

**COMMUNITY DEVELOPMENT SECOND PUBLIC HEARING ON
MONDAY, JULY 10, 2017**

The second public hearing was held at 6:15 p.m. for the City of Zanesville Community Development Department. In attendance were the following individuals: Councilperson Sandy Gentry; Councilperson Connie Norman; Councilperson Jan Bradshaw; Councilperson Ann Gildow; Susan Culbertson, Clerk of Council; Andrew Roberts, President pro-tempore; Councilperson Joey Osborn; Councilperson David Wolfe, Councilperson Stephen Foreman; Councilperson Mark Baker; Mayor Tilton, Public Service/Community Development Director Jay Bennett; Community Development Director Daniel Louwers; and Shelly Schultz, reporter for the Zanesville Times Recorder.

Mr. Roberts called the Second Public Hearing for the Community Development Department to order at 6:17 p.m.

Daniel Louwers started the hearing with the review of the CDBG regulations. He described the public participation at the nine or ten community meetings that were held. The application process was discussed. The allocation and revitalization were also discussed. Citizen comments are important. The CDBG primary objective is the development of viable urban communities for principally low to moderate persons through decent housing, suitable living environment, and expanded economic opportunity. The CDBG National objectives were then discussed being the low to moderate income, slum and blight and urgent needs. Typically urgent need doesn't apply to us, but with the two giant storms that came through the past week there is a chance it might. Mr. Louwers described the eligible activities, ineligible activities, federal dollars and the City's PY 2017 applications, the grant allocation, the grant amount being \$166,000 and the projects, with neighborhood revitalization planned activities in the Chaps Run Target area.

The hearing concluded about 6:48 p.m.

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JULY 10, 2017

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, July 10, 2017 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Roberts, President pro tempore, led those present in the Lord's Prayer and the Pledge of Allegiance to the Flag.

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

Mr. Vincent was absent.

Mr. Baker moved to excuse Mr. Vincent and Mrs. Osborn seconded the motion.
A voice vote was taken with all in favor. None were opposed.
Motion carries. Mr. Vincent stands excused.

APPROVAL OF MINUTES

Mr. Wolfe moved to accept the minutes as presented, seconded by Miss Bradshaw.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Mayor Jeff Tilton - Zanesville Community Improvement Corporation Board - Mayor Tilton is recommending the appointment of Kyle Witucky to the Zanesville Community Improvement Corporation Board. Mr. Witucky will replace Tom Bopley completing the unexpired term ending December 31, 2018.

Ms. Gildow moved to receive and concur, seconded by Mr. Foreman.

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

PROPOSED ORDINANCES

Ordinance No. 17-73 - Introduced by Council – An Ordinance authorizing the assessment of liens against certain properties with delinquent bills, and declaring an emergency.

Ms. Gildow moved for first reading and it was seconded by Mr. Foreman.

Ms. Gildow moved to amend the Ordinance in Section Two. There needs to be a sentence added that says, “These charges will be placed on the 2017 taxes, payable in 2018, for a one-year term”.

Mr. Roberts said there is a recommendation from the Public Service Committee to add that line and to also waive the readings on this with the emergency language.

Mr. Baker seconded the motion.

All present were in favor of the amendment. None were opposed.
Motion carries.

We now stand at Ordinance 17-73 as amended.

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

Roll call vote on waiving of the readings.
9 Ayes

0 Nays
Motion carries.

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

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

Ordinance No. 17-74 - Introduced by Council – An Ordinance authorizing the proper City official to apply for an OPWC (Ohio Public Works Commission) grant and zero interest loan and execute contracts in connection with the Round 32 State Issue 1 Program, if approved.

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

Mr. Roberts added the Public Service Committee recommended waiving of the readings due to the time constraints involved with the application.

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

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

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

Ordinance No. 17-75 - Introduced by Council – An Ordinance authorizing the proper City official to submit an application to the Ohio Development Services Agency for an award of Community Development Allocation Program Funds and declaring an emergency.

Mr. Baker moved to waive the readings and pass as emergency legislation. It was seconded by Miss Bradshaw.

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

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

Mr. Wolfe wanted to make a note that we had a 6:15 public meeting to discuss some of the background and some of the details of this and it was very informative.

Mr. Baker said this did make its way through several meetings of the Community Development Committee and we were apprised of everything that was going on with this as well.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-76 - Introduced by Council – An Ordinance authorizing the proper City official to submit an application to the Ohio Development Services Agency for an award of Community Development Neighborhood Revitalization Program Funds and declaring an emergency.

Mr. Baker moved to waive the readings and pass as emergency legislation. It was seconded by Miss Bradshaw.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 17-68 – Introduced by Council – An Ordinance to authorize and promote art displays in and on public spaces.

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

Private Petition from David Rogers- Is Muskingum County open mind enough to permit ART displays. Will people who damage ART be prosecuted?

Mr. Dave Rogers: That is my question, is Muskingum County open minded enough to permit art displays? Will people who damage art be prosecuted? If art displays are nudity or history of the Civil War or if people may want to display Nazis; that is all in the

art of art. The artist is art. So it would have to be acceptable. It is something that the City should really take into consideration. I think open art is a good idea, but then you might have certain civic groups that are opposed to certain people's art. That is a consideration that should also be thought. That is it.

Hearing no discussion, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 17-69 - Introduced by Council – An Ordinance authorizing the waiver of water tap fees associated with the development of Olga's Children's Garden.

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

Hearing no discussion, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Motion carries.

Ordinance No. 17-72 - Introduced by Council – An Ordinance allowing a moral claim.

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

Hearing no discussion, all in favor of second reading signify by saying aye. All were in favor. None were opposed.

Ordinance No. 17-63 - Introduced by Council – An Ordinance authorizing the proper city official to purchase a 2018 Western Star 4700 Roll-Off Truck for the Wastewater Division through either the State of Ohio Cooperative Purchasing Program-State Term schedule or through a competitive bidding process.

Mrs. Gentry moved for third reading and passage, seconded by Miss Bradshaw.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 17-64 – Introduced by Council – An Ordinance authorizing the waiver of water tap fees associated with the development of the McIntire Nature Reserve & Education Center.

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

Roll call vote for passage.

9 Ayes
0 Nays
0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 17-65 – Introduced by Council – An Ordinance relating to a Recreational Trail Lease with the State of Ohio Department of Natural Resources; authorizing the Public Service Director permission to develop and operate recreational trail on portions of State of Ohio’s Lock #10 Canal Park property and authorizing the Director to execute the Management Lease Agreement for this property use.

Ms. Gildow 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. 17-66 - Introduced by Council-An Ordinance authorizing the Public Service Director permission to execute a Transfer of Water Facilities Agreement with Muskingum County.

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

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 reminded Council and the citizens of Zanesville as of August 1, 2017 we will be replacing the main water line on Maple Avenue. The work schedule is about 60 work days so we are looking at many weeks with Maple Avenue being shut down to one lane not only on the north bound, but also on the south bound side. I just hope the citizens will be careful with our employees. This line replacement will be on Maple Avenue between Sheridan and McConnell.

Second of all the City of Zanesville has a survey for downtown businesses, employees, and residents. It is a form for access to broadband and the future needs of broadband in

the downtown. You can get the survey on our website under Community Notices. You can log on to share and if you have any questions, please contact the Community Development Department. Thank you, sir.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

Mr. David Rogers, 1104 Benjamin Ave, Zanesville, OH 43701 speaking on, "ORC 149.011 Documents, reports, and records definitions. (part G)

Mr. Rogers: Records include any copies, supplies or items regardless of what physical form or characteristic. I have been completing an electronic record as defined in Section 1306.01. If I have time I will get to that. Of the Revised Code created or received by or coming under the jurisdiction of any public office of the state or its political subdivisions which serves the organizations, functions, policies, decisions, procedures, operations, or other activities of the office. In the past I spoke before against Ordinance 14-29 on the record. The Use of Force report is a public record. Records in the Ohio Revised Code are public record. So by using the Ohio Revised Code and referencing it how many City employees have been criminal in their lack of improper investigation of Tony Coury. His name is a public record. ORC 1306.01 definitions "agreeing" means a bargaining of parties and fact is found in the language or from other circumstances and from rules, regulations, and procedures, given the effect of agreements under otherwise stupid to this particular transaction. "Person" means an individual, corporation, business, trust, estate, partnership, Limited Liability Company, association, joint venture, governmental agency, public corporation, or any other legal or communication party. That was Section L. The first part was A. M. "Record" means information that is inscribed on a triangular medium or that is stored in an electronic or other medium and is retrievable in perceivable form so by referencing in the past, public records being able to develop a paper trail and able to show wrong doing in the handling of procedure by the administration. I got accused of slander by a Councilmember. Plain and simple, develop a paper trail. Some of this stuff I wasn't even aware of until I started looking in to it. Thank you.

Mr. Roberts: Thank you, Mr. Rogers.

Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH 47301 speaking on, "Tyranny as it applies to "Content" of private petition. Please see 84-4 and 15-44.

Mr. Eric Jones: Before I start I thought I would ask some questions on housekeeping. Just easy enough. First off, when that had "sic" behind it the last time I thought I had misspelled a word but basically it means inappropriate or not allowed or unauthorized for that kind of material. I just brought that up and I was going to say something about the elements of slander too, but since Mr. Rogers said something about it I will let that slide for the moment. When I was coming to the three times rule, so I think that is what

the sic is for on mine. I am not for sure. I don't want to come up here and find out that I am in violation after I start.

Mr. Roberts: Proceed, Mr. Jones.

Mr. Jones: There you go, that is the correct way to do that or let me know beforehand. I don't think an instant change would be allowed. If I got up there and you said you can't do that anymore and can I just change over to another topic. That is fine by me. If you look at these things in order the "sic" the elements of slander, the three times rule and that kind of stuff, the threat alone on that is enough to stop most people from speaking as a private petitioner. You want to be welcoming to the people coming here to speak. I get it. I don't think you guys want people to come here to speak out. That is one of the purposes of the private petition. So people can get it off their chest instead of it festering inside. That is when bad things happen. When people come here and voice their concerns, most of the time you don't answer any of us anyway. So, let them have their say. The last thing I didn't know if the three times rule applies for eight items times three over the course of a year or if you get a chance to speak three times and that is it for the rest of your life. So if that is going to be the case again I can see you smiling; that is okay. It is eight yes or no; you should be able to let people know what it is going to be. I am almost out of time, but I don't even know if you guys have read the material or not. That is three and a half years later. Each of the officers should be able to stand up and say whether you have read the material or not. Nothing fancy, but I can only go so far. It is sort of like you can do a room for the teachers and you know the people haven't read the material. What do you do from that point? At what point do I get to say it stopped. Thank you very much.

Mr. Roberts: Thank you, Mr. Jones.

Mrs. Cyndi Royce, 1543 Ridge Avenue, Zanesville, OH 43701 speaking on, "Closing down Little Tijuana and presenting a petition to close down bar.

Mr. Roberts: You have three minutes, Mrs. Royce.

Mrs. Royce: I am aware of that. Again we want to close down the bar because of all of the shootings, not because it is a bar. The bar street doesn't have all of these problems. We got a petition and I brought it. I do want to say that there are some people on the petition who are not from Zanesville and that is because they own property here. One of the guys on the petition owns eighteen properties in that part of town. He has trouble renting out his apartments; because of the Little Tijuana and the shootings, and the violence that goes on out there. People don't want to live here because of the prostitutes that hang out constantly. And then like you said the other day; there are the people who sit at the patio area and they yell and scream at people for no apparent reason. You walk up and down the street and they are screaming at you for no reason saying weird stuff. Another thing about the petition is me and Terry accidently signed it twice. We signed the online petition so there are two less people who signed it. Some of the other people that signed it that aren't from here have relatives that live here and that

is why they signed it. From my best count there are one hundred thirty-five people who signed the petition who are done with this bar in our neighborhood. The bar has been a trouble bar ever since I was like that (gestured like small child) my step-dad used to go to it. He used to come in and tell us all kinds of stories. He lived there forty years and there has been shootings and stabbings. We had a little girl two doors up and was at her house when we were doing drug work today and she found a street dog when she was walking around and she heard something and when she came and yelled at me I thought it was a car that backfired, but she thought someone was shooting somebody. The children in the neighborhood shouldn't have to be scared that every time they go to walk the dog, or get to play outside, that if they hear a car backfiring they automatically assume they are going to shoot somebody and they are in danger. That is not a way any kid should have to live; my kid, your kid, anybody's kid. The little girl is scared half to death. It is not right. We think if you shut down the bar it will go a long way to making the neighborhood a lot safer. If you really want to make that neighborhood a lot safer, shut down that drug house that is right there on Mead. Those two things are making the neighborhood really bad for the children and for the adults that live there. That is all I have to say. Who wants the petition?

Mr. Roberts: I suppose I can take it. Is there anything from the Administration as far as?

Mrs. Royce: I guess I should have said the petition has comments from people who own property and stuff. Alright, thanks.

Mr. Roberts: Alright, is there anything else for the good of the order? Hearing none, I will entertain a motion to adjourn.

Mrs. Osborn moved and Mr. Wolfe seconded to adjourn.