when they have secured the financing they can come back and we will start the process again.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Roll call vote for passage.

0 Ayes

9 Nays

Motion carries. Ordinance is defeated.

**Ordinance No. 17-51** - Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property.

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

All present were in favor. None were opposed.

Motion carries.

**Ordinance No. 17-52** - Introduced by Council – An Ordinance authorizing participation in the ODOT Winter Contract for Road Salt, and declaring an emergency.

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

Mr. Vincent: Is there any discussion? The deadline for this is May 10<sup>th</sup>.

Mr. Wolfe withdrew his motion.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

**Ordinance No. 17-53** - Introduced by Council – An Ordinance authorizing the proper City Official to purchase a 2016 Case 621 GTX Wheel Loader for the Street Division through the State of Ohio Cooperative Purchasing Program-State Term Schedule.

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

Mr. Vincent commented he thought it was amazing they have kept a vehicle since 1980, maintained and operating.

Mr. Bennett said the fleet crew does a great job. This will be on the next Public Service Committee Agenda for further discussion.

Mr. Vincent said it is for loading: salt, dirt, and things like that.

Mr. Bennett said and lifting large pipe and items.

Mr. Vincent said like large rocks on Dug Road. It has rubber tires so it can be driven on the streets.

A voice vote was taken for first reading. All were in favor.

Motion carries.

**Ordinance No. 17-54** - Introduced by Council – An Ordinance authorizing the proper City Official to grant a pay step adjustment for an employee.

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

Mr. Tarbert explained as most of you know from one of the Ordinances you passed a few weeks ago Mitzi Shook who had been the Victim Witness Coordinator in the Law Director's Office for several years left to take a great position for her. We advertised the position and Council, thank you, unclassified that position. So we advertised and we took a lot of resumes. We had ten to fifteen interviews. We couldn't find the right person for that position. One day Lisa Davis from Community Development asked if we were

still looking for someone. We said yes. She is a perfect fit, so after talking with Mr. Bennett and he wasn't incredibly happy about it, but he was gracious and Lisa came to work for us and she started about two weeks ago. The issue is that Mitzi, when she left was making \$14.90 an hour. Lisa was making \$13.26 cents an hour with Community Development. Because of the City's pay ordinance, which Mr. Tarbert would politely recommend that someone look at a change at some point. She could only take the job at \$12.49 an hour. So hiring a City employee, who had been here for several years, and is very valuable to the City, she was taking about a seventy or eighty cent per hour pay cut.

If someone was hired off of the street they could have been paid \$14.49 per hour. So hiring a City employee he could only pay \$12.49 per hour, but hiring someone off the street he could have paid them \$2.00 per hour more. So what he is asking Council to consider is kind of meeting in the middle; less than what Mitzi was making, but a little more than what Lisa was making. He is proposing the new amount for Lisa will be \$13.61 per hour. That is more than \$1.00 less an hour than what Mitzi was making, but a little bit more than what Lisa was making at her prior job. Thank you.

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

**Ordinance No. 17-55** - Introduced by Council – An Ordinance authorizing the proper City Official to enter into a professional contract with Jobes Henderson & Associates for Stormwater Utility Program Analysis, Phase II.

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

A voice vote was taken with all in favor.  
Motion carries.

**Ordinance No. 17-56** - Introduced by Council – An Ordinance repealing Ordinance No. 16-60, which adopted a Community Reinvestment Area Agreement with the Muskingum Motel Corporation.

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

Mr. Baker said just as a reminder this is part two of the issue of the first Ordinance we examined which dealt with repealing the CRA for Muskingum Motel Corporation.

A voice vote was taken for first reading and all were in favor.  
Motion carries.

**Ordinance No. 17-57** - Introduced by Council – An Ordinance waiving rental fees at Secrest Auditorium for Zanesville Thursday Music Club.

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

Mr. Baker asked out of curiosity, how often do fees get waived at the Auditorium for a deserving group.

Ms. Heskett said typically that always comes before Council.

Mr. Baker asked if there has been any discussion as far as this having a snowball effect.

Mr. Vincent said this was discussed at the Ways & Means at length and it has been worked on. Ways and Means with Ms. Gildow are working on leading that group to come up with some guidance for the Administration to help to decide where fees can be waived. We are looking at ideas for non-profits and things like that. The idea is to make it easier not only for the Mayor and Administration to have some guidelines to help make these decisions, with Council setting in place by Ordinance, and also saving these things from having to come to Council. It is quite often the Mayor will receive a request like a week before an event wanting Secret Auditorium and wanting the fees waived. Some past administrations, we understand, did that and we need something solid.

Mr. Baker said he knew it has been discussed over the past several meetings which is a great idea. Maybe you could deal with Mr. Tarbert's suggestion at the same meeting.

Ms. Gildow added that this Thursday Music Club uses Secret Auditorium four times a year as an event where they pay the City for the City's cost for use of Secret. This is an event that takes place once every two years and it is open and free to the public. So that is the reason for request to waive it. This went to the Ways and Means Committee and the recommendation from that committee is that we do approve waiving these fees.

Mr. Vincent said so waiving and passing is the conclusion from the Ways and Means Committee?

Ms. Gildow said correct.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

**Ordinance No. 17- 58-** Introduced by Council – An Ordinance authorizing the Proper City Official to provide amenities for an event with representatives from Federal, State, and local agencies to discuss State and Federal Budgetary concerns and the effects on the citizens of Zanesville 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.

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

Mr. Vincent said, Mayor Tilton I know you are calling this "Eggs and Issues". What confirmations do you have?

Mayor Tilton said at last count he thought there were 25 people coming.

Mr. Vincent asked about confirmation from representatives from State and Federal?

Mayor Tilton said representatives from State and Federal agencies, the Governor's Office, the Lieutenant Governor's office, Commissioners, and Council is invited.

Mr. Vincent asked if there are confirmations from the State and Federal officials.

Mayor Tilton said yes from their representatives, but not from the officials themselves. The Mayor is very pleased with the response.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

**Ordinance No. 17-48 Amended-** Introduced by Council – An Ordinance authorizing new park fees for the City of Zanesville.

Mr. Vincent explained this Ordinance was amended the last time adding in the effective date of October 1, 2017. The correct copy is at your place setting. That is the only difference with that so 17-48 as amended.

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

A voice vote was taken with all present being in favor.

Motion carries.

**Ordinance No. 17-49** – Introduced by Council –An Ordinance authorizing the proper City Official to purchase grinder pumps for the City’s east end sewer collection system from Covalen.

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

A voice vote was taken with all present being in favor.  
Motion carries.

**Ordinance No. 17- 50** - Introduced by Council – An Ordinance authorizing the expenditure of funds for the purchase of materials and services for the construction of the Maple Avenue Water Main Project.

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

A voice vote was taken with all present being in favor.  
Motion carries.

**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. 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. 17-41** – Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

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

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

**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 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. 17-44** – Introduced by Council – An Ordinance authorizing the implementation of new Community Development fees for the City of Zanesville.

Mr. Baker said in light of some new information which concerns possible additional amendments; he would like to postpone this Ordinance to the May 22 Council meeting and refer it back to the next Community Development Committee meeting. It was seconded by Mr. Roberts.

A voice vote was taken with all present being in favor.

Motion carries. This Ordinance will return to the May 22, 2017 Council meeting.

#### **TRAFFIC ORDERS**

None

#### **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mayor Tilton said first of all the communication he sent to you about the replacement of Tom Bopley. The Mayor truly didn't want to do this, but Mr. Bopley came to the Mayor and has some health issues so he requested to step down. His legal expertise has been a big asset to this community and the boards around it. So the Mayor personally thanked him for his time with the City.

Second of all if you haven't noticed today they have started the preliminary work for paving inside the City limits. For the next six months we will have delays and road closures. We ask for the patience of our citizens, because in the end it is going to be better for our community.

Thirdly, Kidzville. I hate to keep talking about it, but we still need volunteers. It is coming quicker that we think. May 31 through June 4 we will be down at Riverside. If you haven't been down there lately, Kidzville is no longer there; so it is Kidzville 2.

Mr. Vincent thanked the Mayor and wanted to add, as he is sure many Council people would, as far as Mr. Bopley's past service to this community. He has been a wonderful man to work with and provided great advice. Mr. Vincent enjoyed him very much and many could probably echo that. We thank him for his service.



Mr. Bennett said they had a team meeting last Friday. Linden Avenue continues to proceed with the Water Main project. We are right on schedule. We would look to wrap up the Water Main project at the end of May so by the time the restoration work that needs to take place we would look to be off of Linden Avenue for water the first week of June just in time for Shelly & Sands to come rolling up Linden Avenue from Adair to the City limits and pave it. We appreciate everybody's patience. We have a signed contract.

## **PRIVATE PETITIONS AND COMMUNICATIONS**

### **Non-agenda item petitions filed**

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio 43701 speaking on revisiting racism in Zanesville.

Mr. Jones said hello everybody. A real quick statement. When you said a citizen of Zanesville, you can't be a citizen of Zanesville until we have a constitution. You can be a citizen of the State or you can be a citizen of the Federal government, but you can't be a citizen of Zanesville. You can be a resident of Zanesville. Mr. Jones has had this discussion and that is why when he asks the question what difference does it make to you, the elected, appointed officials, if the residents of Zanesville live under a democracy or a tyranny. What is the difference? It is a real quick statement.

Now, racism in Zanesville. Now everybody in this room is a racist; everybody. You are born in Zanesville and Zanesville is a racist town. Muskingum County is a racist county. The state of Ohio is a racist state. It is built in. That is the way it is. How your racism is most people are over here somewhere. Some are up here with hatred and when they talk to you they sort of spit at you. There are people with racism of indifference. Way over here. It is that cold racism. It looks like it is mild mannered, but it is the meanest of them all. Now, the big deal of racism, I will go to 1985. We changed from democracy to tyranny in 1984. By 1985 the war on drugs came into effect which was the war on African Americans. It started out with possibly 250,000 or 300,000 black men in prison. Which over the next thirty years we are up to two point something million black people in prison. With another possibly five point something of those being under community control, approximately eight million people. Seriously, almost half of the black males between the ages of twenty and sixty; they are under felonies, folks. Half! That is part of it, but that is not all of it. It is the other half, the ones that don't have that; it caused them a problem; that is why they are silent.

If you live under tyranny you live under force with fear. Democracy is supposed to be persuasion and reason. So now I stand here trying to have and persuade you and be reasonable with what I am saying. That was quick. I was going to use a few examples: one was of my court trial and the other was going to be the police department. So we will get to that as we go forward. Thank you very much.

Mr. Vincent said thank you, Mr. Jones.

Mrs. Osborn moved to adjourn. It was seconded by Mr. Roberts. A voice vote was taken with all being in favor. None were opposed. Motion carries. The meeting stands adjourned.

Mr. Vincent said thank you everyone and have a good night.

The meeting adjourned about 7:30 p.m.