

ZANESVILLE CITY COUNCIL MEETING – MONDAY, SEPTEMBER 10, 2018

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, September 10, 2018 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: Mr. Sharrer, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Gentry, Mrs. Norman, Miss Bradshaw, Ms. Gildow, Mrs. Osborn, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of August 27, 2018 as written, seconded by Mr. Foreman.

Motion carries. The minutes stand approved as written.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Resolution No. 18-86 -Introduced by Council – A Resolution declaring “Beggar’s Night”/”Trick or Treat” for the City of Zanesville.

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

Mrs. Osborn: I just wanted to let Council know that after listening to the concerns of some constituents I took it upon myself to conduct a public poll on Facebook and I will be supporting the Resolution tonight with a positive vote, but the results were just about half and half. Half of the folks that voted wanted to see a possible change and so like I said I will be voting to approve it tonight, but I do think that merits that perhaps we should have some discussion further in advance in years to come about the possibility of changing it.

Mr. Vincent: Thank you, Mrs. Osborn. Is there anything else from Council? We are at third reading so we will have roll call vote.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Resolution is passed.

Mr. Vincent: Thank you, Mrs. Osborn for your efforts, I am sure your constituents, who expressed concerns, appreciate your efforts.

PROPOSED ORDINANCES

Ordinance No. 18-98 – 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. Roberts moved for first reading, seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion? Mr. Baker is there anything you wanted to comment on this.

Mr. Baker: No, it made its way through committee after a couple of months of looking through this and the committee recommended this to City Council.

Mr. Vincent: I am sorry; Jay Bennett is not here tonight. If Council has questions on this Mr. Bennett will be here at the next meeting. He could not be here this evening.

Mr. Baker: I am sorry, is this 18-98?

Mr. Vincent: Yes, I am sorry, this is 18-98.

Mr. Baker: My apologies with that. Evidently there is going to be a public meeting on October 9 to discuss this and also at the next Community Development meeting. So, this will have to go three readings so that the public input can be aired.

Mr. Vincent: Good, thank you, sir. I am sorry I misled you there. Sorry you are having technical difficulties. Is there any other discussion? Hearing none, all in favor of first reading signify by saying aye.

All were in favor. None were opposed. This will return for second reading at our next meeting.
Motion carries.

Ordinance No. 18-99 – Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: Public Service discussed this earlier tonight and it was recommended to Council to pass it.

Mr. Vincent: Thank you, sir. Is there any other discussion? Okay, if no additional discussion, all in favor of first reading signify by saying aye.

All were in favor. None were opposed.
Motion carries. It will return for second reading at our next meeting.

Ordinance No. 18-100 – Introduced by Council – An Ordinance authorizing the Public Service Director to execute the First Amendment to the Management Lease Agreement with the Ohio Department of Natural Resources for the Lock #10 Canal Park Property.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: This was also discussed at the Public Service meeting earlier tonight and it was recommended for Council to approve.

Mr. Vincent: Thank you, sir. Is there anything else from Council? Basically, with this it changes the liability for both the city and the state. Mr. Tarbert, is there anything you wanted to add to this? I know you are involved with negotiating.

Mr. Tarbert: As a municipality, neither the state nor a municipality thereof can enter into indemnity or hold harmless agreements and the ODNR contract had a hold harmless clause on both sides so we sent it back and they revised the language a little bit, so it puts us both in compliance with the Ohio law.

Mr. Vincent: Thank you. So you caught that then?

Mr. Tarbert: Yes.

Mr. Vincent: Thank you, sir. Good job. Is there anything else from Council? We are at first reading so all in favor of first reading signify by saying aye.

All were in favor. None were opposed.
Motion carries. This will return to our next meeting for second reading.

Ordinance No. 18-101 – Introduced by Council – An Ordinance authorizing the Public Service Director to execute a site access agreement for city owned property identified as Muskingum County parcel numbers 84-63-01-01-000 and 84-53-02-05-000.

Mrs. Norman moved for first reading, seconded by Miss Bradshaw.

Mr. Roberts: This was also discussed at the Public Service Committee earlier tonight and it is basically for an old land fill the EPA needs to do some work on. They just need to stick some holes in the ground to test what is coming out of it.

Mr. Vincent: For methane, correct?

Mr. Roberts: Correct.

Mr. Vincent: Is there anything else from Council? Thank you, Mr. Roberts. With that we are at first reading so all in favor of first reading signify by saying aye.

All were in favor. None were opposed.

Motion carries. This returns for second reading at our next meeting.

Ordinance No. 18-102 – Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into a contract with the lowest and best bid for the construction of the Runway 16/34 Lighting Improvement Project.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: This was also discussed at the Public Service Committee meeting. This is a 90% grant that will require the City to put our \$22,500 for total improvement costs of \$450,000 and they asked that this be approved.

Mr. Vincent: Thank you, Mr. Roberts. I heard someone say 95%.

Mr. Roberts: Sorry, that is even better.

Mr. Vincent: Better yet. Is there anything else from Council? Okay, we are at first reading so all in favor of first reading signify by saying aye.

All were in favor. None were opposed.

Motion carries. This will return to our next meeting for second reading.

ORDINANCES FOR ACTION

Ordinance No. 18-91 – Introduced by Council – An Ordinance Amending Chapters 1105.09, 1105.10, 1105.11, 1145.05, 1353.01, 1353.02, 1353.03, 1353.04, 1353.05, 1353.06, 1353.07, and 1353.08 of the City of Zanesville's Planning/Zoning and Building Codes.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye.

All were in favor. None were opposed.

Motion carries. This will return for third and final reading at our next meeting.

Ordinance No. 18-92 – Introduced by Council – An Ordinance creating a Downtown Redevelopment District in Zanesville.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye.

All were in favor. None were opposed.

Motion carries. This will return to our next meeting for third and final reading.

Ordinance No. 18-93 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a Historic Property Investment Agreement in connection with the Zane-Zenith Downtown Redevelopment District.

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

Mr. Vincent: Is there any discussion?

Mr. Baker: Just this is the one that I was referring to earlier that has moved through the Community Development Committee and the committee has voted for it.

Mr. Vincent: With that we have... No motion is needed on this, other than adding Exhibit C. Council is aware of that and received that. We have one more reading, so it will be included in the packet the next time also. It looks like activities currently being performed and the estimated time frames, square footage, so some basic information on the historic property. Is there anything else from Council? We are at second reading so all in favor of second reading signify by saying aye.

All were in favor. None were opposed.

Motion carries. This returns for third and final reading at our next meeting.

Ordinance No. 18-95 – Introduced by Council – An Ordinance to vacate the 14' wide, unimproved alley beginning 134' south of the south right of way line of Ridge Avenue between and parallel to Harvard and Cornell Streets to its end to the south; a portion of the 10' wide, unimproved alley south of Ridge and the first alley east of Harvard Street beginning 254' south of the south right of way line of Ridge Avenue to its end to the south; and a portion of 40' wide Harvard Street beginning 254' south of the south right of way line of Ridge Avenue to its end to the south in the city of Zanesville, Ohio as herein provided and declaring an emergency.

Mrs. Gentry moved for second reading, seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion?

Mr. Baker: I believe this is going to be discussed at a Public meeting on the 24th of this month. So, a lot of questions will be answered then I am sure.

Mr. Vincent: Thank you, sir. Is there anything else from Council? That will be at 6:30 p.m. just prior to Council. If no further discussion, we are at second reading so all in favor of second reading signify by saying aye.

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

Ordinance No. 18-97 – Introduced by Council – An Ordinance authorizing the proper City official to provide amenities for the City Employee’s United Way Fundraiser.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading signify by saying aye.

All were in favor. None were opposed.
Motion carries. This returns for third and final reading at our next meeting.

Ordinance No. 18-84 – Introduced by Council – An Ordinance allowing a moral claim.

Mr. Sharrer moved for third reading, seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion?

Mr. Roberts: After much deliberation and fact finding the Public Service Committee met earlier tonight and discussed this and they are making a recommendation to Council to deny this claim.

Mr. Vincent: Is there anything else from Council? We will have roll call vote.

Roll call vote.

0 Ayes

9 Nays

Motion is defeated. Ordinance is defeated by unanimous vote.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: A couple of things, Mr. President. First of all, I would like to announce that both of our water tank projects are on schedule. If you haven’t seen it lately, the Heritage Tank all the repairs are done. They are doing the painting. It should be completed in two weeks.

The Putnam Hill Water Tank is almost constructed. It should be complete by the middle of October and then they will have to paint it and do all the other small things to it so it is still scheduled for the end of the year.

Second of all I would like to say that I am sorry that our softball team lost to the Sheriff's Department in the United Way Softball game, but it was a good cause and they may have raised over \$6,000. I thank them for what they did.

Mr. Vincent: It was very nice.

Mayor Tilton: It was fun.

Mr. Vincent: Thank you for recognizing them. It was a good turnout. I heard about 500 people were there.

Mayor Tilton: Yes, close to 500 people and like I said the United Way won.

Mr. Vincent: Yes. The stadium was quite full. It was neat to see.

Ms. Gildow: If I may add to that, it was a great opportunity to show case Gant Stadium. It was a great time and the stadium brings back a lot of memories and it looks great. So, thanks to the Mayor and city administration for taking good care of it and the Muskingum Valley Old Timers Association.

Mayor Tilton: Absolutely, they are doing a great job.

Ms. Gildow: Yes, they are. They are, and we owe them a lot.

Mr. Vincent: Is there anything else from Council or the Administration? Mr. Toney, is it going well?

Mr. Toney: Yes.

Mr. Vincent: A busy time I am sure. Welcome again and glad you are here. Law Office?

Mr. Tarbert: We are good, thanks.

PRIVATE PETITIONS AND COMMUNICATIONS

Non-agenda item petitions filed

David Rogers, 1104 Benjamin Ave, Zanesville, OH speaking on "The hypocrisy that is practice by Public Servants and excepted by Zanesville and Muskingum County".

David Rogers: Members of Council and the general public. We are living in a society that scrutinizes people more and more, but yet the personnel are not being scrutinized in their public service. It is evident that questionable actions among public officials,

elected and others, who might be under an oath, freely continue their employment due to corruption being accepted in the community as a way of employment. An elected judge tells a citizen that if he encounters a problem in making a complaint against law enforcement to let him know. Then when citizen exposed totally unfit personnel in ZPD the judge put aside whatever backbone he had and attached public screens and makes a political decision. Even though to the judge, who may be a good humanitarian; a current law director who ran on integrity, but doesn't have the ethics to have someone from the outside handle an investigation due to conflict of interest. Then there is the former law director who had an issue after hours let's say. The Mayor stood by him and it was stated he was fit for duty. Well, that can always be highly questionable considering the incident that led to the complaint against the ZPD. The female involved had prior prostitution charges and the incident involved three people and yet only I was charged. So I guess there couldn't be any connection between the former law director and the female in the incident and whatever. Ok, whatever.

When a Councilmember has an issue of someone speaking on an incident in a County office and that person wanted to make speaking on it is questionable. A county office or not, it is inside the City of Zanesville, and also a reflection on the city and its standards that are being accepted; evidently, very low standards. Of course, in a well led city someone would want to make inquiries to the county to insure no improprieties are happening. Zanesville-Muskingum County operates under its own pattern of corrupt activity from its law enforcement officers, to its attorneys in cahoots, and many other individuals. As members of Council are you truly fulfilling your sworn oath, are you insuring that there are no questionable activities by City employees and if there is that is properly handled even if it means outside assistance. Also, the incident or conversation I spoke of between the Mayor and the former law director a few meetings ago. If I go through some files I believe I would be able to put a date on it. Also, I am not sure of my further schedule as to future attendance at meetings, but I don't want anyone to believe I may have been intimidated. Thank you.

Mr. Vincent: Thank you, Mr. Rogers. Is there anything else from Council?

Mrs. Osborn: I move to adjourn.

Mr. Roberts: I second.

Mr. Vincent: All in favor of adjournment signify by saying aye. Those opposed nay.

All members responded in favor. No one was opposed.

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