

**ZANESVILLE CITY COUNCIL MEETING – MONDAY, SEPTEMBER 23, 2019**

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, September 23, 2019 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

Mr. Vincent was Acting Mayor for the week as Mayor Tilton was absent from the city.

**APPROVAL OF MINUTES**

Mrs. Osborn moved to accept the minutes of September 09, 2019 as written, seconded by Mr. Foreman. Motion carried.

**COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

There were no Communications, Reports, or Resolutions filed for this meeting.

**PROPOSED ORDINANCES**

**Ordinance No. 19-105** – Introduced by Council – An Ordinance authorizing the advertising for bids and entering into contract for the purchase of limestone for the City's requirement during the year 2020.

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

Mr. Roberts: 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.

**Ordinance No. 19-106** – Introduced by Council – An Ordinance amending appropriation Ordinance No. 19-10A and declaring an emergency.

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

Mr. Roberts: Is there any discussion on waiving of the readings?

Ms. Gildow: This was discussed at some length at the Ways and Means meeting and once again Rhonda (Ms. Heskett) was very gracious and efficient in explaining any of the deviations and the reasons for the amendments.

Mr. Roberts: Is there any further discussion? 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.

Mr. Baker moved for passage, seconded Miss Bradshaw.

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

**Ordinance No. 19-107** – Introduced by Council – An Ordinance establishing the Permanent Principal Balance of the Cemetery Endowment Fund #851.

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

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

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

**Ordinance No. 19-108** – Introduced by Council – An Ordinance authorizing the proper City official to increase the salaries of the City of Zanesville Elected Officials.

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

Mr. Roberts: Is there any discussion?

Mr. Sharrer: I have a slight amendment on this as presented in front of Council due to the Treasurer requesting to make this a little easier. There are some effective rounding numbers there so if we could amend it to include those rounding numbers. It is basically adding cents to each of those places.

It was seconded by Mr. Baker.

Mr. Roberts: A motion and a second to amend this Ordinance. Is there any discussion on the amendment? All of those in favor say aye. Opposed same sign.

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

Mr. Roberts: We now stand at 19-108 as amended. We are at first reading.

Mr. Sharrer moved for first reading. It was seconded by Mr. Baker.

Mr. Roberts: Is there any further discussion? All those in favor say aye. Opposed same sign.

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

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**Ordinance No. 19-109** – Introduced by Council – An Ordinance authorizing the City Auditor's office to pay an invoice that did not receive authorization before services were performed and declaring an emergency.

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

Mr. Roberts: Is there any discussion on waiving of the readings? 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.

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

Mr. Roberts: Is there any discussion?

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

**Ordinance No. 19-110** – 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 first reading, seconded by Miss Bradshaw.

Mr. Roberts: Is there any discussion?

Mr. Baker: This is going to be considered at the next Community Development Committee meeting. If Mr. Arnett could please give us a brief rundown of this?

William Arnett: The Planning Commission earlier this month recommended to Council the zoning change. The same property owner owns the parcel immediately to the north that actually fronts on Northpointe and Brandwine so he was requesting a re-zoning to C-4. It would match the zoning that is directly to the north. It is kind of in that retail area as you come back past Sam's Club and out toward Northpointe.

Mr. Baker: There is only one person that mentioned any problems with this. Is that right?

William Arnett: There was a property owner who lives in Falls Township who was concerned about potential access to the parcel from I think it is a township road, maybe Mark Lane or Mark Drive, but the access would actually be off of Brandywine. There wouldn't be commercial type access into that property from that small local road.

Mr. Baker: Thank you.

Mr. Roberts: Is there any further discussion? All those in favor? Opposed same sign.

All were in favor. None were opposed.

Motion carries.

**Ordinance No. 19-111** – Introduced by Council – An Ordinance to amend Chapter 1105.

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

Mr. Roberts: Is there any discussion?

Mr. Baker: This too is going to be making its way in front of the Community Development Committee and again Mr. Arnett, please.

William Arnett: This will address a change to the Board of Zoning Appeals. Currently we have a five member Board of Zoning Appeals. The way the code currently reads is it takes a majority of the entire board to approve an item, but you only need three people to have a quorum. So, if you have a three member Board of Zoning Appeals meeting, it takes a unanimous vote for an item to pass. A two to one vote in that case would be a loss and under the current code you have to wait a year before you can come back. This code change would actually allow for reconsideration at the applicant's request. So, in theory you would have a four or five member board actually hearing the applicant's request rather than just the three members.

Mr. Baker: Right, Mr. President, so this isn't foolproof, but we were discussing before the meeting and that there is no guarantee that we would have a four or five person board, but certainly it is more fair than waiting another year for the appeal.

Mr. Arnett: For sure. I think that when Matthew Schley, our Planning and Zoning Administrator, reviewed the last twelve months we have only had a full five members twice in the last twelve months. So that is uncommon.

Mr. Baker: Okay, very good. Thank you.

Mr. Roberts: Is there any further discussion? All those in favor say aye. Opposed same sign.

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

**Ordinance No. 19-112** – Introduced by Council – An Ordinance authorizing the proper City official to enter into a purchase agreement for computer hardware and software for the Income Tax Department.

Mrs. Osborn moved for first reading, seconded by Mrs. Norman.

Mr. Roberts: Is there any discussion? All those in favor say aye. Opposed same sign.

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

## **ORDINANCES FOR ACTION**

**Ordinance No. 19-102** – Introduced by Council – An Ordinance authorizing the City Engineer to waive payment of a right-of-way permit fee associated with the permitting of a Blue Avenue Banner project.

Ms. Gildow moved for second reading, seconded by Mrs. Osborn.

Mr. Roberts: Is there any discussion? All those in favor say aye. Opposed same sign.

All were in favor except Mr. Sharrer and he abstained. None were opposed.  
Motion carries.

**Ordinance No. 19-103** – Postponed until October 15, 2019.

**Ordinance No. 19-104** – Introduced by Council – An Ordinance authorizing the proper City Official to advertise for bids for management and concession services for the Riverside Park Softball Complex.

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

Mr. Roberts: Is there any discussion? All those in favor of second reading signify by saying aye. Opposed same sign.

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

**Ordinance No. 19-100** – Introduced by Council – An Ordinance authorizing the Mayor to execute a Certificate of Completion for construction of a building and improvements on Zane Street in Zanesville.

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

Mr. Roberts: Is there any discussion?

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstention                      Mr. Roberts

Motion carries. Ordinance is passed.

**Ordinance No. 19-94** – Postponed until October 15, 2019.

#### **TRAFFIC ORDERS**

No traffic Orders were filed for this meeting.

#### **MISCELLANEOUS AND UNFINISHED BUSINESS**

#### **PRIVATE PETITIONS AND COMMUNICATIONS**

#### **Special Guest-Rob Reiter-Recycling Guidelines Presentation**

Mr. Reiter: I would like to thank all of you for having me here tonight. I would like to thank Mr. Bennett for setting the meetings up that we had here in town today with them and a consultant and several other municipalities and townships. I would like to wish Mr. Bennett the best. I have worked with him before he went west, and I have worked with him since he has come back and

we have always had a very good working relationship. I think I have always had a good relationship with I believe every mayor that I can remember back to, my gosh even Jack Fenton. It has been a while back. The Councils have been good as well. I guess what I am here about today and you all got essentially a balance sheet for May and June of this year for recyclables. We received at Muskingum County Recycling facility from the City of Zanesville and its ranging between 11 and 12 tons a month currently and having talked with Ike VanDyne, I believe you have about 1,000 households in that program. With the grant that was received from the Ohio EPA this year, that number could swell to 5,000. So, the expenses to the district are going to be exponential at that point in time. If you look at the rates that are currently there you can see that the cost through that facility for the month of January was \$311.96 per ton. In May it was \$278.11 per ton. What this accounts for is the additional processing, debugging costs, removal of contaminants, from not only the cities, but from the materials the district brings in on its own from the operations in the townships. We try to pull as much of a lesser value material so that it is not shipped to Akron to Waste Management's Recovery facility up there where it is all processed and try to hold those numbers in. We will continue to do that in the future, but to do that and to debug all of that material and remove the contaminants this past, probably a year and a half, it has cost the district an additional \$24,000 just to keep a man there to remove what the public could remove themselves at the household. We are hoping with the 96 gallon cart program that we will be able to have a homogenous message between the district, the city, and all residents of the county and waste district that will put everybody on the same page about the type of materials that we all accept and the manner that we accept them in.

What floats to the top in all of this is that at my board meeting on September 9<sup>th</sup> the board and I discussed charging the city of Zanesville for its share of the processing costs at that facility. Every other city in the district, township, and any place that has a franchise contract for waste hauling and curbside recycling pays the district for the handling of that material to get it to a processing facility. The closest of which are Akron at Waste Management; Neville Island, PA; Kimble at Twinsburg; and Rumpke in Columbus. Those are the closest high profile, high throughput recycling facilities in the state. Nothing else exists that we can use. The pricing and the reasoning for this is because over the past 18 months the United States has lost 35% of the market for recycled materials due to the trade embargo for what is called national sword that was instituted by the people of the Republic of China and they have essentially, literally, everything: scrap metals, paper, and those types of things are no longer shipped into China from the US. It has cost us dearly. What is has done is it has driven the supply so high that the demand prices have come to rock bottom lows.

A year and a half ago on one facility that we operate out of the three that the district owns I collected \$113 per ton for every ton that I shipped into Akron. Today, it costs me \$121 a ton to ship it. That is a pretty big drop just for freight and processing costs. There is no value to the materials to cover the cost of processing the material and the transportation. So the district has a tremendous amount of programs. We have HAZ Waste collection programs for households. We have consulting programs for businesses. We have full time education person that goes into all the schools throughout the district. We have appliance collection programs, scrap tire collection programs, and electronics collection programs that we run every year in every county. The HAZ Waste is every other year, but I guess this is a precognitive look at what might happen in the future and I don't want this district as a whole to run its self so deep covering the cost of recycling that it doesn't have the ability to run the rest of the programs because they are vital programs. So, we are at a point and the board has authorized us, my board of directors, which is 18 county commissioners from the district's 6 member counties that beginning January 1 we will have to charge the City of Zanesville the cost of managing, transporting, and the processing cost at the other end for the recyclables that we receive. If you take a look at today's cost, I think

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under June you are looking at a bill of about \$3,668.65. Maybe you would be looking at \$3,237.20. These are negotiable prices, but we have to negotiate before the end of the year and I can have our lawyer at Porter-Wright Morris and Arthur work with Mr. Tarbert, the City attorney, and myself to negotiate terms on this, but we have to know that the City is willing to do so because essentially I have no recourse come January 1.

Mr. Roberts: Well, Mr. Reiter, I would say that this is probably most suited to the Public Service Committee. I would suggest that you forward whatever information you have over to Mr. Bennett. He will get it before the committee and they will dive into it and see where we have to go from there.

Mr. Reiter: Thank you. I think we have plenty of time to work through this and get some type of legislation through Council.

Mr. Roberts: Any and all information that you have, even the stuff behind the information that you gave us tonight would be very beneficial to that committee when they work through to figure out what we are going to look at doing.

Mr. Reiter: That is the thing of it. You can see that with the pricing structures they fluctuate. They have tended to fluctuate down every month on the price of commodities that are processed at that facility so every month we may be looking at an up or down if the markets start to raise the City's cost goes down as does the Waste Districts. It is just adjusted on your percentage of a whole. That is just through one facility which is the one outside of Zanesville.

Mr. Roberts: We will take a look at it and we will see what we can get turned around for you.

Mr. Reiter: Thank you very much and good bye, Mr. Bennett. Thank you.

Mr. Roberts: If there are no other speakers and we have no private petitions or communications. Is there anything from the Administration tonight?

Mr. Foreman: I have one thing. I would just like to thank everyone for their support they gave to a Day in the Dog House which was on September 21. Several people participated including myself. I was able to raise \$1,220 for the Animal Shelter and overall we raised in excess of \$8,000 on that day so it was very successful. So, thanks to everyone in the community.

Mr. Roberts: Is there anything else from Council?

Mrs. Osborn moved to adjourn and it was seconded by Miss Bradshaw. A voice vote was taken with all being in favor. None were opposed. Motion carries. The meeting adjourned about 7:18 p.m.

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Susan Culbertson  
Clerk of Council

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Andrew Roberts  
President Pro-Tempore