

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JUNE 11, 2018

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, June 11, 2018 in the City Council Chambers, 401 Market Street, Zanesville, Ohio. Mr. Vincent is the acting Mayor and Mr. Roberts led the meeting as President Pro Tempore.

Mr. Roberts 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. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, Mr. Sharrer, Mr. Foreman, and Mr. Roberts.

Mrs. Osborn was absent.

Mr. Foreman moved to excuse Mrs. Osborn. It was seconded by Mr. Baker. A voice vote was held with all present being in favor. None were opposed.
Motion carries.

APPROVAL OF MINUTES

Mr. Sharrer moved to accept the minutes as written, seconded by Mr. Foreman.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Jay D. Bennett, Public Service/Community Development Director
– City Sanitation Commercial Rate Revisions for Commercial Sanitation Rates.

Mr. Sharrer moved to receive, seconded by Miss Bradshaw.

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

Resolution No. 18-40 – Introduced by Council – A Resolution requesting the Ohio Department of Transportation (ODOT) preclude Lash Paving Inc. from being awarded any further paving bids within the City of Zanesville, Ohio.

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

Mr. Roberts: Is there any discussion on waiving? The Public Service Committee did recommend that this be waived and defeated tonight.

Roll call vote on waiving of the readings.

8 Ayes
0 Nays
1 Absence Mrs. Osborn
Motion carries.

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

Mr. Roberts said just to let everybody know and he thought most everybody was in the Public Service Committee meeting, but with bringing this legislation Lash Paving did come back, we addressed concerns that we had, and they remedied everything, as well as, we had some further discussion with ODOT so we have accomplished what we set forth to do. So with that the Public Service Committee suggested we defeat this Ordinance tonight.

Roll call vote for passage.
2 Ayes Gentry and Norman
6 Nays
1 Absence Mrs. Osborn
Motion is defeated.

Then Mrs. Gentry and Mrs. Norman requested to amend their votes to nay. So the vote was then as follows:

0 Ayes
8 Nays
1 Absence Mrs. Osborn
Motion fails. Ordinance is defeated.

PROPOSED ORDINANCES

Mr. Sharrer said he would like to add Ordinance 18-73 to the agenda as item 5b. It was seconded by Mr. Baker.

There was no discussion. A voice vote was held with all present in favor. None were opposed. The motion carries.

Ordinance No. 18-70 - Introduced by Council – An Ordinance rescinding Ordinance No. 18-50 and declaring an emergency.

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

Mr. Roberts asked if there was any discussion. None being heard he requested a roll call vote.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-71 - Introduced by Council – An Ordinance amending Chapters 1171.01, 1171.03, and 1171.04 of the City of Zanesville’s Planning and Zoning Code.

Mr. Sharrer moved to waive the readings and it was seconded by Miss Bradshaw.

Mr. Roberts: Is there any discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-72 - Introduced by Council – An Ordinance authorizing the proper city official to enter into a Labor Agreement with the American Federation of State, County, and Municipal Employees (A.F.S.C.M.E.) Local #1573, establishing terms and conditions of employment, and declaring an emergency.

Mr. Sharrer 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 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

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

Ms. Gildow: Rhonda Heskett has agreed to give us some information in support of this Ordinance to explain the Fact Finding so I would like to ask Rhonda to do that for us, please.

Ms. Heskett: To give you a little background information. We started negotiations mid-October last year. We were able to work through some procedural changes as far as how we call people in, how we distribute overtime, and also on how promotions are done. So we got through all the procedural things and we got to the last three articles which had to do with vacation, wages, and insurance. We came to an impasse so we went to mediation March 6, 2018. We still were not able to settle those three issues. So we proceeded on to Fact Finding which was held on May 7, 2018. The three articles were considered by the Fact Finder.

- The issue with the vacation is Article 12 in the AFSCME contract only deals with Communications Operators so they had wanted some wording changed to the current contract language regarding vacation and how it is scheduled. The City also had a proposal to change the language in that article. Ultimately, the Fact Finder did not find any reason to change the language so their recommendation was to stick with current contract language. This is fine as we have been doing it that way for years. So, we will continue to do that.
- The other issues in Article 12 were the Union and the City had agreed to extend the Communications Operator's Probationary period from 120 days to 365 days. We couldn't agree on when to implement that change. So the Fact Finder made a ruling that any new hires after the contract was ratified the 365 day probationary period would apply to them. It would not go back to Communication Operators that we have already hired within the last 365 days.
- The Article on wages when we went in to Fact Finding the Union was at 4%, 3%, and 3% and also asking for a 25¢ shift differential. The City's proposal was the same as every other contract that we have negotiated this year being 1.5%, 2.5%, and 2%. The Fact Finder ruled in favor of the City's proposal stating that they didn't think the union's proposal was economically sustainable.
- The final issue was insurance. The union had wanted the employee's contributions to be frozen for the next three years and of course the City's proposal was the same that we have presented to every other union this year and the Fact Finder again ruled in the City's favor.

She asked if there were any other questions.

Mr. Roberts said it sounds like we won out in the end.

Ms. Heskett: We did, yes. Having said that; yes, I can recommend that we do accept the Fact Finder's findings.

Mr. Roberts: Is there is any other discussion from Council?

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-73 – Introduced by Council- An Ordinance authorizing the proper City official to enter into an agreement with Zanesville City Schools.

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

Mr. Roberts: Is there any discussion? Hearing none, all in favor of first reading signify by saying aye. All present were in favor. None were opposed. Mrs. Osborn was absent. Motion carries.

ORDINANCES FOR ACTION

Ordinance No. 18-54 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-53 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-57 – Introduced by Council – An Ordinance authorizing the transfer of an asset and its debt payments from the Wastewater Division to the Sanitation Division.

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

Mr. Roberts: I will let the Council know that the Public Service Committee did recommend passage of this Ordinance. Is there any further discussion?

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-58 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a leaf collection unit for the Streets Division through a competitive bidding process or a cooperative purchasing program.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-59 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a transfer station compactor for the Sanitation Division through a cooperative purchasing program or a competitive bidding process.

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

Mr. Sharrer: I would just like to point out as the previous two Ordinances the Public Service Committee recommended that these be passed.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-60 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a 2018 one (1) Ton Dump Truck for the Street Division through a cooperative purchasing program or a competitive bidding process.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-61 – Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

Ms. Gildow moved for third reading and passage, seconded by Mrs. Gentry.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mrs. Osborn

Motion carries. Ordinance is passed.

Ordinance No. 18-66 Amended - Introduced by Council – An Ordinance allowing a moral claim for John Morrison.

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

Mr. Roberts: Mr. Sharrer, what is the amended amount on this claim.

Mr. Sharrer: The amended amount is \$25,000.

Mr. Baker: Has this made it through a committee at all or has it been examined by Public Service?

Mr. Roberts: It did.

Mr. Sharrer: Yes.

Mr. Roberts: Was there a recommendation on this?

Mr. Sharrer: There was no recommendation.

Mr. Roberts: I didn't believe there was. There was no recommendation.

Roll call vote for passage.

2 Ayes- Ms. Gildow, Mr. Sharrer

6 Nays- Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Mr. Foreman, and Mr. Roberts.

1 Absence Mrs. Osborn

Motion fails. Ordinance is defeated.

TRAFFIC ORDERS

None were filed.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Bennett: Just quickly I provided to Council and to the Public information about coming out on Friday, June 22 through June 24 at Zane State for the Second Annual Startup Weekend for Zanesville. This is a really, really fun weekend. It is 54 hours of entrepreneurs coming in and pitching ideas. Getting coaching and mentoring over the weekend. It is a long weekend. It is exciting to be at and watch it at various times as their ideas start getting assistance from really smart, qualified people who help them shape it into a real business pitch. It will be culminating on Sunday afternoon with the actual pitch competition for startup money to start the top three selections. If you are interested, please consider coming out. It is a good time to go out and see it. More information is at Start up Weekend at Zanesville, Ohio. It is great to see it sponsored by Zane State, Tech Stars, LIGHTS, and SPARK FIVE SIXTY. Thank you.

Mr. Roberts: Sounds good. Is there anything else from Council? I will entertain a motion to adjourn.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

No private petitions were filed for this meeting.

Mr. Sharrer moved to adjourn. Mr. Foreman seconded. A voice vote was taken with all present being in favor. None were opposed. Motion carries.

The meeting adjourned about 7:20 p.m.

Susan Culbertson
Clerk of Council

Andrew Roberts
President Pro-Tempore