

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JANUARY 14, 2019

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, January 14, 2019 in the City Council Chambers, 401 Market Street, Zanesville, Ohio. This is our first meeting of the year.

Mr. Vincent led those present in the Lord's Prayer and Hayden Weck of Boy Scout Troop #122 of Adamsville led the Pledge of Allegiance to the Flag.

Mr. Vincent: Thank you, sir. We appreciate you coming tonight and we can talk more afterward if you have any questions.

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

APPROVAL OF MINUTES

Mr. Roberts moved to accept the minutes of Wednesday, December 26, 2018, seconded by Mr. Sharrer.

Motion carries. The minutes stand approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Mayor Jeff Tilton – Muskingum County Center for Seniors Board Appointments – The Mayor is hereby recommending the reappointments of Janice McFerren, Brian Wagner, and Keely Warden to the Muskingum County Center for Seniors Board. Their terms will be extended for another three years and will expire January 1, 2022.

Mr. Sharrer moved to receive and concur with Mayor Tilton, seconded by Mrs. Osborn. All were in favor. None were opposed.
Motion carries.

Communication from Mayor Jeff Tilton – Historic Preservation Board – Mayor Tilton is hereby recommending the re-appointment of Brian Addis, Jeff Jalbrzikowski, Susan Stubbins, and Lori Wince to the Historic Preservation Board for two-year terms. Their terms will expire 12/31/2020.

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

Communication from Jay Bennett, Director of Public Services-2018 4th Quarter Report for Cemetery Division

Miss Bradshaw moved to receive, seconded by Mrs. Norman.

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

Communication from Jay Bennett, Director of Public Services-2018 Year End Report for Cemetery Division.

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

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

Communication from Jay Bennett, Director of Public Services-2018 Municipal Airport's 4th Quarter Report.

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

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

Resolution No. 19-01 – Introduced by Council – A Resolution authorizing the sale, by Internet auction during calendar year 2019, of city owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of first reading signify by saying aye. All were in favor. None were opposed.
Motion carries.

Mr. Vincent described the voting process being a tradition for first and second readings.

Resolution No. 19-02 – Introduced by Council – The Following Final Resolution Enacted by the City of Zanesville, OH hereinafter referred to as the Legislative Authority or Local Public Agency or "LPA", in the matter of the stated described project, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? I know there is a deadline on this. It is typical with ODOT they need things quickly to make this work. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Ms. Gildow moved for passage, seconded by Mrs. Norman.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Resolution is passed.

PROPOSED ORDINANCES

Ordinance No. 19-03 – Introduced by Council – An Ordinance authorizing the City Auditor to pay the invoices of various departments using 2019 money for 2018 invoices and declaring an emergency.

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

Mr. Vincent: 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.

9 Ayes

0 Nays

Motion carries.

Mrs. Norman moved for passage, seconded by Mrs. Gentry.

Mr. Vincent: This is pretty routine as we do this every year.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 18- 139 – Introduced by Council – An Ordinance to amend Section 1109.01 of the City of Zanesville’s Planning and Zoning Code.

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

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.

Ordinance No. 18-141 – Introduced by Council – An Ordinance authorizing the Community Development Director to execute an agreement with the Muskingum Soil and Water Conservation District.

Mr. Roberts 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.

Ordinance No. 18-142 – Introduced by Council – An Ordinance authorizing the proper city official to execute relevant documents with the Ohio Environmental Protection Agency, Division of Environmental and Financial Assistance (DEFA) for an Ohio Water Pollution Control Loan Fund (WPCLF) loan for the Linden Avenue Sanitary Sewer Pump Station Project.

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

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.

Ordinance No. 18-130 Amended – Introduced by Council – An Ordinance to amend the Municipal Code of the City of Zanesville, Ohio, by adding a new Chapter 926 Stormwater Utility Program, in order to establish a stormwater rate structure, which will provide for the funding of the operation, maintenance, and improvement of the stormwater system within the city limits.

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

Mr. Vincent: Is there anything you want to add, Mr. Roberts.

Mr. Roberts: This was mulled over for a long while in Public Service Committee. This comes with the recommendation to Council from that committee.

Mr. Vincent: Thank you, sir. I know there was public input and Council listened to that and made some amendments at a previous meeting so I think things worked out well. Is there anything else from Council? Okay, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 18-131 – Introduced by Council – An Ordinance repealing in its entirety Chapter 925.02 of the City’s Title Nine-Streets, Utilities and Public Services Code and enacting a new Chapter 925.02, Titled “Stormwater Utility Program Rate Structure and Fees.”

Ms. Gildow 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. 18-133 – Introduced by Council – An Ordinance authorizing the Director of Community Development to enter into an Economic Development Grant Agreement with the Zanesville/Muskingum County Port Authority for all activities related to the stabilization of at-risk properties located on Main Street.

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

Mr. Vincent: With that I was thinking as we were passing the legislation, Mr. Bennett, some people may not know this as far as a tremendous amount of work that goes into this. There are different pieces of legislation and Mr. Bennett, I know he and his team have worked especially hard on this and the Mayor has been involved. A lot of people in the City are involved in this. So, just to let you know it does take a lot of work even though we are whipping through these pretty quick tonight. Mr. Bennett, is there anything you want to add tonight?

Mr. Bennett: This is the beginning of this project because there is a whole lot of work that needs to be done on those buildings. We proceed in partnership with the Port Authority. The agreement is in draft form. It has been to the Port Authority waiting for tonight and their board’s actions. We will go get busy. We appreciate the Port Authority’s partnership on this. It is huge.

Mr. Vincent: There is a lot of work looking into this and figuring out what is going on with these buildings. Then what is the best for tax payers because the City has been stuck with having to finish tearing down buildings that have had fires and fall in and that is costly. So it is kind of the other side of this, as far as cost in order to save these buildings, but then the other side is losing them and having nothing and we still have the

cost involved. So, there are all of these things to take into consideration. Is there anything else from Council?

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 18-128 –Introduced by Council – An Ordinance adopting Chapter 523 of the Codified Ordinances of the City of Zanesville, entitled “Public Nuisance Abatement” Relating to Combating Crime, Combating Drug-Related Offenses, Removing Problem Residents, and Abating Other Public Nuisances.

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

Mr. Sharrer: This has worked its way through the Public Safety Committee and numerous public meetings. I have some amendments to go through. If Council would bear with me and we could go through those amendments.

Mr. Vincent: With that Council you have a copy of this with red lines to follow and it is in the back also, for the public.

Mr. Sharrer: If we start with Chapter 523 being considered as page 1 for your ease in finding things.

- On page #2 the first amendment Number 10 has been struck and Items 11 through 18 have taken on the other numbers as they all moved up one. (No. 18 was eliminated)
- On page #4 under Section 521.04, Number 2, E in the sixth and seventh lines we have stricken the words, “by the Director of Public Safety”.

Does everybody have that?

- On page #5 under Section 521.06 letter (b) I have the following amendments there:
 - The second to last line in (b) or felony drug activities that occur on that property once. The word after has been stricken and the word once put in there instead.
- 1. For the first, the word first has been stricken and third is added. So that number 1. actually will read, “For the third nuisance activity or second felony drug activity (that activity designating the property as a chronic nuisance property), a civil penalty against the owner of one hundred fifty dollars (\$150.00) shall be imposed;”

Does everybody have that?

- No. 2. The word second is stricken and it shall read, For the first nuisance or felony drug activity after being declared a chronic nuisance property, a civil

penalty against the owner of two hundred and fifty dollars (\$250.00) shall be imposed;

Does everybody have that?

- No. 3. We strike the word third and add the word second in its place and after felony drug activity we are adding after being declared a chronic nuisance property
- No. 4. We have stricken the word fourth and added the word third and then we added the same, "after being declared a chronic nuisance property,"
- No. 5. We have stricken the word fourth and replaced it with third and added the words, "set forth directly above".

Does everybody have those?

- Page 6 Section 521.07 Item (a) In addition to any other civil penalties contained herein, whoever, we have stricken the words, "violates the provisions and of this Chapter shall" and replaced them with the words, "is assessed a civil penalty under the terms and conditions set forth in Section 521.06 above may also".
- Under 521.08 that whole entire section has been stricken.

The final amendments on that are bringing 521.09 and 521.10 bringing those up and numbering them 521.08 and 521.09.

Are there any questions on those from Council? It is my intention also based on the recommendation of the Public Safety Committee to move for a postponement of this Ordinance after we have had time to discuss and answer any questions that Council might have. I will do that at the end here if there are no questions.

Mr. Roberts: I will second the motion.

Mr. Vincent: So, we had the motion by Mr. Sharrer for the amendments and it was seconded by Mr. Roberts. Is there any discussion or questions on those amendments? All in favor of those amendments signify by saying aye.

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

Mr. Vincent: We are now at Ordinance 18-128 as amended. We are at third reading.

Mr. Roberts: I move to postpone this until the second

Mr. Vincent: Let's get it on the floor first.

Mr. Roberts: I move for third reading as amended.

Mr. Foreman: I second.

Mr. Vincent: Is there any discussion?

Mr. Roberts: I move to postpone this until the second meeting in January.

Mr. Sharrer: I second.

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

A voice vote was held with all being in favor. None were opposed. Motion carries. This will return to our next meeting later this month.

Mr. Vincent: Thank you to Mr. Sharrer, the committee, and all of those involved.

TRAFFIC ORDERS

None were filed for this meeting

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: I would like to publicly thank the Street Department and the Parks and Recreation Departments for the fine job they did over the weekend by removing snow not only on the streets, but the walkways over bridges and some of the public walkways we have within the City and they did a great job.

And they put 12 hour days in so I really want to thank them for what they have done.

Mr. Vincent: Thank you for sharing, Mayor. We do appreciate their work. I know like the Memorial Bridge is a big thing. If you walk across that with snow

Mayor Tilton: Like the Y Bridge we have a lot of foot traffic so we would like to keep those sidewalks as clean as we can.

Mr. Vincent: Yes. Is there anything else?

PRIVATE PETITIONS AND COMMUNICATIONS

No Non-agenda item petitions were filed for this meeting.

Mr. Vincent: We have no private petitions so is there anything from Council under miscellaneous? We have no private petitions or communications.

Mrs. Osborn: I move we adjourn.

Mr. Sharrer: I will second.

Mr. Vincent: All in favor of adjournment signify by saying aye. Those opposed nay. The motion carries we stand adjourned. Thank you everyone and have a good evening.