

**City Council Meeting
Agenda of Business
August 24, 2020**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

None were received for this meeting

D. Proposed ordinances

1. **Ordinance No. 2020-104** – Introduced by Council – An Ordinance authorizing the proper city official to prepare and submit an application to participate in the Natural Resources Assistance Council and/or the Ohio Public Works Commission Clean Ohio Fund Program for funding. (First Reading)
2. **Ordinance No. 2020-105** – Introduced by Council – An Ordinance authorizing the proper city official to enter into an agreement for the purchase of real property, contingent upon the award of Clean Ohio Funds. (First Reading)
3. **Ordinance No. 2020-106** – 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. (First Reading)

E. Ordinances for action

4. **Ordinance No. 2020-101** – Introduced by Council – An Ordinance approving a written port-issuance compliance policy in connection with the issuance of tax-exempt and tax-preferred obligations by the City of Zanesville. (Second Reading)
5. **Ordinance No. 2020-93** - Introduced by Council – An Ordinance authorizing the assessment of liens against certain properties for demolition and clearance activities, and declaring an emergency. (Emergency or Third Reading)

6. **Ordinance No. 2020-94** –Introduced by Council – An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of Community Reinvestment Area in the City of Zanesville, designation a Housing Officer to administer the program, and creating a Community Reinvestment Housing Council and a Tax Incentive Review Council. (Third Reading)

F. Traffic orders

None have been filed for this meeting.

G. Miscellaneous and unfinished business

H. Private petitions and communications

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

ZANESVILLE CITY COUNCIL MEETING – MONDAY, AUGUST 10, 2020

The Zanesville City Council met in regular session at 7:05 p.m. on Monday, August 10, 2020 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 in person: Mr. Roberts, Mr. Baker, Miss Bradshaw, Ms. Gildow, and Mr. Vincent.

The following members of Council answered roll call by phone: Mr. Foreman, Mrs. Gentry, and Mrs. Osborn.

Mr. Ware and Mr. Sharrer were absent.

Mr. Roberts moved to excuse Mr. Ware and Mr. Sharrer. Ms. Gildow seconded the motion. A voice vote was taken with all present being in favor of excusing Mr. Ware and Mr. Sharrer. None were opposed. Motion carries.

APPROVAL OF MINUTES

Miss Bradshaw moved to approve the minutes of July 27, 2020 as printed, seconded by Mrs. Osborn.

Motion carried. Mr. Ware and Mr. Sharrer were absent.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Scott Brown, Director of Public Services-The City of Zanesville's Cemetery Division's 2020 1st and 2nd Quarter Reports.

Mr. Roberts moved to receive the communication from the Public Service Director, seconded by Miss Bradshaw.

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

All present were in favor. None were opposed. Mr. Ware and Mr. Sharrer were absent. Motion carries. Communication stands received.

Communication from Rhonda Heskett, Budget & Finance Director – The official certification of the local government monies the city will be receiving in calendar year 2021. The Local Government Revenues for 2021 are projected to be \$657,020.11.

Miss Bradshaw moved to receive the communication from Ms. Heskett. It was seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion? Ms. Heskett, is there anything you want to add here?

Rhonda Heskett: No, this is just typical every year. The county certifies it and we just need to communicate with City Council the estimated amount to be received.

Mr. Vincent: Is this in line with last year?

Ms. Heskett: Actually it is about \$88,000 less.

Mr. Vincent: The reason for that?

Ms. Heskett: I would assume that the County is being conservative in their estimates for the coming year.

Mr. Vincent: Okay, thank you. Is there anything else from Council? Okay, all in favor of receiving, signify by saying aye.

All present were in favor. None were opposed. Mr. Ware and Mr. Sharrer were absent. Motion carries. The communication stands received.

PROPOSED ORDINANCES

Add Ordinance No. 2020-103 to agenda.

Mr. Roberts moved to insert Ordinance No. 2020-103 as item 7A to the agenda. It was seconded by Miss Bradshaw.

Mr. Vincent: A motion by Mr. Roberts to add in Item 7A, Ordinance 2020-103 which is a safety grant and Council should have received that in an email or have that in front of them if here in person. Is there any discussion? Okay, all in favor of that amendment signify by saying aye.

All were in favor. None were opposed. Mr. Ware and Mr. Sharrer were absent. Motion carries. We have an additional item on our agenda.

Ordinance No. 2020-98 – Introduced by Council – An Ordinance enacted by the City of Zanesville of Muskingum County, Ohio for intersection upgrades at the following intersections along Pine Street (CR 2004); West Main Street, Pershing Road, and Eppley Avenue.

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

Mr. Roberts: Mr. President, this ordinance was discussed in the Public Service Committee and it was recommended by that committee that it be waived and passed tonight.

Mr. Vincent: Is there any other discussion on waiving? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. The three readings are waived.

Miss Bradshaw moved for passage, seconded by Ms. Gildow.

Mr. Vincent: This is a grant and totally paid for 100% I am trying to think if there was anything coming out of the Public Service. It is a safety project for the kids that are going to school.

Mayor Don Mason: Mr. President, bearing in mind that Zanesville City Schools has changed their transportation policy from 1 mile to 1.5 miles before you can be bused. It is really important for all of us to be involved in the safety of our students as pedestrians walking to and from, as well as, probably more parents will be driving and dropping off their children. So, working on improving the safety of these intersections, I mean, it is pretty critical. We really appreciate working with City Council on this matter.

Mr. Vincent: Okay, thank you, Mayor. Is there anything else from any one?

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. Ordinance is passed.

Ordinance No. 2020-99 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a new John Deere 444L Wheel Loader from Murphy Tractor & Equipment Co. for the Water Division through the State of Ohio Cooperative Purchasing Program.

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

Mr. Vincent: Is there any discussion on waiving?

Mr. Roberts: Mr. President, this ordinance also came through Public Service and for us to get it executed and get the equipment in our hands by the end of the year we need to waive the readings on this legislation.

Mr. Vincent: Thank you. Did everyone hear that okay? With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. The three readings are waived.

Miss Bradshaw moved for passage, seconded by Ms. Gildow.

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. Ordinance is passed.

Ordinance No. 2020-100 – Introduced by Council – An Ordinance authorizing a maximum schedule of positions for the City of Zanesville's Workforce.

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

Mr. Vincent: Is there any discussion on waiving?

Mr. Roberts: This Ordinance is going to change the schedule of positions for cleaning crews that are working for us through COVID. They are currently in temporary positions that will expire and if we don't waive the readings on this they will not be able to be paid. Is that correct, Rhonda?

Ms. Heskett: We have one permanent employee in place already down at the Police Station; but the employee that is working in City Hall is only temporary and yes, that temporary position will expire in 60 days.

Mr. Vincent: Okay, there is another part about adding this in, so they don't have to have a CDL (Commercial Driver's License) then, for this position. As it is not needed to clean around the building. You don't need to drive a truck in here.

Ms. Heskett: Yes.

Mayor Don Mason: Mr. President, the Civil Service Commission on a Friday met and recognized that having a CDL required for all of these positions before applying for the job is not necessary. I don't want to put words in their mind but it was recognized that through a probationary period people for those positions that CDLs are required, can achieve their CDL during that period. Frankly, that will help open the barrier so that more minorities can apply for these jobs instead of who can only apply now, that is people with CDL's. So, this is important in various aspects.

Mr. Vincent: So, getting a job, to have some income. Is there a significant cost to get a CDL?

Mayor Mason: No significant cost.

Ms. Gildow: I have a question. Where there is a notation that there is an upgrade. What do the upgrades entail or is it specific to each category?

Ms. Heskett: The upgrade positions are there if an employee is on vacation then they can move another employee into that position to cover a vacation day, sick day, or something like that.

Ms. Gildow: So this isn't a change, the position itself isn't being upgraded it is just there so that we can cover vacations without it contradicting the Maximum Schedule of positions?

Ms. Heskett: Are you talking specifically about the custodial position?

Ms. Gildow: No.

Ms. Heskett: Okay, just any of the upgrades.

Ms. Gildow: It is in a lot of the categories.

Ms. Heskett: Yes, that is what those are for.

Ms. Gildow: Okay, I had forgotten that you had made that notation before. I was thinking those positions were being upgraded in some fashion. Thank you.

Mr. Vincent: Is there anything else from Council? Okay we are still in discussion as far as waiving.

Ms. Gildow: I probably shouldn't have asked.

Mr. Vincent: No, that is fine. I lost track on where we were. So, no, you are fine. I just wanted to remind people where we are as far as waiving. So, is there any further discussion on waiving? Okay, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries.

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

Mr. Vincent: Is there any further discussion?

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. Ordinance is passed.

Ordinance No. 2020-101 – Introduced by Council – An Ordinance approving a written port-issuance compliance policy in connection with the issuance of tax-exempt and tax-preferred obligations by the City of Zanesville.

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

Mr. Vincent: Is there any discussion? There is no hurry on this?

Ms. Heskett: No.

Mr. Vincent: Okay, all in favor of first reading signify by saying aye.

All were in favor. None were opposed. Mr. Sharrer and Mr. Ware were absent.
Motion carries.

Ordinance No. 2020-102 – Introduced by Council – An Ordinance approving an agreement with Worthington Foods, Inc. providing for a project and tax exemptions pursuant to the Ohio Enterprise Zone Program, and making determinations in connection therewith, and declaring an emergency.

Mr. Roberts moved for first reading.

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

Mr. Vincent: The motion to waive overrides the motion for first reading. With that the first reading was to get it in the floor to make an amendment for Council.

Mr. Baker: I will rescind mine.

Ms. Gildow: Likewise.

Mr. Vincent: Do you want to second the first reading?

Ms. Gildow: Sure.

Mr. Vincent: Okay, we have a motion by Mr. Roberts for first reading and seconded by Ms. Gildow. So it is on the floor.

Mr. Baker: Mr. President, I would like to propose an amendment to Ordinance 2020-102. In the fifth whereas it says, "Whereas that this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety and welfare of Zanesville residents, for the purpose of consenting to an enterprise zone agreement with Worthington Foods, (adding "Inc.") to make additional employment available" (striking ~~and to preserve employment opportunities~~) at Worthington Foods (adding "Inc.") and the rest is as it reads.

Mr. Vincent: Thank you, Mr. Baker. A motion to Inc. after Worthington Foods in the 5th whereas and the line before that strike (and to preserve employment opportunities). Correct?

Mr. Baker: That is it.

Mr. Roberts seconded the motion.

Mr. Vincent: Is there any discussion on those amendments? Okay, hearing none, all those in favor signify by saying aye.

All were in favor. None were opposed. Mr. Sharrer and Mr. Ware were absent.
Motion carries.

Mr. Vincent: We are now at Ordinance No. 2020-102 as amended.

Ms. Gildow moved to waive. Mr. Baker seconded the motion.

Mr. Baker: Mr. President, Matt could you go over this a little bit for me, please?

Matt Abbott of the Port Authority: We were contacted by Worthington Foods, also known as Kellogg's in our community at the corner of Northpointe and Fairview Road. I had conversations with the Mayor and the Mayor was very instrumental and supportive of this project. What we are looking at is an \$18 million real capital investment with an expansion of their facility. The square footage is going to be somewhere between 40,000 square feet and 50,000 square feet. The total overall investment is going to be \$43 million dollars. A lot of cost in machinery and equipment. They have pledged 40 new jobs in our community. These are jobs that over time this has probably been one of

our better employers in the city of Zanesville and Muskingum County. It is very exciting to see these companies that continue to grow and continue to invest here. That is the ultimate win-win for our community. I know there is good opportunity for a lot of local contractors that are going to be involved in this job. So, looking at these types of criteria we offer a 60% real property tax abatement for a ten-year term to this company.

Mr. Baker: Good, glad to hear it.

Mr. Vincent: Even with the 60% we will still have 40% additional coming in and that is significant.

Matt Abbott: There is 40% return that will be received. This is in the West Muskingum Local School District, so the West Muskingum Local School District will receive some of these dollars as well as the joint vocational educational system, the City of Zanesville, and Muskingum County. It does meet the threshold of the Municipal Income Tax Sharing which we have had experience with and Rhonda has experience with and has taught me about it just here recently. So, yes, there will be significant dollars generated by this and it is a good investment for our community.

Mr. Vincent: Yes, no downside to this, that I see. I think it says a lot of our workforce that they want to invest in this area that they must be pleased and this works out for them business wise. As far as waiving then, do you want to share as far as timing?

Matt Abbott: The issue of waiving is there timeline. We have had a lot of companies that have been impacted by COVID in a negative manner in our community. We have also had a lot of companies that have been impacted in a very positive manner. This would be a company that has been very positively impacted by more people at home and more people eating at home and kind of the processes that they do. They would like to get started on construction this year and they are shooting for September 1 to break ground at that facility.

Mr. Vincent: That is going to be here quick. Thank you, sir.

Mr. Abbott: Thank you.

Mr. Vincent: Is there any discussion on waiving? We will have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings:

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries.

Miss Bradshaw moved for passage, seconded by Ms. Gildow.

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

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Sharrer and Mr. Ware

Motion carries. Ordinance is passed.

Mr. Vincent: Now moving on to Item 7A which was added to the agenda tonight. It is Ordinance 2020-103.

Ordinance No. 2020-103 – Introduced by Council – An Ordinance authorizing the proper city official to submit an application to the Firehouse Subs Public Safety Foundation for an award of grant funded equipment and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? It is kind of obvious here in the ordinance itself the deadline is August 19th and we just found out about this at lunch time last Friday. We will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries.

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

Mr. Vincent: Is there any further discussion? I guess I can share with you that Austin Colopy, one of the firefighters here at the Zanesville Fire Department, submitted this last Friday to Mr. Schley and he called me and we met about this. What it is, is the Lucas Device III which is an automatic compression device for CPR. With that there is a piece that goes behind the back and clamps on and you adjust the plunger down and it preforms compressions on the chest. So, the recent incident where this was so helpful to attempt to save lives is a recent drowning in the river. They had to borrow one from Falls Township, who was on scene, and they applied this. Once they pulled the person out of the river they applied it and it started compressions as they are pulling the body up where you can't do compressions, while you are climbing up a steep bank to pull someone out. So, this gave them an extra three or four minutes of CPR. That could change someone's life as far as saving it. So, this is a 100% grant and we will apply for and hopefully get it. There is no guarantee, but he is excited about this. They have a place for it and I am sure he will come and demonstrate it if we are fortunate enough for

the grant to be successful. Mr. Schley would you like to add anything that I didn't include.

Mr. Schley: No, I think you covered it very well, Mr. President. I would say the only thing is that where the device costs about \$13,000. You are correct there is no match and if we don't get it this time we will continue to apply. This is one of those grants and there is no number of times you can apply, the only stipulation is if we are funded we couldn't apply for another grant out of here for another two years.

Mr. Vincent: Any safety forces. Firehouse Subs, that is nice they are giving back many millions. Is there anything else from Council?

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn

0 Nays

2 Absences Mr. Ware and Mr. Sharrer

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 2020-93 - Introduced by Council – An Ordinance authorizing the assessment of liens against certain properties for demolition and clearance activities, and declaring an emergency.

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

Mr. Vincent: Discussion? Timewise, are we okay in this, I believe? September 1 is the filing deadline. If no other discussion all in favor of second reading signify by saying aye.

All were in favor. None were opposed. Mr. Ware and Mr. Sharrer were absent.
Motion carries.

Ordinance No. 2020-94 – Introduced by Council – An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of Community Reinvestment Area in the City of Zanesville, designation of a Housing Officer to administer the program, and creating a Community Reinvestment Housing Council and a Tax Incentive Review Council.

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. Mr. Sharrer and Mr. Ware were absent.
Motion carries.

Ordinance No. 2020-86 – Introduced by Council - An Ordinance advertising for bids and entering into contract for public employee bond coverage.

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

Mr. Vincent: Is there any discussion? Hearing none, we will have roll call vote.

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn.

0 Nays

2 Absent Mr. Sharrer and Mr. Ware

Motion carries. Ordinance is passed.

Ordinance No. 2020-87 – Introduced by Council - An Ordinance amending Section 151.04(d) of the Codified Ordinances of the City of Zanesville relating to the payment of claims.

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

Mr. Vincent: Discussion? Hearing none, we will have roll call vote.

Roll call vote for passage.

4 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn.

0 Nays

2 Absent Mr. Sharrer and Mr. Ware

Motion carries. Ordinance is passed.

Ordinance No. 2020-91 – Introduced by Council - An Ordinance authorizing the assessment of liens against certain properties with delinquent bills, and declaring an emergency.

Mr. Roberts moved for third reading. It was seconded by Mr. Baker.

Mr. Roberts: I would like to amend 2020-91 by changing the dollar amount in Section Two to \$115,952.36 and then updating the exhibit that was attached thereto.

It was seconded by Mr. Baker.

Mr. Vincent: A motion by Mr. Roberts to update the dollar amount and then seconded by Mr. Baker. This was anticipated as people were continuing to pay on these which is a good thing. So, they came off the list then as we went along. We have brought this up at the last two meetings I believe. So a motion and a second to make those amendments. Is there any other discussion?

A voice vote was taken with all being in favor. None were opposed. Mr. Sharrer and Mr. Ware were absent.

Motion carries.

Mr. Vincent: We are now at Ordinance 2020-91 as amended. I need a motion for third reading.

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

Mr. Vincent: Is there any other discussion? Let's have roll call vote.

Roll call vote for passage.

3 Ayes in person

3 Ayes by phone Mr. Foreman, Mrs. Gentry, and Mrs. Osborn.

1 Nays Mr. Roberts

2 Absent Mr. Sharrer and Mr. Ware

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

No traffic Orders were filed for this meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Don Mason: Two things and one is I received a letter of positive comment about the wonderful condition the Riverside Ball Park is in. Scott and I, early in the process supported Ike VanDyne, our Parks and Cemetery Superintendent, and doing a wonderful job. I just wanted to bring your attention his wonderful work.

Even more importantly today is the last meeting that Rhonda (Heskett) will share with us as a public servant. I first met her when she joined here in the 1980's and she has been a wonderful public servant and I mean, a lot of times people think public servants are people who just sit around or something like that. Let me tell you, Rhonda is working every day. She works hard. She works long hours. She works overtime without getting paid for it, I might add. I am going to miss her. I think we all will miss her. Rhonda, we will be celebrating her retirement on Thursday night for those of you who want to attend down at Urban Comfort. Rhonda, God bless you, thanks for staying with the City and I really hope you have a long and healthy retirement.

Ms. Heskett: Thanks everyone.

Mr. Roberts: I would just like to add to that, Rhonda. I have been here for twelve to fourteen years and any time that anybody asked you for anything you always have gone above and beyond to provide us with anything we ever needed. I want you to know how much we appreciate everything that you have done.

Ms. Heskett: Thank you. It has been a pleasure to work with all of you. You are a great Council, a great administration. I will miss everybody, except today, eventually. It will take a little while.

(Laughter broke out)

Mr. Vincent: I also want to add that you have been wonderful. I couldn't think of anyone who has ever complained about you. You are always so helpful. You taught me so much. If I turned to you for anything as far as questions and stuff and you take the time to sit down and go through it and you answered all of my questions until we figure out what is best for the City and what is best for the citizens. So you have been an excellent public servant. Excellent.

Ms. Heskett: I am glad I could do it.

Ms. Gildow: I would like to add relative to Ways & Means. I don't have to do any work, Rhonda does it all and talk about answering questions, I had to get it through my banker's brain because city municipal finances are a lot different than private business. So I can't tell you how many appointments I have made with Rhonda and she answers all of my questions and in the rare occasion that she has to check on something she always does and gets back to me. So, if I am not a doofus with the City numbers it is Rhonda's tribute. Thank you.

Ms. Heskett: Thank you, Ms. Gildow.

Mr. Vincent: Enjoy your retirement. We are losing a good worker, a wonderful worker and a friend. We are not losing you. You will still be around some and come back to visit, I am sure. Does anyone else want to share? Anyone online want to share anything?

Mrs. Osborn: Mr. President, I just wanted to thank Rhonda. She was so kind when I was running for office and I didn't even understand the finances. She sat down with me and explained things. She explained the different between funds and explained how the money worked. She really gave me several crash courses so that I have working knowledge now like I just can't thank her enough. I know she makes herself available and answers questions and she will be very much missed.

Ms. Heskett: Thank you, Mrs. Osborn. It has been my pleasure.

Mr. Vincent: Take comfort in what you have taught us will carry on. We have learned from a good teacher and that will make things better for the city. Is there anything else?

Mark Baker: Yeah, this is for Rhonda which by the way again, I don't know you very well, but you have always been sort of a role model for what a public servant should be and you will be missed.

Ms. Heskett: Thank you, Mr. Baker.

Mark Baker: Matt, do we have a time frame for the pallets stuff that is going to get removed?

Matthew Schley: Yes, Dane Miller, the Associate Planner, had contacted them at the end of last week because they reached out to us and said that they are having issues getting people down there due to COVID. Their crews have been diverted and moved around. Dane asked us to extend to the end of the month. They had a little bit of wiggle room in their deadline from the BZA, so Dane let them do that, so we will be checking on them in the next two weeks.

Mr. Baker: It looks like they have gotten most of it out now so that is good.

Matthew Schley: Yeah, they are contingent upon the gas company so that was all of their equipment up there.

Mr. Baker: Okay, good.

Mr. Vincent: Is there anything else from Council or the Administration? Is there anything at all? I want to say, I do appreciate everyone here this evening. It was a busy meeting, we got a lot done. Everyone has been valuable here this evening, so thank you all from the cameraman in the back, to Glen from the IT running our communications. So, thank you all very much. We appreciate it. So, with that, Mr. Roberts.

PRIVATE PETITIONS AND COMMUNICATIONS

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

Mr. Roberts moved to adjourn. It was seconded by Miss Bradshaw. A voice vote was taken with all being in favor. None were opposed. Mr. Sharrer and Mr. Ware were absent. Motion carries. The meeting adjourned about 7:39 p.m.

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

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council

Mark Baker, Chair
Community Development Committee

ORDINANCE NO. 2020-104

**AN ORDINANCE AUTHORIZING THE
PROPER CITY OFFICIAL TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE NATURAL
RESOURCES ASSISTANCE COUNCIL AND/OR THE OHIO PUBLIC WORKS COMMISSION CLEAN OHIO
FUND PROGRAM FOR FUNDING**

WHEREAS, THE Natural Resources Assistance Council (NRAC) and the Ohio Public Works Commission (OPWC) provide financial assistance for the acquisition and development of land for conservation purposes; and

WHEREAS, the real property identified as Parcel No. 83-29-01-17-000, 83-29-01-20-000, and 83-28-01-01-000, herein referred to as the "Subject Property," consists of approximately 11.71 acres (as shown in Exhibit A); and

WHEREAS, the City of Zanesville, by and through Administration and Council, desires to purchase the Subject Property for the purposes of environmental conservation and passive recreation usage near the Y-Bridge; and

WHEREAS, the City of Zanesville, Ohio, also believes that the purchase of the Subject Property will ultimately result in neighborhood revitalization, recreation, and tourism; and

WHEREAS, if funded, the City's share of the acquisition costs would be twenty-five percent (25%) of the appraised value of the property and the cost of development; and

WHEREAS, the Administration and Council believe the City can fully comply with the Application Stipulations as set forth by NRAC and OPWC; and

NOW, THEREFORE, BE OR ORDAINED BY THE COUNCIL OF THE CITY OF ZANESVILLE, AS FOLLOWS:

SECTION ONE: The proper city official, is hereby authorized to apply to NRAC and/or OPWC for funding through the Clean Ohio Fund for the acquisition and development of the Subject Property described above.

SECTION TWO: The Proper City Official is authorized to enter into any agreements as may be necessary and appropriate for obtaining financial assistance.

SECTION THREE: If the City's application for funding is successful, this Council authorizes the expenditure based on the actual successful grant award and including the City's twenty-five percent share, but not in an amount in excess of the funds appropriated and available for this purpose as set forth above.

SECTION FOUR: It is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations

Ordinance No. 2020-104

of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

PASSED: _____, 2020

ATTEST:

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald Mason
Mayor



City Director's Office

Attachment to Ordinance 2020-104

Exhibit "A" Purchase of Property with Clean Ohio Funds

Highlighted property is the property that we are proposing to purchase. All properties are zoned I-1 Industrial (gray). Red properties are C-4 Highway Commercial. Property is proposed to be developed into a park.



Mark Baker, Chair
Community Development Committee

ORDINANCE NO. 2020-105

**AN ORDINANCE AUTHORIZING THE
PROPER CITY OFFICIAL TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY,
CONTINGENT UPON THE AWARD OF CLEAN OHIO FUNDS**

WHEREAS, the real properties identified as Parcel Nos. 83-29-01-17-000, 83-29-01-20-000, and 83-28-01-01-000, herein collectively referred to as the "Subject Property," consist of approximately 11.71 acres (as shown in Exhibit A); and

WHEREAS, the City of Zanesville, by and through Administration and Council, desires to purchase the Subject Property for the purposes of environmental conservation and passive recreation usage near the Y-Bridge; and

WHEREAS, the City of Zanesville, Ohio, also believes that the purchase of the Subject Property will ultimately result in neighborhood revitalization, recreation, and tourism; and

WHEREAS, through Ordinance 2020-104 Zanesville City Council authorized the proper City official to submit an application to the Natural Resources Assistance Council (NRAC) for partial funding for acquisition of the Subject Property through the Clean Ohio Fund; and

WHEREAS, if funded, the City's share of the acquisition costs for the Subject Property would be twenty-five percent (25%) of the appraised value of the Subject Property; and

WHEREAS, the Administration and Council believe the City can fully comply with the Application Stipulations as set forth by NRAC;

NOW, THEREFORE, BE OR ORDAINED BY THE COUNCIL OF THE CITY OF ZANESVILLE, AS FOLLOWS:

SECTION ONE: This Council authorizes the Mayor to enter into a purchase agreement (upon terms reasonably standard for this community), upon review and approval of the City Law Director, with the Muskingum County Community Foundation for the purchase of the Subject Property for up to Five Hundred Thousand Dollars (\$500,000.00), and thereafter to execute any and all documents necessary for the transfer of the property in accordance with the purchase agreement, and Council hereby acknowledges its acceptance of the deed for the Subject Property.

SECTION TWO: The authorization of this Ordinance is wholly contingent upon the City being awarded the NRAC funds as set forth above. If the City has not received notice of NRAC funding prior to entering a purchase agreement with Seller, the purchase agreement between the parties shall also be made contingent upon NRAC funding seventy-five percent of the purchase price. If the City does not receive the NRAC funds discussed above, the City shall not purchase the Subject Property without further legislative action from Council.

Ordinance No. 2020-105

SECTION THREE: Said purchase amount shall come from Line Item 303-4105-56185.

SECTION FOUR: It is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

PASSED: _____, 2020

ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

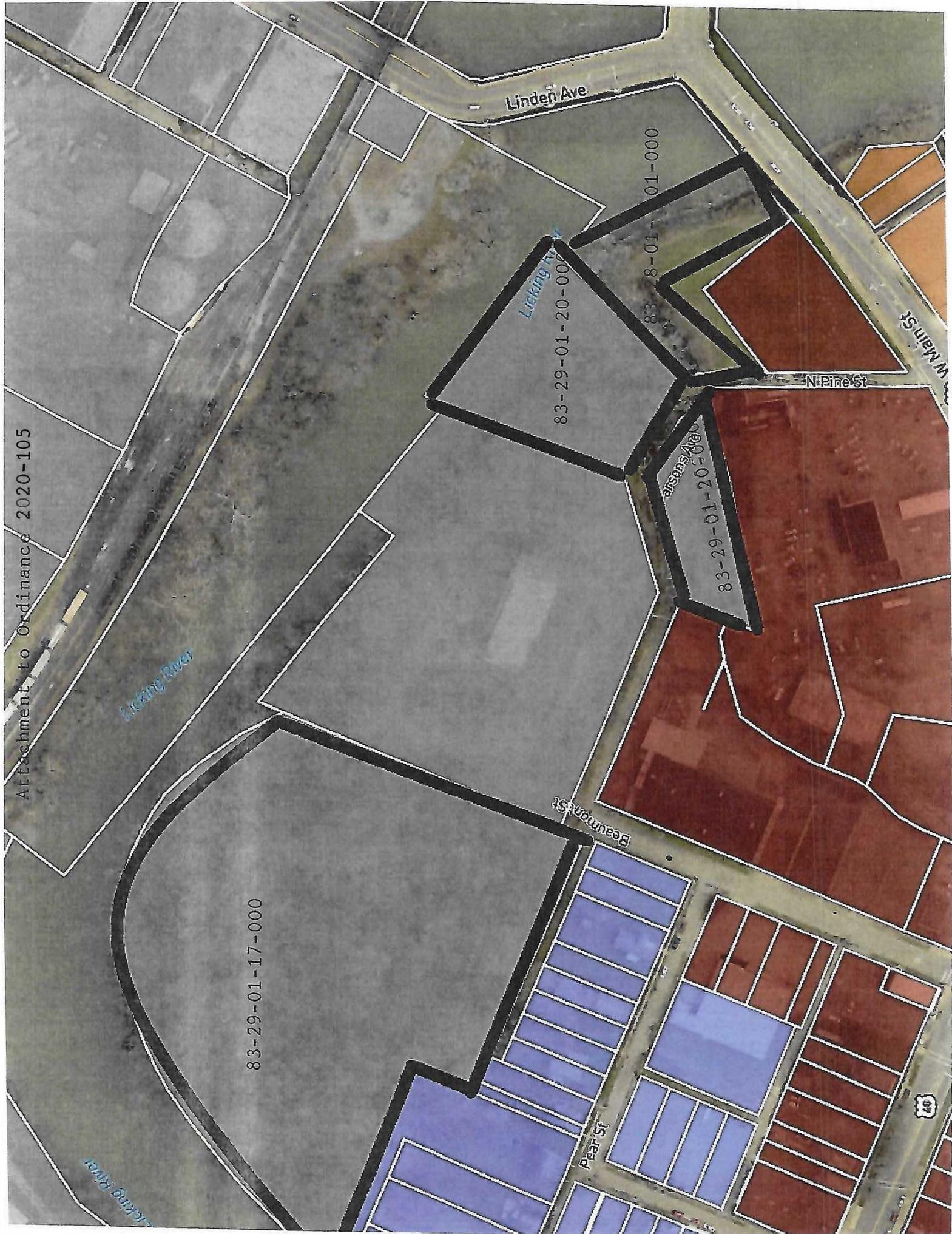
APPROVED: _____, 2020

This legislation approved as to form:

Donald Mason
Mayor



Law Director's Office



Community Development Committee
Mark Baker, Chair

ORDINANCE NO. 2020-106
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**

WHEREAS, an application has been duly made requesting a zoning district change from RS-4 Medium-High Density Single-Family Residential to C-2 Community and Regional Commercial; and

WHEREAS, proper notification of the intent of this Council to consider this request to rezone the below described property was given to abutters within 200 feet of the requested rezoning and in a newspaper of general circulation; and

WHEREAS, after testimony and discussion the Zanesville Planning Commission recommended to City Council that the zone change request further identified on Exhibit "A", be approved.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio; that

SECTION ONE: The application for rezone change with respect to the real property hereinafter described and shown in Exhibit "A" is hereby approved and the zoning with respect to said property is so changed.

SECTION TWO: The Zoning Map of the City of Zanesville, Ohio, and the same is hereby amended and revised by changing the zoning as follows:

From RS-4 Medium-High Density Single-Family Residential to C-2 Community and Regional Commercial, situated in the City of Zanesville, County of Muskingum, and State of Ohio, and bounded and described as follows:

Auditors Parcel #84-18-06-09-000, recorded in Deed Volume 2890, Page 131 being located in the Muskingum County Recorder's Office.

SECTION THREE: This Ordinance shall take effect upon the approval of the Mayor and from and after the earliest period allowed by law .

PASSED: _____, 2020.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2020.

DON MASON
MAYOR

**THIS LEGISLATION
APPROVED AS TO FORM**



LAW DIRECTOR'S OFFICE

EXHIBIT "A"

Highlighted Portion is Lot 84-18-06-09-000 which is RS-4 (orange color). Applicant is requesting the property be rezoned to C-2 (pink).



ORDINANCE NO. 2020-101
INTRODUCED BY COUNCIL

APPROVING A WRITTEN POST-ISSUANCE COMPLIANCE POLICY IN CONNECTION WITH THE ISSUANCE OF TAX-EXEMPT AND TAX-PREFERRED OBLIGATIONS BY THE CITY OF ZANESVILLE.

WHEREAS, the City of Zanesville, Ohio (the “City”) has previously issued, and intends to issue in the future, bonds and other obligations for the purpose of financing various capital improvements in, or affiliated with, the City; and

WHEREAS, such obligations were issued, or will be issued, as tax-exempt and tax-preferred obligations (collectively, the “Obligations”) under the Internal Revenue Code of 1986, as amended; and

WHEREAS, in connection with the issuance of the Obligations, it is advised that the City have a formal written policy outlining the policies and procedures necessary to promote compliance with federal income tax and securities laws, as well as the requirements set forth in the documents for each issue of Obligations; and

WHEREAS, the City Council of the City (the “Council”) desires to formally approve a written policy outlining such policies and procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ZANESVILLE, OHIO, THAT:

Section 1. Approval of Written Post-Issuance Compliance Policy. This Council hereby approves a written post issuance compliance policy (the “Policy”) in connection with the issuance of the Obligations of the City. On behalf of the City, the City Auditor is hereby authorized to execute the Policy, which Policy shall be in the form attached hereto as Exhibit A. The City Auditor is also hereby authorized to execute any other documents necessary in connection with the Policy. The City Auditor's execution of such documents shall be conclusive evidence of this Council's approval of such documents.

Section 2. It is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were taken in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Revised Code Section 121.22.

[Balance of Page Intentionally Left Blank]

Ordinance No. 2020-101

Passed: _____, 2020

Attest: _____
Susan Culbertson, Clerk of Council

Daniel M. Vincent, President of Council

Approved: _____, 2020

Donald L. Mason, Mayor

Approved as to form:



David Tarbert, Law Director

[Copy of Post Issuance Compliance Policy Attached]

CITY OF ZANESVILLE, OHIO

FINANCIAL OBLIGATION SUMMARY SHEET

This form may be used to gather information necessary to evaluate whether a financial obligation is material and must be disclosed to via the Municipal Securities Rulemaking Board's EMMA system. The information requested should be inserted below. In some cases, it may be appropriate to attach a schedule or copy the applicable section from the relevant documents.

The term *financial obligation* means a:

(A) Debt obligation; (B) Derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (C) Guarantee of either of the foregoing.

Such term does not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with SEC Rule 15c2-12.

Generally speaking, any obligation that is essentially a vehicle to borrow money (*e.g.*, a lease-purchase agreement) should be considered a *financial obligation*.

1. Obligation amount and date incurred	
2. Final maturity date of the obligation	
3. Debt service schedule, if including principal amortization, interest rate(s), interest calculations (<i>attach separate sheet if necessary</i>)	
4. Legal security and/ source of payment	
5. Interest rate method of calculation, if variable	
6. Use of obligation proceeds	
7. Covenants, events of defaults and remedies	
8. Amortization modification provisions, or information about payment acceleration or other non-standard payment considerations	
9. Any other information that an issuer believes to be important to lenders or investors in the obligations of the Issuer	

CITY OF ZANESVILLE, OHIO

POLICY AND PROCEDURES
CONCERNING POST-ISSUANCE COMPLIANCE

- I. Purpose.** The City of Zanesville, Ohio (the "Issuer") uses bonds as one means of financing capital projects in support of its mission. This Post-Issuance Compliance Policy (the "Policy") outlines the policies and procedures to promote compliance with federal income tax and securities laws, as well as the requirements set forth in the bond documents for each bond issue. The policy is to strictly follow the U.S. Constitution and laws, the Ohio Constitution and laws, and all applicable federal and state regulations. For purposes of this policy, the terms "bonds" or "bond issue" means any obligation of the Issuer incurred for the purpose of borrowing money, including, without limitation, bonds, notes and certificates of participation in capital leases.
- II. Outside Counsel.** The Issuer's Law Director may, upon obtaining any necessary approvals, engage an attorney or firm of attorneys of national reputation on the subject of the federal tax and securities law of public finance to serve as "Outside Counsel" for the purpose of assisting the Issuer in the pursuit of its duties under this Policy. Outside Counsel may be bond counsel for the Issuer. Any such engagement shall be evidenced by the execution of an engagement letter or other written agreement between the Issuer and such Outside Counsel.
- III. Securities Law Matters – Continuing Disclosure**
- A. Continuing Disclosure Working Group.** The City Auditor (the "Disclosure Officer") shall have primary responsibility for preparing the annual financial information and operating data (an "Annual Filing") to be filed with the Municipal Securities Rulemaking Board ("MSRB") via its Electronic Municipal Market Access ("EMMA") system pursuant to operative continuing disclosure undertakings (the "Continuing Disclosure Undertakings") entered into by the Issuer pursuant to Rule 15c2-12 (the "Rule") promulgated under the Securities Exchange Act of 1934, as amended. Such Disclosure Officer, together with any Outside Counsel retained by the Issuer, shall constitute the "Continuing Disclosure Working Group."
- B. Annual Financial Information and Operating Data.**
- 1. Assembling Current Information.** The Disclosure Officer or the Continuing Disclosure Working Group shall compile, maintain and update a list of all financial information and operating data required to be filed with the MSRB pursuant to each of the Continuing Disclosure Undertakings, and shall establish a schedule for producing the data (and the Annual Filing document) that will afford sufficient time for final review by the Continuing Disclosure Working Group and approval in accordance with this Policy.
 - 2. Review for Process, Accuracy, and Completeness.** The members of the Continuing Disclosure Working Group shall review the Annual Filing drafts to determine whether, based on information known or reported to them, (a) this Policy was followed, (b) the material facts in the Annual Filing appear to be consistent with those facts known to the members of the Continuing Disclosure Working Group, (c) the Annual Filing contains all information required by the Continuing Disclosure Undertakings, and (d) the Annual Filing omits any material fact that is necessary to be included to prevent the Annual Filing from being misleading to investors. The Disclosure Officer or the Continuing Disclosure Working Group shall take such action as may be necessary, based on feedback from the Continuing Disclosure Working Group, to enable the Continuing

Disclosure Working Group to conclude that this Policy was followed and that the Annual Filing is accurate and complete in all material respects.

3. **Final Approval.** The Continuing Disclosure Working Group shall approve the final draft of the Annual Filing.
4. **Posting.** The Disclosure Officer or the Continuing Disclosure Working Group shall file, or direct Outside Counsel to file, each Annual Filing with the MSRB through EMMA by the deadline established by the Continuing Disclosure Undertakings. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to ensure that each Annual Filing is filed in the format and with the identifying information required by the Continuing Disclosure Undertakings, including applicable CUSIP numbers, in accordance with the rules and requirements of the EMMA system.
5. **Documentation of Procedures.** The Disclosure Officer shall compile and retain a file of the actions taken to prepare, check, and approve the Annual Filing, including the sources of the information included, the comments and actions of the Continuing Disclosure Working Group.

C. Event Notices

1. **Identification of Reportable Events.** The Disclosure Officer shall maintain a list of events of which the Issuer is required to provide notice to the MSRB pursuant to the Continuing Disclosure Undertakings. The Continuing Disclosure Working Group shall (a) identify the officers and employees of the Issuer who are most likely to first obtain knowledge of the occurrence of such event and (b) request in writing that they notify the Disclosure Officer immediately after learning of any such event, regardless of materiality, and repeat such request in a quarterly reminder.
2. **Identification of Financial Obligations; Materiality**
 - a. The Disclosure Officer shall undertake to identify any financial obligations, as defined in the Rule, to which the Issuer is a party and under the terms of which a default, event of acceleration, termination event, modification of terms, or other similar events could reflect financial difficulties on the part of the Issuer.
 - b. The Disclosure Officer shall prepare a summary sheet with respect to the financial obligations, as defined in the Rule, to which the Issuer is a party in substantially the form attached hereto as **Exhibit A** for the purpose of evaluating, together with the Continuing Disclosure Working Group, (i) whether the incurrence of any such financial obligation must be disclosed under the terms of any Continuing Disclosure Undertaking, or (ii) whether the agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation affects the security holders of the Issuer's securities and must be disclosed under the terms of any Continuing Disclosure Undertaking.
 - c. The Continuing Disclosure Working Group shall establish procedures for assessing the materiality of any financial obligation (including the materiality of any agreement or amendment to covenants, events of default, remedies, priority rights, or other similar terms of any such financial obligation) as well as whether a default, an acceleration or termination event, modification of terms or similar events under a financial obligation reflects financial difficulties.

3. **Preparation of Event Notice.** The Disclosure Officer shall assess the materiality of any reportable event with the assistance of Outside Counsel (reportable under the Continuing Disclosure Undertakings) and, if notice of the event (each an "Event Notice") must be given (or if no materiality standard applies to that particular event), prepare or cause to be prepared an Event Notice giving notice of the event, and review the draft Event Notice with the Continuing Disclosure Working Group.
4. **Review and Approval of Event Notice.** The Disclosure Officer shall not file an Event Notice until it is approved by the Continuing Disclosure Working Group unless the Event Notice (a) only gives notice of a rating change, bond call, or defeasance or (b) such approval has not been received by the applicable filing deadline under the Rule and the Continuing Disclosure Undertakings.
5. **Posting.** The Disclosure Officer or the Continuing Disclosure Working Group shall file or cause to be filed each Event Notice with the MSRB through EMMA by the deadline established by the Rule and the Continuing Disclosure Undertakings or, if the facts cannot be correctly and fairly described by the deadline, then as soon as possible thereafter. The Disclosure Officer or the Continuing Disclosure Working Group shall exercise reasonable care to file each Event Notice in the format and with the identifying information required by the Continuing Disclosure Undertakings, including CUSIP numbers, in accordance with the rules and requirements of the MSRB's EMMA system.
6. **Documentation of Procedures.** The Disclosure Officer or the Continuing Disclosure Working Group shall compile and retain a file of the actions taken to report each event and prepare, check, and approve each Event Notice, including the approvals of the Continuing Disclosure Working Group, if obtained.

IV. Federal Tax Law Compliance

- A. **Tax Compliance Working Group.** The City Auditor (the "Tax Compliance Officer") shall have primary responsibility for complying with the requirement of federal tax law with respect to the bonds of the Issuer. Such Tax Compliance Officer, together with any Outside Counsel retained by the Issuer shall constitute the Tax Compliance Working Group.
- B. **Procedures.** The Tax Compliance Officer shall implement the following procedures in preparing, checking, or issuing the documentation described herein.
 1. **Proper Use of Proceeds.** The Tax Compliance Officer shall ensure that bond proceeds are allocated to expenditures in a manner that is consistent with the purpose for which each bond issue is undertaken, as set forth in any tax compliance certificate or agreement related to each bond issue. The Tax Compliance Officer shall undertake to make final allocations for federal income tax purposes of the bond proceeds within 18 months after a financed facility is placed in service but in no event later than 60 days following the fifth anniversary of the issuance of each bond issue.
 2. **Investment of Bond Proceeds and Rebate.** The Tax Compliance Officer shall ensure that bond proceeds are invested in investments that are permissible under the terms of the Ohio Revised Code, the bond documents, and any applicable federal tax laws. The Tax Compliance Officer shall determine whether it is

appropriate to undertake rebate calculations with respect to the investment of proceeds of the bonds shall ensure the timely completion of arbitrage rebate calculations and filings.

3. **Administration of Direct Pay Bonds.** The Tax Compliance Officer shall ensure the proper administration of each issue of bonds qualifying for the payment by the federal government of a credit equal to a percentage of interest on such bonds or calculated on some other basis, including the timely completion and filing of any forms required by the Internal Revenue Service to maintain or establish the applicable status of the bonds for purposes of federal income taxation.
4. **Use of Bond-Financed Facilities.** The Tax Compliance Officer shall consult with Outside Counsel before entering into any agreement or other arrangement for the sale, lease, or use of bond-financed property, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements. The Tax Compliance Officer or the designee of the Tax Compliance Officer shall review such agreements for compliance with federal tax laws and complete a Private Business Use Contract Review Worksheet (attached as **Exhibit B**) to document that such review has been completed.
5. **Post-Issuance Transactions.** The Tax Compliance Officer shall consult with Outside Counsel for the Issuer before making any modifications or amendments to the bond documents for a bond issue, including, but not limited to, entering or modifying investment agreements; making any change in security for the bonds; engaging in post-issuance credit enhancement transactions (*e.g.*, bond insurance, letter of credit) or hedging transactions (*e.g.*, interest rate swap, cap); terminating or appointing successor trustees; releasing any liens; or reissuing the bonds.
6. **Remedial Action.** In the event that it is determined that any use of bond proceeds or bond-financed facilities is inconsistent with the character of the status for federal income tax purposes of the bonds, the Tax Compliance Officer shall consult with Outside Counsel for the purpose of determining the nature and extent of any remedial action necessary or proper for the Issuer to take with respect to such bonds or bond-financed facilities according to Treasury Regulations Section 1.141-12 or other remedial actions authorized by the Commissioner of Internal Revenue under 1.141.12(h).

C. Recordkeeping. Responsibility for Records Maintenance

1. The Tax Compliance Officer shall be responsible for maintaining records related to bonds of the Issuer.
2. The Tax Compliance Officer shall maintain a central list of records related to each issue of bonds of the Issuer. The list shall identify:
 - a. The name and date of the document related to the issue,
 - b. The person or office responsible for the document, and
 - c. The physical or electronic location of the document.

D. Bond Records to be Maintained

1. The following records shall be maintained for each outstanding bond issue for the term of the outstanding bond issue plus three years:
 - a. Basic records relating to the bond transaction, including the trust indenture, loan, lease, or other financing agreement, the relevant IRS Form 8038 (including Forms 8038-G, 8038-GC, 8038-B, or 8038-TC, as applicable) with proof of filing, and bond counsel opinion shall be maintained by the Tax Compliance Officer;
 - b. Documentation evidencing the expenditure of bond proceeds, such as construction or contractor invoices and receipts for equipment and furnishings, as well as records of any special allocation made for tax purposes shall be maintained by the Tax Compliance Officer;
 - c. Documentation evidencing the lease or use of bond-financed property by public and private sources, including, but not limited to, service, vendor, and management contracts, research agreements, licenses to use bond-financed property, or naming rights agreements shall be maintained by the Issuer office executing such agreement for use of bond-financed property; and
 - d. Documentation pertaining to investment of bond proceeds, including the yield calculations for each class of investments, actual investment income received from the investment of proceeds, and rebate calculations shall be maintained by the Tax Compliance Officer's Office.
2. The Tax Compliance Officer shall maintain the Issuer's audited financial statements for not less than seven years.

V. Training Requirements, Policy Review and Miscellaneous Matters

- A. Training.** Within six months of becoming the adoption of this Policy, and on an as-needed basis thereafter, the Tax Compliance Officer, the Disclosure Officer and the respective designees of any of them, if any, shall undergo training regarding basic federal securities law and tax concepts relating to bonds and records required to be maintained under this Policy.
- B. Annual Review.** On an annual basis, or sooner if deemed necessary by the Continuing Disclosure Working Group and the Tax Compliance Working Group, shall review this policy and assess the Issuer's compliance with this Policy and shall make changes to this Policy as appropriate to ensure compliance with any covenants in the bond documents or the requirements of federal tax and securities laws and any other applicable law.
- C. Miscellaneous**
 1. **Internal Use Only.** This Policy is intended for the internal use of the Issuer only and is not intended to establish any duties in favor of or rights of any person other than the Issuer.
 2. **Waiver of Procedures.** The officers and employees charged by this Policy with performing or refraining from any action may depart from this Policy when they in good faith determine that such departure is in the best interests of the Issuer and

consistent with the duties of the Issuer under applicable laws. If a Disclosure Officer or Tax Compliance Officer is charged by this Policy with taking or refraining from such action, any such departure shall require approval review of Outside Counsel.

CITY OF ZANESVILLE, OHIO

PRIVATE BUSINESS USE CONTRACT REVIEW WORKSHEET

City Department: _____

Contracting Parties: _____

Type/Title of Agreement: _____

Agreement Not Subject to Private Use Limitation

- _____ Relates solely to construction of bond-financed facility
- _____ Relates to property that was not financed with proceeds of a bond issue
- _____ Does not relate to use or function of property
- _____ Includes incidental services only (janitorial, office equipment repair, or similar services)
- _____ Compensation consists solely of reimbursement of actual and direct expenses incurred by the service provider while providing services under the agreement

Agreement Satisfies Safe Harbors for Management/Service Contracts with Outside Service Providers

If the arrangement with an outside service provider is not either an "Eligible Expense Reimbursement Arrangement" or an "Other Permissible Arrangement" (both as described below), then Bond Counsel should be consulted.

Eligible Expense Reimbursement Arrangement

_____ To be an Eligible Expense Reimbursement Arrangement, the compensation paid to the outside service provider must consist solely of reasonable overhead and the reimbursement of actual and direct expenses paid by the outside service provider to unrelated parties.

Other Permissible Arrangement

To be an Other Permissible Arrangement, all six of the following elements must be present:

1. Financial Requirements

- _____ Compensation payments to the service provider (including any reimbursement for actual and direct expenses paid by the service provider and related administrative overhead expenses) are reasonable compensation for services rendered during the term of the contract; and
- _____ The outside service provider does not share in the net profits of the managed facility; and
- _____ The outside service provider is not forced to share net losses from the operation of the managed facility.

2. Term of the Contract

_____ The term of the contract is no longer than the lesser of (i) 30 years, or (ii) 80% of the weighted economic life of the managed property, which term is retested as of the date of any material modification of the contract.

3. Control of the Managed Property

_____ The approval of the City is required for each of the following:

- _____ the annual budget of the managed property;
- _____ capital expenditures with respect to the managed property;
- _____ any disposition of the managed property or any portion thereof;
- _____ rates charged for use of managed property (or methodology for setting such rates); and
- _____ the general nature and type of use of the managed property (for example, the type of services).

4. Risk of Loss

_____ The City bears the risk of loss upon damage or destruction of the managed property.

5. Tax Position of Outside Service Provider

_____ The outside service provider expressly agrees that it is not entitled to and will not take any tax position that is inconsistent with being an outside service provider to the City with respect to the managed property.

6. Rights of the City

_____ The outside service provider does not have any role or relationship with the City that might limit the ability of the City to exercise its rights under the contract.

Agreement Requires Further Review by Bond Counsel

- _____ Ownership (including agreement that transfers title at end of the term)
- _____ Lease, license, or any other agreement which creates exclusive or priority rights to use any portion of a bond-financed property or which creates an economic benefit for the third-party user
- _____ Agreement with governmental entity or 501(c)(3) organization
- _____ Research agreement
- _____ Management or service contract falling outside safe harbors listed above (provide explanation)

Reviewer: _____

Date: _____

ORDINANCE NO. 2020- 93
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE ASSESSMENT OF LIENS
AGAINST CERTAIN PROPERTIES FOR DEMOLITION AND
CLEARANCE ACTIVITIES, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Zanesville, Ohio is authorized by section 110.3 of the 2009 ICC Property maintenance Code and section 715.261 of the Ohio Revised Code to charge for demolition and clearance services and to certify the same to the County Auditor to facilitate the assessment of a lien against the property; and

WHEREAS, there are certain property owners from which the City has been unable to collect charges due and of which the owners have been notified; and

WHEREAS, the City desires to exercise its authority in regards to recovery of these costs now and in the future; and

WHEREAS, failure to timely file the assessments and collect the monies owed to the City of Zanesville to pay for annual operations, maintenance and replacement costs and without such maintenance and repair could threaten the health, safety, and welfare of our citizens; therefore it is in the public's best interest to pass the ordinance as emergency legislation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Zanesville, State of Ohio, that:

SECTION ONE: All associated demolition and clearance expenses in accordance with the Ordinances or Regulations of the City of Zanesville shall constitute a lien upon the corresponding lot, parcel, building or premises where these activities occurred within of the City of Zanesville. Such expenses shall be certified to the Muskingum County Auditor by the Public Safety Director or the Clerk of Council. Upon certification, the lien shall vest, and the Auditor shall place the same on the tax duplicate of the County with the interest and penalties allowed by law and to be collected in the same manner as other taxes.

SECTION TWO: City Council hereby authorizes the Public Safety Director or City Clerk to file demolition and clearance assessments for the period ending July 15, 2020 with the Muskingum County Auditor against subject parcels indicated in Attachment A in the total amount of \$155,410.00

SECTION THREE: The Public Safety Director is authorized to remove a lien upon payment in full of a delinquent account.

SECTION FOUR: Assessment and certifications regarding demolition and clearance activities may be made at any time.

SECTION FIVE: For the reasons stated above, this Ordinance is declared to be an emergency measure. Provided it received the affirmative vote of six (6) or more members of City Council, this Ordinance shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

ATTEST:

SUSAN CULBERTSON,
Clerk of Council

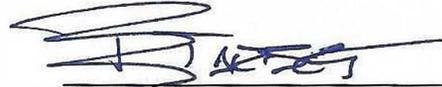
DANIEL M. VINCENT
President of Council

Ordinance No. 2020-93

APPROVED: _____, 2020

THIS LEGISLATION APPROVED AS TO FORM

Don Mason,
Mayor



LAW DIRECTOR'S OFFICE

Attachment to Ordinance No. 2020-93

Code and Demo Property Assessments				
Attachment A				
2019-2020 Assessment list				
Parcel #	Address	Owner	Owner Address	Assessment Amount
<u>83-23-07-17-000</u>	241 MEAD ST	ROSEMARY HERRIMAN	247 MEAD ST ZANESVILLE OH 43701	\$6,810.00
<u>84-46-01-10-000</u>	1125 GATTRELL ST	HAROLD & JUDY OILER	1457 MITCHELL AVE ZANESVILLE OH 43701	\$5,500.00
<u>81-59-03-11-000</u>	1212 WHEELING AVE	WALTER D & SANDRA DELGADO	3384 SANDHURST DR ZANESVILLE OH 43701	\$12,000.00
<u>83-26-04-14-000</u>	1341 CROWN ST	LEONARD HARTWELL JR	1343 EASTMAN ST ZANESVILLE OH 43701	\$5,250.00
<u>81-51-03-07-000</u>	317 WAYNE AVE	MONASTERY OF ST JUDE THADDEUS	UNKNOWN	\$9,700.00
<u>83-17-04-04-000</u>	321 BAILEY ST	RODNEY A HINDEL	1384 THOMAS DR DRESDEN OH 43821	\$7,850.00
<u>83-22-04-43-000</u>	139 LUCK AVE	MONDE 396 LLC	541 GARFIELD AVE REAR NEWARK OH 43055	\$9,250.00
<u>83-08-03-10-000</u>	414 CLIFFWOOD AVE	OSCAR & HORTENSE EDWARDS	3114 EAST PIKE APT L ZANESVILLE OH 43701	\$14,200.00
<u>84-31-01-13-000</u>	1141 EASTMAN ST	JANE M CLAPPER	UNKNOWN	\$5,900.00
<u>81-20-02-10-000</u>	235 HAZLETT CT	WALTER J JOHNSON	239 HAZLETT CT ZANESVILLE OH 43701	\$5,950.00
<u>84-58-01-05-000</u>	810 ORCHARD ST	ROBERT A BATROSS	12 GREEN ST ZANESVILLE OH 43701	\$14,500.00
<u>82-33-03-12-000</u>	660 CAREY ST	BETTY L HODGE	3450 CREAMERY RD NASHPORT OH 43830	\$7,250.00
<u>82-21-03-76-000</u>	1060 SOUTH LUCK AVE	ROBERT A & VIRGINIA M JOHNSON	564 CLIFFWOOD AVE ZANESVILLE OH 43701	\$4,850.00
<u>81-59-01-08-000</u>	1236 WHEELING AVE	PATRICIA A BANYAI	UNKNOWN	\$5,800.00
<u>84-26-06-04-000</u>	1026 GREENWOOD AVE	CHIANN X STEGER	1042 GREENWOOD AVE ZANESVILLE OH 43701	\$17,100.00
<u>82-36-06-09-000</u>	842 DRYDEN RD	JOHN M KEMP	5920 CUTLER LAKE RD BLUE ROCK OH 43720	\$10,000.00
<u>84-31-02-23-000</u>	148 BEULAH AVE	JERRY JEFF MAITLAND	788 LEXINGTON AVE ZANESVILLE OH 43701	\$13,500.00
TOTAL				\$155,410.00

_____, 2020 _____

Debra J. Nye
Muskingum County Auditor
401 Main Street
Zanesville OH 43701

Dear Ms. Nye:

This letter is to certify the following demolition charges to be placed on the tax duplicate. An ordinance authorizing the assessments is attached.

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Sincerely,

Susan Culbertson
Clerk of Council

Enclosure

Community Development Committee
Mark Baker, Chair

ORDINANCE NO. 2020 - 94

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA IN THE CITY OF ZANESVILLE, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.

WHEREAS, the council of the City of Zanesville (hereinafter "Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City of Zanesville that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, a survey of housing , a copy of which is on file in the office of Community Development as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area; and

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ZANESVILLE, MUSKINGUM COUNTY, OHIO, THAT:

Section 1: The area designated as the State Street Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged:

Section 2: Pursuant to ORC Section 3735.66, the State Street Community Reinvestment Area, is hereby established in the following described area:

The Community Reinvestment Area is approximately depicted as the crosshatched area on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein.

Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

Section 3: All properties identified in Exhibit A as being within the designated Community Reinvestment Area are eligible for this incentive (the city/village may determine that all or any combination of project types - residential, commercial and industrial as eligible). This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Zanesville intends to undertake supporting public improvements in the designated area.

Section 4: Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods.

- a. Five (5) years, for the remodeling of every residential dwelling unit containing not more than two housing units and upon which the cost of remodeling is at least \$2,500, as described in ORC Section 3735.67, and with such exemption being 100 percent (100%) for each of the five (5) years.
- b. Seven (7) years, for the remodeling of every residential dwelling unit containing more than two housing units and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, and with such exemption being 100 percent (100%) for each of the seven (7) years.
- c. Ten (10) years, for the construction of all new residential dwellings, as described in ORC Section 3735.67, with such exemption being 100 percent (100%) for each of the ten (10) years.
- d. Up to, and including, twelve (12) years, and up to, and including, 100 percent (100%) for the remodeling of existing commercial and industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- e. Up to, and including fifteen (15) years, and up to, and including, 100 percent (100%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the above described Community Reinvestment Area, structures

exclusively used for residential purposes shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 5: All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

Section 6: To administer and implement the provisions of this Ordinance, the Community Development Director is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

Section 7: That a "Community Reinvestment Area Housing Council" shall be created, consisting of two members appointed by the Mayor of Zanesville, two members appointed by the Council of the City of Zanesville and one member appointed by the Planning Commission of the City of Zanesville. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made. The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Council shall also hear appeals under Section 3735.70 of the ORC.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the municipal corporation, appointed by the Municipal CEO with Council concurrence, the county auditor or designee and a representative of each affected Board of Education. At least two members must be residents of the City of Zanesville. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section 8: The council reserves the right to re-evaluate the designation of the State Street Community Reinvestment Area after December 31, 2022, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

Section 9: The Community Reinvestment Area Council shall make an annual inspection of

the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The council shall also hear appeals under 3735.70, of the ORC.

Section 10: The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 11: That this ordinance shall take effect and be enforce from and after the earliest period allowed by land and upon confirmation by the Director of the Ohio Development Services Agency of the findings in this Resolution.

Section 12: The Mayor of the City of Zanesville is hereby directed and authorized to petition the Director of the Ohio Development Services Agency to confirm the findings contained within this Resolution.

SECTION THREE: This Ordinance shall take effect upon the approval of the Mayor and from and after the earliest period allowed by law.

PASSED: _____, 2020.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2020.

DONALD L. MASON
MAYOR

THIS LEGISLATION
APPROVED AS TO FORM

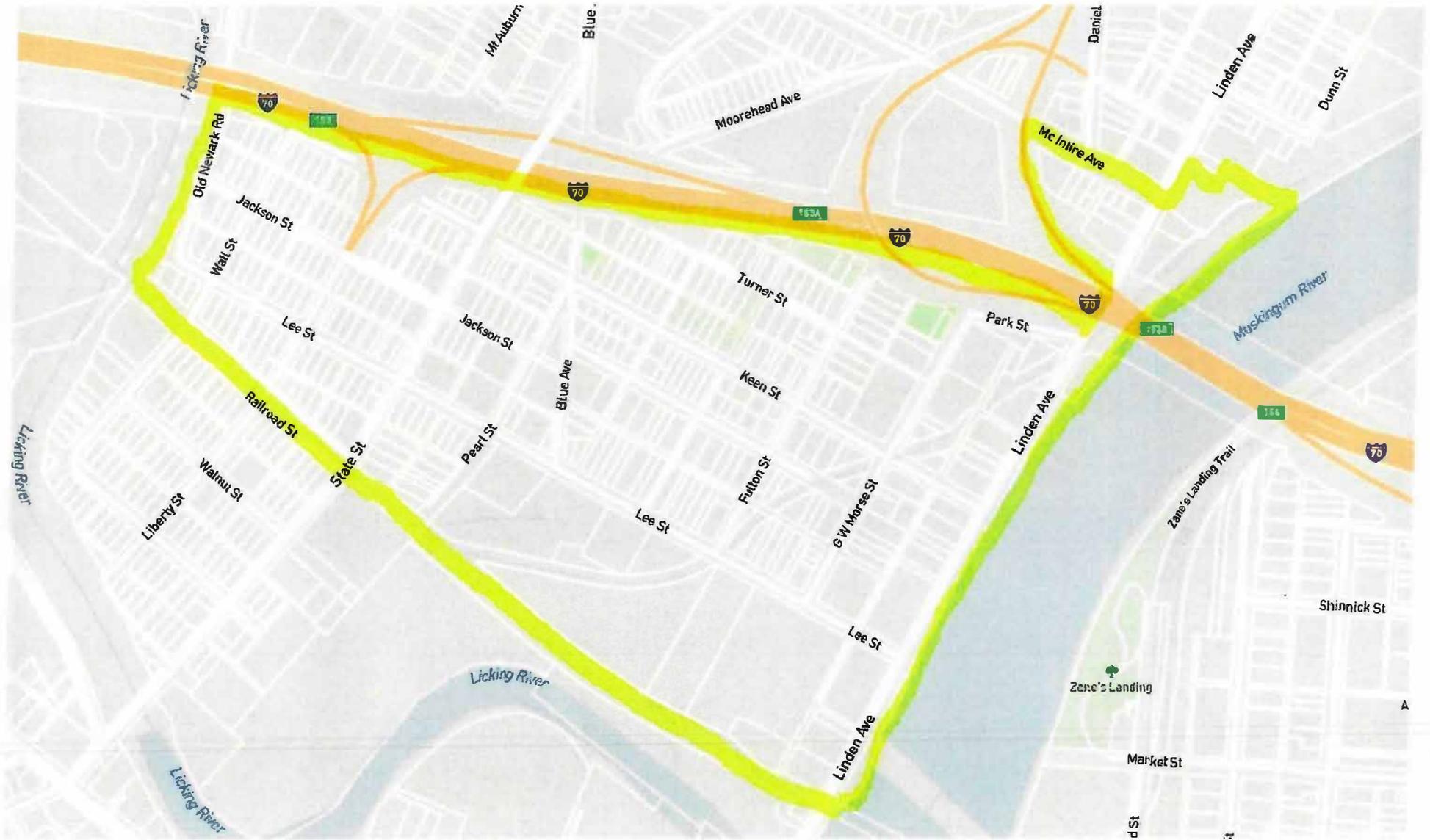


Law Director's Office

Exhibit "A"

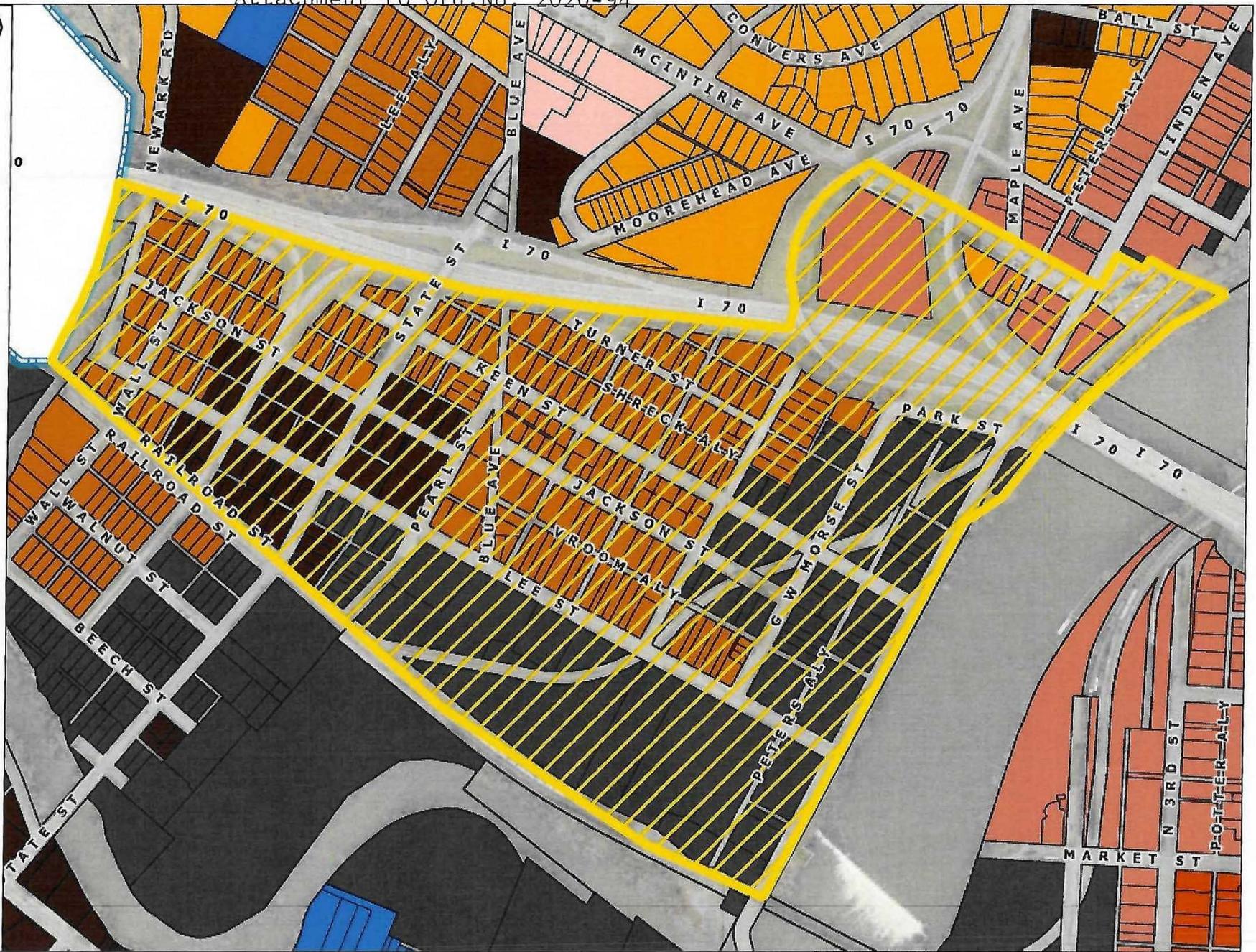
State Street CRA

Proposed Boundaries

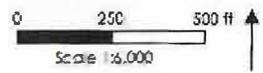


Zoning (Parcels)

- AE
- C-1
- C-2
- C-3
- C-4
- I-1
- O-1
- O-2
- PUD
- RA-1
- RM-1
- RM-2
- RS-1
- RS-2
- RS-3
- RS-4
- RS-5
- Parcels



State St Community Reinvestment Area



All data is for reference only. The City of Zanesville does not guarantee the accuracy of this data. Please see the full legal disclaimer at www.ci.zanesville.org/map-disclaimer.

City of Zanesville
Department of Public Service
Division of Engineering