

**City Council Meeting  
Agenda of Business  
September 14, 2020**

The Lord's Prayer

Pledge of Allegiance to the flag

Item  
no.

**A. Roll call**

**B. Approval of minutes of August 24, 2020**

**C. Communications, reports, and resolutions**

1. None were filed for this meeting

2. **Resolution No. 2020-107** – Introduced by Council – A Resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies, certifying them to the County Auditor, and declaring an emergency.

**D. Proposed ordinances**

3. **Ordinance No. 2020-108** – Introduced by Council – An Ordinance authorizing the proper City official to enter into an agreement with Zanesville City Schools. (First Reading)

4. **Ordinance No. 2020-109** – Introduced by Council – An Ordinance authorizing the proper City official to submit an application to the Muskingum Watershed Conservancy District for Partners in Watershed Management Grant funding for the Muskingum Avenue Improvements Project and declaring an emergency. (Emergency or First Reading)

5. **Ordinance No. 2020-110** – Introduced by Council – An Ordinance advertising for bids and entering into contract for the purchase of limestone for the City's requirements during the year 2021. (First Reading)

6. **Ordinance No. 2020-111** – Introduced by Council – An ordinance authorizing the proper city official to expend CARES Act funds, and declaring an emergency. (Emergency or First Reading)

**E. Ordinances for action**

7. **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. (Second Reading)
8. **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. (Third Reading)

**F. Traffic orders**

**Traffic Order 2020-01**

**Section One:** Traffic Order 18-06 is hereby rescinded from No Parking on the east and west side of Mt. Auburn starting at Roosevelt and extending south 542 feet.

**Section Two:** There is hereby established a No Parking Anytime Zone on the east side of Mt. Auburn Street from Roosevelt to the dead end.

**Section Three:** The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

**Traffic Order 2020-02**

**Section One:** There is hereby established a No Parking Anytime Zone on the east side of Cornell Street from the first unnamed alley south of Ridge Avenue to the dead end.

**Section Two:** The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

**G. Miscellaneous and unfinished business**

**H. Private petitions and communications**

**Non-agenda item petitions filed**

**ZANESVILLE CITY COUNCIL MEETING – MONDAY, AUGUST 24, 2020**

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, August 24, 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, Mr. Sharrer, and Mr. Vincent.

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

**APPROVAL OF MINUTES OF AUGUST 10, 2020**

Mrs. Osborn moved to approve the minutes of August 10, 2020, seconded by Miss Bradshaw.

Motion carried.

**COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

None were submitted for this meeting.

**PROPOSED ORDINANCES**

**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.

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

Mr. Vincent: Is there any discussion on waiving?

Mr. Baker: Mr. President, this was looked at by the CD (Community Development) Committee and I believe Matt this is time sensitive as is the next ordinance.

Matthew Schley: Yes, sir. The deadline for applying is October 16.

Mr. Baker: So that is why we need to waive.

Mr. Vincent: So without this it will not happen, without waiving tonight. If not passed tonight it will not happen.

Matthew Schley: Yes, sir.

Mr. Vincent: Is there any other discussion? Okay let's have roll call vote for waiving on the readings.

Roll call vote on waiving of the readings.

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries.

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

Mr. Vincent: Is there any discussion?

Mr. Baker: Mr. President, as I was saying the CD Committee looked at this and this is the first of two related ordinances. The first being an ordinance that we are discussing now an ordinance to apply for grant money in order to buy a parcel of land down by the Y-Bridge. The second is just to save time is to actually allow the expenditure of that money. Matt, as I recall, is the upper limits of this grant \$500,000?

Matthew Schley: Well, the city will be responsible for 25% match. There are other ways we can make up that match. \$500,000 is a place holder and it will never reach \$500,000. So, we just needed a number to put in so that way Council could be aware.

Mr. Baker: So, chances are we are not going to have to actually pay any of this out of the general fund, is that right?

Mayor Mason: That is absolutely correct.

Mr. Baker: Is there need to be any legislative mechanism to denote that or is the ordinance good as is?

Mayor Mason: Well, I don't know that we have finalized the purchase option contract, but actually it does go into detail on that.

Mark Baker: So the mechanism is in fact in there?

Matthew Schley: Yes.

Mayor Mason: We will have it with the MCCF (Muskingum County Community Foundation).

Mr. Baker: Okay, alright.

Matthew Schley: Mr. Baker, in the ordinance it is actually on the second ordinance which is 2020-105 and it limits it to up to \$500,000 but also 25% is stated in there as well.

Mr. Baker: Okay, that is what I have been looking for and thought that it needed. So, that is fine. The CD Committee was very supportive of this and supports the redevelopment of that entire area.

Mr. Vincent: Thank you, Mr. Baker. Is there anything else from Council or the administration? Okay, we will have roll call vote.

Roll call vote for passage

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries. Ordinance is passed.

**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.

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

Mr. Vincent: Is there any discussion on waiving? Hearing none, we will have roll call vote on waiving of the readings.

Roll call vote on waiving of the readings.

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries.

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

Roll call vote for passage

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries. Ordinance is passed.

**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.

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

Mr. Baker: Mr. President, this ordinance was looked at by the Community Development Committee as well and it passed unanimously. It is an ordinance to allow the rezoning

of part of McIntire Avenue to allow the owner of Tom's Ice Cream Bowl to create a parking lot out of a parcel. I will be abstaining because of my relationship to the owner.

Mr. Vincent: Thank you, Mr. Baker. Is there anything else from Council? Mr. Schley, I meant to ask you, the lot, behind that is not changing?

Matthew Schley: No. That was not part of this request.

Mr. Vincent: That is fine the way it is?

Matthew Schley: Yes, absolutely.

Mr. Vincent: Non-conforming I assume?

Matthew Schley: Yes, sir.

Mr. Vincent: Okay. Alright. If nothing else. We are at first reading so all in favor of first reading signify by saying aye.

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

### **ORDINANCES FOR ACTION**

**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.

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

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

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

**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.

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

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

Roll call vote for passage.

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries. Ordinance is passed.

**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, designating a Housing Officer to administer the program, and creating a Community Reinvestment Housing Council and a Tax Incentive Review Council.

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

Roll call vote for passage.

5 Ayes in person

4 Ayes by telephone            Mrs. Gentry, Mr. Ware, Mrs. Osborn, and Mr. Foreman

0 Nays

Motion carries. Ordinance is passed.

#### **TRAFFIC ORDERS**

No traffic Orders were filed for this meeting.

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

Mayor Mason: Mr. President, I am proud to say that we haven't scared Kade Haddox off yet. He still has dark hair and hasn't got any grey in it yet. So, we are doing well.

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

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

Mr. Roberts moved to adjourn. Mr. Sharrer seconded the motion. A voice vote was taken with all being in favor. None were opposed. Motion carries. The meeting adjourned about 7:12 p.m.

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

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Susan Culbertson  
Clerk of Council

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Daniel M. Vincent  
President of Zanesville City Council

Ann Gildow,  
Ways and Means Chair

**RESOLUTION NO. 2020-107**  
INTRODUCED BY COUNCIL

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION, AUTHORIZING THE NECESSARY TAX LEVIES, CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY

**WHEREAS**, the City of Zanesville in accordance with the provisions of law has filed with the Budget Commission of Muskingum County, Ohio, a Tax Budget for the fiscal year commencing January 1, 2021; and

**WHEREAS**, the Budget Commission has certified this action to this Council, together with an estimate by the County Auditor of the rate of each tax to be levied by this Council, and what part is without, and what part within the ten mill tax limitation; and

**WHEREAS**, in order to secure this funding a copy of this resolution must be certified to the County Auditor before the first day of October, 2020 thereby creating the need for this resolution to be passed as an emergency measure. If this Resolution is not timely submitted, it could cause severe disruption to vital City services thereby endangering the health, safety, and welfare of our citizens.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Zanesville, Muskingum County, Ohio, that:

**SECTION ONE:** The amounts and rates, as determined by the Budget Commission and its certification, are hereby accepted.

**SECTION TWO:** There is hereby levied on the tax duplicate of the City the rate of each tax necessary to be levied within the ten mill limitation as follows:

<u>Fund</u>	<u>Amount Approved By Budget Commission Inside 10 Mill Limit</u>	<u>Estimate of Tax Rate to be Levied Inside 10 Mill Limit</u>
General	\$713,016.55	<b>2.00</b> (80&92) [1.45 (91)] [1.42 (15)] [.40 (19)] [1.70 (45)]
General Sinking	296,806.60	<b>.80</b> (80&91&92)
Fire Pension	111,302.48	<b>.30</b> (80&91&92)
Police Pension	<u>111,302.48</u>	<b>.30</b> (80&91&92)
Total	\$1,232,428.11	<b>3.40</b> (80&92) [2.85 (91)] [1.42 (15)] [.40 (19)] [1.70 (45)]

**RES NO. 2020-107**

**SECTION THREE:** The Clerk of this Council is hereby requested to certify a copy of this Resolution to the County Auditor of said County.

**SECTION FOUR:** For the reasons stated above, this resolution is declared to be an emergency measure. Provided it receives the affirmative votes of six or more members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2020

\_\_\_\_\_  
Susan Culbertson  
Clerk of Council

\_\_\_\_\_  
Daniel M. Vincent  
President of Council

APPROVED: \_\_\_\_\_, 2020

This legislation approved as to form:

\_\_\_\_\_  
Donald L. Mayson , Mayor

\_\_\_\_\_  
Law Director's Office



**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount Approved by Budget Commission Inside 10 Mill Limitation	Amount to be Derived from Levies Outside 10 Mill Limitation	Estimate of Tax Rate to be Levied	
			Inside 10 Mill	Outside 10 Mill
	Column I	Column II	III	IV
<b>General Fund:</b>				
15	\$3,662.75		1.42	
19	\$3,931.92		0.40	
45	\$6,287.46		1.70	
80	\$585,696.96		2.00	
91	\$113,052.81		1.45	
92	\$384.65		2.00	
<b>General Fund Estimated Total:</b>	<b>\$713,016.55</b>		<b>8.97</b>	
<b>Sinking &amp; Bond Retirement:</b>				
80	\$234,278.78		0.80	
91	\$62,373.96		0.80	
92	\$153.86		0.80	
<b>Sinking Fund Estimated Total:</b>	<b>\$296,806.60</b>		<b>2.40</b>	
<b>Firemans Fund:</b>				
80	\$87,854.54		0.30	
91	\$23,390.24		0.30	
92	\$57.70		0.30	
<b>Police Fund Estimated Total:</b>	<b>\$111,302.48</b>		<b>0.90</b>	
<b>Police Fund:</b>				
80	\$87,854.54		0.30	
91	\$23,390.24		0.30	
92	\$57.70		0.30	
<b>Fire Fund Estimated Total:</b>	<b>\$111,302.48</b>		<b>0.90</b>	
<b>RECAP:</b>	<b>District#</b>		<b>Inside 10 Mill.</b>	
	15	\$3,662.75	1.42	
	19	\$3,931.92	0.40	
	45	\$6,287.46	1.70	
	80	\$995,684.82	3.40	
	91	\$222,207.25	2.85	
	92	\$653.91	3.40	
<b>TOTAL</b>	<b>\$1,232,428.11</b>	<b>\$0.00</b>	<b>13.17</b>	<b>0.00</b>

Attachment to  
Resolution No. 2020-107

<b>SCHEDULE B</b>		
<b>LEVIES <u>OUTSIDE</u> 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES</b>		
FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Tax Rate Yield of Levy
<b>GENERAL FUND:</b>		
Levy authorized by voters on		
not to exceed          years / Expires:          Last Collection Yr:		
<b>SPECIAL FUNDS:</b>		
Levy authorized by voters on		
not to exceed          years / Expires:          Last Collection Yr:		
Levy authorized by voters on		
not to exceed          years / Expires:          Last Collection Yr:		
Levy authorized by voters on		
not to exceed          years / Expires:          Last Collection Yr:		
<b>TOTAL</b>	<b>0.00</b>	<b>\$0.00</b>

and be it further

*RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.*

Mr./Mrs. \_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

- Mr./Mrs. \_\_\_\_\_

Adopted the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council  
City of Zanesville, Muskingum County, Ohio

Attachment to  
Resolution No. 2020-107

**CERTIFICATE OF COPY**  
ORIGINAL ON FILE

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The State of Ohio, Muskingum County, ss.

I, \_\_\_\_\_, Clerk of the Council of the City of Zanesville, in said County, and in whose custody the Files and Records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor, now on file with said Council, that the foregoing has be compared by me with said original Document, and that the same is a true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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Clerk of Council of City of Zanesville, Muskingum County, Ohio

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A copy of this Resolution must be certified to the County Auditor before the first day of **October** in each year, or at such later date as may be approved by the Board of Tax Appeals.

Attachment to  
RES No. 2020-107

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COUNCIL OF THE

**City of Zanesville,**

*Muskingum County, Ohio*

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RESOLUTION ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE  
NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(City Council)

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Adopted \_\_\_\_\_

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*Clerk of Council*

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Filed \_\_\_\_\_, \_\_\_\_\_

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*County Auditor*

By \_\_\_\_\_  
*Deputy*

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**ORDINANCE NO. 2020-108**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO AN AGREEMENT WITH ZANESVILLE CITY SCHOOLS**

**WHEREAS**, the Zanesville City School Board desires to have School Resource Officers assigned to its schools to increase the safety of its students, teachers, and administrative staff, and deter criminal activity in the schools; and

**WHEREAS**, the City desires to work to ensure student safety and deter criminal activity by providing the schools with School Resources Officers; and

**WHEREAS**, the proposed Agreement, attached hereto as Exhibit A and incorporated as though fully rewritten herein, between the City of Zanesville and the Zanesville City School Board sets forth the duties and services to be provided by the City through the School Resource Officers, and the compensation to be paid by the school for such services;

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

**SECTION ONE:** The proper city official is hereby authorized to enter into a contract, in substantially the same form as the attached Exhibit A, with the Zanesville City School Board to provide Zanesville Police Officers who will be serving as School Resource Officers during each school year.

**SECTION TWO:** The Zanesville City School Board will pay the City of Zanesville the current benefitted rate for said officer(s)' hours of work for the term of the attached agreement.

**SECTION THREE:** This Ordinance 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

**APPROVED:** \_\_\_\_\_, 2020

**THIS LEGISLATION APPROVED AS TO FORM**

\_\_\_\_\_  
JEFFREY TILTON,  
Mayor

\_\_\_\_\_  
LAW DIRECTOR'S OFFICE

## SCHOOL RESOURCE OFFICER AGREEMENT

This School Resource Officer Agreement is made and entered into for the 2020-2021 school year between The Zanesville City Schools (hereinafter “The Schools”), and the City of Zanesville, Ohio, (hereinafter “City”), an Ohio municipal corporation. The “City” and “The Schools” may hereinafter be referred to individually as a “Party”, or collectively as the “Parties”.

**WHEREAS**, “The Schools” operated elementary, middle and high schools in the City of Zanesville; and

**WHEREAS**, the “City” operates a police department within the City of Zanesville; and

**WHEREAS**, “The Schools” desire to have a police officer assigned to their premises to increase safety and deter criminal behavior; and

**WHEREAS**, the “City” believes that assigning an officer to the schools would increase student safety and deter crime.

**NOW THEREFORE**, in consideration of the foregoing, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual promises contained herein, the Parties agree to the following:

1. The “City” will designate four police officers as School Resource Officers and assign said officers to work in the Zanesville City Schools on all school days during the 2020-2021 school year.
2. “The Schools” will pay the sum of or up to Two hundred ninety thousand dollars (\$290,451.20) for four officers to the “City” during the 2020-2021 school year to help offset the costs involved. The number of days is subject to change due to any restrictions related to the COVID 19 pandemic.
3. The parties acknowledge that the School Resource Officers may be unavailable on certain occasions due to sick or vacation time and in the event of a serious event may be ordered to leave the school post to aide law enforcement.
4. The parties acknowledge that this agreement has been reviewed and authorized by both the Zanesville City Council and the Zanesville City School Board.

The parties have hereunto subscribed their names on the day and year first aforesaid.

**THE CITY OF ZANESVILLE**

**THE ZANESVILLE CITY SCHOOLS**

Name: \_\_\_\_\_  
Public Safety Director

Name: \_\_\_\_\_  
Superintendent

Name: \_\_\_\_\_  
Police Chief

Name: \_\_\_\_\_  
Treasurer

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Approved to Form:**

City of Zanesville Law Director

Name: \_\_\_\_\_

Date: \_\_\_\_\_



Council-Mayor Government  
Donald L Mason, Mayor

# The City of Zanesville

401 Market Street, Zanesville, Ohio 43701

Phone: (740) 617-4910

Email: [csaunders@coz.org](mailto:csaunders@coz.org)

**Department of Public Service**

**Engineering Division**

**Charles M. Saunders, P.E., CITY ENGINEER**

## MEMO

**TO:** Honorable Members of Council  
**FROM:** Charles M. Saunders, City Engineer *cms*  
**DATE:** 9/10/2020  
**RE:** Ord No. 20-109 emergency passage

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The Administration is preparing plans for the improvements necessary to reopen Muskingum Avenue. Part of the planning process is the securing of project funding. We have reached out to the Muskingum Watershed Conservancy District (MWCD) to see if their "Partners in Watershed Management" program would be a good fit for our project. Preliminary indications from MWCD are that the improvements on the Muskingum River side of the project would qualify for their program. We will be submitting a draft funding application for their program on August 31 to meet their September 1 deadline. We will ask for emergency approval of the application authorization legislation at the September 14th council meeting.

**ORDINANCE NO. 2020 - 109**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION TO THE MUSKINGUM WATERSHED CONSERVANCY DISTRICT FOR PARTNERS IN WATERSHED MANAGEMENT GRANT FUNDING FOR THE MUSKINGUM AVENUE IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Zanesville is responsible for maintaining Muskingum Avenue and a section of the roadway has slipped along the Muskingum River; and

**WHEREAS**, the purpose of the Muskingum Watershed Conservancy District's "Partners in Watershed Management" Grant program is the support conservation and flood reduction projects; and

**WHEREAS**, part the Muskingum Avenue Improvements project would repair the slip and stabilize the river bank that is currently adding sediment to the Muskingum River and reducing flood storage capacity; and

**WHEREAS**, the closure of Muskingum Avenue has caused significant hardship to residents, businesses, and emergency responders. It is imperative make the improvements to reopen the roadway. Failure to obtain necessary funds to timely complete this project will significantly delay response time for emergency vehicles to certain areas of the City, and could cause injury or death to travelers on Muskingum Avenue.

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

**SECTION ONE:** The Proper City Official is hereby authorized to apply for Muskingum Watershed Conservancy District "Partners in Watershed Management" grant funds and execute agreements if approved, for the Muskingum Avenue Improvements Project.

**SECTION TWO:** For the reasons stated above, this Ordinance is declared to be an emergency measure. Provided it receives 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

**APPROVED:** \_\_\_\_\_, 2020

\_\_\_\_\_  
DONALD MASON,  
Mayor

**THIS LEGISLATION APPROVED  
AS TO FORM**

\_\_\_\_\_  
**LAW DIRECTOR'S OFFICE**

Ways & Means Committee  
Ann Gildow, Chair

ORDINANCE NO. 2020-110  
INTRODUCED BY COUNCIL

AUTHORIZING ADVERTISING FOR BIDS AND  
ENTERING INTO CONTRACT FOR THE PURCHASE OF  
LIMESTONE FOR THE CITY'S REQUIREMENTS  
DURING THE YEAR 2021

WHEREAS, it is essential that a contract be entered into for the City's requirements for limestone for the year 2021.

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

SECTION ONE: That the proper City official be and hereby is authorized to advertise for bids and enter into contract with the lowest and best bidder for the purchase of limestone for the City's requirements during the year 2021.

SECTION TWO: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2020

ATTEST:

\_\_\_\_\_  
Susan E. Culbertson  
Clerk of Council

\_\_\_\_\_  
Daniel M. Vincent  
President of Council

APPROVED: \_\_\_\_\_, 2020

THIS LEGISLATION APPROVED  
AS TO FORM:

\_\_\_\_\_  
Donald L. Mason  
Mayor

\_\_\_\_\_  
David J. Tarbert  
Law Director

**SPONSORED BY:  
MAYOR**

**ORDINANCE NO. 2020-111  
INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL  
TO EXPEND CARES ACT FUNDS, AND DECLARING AN  
EMERGENCY**

*WHEREAS*, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (aka Public Law 116-136) (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

*WHEREAS*, the City of Zanesville is eligible to receive approximately \$447,000.00 in CARES Act funding through Muskingum County's Coronavirus Relief Distribution Fund; and

*WHEREAS*, the City in accordance with Federal guidelines will establish Fund #352, The Local Coronavirus Relief Fund; and

*WHEREAS*, the U.S. Department of the Treasury has issued guidance for eligible expenditure of the Relief Funds which includes the categories of Medical Expenses, Public Health, Personnel, Equipment, and Economic Support; and

*WHEREAS*, the City has identified various qualifying projects which fall within the eligible categories which will provide financial aid and other services to the citizens of Zanesville and its employees; and

*WHEREAS*, Zanesville City Council has determined that the various qualifying projects respond directly to the current COVID-19 pandemic and the declared State of Emergency; and

*WHEREAS*, it is also projected funds, in addition to the amount set forth above, may come available to the City through future legislation from the State of Ohio to respond to the current pandemic; and

*WHEREAS*, due to deadlines involved to securing these funds and the deadlines imposed on expending the funds, and due to the fact that the measures set forth in this Ordinance are directly aimed at providing for the health, safety and welfare of our citizens, it is imperative this Ordinance be passed as emergency legislation.

*NOW THEREFORE*, be it ordained by the Council of The City of Zanesville, State of Ohio:

**SECTION ONE:** The proper city officials are authorized to take all necessary action to carry out the identified projects and expend funds in the approximate amounts listed below:

**Distance Learning Care Package** \$50,000.00 (Public Health and Related Measures and Economic Support)

The City will provide grant funds and/or materials and supplies for Wi-Fi access, chrome books, PPE to local Community Centers, nutritional needs for at risk populations, and education tutors to assist, etc. in an effort to promote distance learning.

**Citizens Economic Relief Package \$50,000. 00 (Economic Support)**

The City will grant funds to Eastside Community Ministries and the United Way for their Emergency Relief fund to assist individuals impacted by the COVID-19 pandemic with rent, utilities, etc.

**COVID-19 Compliance Package \$125,000.00 (Public Health Measures)**

The City will grant funds to various nonprofit organizations to facilitate food deliver to vulnerable populations. PPE could be supplied to this same population. This will include, but not necessarily be limited to, funding of \$75,000 to Christ Table for food delivery and supplies to facilitate food delivery.

**Internal COVID Expenses \$172,000 (Equipment, and Public Health Measures)**

Funds will be used to cover costs already incurred by the City due to COVID-19. These costs could include items such as cleaning supplies and wages directly related to COVID-19 response. These expenditures may include, but are not necessarily limited to, public safety vehicle IT upgrades, teleconference upgrades to City Council and its Chambers, public entrance locking mechanisms to limit public access to City facilities. All such expenditures shall be related to the protection of City employees and the public from the dangers of COVID-19.

**School Walkway Safety Measures \$50,000 (materials and Installation)** Funds to be used to reduce traffic speeds within the walking paths of school children transitioning to and from school.

**SECTION TWO:** The projects listed above are based on current community needs and are subject to change if an urgent need arises. The amounts for the projects are also estimated and subject to change or be reallocated to other COVID-19 projects. Additional funding estimated at \$900,000.00 may come available at a later date through additional legislation. Additional funding received earmarked to help protect against the current COVID-19 pandemic may be expended in any manner consistent with this Ordinance and legislatively approved retroactively, if necessary, to combat the dangers of COVID-19.

**SECTION THREE:** For the reasons set forth above, this ordinance is hereby declared to be an emergency measure. Provided it receives the affirmative votes of six (6) or more members of 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.

**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 L. Mason, Mayor

\_\_\_\_\_  
Law Director's Office

**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

**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 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 of bond proceeds within 18 months after a financed facility is place 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

## 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*.

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

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: \_\_\_\_\_

Prepared by  
Douglas Merry  
Director of Public Safety

OFFICE OF PUBLIC SAFETY  
CITY OF ZANESVILLE, OHIO  
DIVISION OF TRAFFIC ENGINEERING

Traffic Order 20-01

September 14, 2020

SECTION ONE: Traffic Order 18-06 is hereby rescinded from No Parking on the east and west side of Mt. Auburn starting at Roosevelt and extending south 542 feet.

SECTION TWO: There is hereby established a No Parking Anytime Zone on the east side of Mt. Auburn Street from Roosevelt to the dead end.

SECTION THREE: The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

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DOUGLAS MERRY,  
Director of Public Safety

Date Filed With Clerk:  
September 9, 2020

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SUSAN CULBERTSON,  
Clerk of Council

---

Date Work Completed

---

(signed)

TO: Traffic File  
Service Department/Street Division  
Municipal Court  
Police Department

Prepared by  
Douglas Merry  
Director of Public Safety

OFFICE OF PUBLIC SAFETY  
CITY OF ZANESVILLE, OHIO  
DIVISION OF TRAFFIC ENGINEERING

Traffic Order 2020-02

September 14, 2020

SECTION ONE: There is hereby established a No Parking Anytime Zone on the east side of Cornell Street from the first unnamed alley south of Ridge Avenue to the dead end.

SECTION TWO: The appropriate signs shall be installed in accordance with O.R.C. 4511.09.

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DOUGLAS MERRY,  
Director of Public Safety

Date Filed With Clerk:  
September 9, 2020

---

SUSAN CULBERTSON,  
Clerk of Council

---

Date Work Completed

---

(signed)

TO: Traffic File  
Service Department/Street Division  
Municipal Court  
Police Department