

CITY COUNCIL MEETING – MONDAY, MAY 10, 2010

The Council of the City of Zanesville met in regular session at 7:00 p.m., Monday, 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. Kilpatrick, Mr. Roberts, Mr. Tilton, Mr. Zakany, Mr. Baker, Mr. Tarbert, Mrs. Gentry, and Mr. Vincent.

Mr. Tilton moved to excuse Mrs. Norman and Mr. Hutcheson, seconded by Mr. Tarbert.
Motion carried.

APPROVAL OF MINUTES

Mr. Zakany moved to accept the minutes as printed of the Regular Meeting of April 26, 2010, seconded by Mr. Tilton.
Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Howard S. Zwelling, Mayor – Re: Board Re-appointments.

Mr. Zakany moved to receive and concur, seconded by Mr. Roberts.
Motion carried.

PROPOSED ORDINANCES:

Ordinance No. 10-34: Introduced by Council – Authorizing the proper City official to provide funds to the Ohio Flags of Honor Foundation as a donation for the presentation of the Ohio Flags of Honor in Zane’s Landing Park, and declaring an emergency.

Mr. Tarbert moved to waive the three readings, seconded by Mr. Baker.
R. C. to waive
7 Ayes – 0 Nays
Motion carried.

Mr. Tarbert move for passage, seconded by Mr. Baker.
R. C. for passage
7 Ayes – 0 Nays
Motion carried.

ORDINANCES FOR ACTION:

Ordinance No. 10-33: Introduced by Council – An ordinance terminating an enterprise zone agreement with Worthington Foods, Inc. and requesting the Muskingum County Commissioners to approve the same.

Mr. Tarbert moved for second reading, seconded by Mr. Zakany.
Motion carried

Ordinance No. 10-28: Introduced by Council – Amending Ordinance Nos. 07-114, 07-115, 09-01, 09-02, 09-11, 09-32, 09-37, and 10-12, which established pay, benefit, and employment policies for employees in the municipal service.

Mr. Tarbert moved for third reading, seconded by Mr. Baker.
R. C. for passage
7 Ayes – 0 Nays
Motion carried.

PRIVATE PETITIONS AND COMMUNICATIONS:

Petition from Sandra Wood – 528 Kinzel Avenue

I filed a claim on the City and they denied by claim. I fell in one of the potholes in the street and the day after I call and told them about it and they patched it. I still have problems with my arm and I have bills from it.

Mr. Zakany: Each one of us is responsible for knowing what is around us, if there is a pothole we need to avoid it. That is part of our own duty. It is our individual responsibility to be careful of a bad curb or pothole.

Ms. Wood: I was careful. I did not see the pothole.

Mr. Zakany: That's my comment. I know a court case and the judge ruled it was your responsibility for your own being and to look for those kinds of hazardous items.

Ms. Wood: I watch where I go but I opened my car door and went to get in. That's when I fell in the pothole. I was getting into my car and when I went down I caught my arm on the door and it went back as far as it would go.

Mr. Baker: How long was it between the time you called the City and they repaired the pothole?

Ms. Wood: The next day.

Mr. Vincent: It is my understanding and the Law Director can correct me, the City's liability is once we are aware of potholes we need to patch them in a reasonable amount of time. This is a very unfortunate situation and I am sorry you got hurt; we don't want anyone to get hurt. It is our responsibility to repair the potholes once we are aware of them. Mr. Hillis is there anything else you can add?

Mr. Hillis: I looked over her claim. I sent her a letter explaining to her that she has the right to contact City Council and make a moral claim. That is all I can do. What she needs to do is call her City Council person.

Ms. Wood: I called him today, but he was in court.

Mr. Tarbert: I did get the message today. I haven't had a chance to call back. I will be happy to talk to you after the meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS:

Mayor Zwelling: ZHS Hall of Fame Class of 2010 was inducted Saturday and it was like an all star line up. It was an excellent evening. The U.S. Army Field Band and Chorus put on a magnificent concert to a full house. Miss Ohio from St. Henry, Ohio put in a local appearance last week at Prime Rose and sang for the residents. She encouraged everyone to donate blood. This Friday at 10:00 a.m. will be a ribbon cutting (the eighth one in the last four months) at the corner of Adair and Maple Avenues for Coconis Furniture. This is their second store and everyone is invited to come to that ribbon cutting at 10:00 a.m. This past Saturday the mail carriers pick up bags of canned food from our citizens for distribution to the 18 food pantries in Muskingum County. Congressman Space and I helped in the collection process. Zanesville Blue Devils' baseball team has 24 wins and 2 loses and is a very strong team. They play a tournament game tomorrow at 5:00 p.m. at Gant Stadium. Safety Director and I attended the state meeting on Friday in Columbus. Our Safety Director, Bob Brandford presided over his last meeting. He has done a wonderful job and I am very proud of him. I was able to meet the Fire Chief, Police Chief, and the Safety Director of Mayor Coleman's administration in Columbus. The former Mayor of Cambridge, Sam Salupo, passed away Sunday, May 9, 2010. He was a great public servant and he also taught at Muskingum University and worked hard for the Mideast Vocational School. He will be missed.

Mr. Zakany: I was fortunate and I took my wife, my daughter and her friend to see the U. S. Army Field Band play. That band was so entertaining. There was no down time in that concert. The auditorium was "packed".

Mr. Tarbert: The Public Service Committee recommended that we just follow the procedures already set forth that the claims be reviewed by Mr. Hillis and the claims that are denied for liability then the people that have suffered damages can submit a moral claim through a council person. These will come before council. I do not think that we have the funds this year set aside in the amount that would be needed for a separate pothole fund. The liability issues were such

that it is hard to verify all the claims so we are going to treat those as we have always treated them just bring a moral claim to your council person. With regard to the parks, thank you Mr. Sims for maps and details of the parks and I think Mr. Case brought a large map tonight. What we talked about with the parks we are still looking into the idea of using some volunteers for certain parks in the city. I think we are going to coordinate that through Mr. Sims, so if there are any people that are interested in volunteering at one of our City parks, please feel free to contact you council person they will take your name and address. That information will be passed on to Mr. Sims and he will contact you. We would appreciate your assistance with the parks.

Mr. Vincent: On the moral claims, if someone wants to contact their council person and that council person can meet with them and discuss the issues behind their claim and if they feel it should move forward and be brought before council after researching and looking at the circumstances and then they can sponsor the claim.

Mr. Raines: The City's \$1.2 million bond is happening this Thursday and everything is on track. The good news is we got a bond rating and it is A-1 which is not "tip-top" but it is pretty good, I was very happy with that rating. Moody thinks we are solid and a good safe credit bet.

Mrs. Gentry: Crime Stoppers Committee is having a meeting at the Euclid Avenue Church for the 4th Ward next Monday at 6:00 pm. We will look forward to seeing people that live in the 4th Ward at the meeting.

Mr. Tilton moved we adjourn, seconded by Mr. Tarbert.

Motion carried.

Meeting adjourned 7:16 p.m.