

## **ZANESVILLE CITY COUNCIL MEETING – MONDAY, MAY 08, 2017**

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, May 08, 2017 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer.

South Zanesville Boy Scout Troop 132 was asked to come forward and lead us in the Pledge of Allegiance to the Flag. Mr. Vincent said we would be honored to have them lead us. A special recognition to Garrett Fowler who is a candidate for Eagle Scout, that is quite an accomplishment.

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

Mr. Roberts moved to excuse Ms. Gildow, Mrs. Osborn seconded. A voice vote was taken with all present in favor. Motion carries. Ms. Gildow stands excused.

### **APPROVAL OF MINUTES**

Mr. Roberts moved to approve the minutes of April 24, 2017 as printed, seconded by Mrs. Osborn.

Motion carried. Ms. Gildow was absent. The minutes stand approved.

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

#### **Communication from Mayor Jeff Tilton, Block Grant Community Advisory Committee appointments**

Mayor Jeff Tilton hereby appoints the following individuals to the Block Grant Community Advisory Committee (CAC): Pam Uddin, Diana Geidenberger, Edgar McAuley, Peggy Ware, and Brian Gadd.

Miss Bradshaw moved to receive and concur, seconded by Mrs. Gentry.

All present were in favor. None were opposed. Ms. Gildow was absent. Motion carries.

#### **Communication from Jay Bennett, Director of Public Services** – Zanesville Municipal Airport Quarterly Report 01/01/2017 through 03-31-2017.

Mr. Wolfe moved to receive, seconded by Mrs. Osborn.

Mr. Bennett added the celebrity passenger for the quarter was Dave Chappelle.

Mr. Vincent said there were forty charter flights total in 2016 and 50 so far this year so things are way up as far as charter flights. That is good for us to have use of the airport and pavement is coming.

All present were in favor. None were opposed. Ms. Gildow was absent.  
Motion carries.

## **PROPOSED ORDINANCES**

Ordinance No. 17- 59 - Introduced by Council – An Ordinance authorizing the proper City Official to advertise for bids and enter into a contract with the lowest and best bidder for the 2017 Citywide Overlays.

Mr. Roberts said the recommendation from the Public Service Committee is to waive the readings and pass this legislation tonight so we can get this bid out and hopefully, get these streets paved this year.

The motion was seconded by Mr. Wolfe.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow

Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow

Motion carries. Ordinance is passed.

Ordinance No. 17- 60 - Introduced by Council – An Ordinance authorizing the Proper City Official to accept and enter into a Water Pollution Control Loan Fund (WPCLF) Agreement for planning, design and/or construction for combined sewer overflow projects, and designating a dedicated repayment source for the loan.

Mr. Roberts said it is the recommendation of the Public Service Committee to waive this tonight and pass it so we can get our loan application in and get this funding secured.

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow  
Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

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

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

All were in favor of second reading. None were opposed. Ms. Gildow was absent.  
Motion carries.

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.

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

Mr. Roberts stated this legislation was also recommended to be approved by the Public Service Committee.

All present were in favor of second reading. None were opposed. Ms. Gildow was absent.  
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.

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

All present were in favor. None were opposed. Ms. Gildow was absent.  
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. Wolfe moved for second reading, seconded by Miss Bradshaw.

Mr. Roberts moved to amend this Ordinance in the following manner by adding the emergency language. In the title enter after Phase II, "and declaring an emergency". In the eighth whereas adding "in order to utilize students from Ohio University to perform impervious area measurements at a significant savings while school is not in session and for the betterment of the public welfare this analysis will provide, this ordinance needs passage as an emergency". Adding in Section Three to read as follows: "For the reasons stated in the preamble hereto, this Ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, this Ordinance shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law."

Mrs. Osborn seconded the motion.

Mr. Vincent asked Mr. Bennett to add information on the importance of getting this done so students can help with the work.

Mr. Bennett provided history being the City has a surcharge upon parcels within the community for the elimination of stormwater. The Ohio EPA through permitting has required the City to run a Municipal Program that is more of what is known as a utility required operation, education, elimination, and meeting water quality standards. The City is currently in compliance with that program, but it is because of the City Engineering department, the City Street, and Wastewater departments. We are falling behind. Phase I was working with Jobs Henderson and their colleagues to examine all the City residential parcels and coming up with what is known as an Equivalent Residential Unit. This is now known to be 2,300 square feet per residential parcel. Phase II is proposed before you currently and is working with that same team convening representative community members of folks who will be impacted regarding further analysis and ultimately the projects that we must do long term to make improvements in our stormwater system and stay in compliance, educate the public on clean water, and discharge into the receiving streams. This work along with a large portion of it by the engineering firm and their associates was an analysis of all of our commercial properties in the City. Their proposal was a significantly higher amount than what was submitted as a total package of the analysis plus work with the community members and looking at stormwater charges, looking at stormwater credits, and those types of things long term which will take a few years to get this accomplished. That portion of that work on the evaluation and measurement of all commercial properties parcels in the City and how many equivalent residential units exist on those was a significant fee. Through the recommendation of Councilmember Roberts and his interaction with Ohio University leadership, Mr. Saunders and Mr. Bennett worked with their leadership by using their GIS students to be able to do that work over the summer thus saving a significant amount of money to the community and paying for this work over the next couple of years. During the summertime to get those folks on board and get them engaged when they have time is why it becomes an emergency. If delayed into fall,

when they are in school, the students can only work up to 10 hours per week. We will save a significant amount of money by using the students and therefor creating an emergency situation.

Mr. Vincent said the savings are estimated to be a minimum of \$24,000 using the students. The City has had luck with other students from Muskingum University helping redraw the lines for the different Wards. It was a learning project for them and in this case it is the same thing. It is a learning project, a real world situation. It is a win/win opportunity. We are giving back to one of our state universities as far as making this happen. And saving taxpayer's money.

A voice vote was taken and all present were in favor of the amendment. None were opposed. Ms. Gildow was absent.  
Motion carries.

**Ordinance 17-55 as Amended**

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow

Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent                      Ms. Gildow

Motion carries. Ordinance is passed.

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

All present were in favor. None were opposed. Ms. Gildow was absent.

Motion carries.

**Ordinance No. 17-44** – Postponed until May 22, 2017 meeting.

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Ms. Gildow

Motion carries. Ordinance is passed.

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 third reading and passage, seconded by Mr. Baker.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Ms. Gildow

Motion carries. Ordinance is passed.

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 third reading and passage, seconded by Miss Bradshaw.

It was mentioned this will make a lot of people very happy. This has been a problem area from Sheridan to up over the hill. It will make the City crews very happy as well. It will reduce risk to get it fixed and the staff won't be there trying to get it fixed on a busy street.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Ms. Gildow

Motion carries. Ordinance is passed.

**TRAFFIC ORDERS-** None

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mr. Buck wanted to mention one item to be spoken about tonight by Kathy Dickinson. Mr. Buck has talked with her. I think Chief Coury has too. We are under an active

investigation right now on this problem. It is a big problem, so I advised her to come in and speak. It is not an issue between us. Before anything else, we are looking at possible nuisance abatements on property over there. We have had several calls, the Police Chief could probably tell you a lot more about the number of calls, but I know it has been several. The people in that area have been in my office and talked with me before about the possibilities of what they can do. You have to be careful about how far you stick your nose out right now if you are in the public especially some of the elderly people. Mr. Buck does worry about them in that area. We have talked about several different things we can do as far as maybe even doing a briefing in the area. We did that once before over on Luck Avenue. He is not sure anyone remembers it, but Mr. Buck does. He was on the fire department several years ago and said it is kind of nerve racking for the people that don't want the PD there, but it is really not right for the people who are here. One of the other things we are going to do is we are starting back up our Police Advisory Committee that we had in the past. We will have a citizen on it, former Police Officers, Police Administration, and somebody from the Law Director's office. We are going to look at some ideas. One of them that did come out that we never enacted that Mrs. Tarbert and I were just talking about was one street at a time. Mr. Buck thinks it would be big to have that out there, but also using Code Enforcement with it and possibly the Fire Department for fire code violations. We run into that also. It is not just a policing thing, it is not just the Police Department's problem; it is the City of Zanesville's citizens' problem. It is big. He thinks everybody knows it.

Mr. Bennett provided a Kidzville update. To the leadership of Assistant Fire Chief Doug Hobson, Terri Herron of Secrest Auditorium, Lisa Hittle, IT Communications Manager, and a lot of volunteers that have huddled up and become the steering team and driving this project. We continue to make progress. Recently all of the food has now been taken care of to feed all of the volunteers for those five days. That is an incredible gift. Partnership with the Muskingum County Community Foundation was made and they have had some money on hold for several years and they have freed that up to be able to bring it into this project. All of the materials are ordered and expected on time. Kidzville 1 has been removed. It is being prepared. We are all set. What remains are people and tools. So we go ahead and continue tonight to call out to the community that if you have a few hours to bring your kids out, there will be child care there if you have younger ones. Come lend a hand. It is a wonderful community project. Doug has been just outstanding for the work he has done around this project. Mr. Bennett believed just last week it came out that the Commissioners have thrown out the challenge to the City. Let's say the challenge is accepted on volunteers of who can recruit the most volunteers. Reach out. It is our communities' parks. We accept it.

The dates are May 31 through June 4, 2017.

## **PRIVATE PETITIONS AND COMMUNICATIONS**

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

Kathy Dickinson, 425 ½ Taylor Street, Zanesville, Ohio former address Baker Street speaking on the crime on Baker Street-The two drive-by shootings on Baker Street.

Ms. Dickinson said she cannot get this all said in three minutes so she would ask that you would allow additional minutes if that is okay and if not that is fine too. First of all she said she is not going to place blame on anybody. She just wants something done. She lived in the Baker Street neighborhood for over 50 years so she has a lot invested in there. She is a mother, grandmother, and she is a great-grandmother. She thinks there is more that needs to be done. She thinks the City Law Enforcement needs to be more visible. They need to come, sit, get out of their cars, they need to talk to the residents and just find out what the problem is. Don't always come and get an attitude because you were called to this neighborhood. First of all, this neighborhood she is talking about is an area of three blocks. There are nineteen homes. There are four or five empty houses, there is a furniture store, a senior citizens assisted living complex, a church, and a community garden. This is not a bad neighborhood, but when most people are talking about it you would think it is the worst neighborhood in the City. She is here to tell you that it is not. She stands firmly on that. She believes the City has made an effort. They have been invited to her church to talk to some of the local ministers and she knows the Chief of Police was there, the Mayor was there, Mr. Buck was there, and they have talked, but you know, we can only talk for so long. Action has to be taken.

She thinks that the Police Department needs to be more aggressive. She asks each one of you up there sitting today to imagine that Baker Street was your home, your street. How would you like it if you came home and all of these cars were parked there? You can smell drugs, people who don't even live there. People from outside the community are coming in and taking over our little community and it is wrong. She spoke to Mr. Buck about maybe making it a one way street. Maybe put speed bumps down. Maybe putting cameras up; she understands it is violating the people who live there and their rights. Well, we have rights too. Her daughter and grandkids have rights and they are being taken away every single day. She called and got some statistics about how many calls were called into this area. There were a total of 53 calls.

The time limit expired.

Mr. Vincent said the three minutes are up and he has to hold to the time to be fair to everyone.

Ms. Dickinson asked if she could have an additional three minutes.

Mr. Vincent said that would be up to Council.

Mrs. Norman made a motion to give her more time. Mr. Baker seconded the motion.

Mr. Vincent asked if the motion by Mrs. Norman was for an additional three minutes and following the rules or unlimited?

Miss Bradshaw asked if we could hear everything she has to say?

Mr. Vincent said okay, but by protocol we go by three minutes so do you want to grant more than three minutes? He is asking for clarification for what is wanted.

Mrs. Norman said she thinks she has something to say so and she thinks it would be good for the whole council to know what her concerns are and all the people who live in that area.

Mr. Vincent said he understands, he just wants to clarify, do you want to waive the Council rules for unlimited time, correct?

Mrs. Norman said yes.

Mr. Vincent said there is a motion and it was seconded by Mr. Baker.

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

Mr. Vincent said with that Ms. Dickinson you have unlimited time to speak.

Ms. Dickinson said thank you. She did call and got the paper data about the calls in that neighborhood. There were 53 calls. She was kind of appalled when she heard that. She thought oh, my God, but when she broke it down and looked at what each call was, there were 28 of them for ambulances to the Senior Citizen building. loud music was two, fighting was one, overdose was one, mental person that was one, wants to see an officer was two, 9-1-1 hang up was one, disturbance was three, traffic stop was three, trespassing was one, and theft was one, and the shooting was three, vandalism was one, drugs was one, and an unruly child was three, and shots fired were three. She also did a comparison to Mead and Ridge. This was in a four month period. There were 17 weapons, guns, shots fired, and drugs filed over a 4 month period on Ridge and Mead.

Her question tonight is that we have to get involved in these communities. We have to get the police officer out, they have to be more diverse, they have to learn how to talk to the kids and the problem kids and they have to learn how to talk to each other. There is a problem of respecting or disrespect. Most of the time there is a call on Baker Street somebody gives her a call and she goes over there and she talks to the police officer and she talks to the kids. They know when they see her coming they are not going to mess with her because she tells them to get going. You don't live here, get out of here. You don't belong here. She doesn't have a problem with that, but she has to be careful because she is making herself a target when she does that. She is going to protect her kids and her family. She has a problem with these cars being parked there. Right now there is a car parked there that has been there over three weeks. How come you can't chalk it? Why can't it be towed? Again she poses to each and every one of you here tonight to imagine it was your neighborhood that you had to walk in every day. Now,

most people don't want to call in to make a report, and do you know why; because their name appears on this piece of paper. They are afraid! So maybe that can be something to be changed.

The officer that came and I spoke to him there were two of them, they had the drug dog and one got out of the car and talked and tried to get answers. He talked to the young boys. They were called for kids not getting out of the street. The one officer who didn't get out of his car, he was upset more with their attitudes and she could smell drugs and this and that. Well, her concern with him is if you are a police officer and you smell drugs and you have a drug dog in your car, then get out and do your job and make some arrests. Don't sit here and talk about it, because it is a problem. Any given day you can walk on that street and smell marijuana. His answer was, well you know, it is a misdemeanor. They are going to run. No, arrest them. If they take time to make some arrests, tow some cars, run some license plates, most of them don't have a license, most of them don't have insurance, and most of them don't even own a car. It is going to take a little bit of work on both our parts. That is what she is here to say.

She would like to see the Council people work. She would like to come here and see your agenda and see something about the crime and violence. You speak about everything else in the City, but there is nothing on your agenda about crime and violence. She would like to see more involvement in the Crime and Violence Committee. She knows Mr. Foreman meets five times a year. She went to the first meeting in January, the second one was canceled. The next one was four months. She thinks it is a problem. She doesn't think you should ever cancel a meeting that deals with crime and violence in our community. She thinks it is very important and the crime is just not on Baker Street; it is City-wide.

So come on, you say one street at a time. I agree with you. Let's start with one street at a time. Let's start with these kids. Let's see what we can do. There are more that needs to be involved with the community, the churches, the ones that live in the neighborhood, and the law enforcement. That is all she is asking. You guys got to imagine. I will leave with you to imagine if Baker Street was your street in your neighborhood. How would you feel? Would you want something done? So I am not here to bash the law enforcement. Tony Coury the Chief of Police, she has known him for many years. He is excellent at what he does.

David Rogers was disruptive with an outburst of various howling and barking type noises and laughter.

Ms. Dickinson commented that is very disrespectful.

Mr. Rogers said excuse me, I am sorry.

Mr. Vincent: Sir, sir, could you step out of chambers, please? Sir, could you step out of chambers, please?

Mr. Rogers stepped out of the chamber area.

Mrs. Dickinson stated again that is so disrespectful. She then said she thinks Mr. Buck does a good job, and each one of the Council people up there do a good job. She is just asking you just to look into the crime and violence and she doesn't want another person to get hurt. There was a death in 2011 and she doesn't want another death. She doesn't want it to be one of her kids or somebody she knows. She doesn't want the people to lose their homes that these kids are coming there and hanging out because that poor lady, she works two jobs. She doesn't want her to lose her home. That is not why she is standing here tonight; she is standing here tonight because she doesn't want someone to lose their life from a drive-by shooting. Thank you.

Mr. Vincent said thank you Ms. Dickinson. I appreciate you coming and sharing this evening. He said just some general information in case people are wondering on some things. We do have a Crime and Violence Committee that meets and is led by Mr. Foreman. For things to come here we need Ordinances. What we work on tonight is things that need voted on. If Crime and Violence were to bring some Ordinance forward it would make it to this meeting for discussion and it would appear on the agenda for our review and consideration to vote upon. Those are public meetings and you are all welcome to attend those Crime and Violence meetings if you like. I am not sure when the next one is, but it will be out there.

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

Mr. Jones said hello everybody. You don't have to extend my time. I will be under the three minutes. I always start with this question. What difference does it make to you as appointed officials that the residents of Zanesville live under a democracy or a tyranny? Again, I am going to use the war on drugs which was in effect the war on black people, people of color. Racism flowed its way down all the way to Zanesville, OH. I was going to give some examples from last week, but I ran out of time. I am not in a hurry folks it will play its self out.

I was going to use my court case to show you how racism played a part in that. First off was the expectation of a fair trial. At no time did I think I was going to be found not guilty. No time. If you ask the people of Zanesville, the black people of Zanesville, they would all say basically the same thing. Eric, you will be found guilty, why don't you take the plea bargain? The reason I didn't take the plea bargain is simple enough. Plea bargains are for tyrannies; trial by juries for democracies. We have had three trials by juries in seventeen years. That should let you know, I am telling you that this is a tyranny. I am using the books I gave you, the four things that I gave you to read as the source materials. It is not that hard folks. Mr. Vincent is a tyrant. If you read the material, it gives you the things to look for and gives you the criteria so you can figure it out all by yourselves. I don't know if any of you read the material? I have asked a number of times, but I can't force you to say whether you read the material or not. I recognize Mrs. Osborn recited the Preamble to the Constitution, but that didn't say she read the

material. It just says she read the preamble. That is what I am saying. I know, I know, she is shaking her head. I get it. I get that. I get it, but that is something again, if this was a democracy you would all stand up and contradicted what I have said. If you haven't contradicted what I've said then what I said is to be accepted as true. That is fundamental stuff.

Now, just from that, the expectation of a fair trial I didn't get. I am running out of time. The next point I was going to do was how I received my warrant. There was a mistake, a clerical error, on my warrant and it would have gotten me killed as a black person. It has a racist element to it. If you are black and there is a clerical error you have a better chance of bad things happening to you. I will continue this as I go along. There is no rush. Everything will play itself out the way it is supposed to. Thank you.

Mr. Vincent said thank you, Mr. Jones. I have petition for Mr. Michael Seiler

Michael Seiler, 129 South Street, Zanesville, OH 43701 speaking on downtown development. Mr. Seiler was not present to speak.

Mr. Vincent said I asked Mr. Rogers to leave the meeting and he did have a petition in to speak tonight.

Dave Rogers, 1104 Benjamin Ave, Zanesville, OH 43701 speaking on administration questionable retention of public employees in their public duties when conduct is exposed.

Mr. Vincent: I don't know if he has left or not.

From the audience it was stated he left.

Mr. Vincent said he was disrupting a public meeting. It is not acceptable. Chief Tony Coury is here this evening and with that I don't know if you have anything you wanted to share with Council that might be helpful regarding anything that we talked about tonight. If you would like to speak you are welcome to do so.

Chief Tony Coury: I don't have a lot to talk about with what Ms. Dickinson had to say. We do have an active investigation. We are aware of some problems on Baker Street and we have discussed some of our problems with our Law Director and the County Prosecutors about nuisance abatements. Right now we do have problems over there and that is all I can say. I have made it my personal thing to do every day is I just ride by at least one time a day to see what is going on after our last incident. The foot traffic has pretty much calmed down during the day time. Today I did see a little bit starting to move back up, some people hanging out in the same troubled area, and the same troubled house. We are monitoring it. We are going to have meetings with the County Prosecutor's office about nuisance abatements and we will also be speaking with Mr. Tarbert about it. We will continue to investigate. She was right that not all of Baker

Street is bad. It is three to four blocks long, but there are a couple of residences over there that need cleaned up. With that, I don't have anything else to say.

Mr. Vincent: If Council has questions that the Chief may be able to answer we can do that. Is there anything from Council? If you have something later on you can reach out to him and I am sure he is available, as well as, Mr. Buck. Thank you both very much.

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

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

The meeting adjourned about 7:45 p.m.