

ZANESVILLE CITY COUNCIL MEETING APRIL 22, 2019

ZANESVILLE CITY COUNCIL MEETING – MONDAY, APRIL 22, 2019

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, April 22, 2019 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: Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Sharrer, Mr. Foreman, Mr. Baker, Mrs. Gentry, Mrs. Norman, and Mr. Vincent.

Mr. Roberts was absent.

Ms. Gildow moved to excuse Mr. Roberts. It was seconded by Miss Bradshaw. A voice vote was taken with all present being in favor except Mr. Sharrer and he voted nay. The motion carries. Mr. Roberts stands excused.

APPROVAL OF MINUTES

Ms. Gildow moved to approve the minutes of April 8, 2019 as presented, seconded by Mrs. Osborn. Motion carries.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

There were no submittals for this meeting.

PROPOSED ORDINANCES

Mr. Sharrer: If I could ask for Ordinance No. 19-44 to be added to tonight's agenda as Item 5A. I believe Council has in front of them a copy of Ordinance 19-44.

It was seconded by Mr. Baker.

Mr. Vincent: This was for the grinder pumps that were discussed at Public Service back in March I think.

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

Mr. Sharrer: I would also move (to amend the Agenda) for Ordinance Number 19-24 Amended to read, "Introduced by Council-An Ordinance authorizing the proper City official to grant an easement to Columbia Gas for a gas main west of Carpenter Street.

Mr. Vincent: Okay, a motion to amend Ordinance 19-24 basically changing the language as far as what the Ordinance is as it is a repeat on the Agenda. This is so we

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can get back on track with the Columbia Gas that has been before Council for two readings so far. That was seconded by Mr. Baker.

A voice vote was taken with all present being in favor of the amendment. None were opposed. The motion carries. Mr. Roberts was absent.

Ordinance No. 19-39 – Introduced by Council – Establishing the annual salary and benefits for the Public Service Director of the City of Zanesville.

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

Ms. Gildow: Just a comment that this was discussed in some detail at the Ways & Means Committee and there was a recommendation that this go the full three readings, but the committee recommended approval of this Ordinance.

Mr. Vincent: Is there anything else from Council? Is there any discussion? Hearing none, all in favor of first reading signify by saying aye.

All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

Ordinance No. 19-40 – Introduced by Council – An Ordinance authorizing the proper City official to pay invoices that did not receive authorization before services were performed.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

Ordinance No. 19-41 – Introduced by Council – An Ordinance authorizing the proper city official to apply for grant funding through the Federal Aviation Administration for the Airfield Lighting Vault Improvements Project.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

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Ordinance No. 19-42 – Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids, award a construction project contract, and expend funds for the construction of the Airfield Lighting Vault Improvement Project and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving?

Mr. Bennett: This one, unlike the last one, the previous Ordinance authorizes us to submit the grant and we are in timeframe for that to be able to go through. This one because it is a bid and we must have a bid tab when we submit the application and those weeks of the bidding and opening the bids really puts a constraint on this project. So, if we could move this so we can get out to bid; and get it fulfilled at the end of the application period.

Mr. Vincent: Thank you, Mr. Bennett. That makes sense. Is there anything else from Council? Okay, 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 Mr. Roberts

Motion carries.

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

Mr. Vincent: Is there any discussion? Okay we will have roll call vote.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mr. Roberts

Motion carries. Ordinance is passed.

Ordinance No. 19-43 – Introduced by Council – An Ordinance authorizing the proper city official to apply for grant funding through the Federal Aviation Administration for the Airport Master Plan Update Project.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

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Item 5A added to the agenda

Ordinance No. 19-44 – 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. Baker moved for first reading, seconded by Mr. Foreman

Mr. Vincent: Is there any discussion? Timewise, how are we on this?

Mr. Bennett: The money is in the budget. When Council is ready to move it forward, we will purchase at the appropriate time. If it was waived tonight then it would be on the schedule that it was through the Public Service Committee from early March, but ultimately when you are all comfortable with it we are ready to purchase.

Mr. Vincent: With that, do we have any pumps that are failing or are we having trouble with pumps? I know these new ones are exceptional.

Mr. Bennett: Yes, we went ahead and put a whole bunch in last year. We are purchasing to put a whole bunch in this year.

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

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.

8 Ayes

0 Nays

1 Absence Mr. Roberts

Motion carries.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absence Mr. Roberts

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 19-27 – Introduced by Council –An Ordinance authorizing the Public Service Director to apply for an OPWC (Ohio Public Works Commission) Grant and Zero Interest Loan and execute contracts in connection with the Round 34 State Issue 1 Program, if approved.

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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 present were in favor. None were opposed. Mr. Roberts was absent.

Motion carries.

Ordinance No. 19-28 – Introduced by Council – An Ordinance authorizing the disposal of personal property that is obsolete, unneeded, and unfit for public use pursuant to O.R.C. 721.15.

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

Mr. Vincent: Is there any discussion? I know we don't have Mr. Toney here. I was curious as far as I know two are local. Caldwell School is out of the area. Does anyone know if that is all we could find as far as a place to get rid of them? It is not real important, but I was curious. We are at second reading so all in favor of second reading signify by saying aye.

All present were in favor. None were opposed. Mr. Roberts was absent.

Motion carries.

Ordinance No. 19-30 – Introduced by Council - An Ordinance authorizing the proper city official to enter into a Federal Local LET Project Agreement with ODOT for the Resurfacing and Related Work on Ridge Avenue from Cornell Street to West Main Street.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.

Motion carries.

Ordinance No. 19-31 – Introduced by Council - An Ordinance authorizing the proper city official to enter into a Federal Local LET Project Agreement with ODOT for the resurfacing and related work on Dryden Road from Pershing Road to Luck Avenue.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.

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Motion carries.

Ordinance No. 19-32 Amended – Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property.

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 present were in favor. None were opposed. Mr. Roberts was absent.

Motion carries.

Ordinance No. 19-33 – Introduced by Council - An Ordinance authorizing the proper city official to enter into a Federal Local LET Project Agreement with ODOT for the South Street Improvement Project.

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

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

All present were in favor. None were opposed. Mr. Roberts was absent.

Motion carries.

Ordinance No. 19- 38– Introduced by Council - An Ordinance allowing a moral claim. (Keith Haddock)

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

Mr. Baker: In order to make the second Whereas and the Kelly Blue Book value the same I would like to offer an amendment for the amount of the second Whereas as it should read, "Whereas, the Kelly Blue Book value has been determined at \$1,598.00". It is not much of a change.

Mr. Vincent: So under the second whereas then your motion is to change \$1,589.00 to \$1,598.00?

Mr. Baker: Yes.

Mr. Vincent: There is a motion to make the amendment. Is there a second?

Mr. Foreman seconded the motion.

Mr. Vincent: Is there any discussion? All in favor of second reading signify by saying aye.

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All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

Mr. Vincent: We are now at Ordinance 19-38 as amended.

Mr. Baker: This is a moral claim just to refresh your memories from the last meeting. Mr. Haddock hit a pothole out on Center Drive and he initially was requesting \$2,848.41. The Blue Book value was determined at \$1,598.00 as the moral claim. I believe Mr. Haddock, is Mr. Haddock here? I thought he was going to show up. He was going to be here to answer questions. I think he is running late.

Mr. Vincent: Thank you, Mr. Baker. So the car is a total loss then?

Mr. Baker: Yes.

Mr. Vincent: The repairs are more expensive than the value?

Mr. Baker: Absolutely. It was a 2000 Honda Accord LX with over 200,000 miles on it.

Mr. Vincent: Is there anything else from Council?

Mr. Bennett: This is on the Public Service Committee Agenda in two weeks so prior to the third and final reading if Mr. Haddock wants to come to that meeting at 5:00 p.m.

Mr. Baker: Thank you.

Mr. Vincent: Thank you, Mr. Bennett. With that, we are at second reading so all in favor of second reading signify by saying aye.

All present were in favor. None were opposed. Mr. Roberts was absent.
Motion carries.

Ordinance No. 19-23 – Introduced by Council - An Ordinance establishing the annual salary for members of the Civil Service Commission for the City of Zanesville, Ohio.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Roberts

Motion carries. Ordinance is passed.

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Ordinance No. 19-24 Amended – Introduced by Council - An Ordinance authorizing the proper City official to grant an easement to Columbia Gas for a gas main west of Carpenter Street.

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

Mr. Vincent: Is there any discussion?

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Roberts

Motion carries. Ordinance is passed.

Ordinance No. 19-25 – Introduced by Council - An Ordinance allowing a moral claim. (Ricky Hogan)

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

Mr. Vincent: Is there any discussion?

Mr. Sharrer: I do know that this particular moral claim came before the Public Service Committee and there was a recommendation for this to be passed. To refresh my colleagues on Council, this was the one that dealt with the road sign that came off of the pole and struck the vehicle.

Mr. Vincent: Thank you, Mr. Sharrer. Is there anything else from Council? Mr. Bennett, do you have anything?

Mr. Bennett: No other than that was a very blustery day. We had a light stanchion come down at the Municipal Stadium that day. There were people out of power that day. There were big winds. So those are things we cannot predict and plan against.

Mr. Vincent: I know there is some question as far as one screw in there which is not typical, but no one knows.

Mr. Bennett: I think if you look at the picture you can see two holes where it has been kind of wallowed out. I would use that technical term, I guess.

Mr. Vincent: Okay, thank you, sir. Is there anything else?

Mayor Tilton: If you read the moral claim itself it speaks to a car that is 20 foot away from this sign post. Once the sign hit the car, it flew another 30 foot. That is a long distance for something that is a failure of a screw or something like that. I was out that day with the crew so I can tell you the wind was amazingly strong. It took many trees down. So, it is an act of God. I don't think it is a failure on the City's part.

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

Mr. Foreman: I mean we don't know that the screw was in the sign or not in the sign and it could have come out that day, in other words is that what people are trying to say. Okay, I got it.

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

Roll call vote for passage.

2 Ayes Miss Bradshaw and Mr. Sharrer

6 Nays Ms. Gildow, Mrs. Osborn, Mr. Foreman, Mr. Baker, Mrs. Gentry, and Mrs. Norman.

1 Absent Mr. Roberts

Motion is defeated. Ordinance is defeated.

Ordinance No. 19-26 – Introduced by Council - An Ordinance allowing a moral claim. (Michael Willett)

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

Mr. Vincent: Is there any discussion? Mrs. Norman, is there anything you wanted to add for this?

Mrs. Norman: Mr. Willett called and informed me that he wants to withdrawal this claim.

Mr. Vincent: He wants to withdraw?

Mrs. Norman: Yes.

Mr. Vincent: So should we just defeat it if he wants to withdrawal?

Mrs. Norman: Yes.

Mr. Vincent: Is there anything else from Council?

Roll call vote for passage.

0 Ayes

8 Nays Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Sharrer, Mr. Foreman, Mr. Baker, Mrs. Gentry, and Mrs. Norman.

1 Absent Mr. Roberts

Motion is defeated. Ordinance is defeated.

TRAFFIC ORDERS

We have none.

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MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: I have one thing. I would like to announce that one of our local manufacturing facilities will be receiving an award and it is called the Excellence in Technology. It is Stewart Glapat from the Eastern Ohio Development Alliance. They will be receiving this award on April 26 at the annual meeting. So, congratulations to Stewart Glapat and for all they do for the community.

Mr. Vincent: Thank you, Mayor. That is pretty neat, they are here local, Mr. Stewart.

Mayor Tilton: They have been nominated several times and this is the first time they have won the award.

Mr. Vincent: A family run business who has been successful for many years. It is quite the invention.

Mr. Foreman: Mr. Stewart does a whole lot for Zanesville City Schools as far as robotics and donations. So, just a further note would be that he does a lot of things with his company that benefits the schools. So, very commendable.

Mayor Tilton: Absolutely.

Mr. Vincent: Quite the educator.

Mr. Foreman: Yes.

Mr. Vincent: Is there anything else from the Administration?

There were no further comments.

PRIVATE PETITIONS AND COMMUNICATIONS

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

Mr. Vincent: We were asked to go into Executive Session for an update on the matter from two meetings ago. The executive session is to discuss the purchase of real property and pending legal action.

Mr. Sharrer made the motion at 7:23 p.m. to enter executive session. It was seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? We will have roll call vote for going into executive session.

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Roll call vote to enter executive session

8 Ayes

0 Nays

1 Absent Mr. Roberts

The motion carries. We will now go into executive session.

Mr. Vincent: To let you know before you step out. I don't expect any further action after this executive session other than for a motion to adjourn which is typical. In the executive session there will be no voting taking place. It is to share information from the Law Director and the Mayor. We will let you know when it is over and you are welcome to come back in. I need you to stand back at least 20 foot from the doorways if you would please. The cameras will go off at this point. That will be the conclusion for the night for those watching the TV.

Executive Session was exited at 8:05 p.m.

Mr. Vincent: The executive session is concluded. We don't need to vote to come back into session. So, I will entertain a motion to adjourn.

Mrs. Osborn moved to adjourn at 8:06 p.m. Mr. Sharrer seconded the motion. A voice vote was taken with all present being in favor. None were opposed. Motion carries.

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

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council