

**City Council Meeting
Agenda of Business
Tuesday, October 13, 2020**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes of September 28, 2020

C. Communications, reports, and resolutions

1. None were filed for this meeting

D. Proposed ordinances

2. **Ordinance No. 2020-114** – Introduced by Council – An Ordinance authorizing the proper city official to enter into professional contracts with Zashin & Rich LLP. (First Reading)
3. **Ordinance No. 2020-115** – Introduced by Council – An Ordinance authorizing the proper city official to purchase items for employee recognition. (First Reading)
4. **Ordinance No. 2020-116** – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2021. (First Reading)
5. **Ordinance No. 2020-117** – Introduced by Council – An ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses during the year 2021. (First Reading)
6. **Ordinance No. 2020-118** – Introduced by Council – An ordinance authorizing the proper city official to provide funds for a humane officer. (First Reading)
7. **Ordinance No. 2020-119** – Introduced by Council – An ordinance amending Ordinance No. 2020-32 and declaring an emergency. (Emergency or First Reading)

8. **Ordinance No. 2020-120** – Introduced by Council – An ordinance authorizing the proper city official to purchase materials without bidding, advertise for bids, and enter into a contract with the lowest and best bidder for the construction of the Main Street Storm Sewer Replacement Project and declaring an emergency. (Emergency or First Reading)
9. **Ordinance No. 2020-121** – Introduced by Council – An ordinance authorizing the proper city official to expend CARES Act Funds, and declaring an emergency. (Emergency or First Reading)
10. **Ordinance No. 2020-122** – Introduced by Council – An ordinance establishing benefits for unaffiliated employees in the Municipal Service by authorizing employee handbook. (First Reading)
11. **Ordinance No. 2020-123** – Introduced by Council – An ordinance establishing wages for unaffiliated employees in the Municipal Service. (First Reading)
12. **Ordinance No. 2020-124** – Introduced by Council – An ordinance authorizing the City Auditor’s office to pay an invoice that did not receive authorization before services were performed, and declaring an emergency. (Emergency or First Reading)
13. **Ordinance No. 2020-125** – Introduced by Council – An ordinance authorizing the Mayor to enter into a Streetlight Audit Project with Tanko Lighting for a comprehensive GIS audit of the streetlight system within the city of Zanesville. (First Reading)
14. **Ordinance No. 2020-126** – Introduced by Council – An ordinance authorizing the Mayor to enter into a Maintenance Agreement with the State of Ohio, Department of Transportation, for the reconstruction of IR 70 through the city of Zanesville. (First Reading)

E. Ordinances for action
None

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.

G. Miscellaneous and unfinished business

H. Private petitions and communications

No Non-agenda item petitions were filed

I. Adjournment

Public Hearing Notice

A public hearing was held on September 28, 2020 at 6:30 p.m. at Zanesville City Council, 401 Market Street, Zanesville, Ohio concerning the rezoning of property parcel number 84-18-06-09-000 in Zanesville, Ohio from RS-5 to C-2.

Present at the hearing were Council President Daniel Vincent; Councilmembers Todd E. Ware, J. Rob Sharrer, Jan Bradshaw, Ann Gildow, Mark Baker; Councilmembers by telephone were Joey Osborn and Sandy Gentry; also present, Lisa Hittle and Glen Gregor of the City IT Department; Matthew Schley, Community Development Director;

Notice was given by the Council of the City of Zanesville, Ohio.

Mr. Vincent: With that we will hear all testimony for and against here at the end right after Mr. Matthew Schley presents to us on this ordinance. Council you have heard about this before so it should sound familiar. Thank you, Mr. Schley, if you will take over.

Matthew Schley: So, the parcel in this request has gone through the Planning Commission with the recommendation of approval and through the Community Development Committee with the recommendation of approval. The applicant is the owner of Tom's Ice Cream Bowl, Mr. Joe Baker. Joe would like to rezone the parcel in question in order to build more parking for Tom's Ice Cream Bowl. As it currently sits, he would be unable to actually create and pave a parking area. With this rezoning he would be able to build a parking area that will obviously comply with all the sections of our code that we have. There was only one person who called about it and it was a property owner that lives up the way and the only reason they called was because they wanted to know what was going on. As soon as I explained to them it was not going to have any impact on their property, they said fine we have no issues with that. Other than that, everything else over there is business so essentially this will just be continuing a C-2 zoning district.

Mr. Vincent: Thank you, Mr. Schley. With that, does this give any benefit to handicapped so they might have some handicapped parking there that might be beneficial?

Matthew Schley: I would assume so. I haven't seen any renderings for the parking lot yet because he is not technically allowed to submit until after this goes through.

Mr. Vincent: That will part of the submission that certain requirements need to be met for handicapped parking.

Matthew Schley: I would assume there would be at least one or two handicapped spaces there depending on the number of spaces. He would determine how many handicapped spaces he would need to have.

G. Miscellaneous and unfinished business

H. Private petitions and communications

No Non-agenda item petitions were filed

I. Adjournment

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Resolution No. 2020-112 – Introduced by Council – A Resolution declaring “Beggar’s Night”/”Trick or Treat” for the City of Zanesville.

Mr. Vincent: We are at first reading, but to beat the deadlines of 30 day hold period between approval and since it is not an emergency, I would request Council to waive.

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

Mr. Vincent: Is there any discussion on waiving? Again, this is just to meet the deadline. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

5 Ayes in person

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

0 Nays

Motion carries.

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

Mr. Vincent: Is there any discussion?

Mayor Don Mason: Mr. President, just as a reminder the Health Department will be coming out with standards on how to I guess to properly Trick or Treat in terms of dispersion of the candy, so that we can avoid any COVID issues. I just encourage the public to look for what public relations information will be coming out on this.

Mr. Vincent: A lot can change between now and then. Again, with that, just to repeat it will be Saturday, October 31 from 5:30 p.m. to 7:00 p.m. again Saturday, October 31, 2020 from 5:30 p.m. to 7:00 p.m. Okay, we will have roll call vote if there is nothing else from Council.

Roll call vote for passage.

5 Ayes in person

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

0 Nays

Motion carries. Resolution passes. This will make some people happy so they can plan their work schedules to be with their children. We are now at proposed Ordinances.

PROPOSED ORDINANCES

Mr. Sharrer: Mr. President, I would like to add Ordinance 2020-113 under Section D, Proposed Ordinances, as agenda item 1A, please. Council has that in front of them.

It was seconded by Mr. Baker.

Mr. Vincent: I have a motion to add in 2020-113 as item 1A under proposed ordinances by Mr. Sharrer. That motion was seconded by Mr. Baker. Is there any discussion on adding this in? Okay, hearing none all in favor of this ordinance signify by saying aye.

A voice vote was taken with all members being in favor. None were opposed. Motion carries.

Mr. Vincent: We are now at Item One A, Ordinance 2020-113.

Ordinance No. 2020-113- Introduced by Council – An Ordinance authorizing the proper city official to enter into a contract for the purchase of vehicles for the police division by state purchase agreement; and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? The bid was just received today finally after two months of waiting for that and the deadline is the 30th, which is two days away, so this is the reason for waiving. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

5 Ayes in person

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

0 Nays

Motion to waive carries.

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

Mr. Vincent: Is there any discussion? These are through the state purchase agreement so that is why we are dealing out of town with this dealer. They have the contract, and these are Ford Explorers, all-wheel drive, or 4 wheel drive I guess, and they are similar to what we have been using. This cost covers the vehicles and all the hardware being put on?

Mayor Mason: I would say by the end of the day it would cover almost all the hardware. We were costing it out, but I believe that is accurate. Let me also say the maintenance will be all local within county. Even if we have to buy them out of county, we are maintaining them in county.

Mr. Vincent: Maybe some of that equipment from the wrecked vehicles can be brought forward too to save costs.

Mayor Mason: They always try to and especially since these are replacement of other vehicles at least one of which was damaged at the intersection of Adair and Maple. I think all the equipment will switch over.

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

Roll call vote for passage.

5 Ayes in person

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

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

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

Mr. Vincent: Is there any discussion? We did have a public hearing on this and no feedback for or against. Okay, if nothing from Council we will have roll call vote for passage.

Roll call vote for passage.

4 Ayes in person

4 Ayes by phone Mr. Foreman, Mrs. Gentry, Mr. Roberts, and Mrs. Osborn.

0 Nays

1 Abstention Mr. Baker

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

No traffic orders were filed for this meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Don Mason: All is going well. I did inspect the ROSA soccer fields and ROSA played this weekend. I was real excited that people were wearing their masks. They were distancing and following all the rules. It just shows that people want to take care of their children and make sure they can play in a safe manner. So, thank you to all those people concerned and thank you to the city crews for such great maintenance of the facilities.

Mr. Vincent: You shared those photos and they were very nice. Is there anything else from administration or from Council? Okay, we have no private petitions or communications.

PRIVATE PETITIONS AND COMMUNICATIONS

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

Mr. Sharrer moved to adjourn, and Miss Bradshaw seconded the motion. A voice vote was taken, and all were in favor of adjournment. None were opposed. The meeting adjourned about 7:09 p.m.

Mr. Vincent: The motion carries, and we stand adjourned. Thank you everyone and have a good evening.

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council

ORDINANCE NO. 2020-114
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO
PROFESSIONAL CONTRACTS WITH ZASHIN & RICH, LLP.

WHEREAS, The Administration has found it necessary to retain the legal services of Zashin & Rich, LLP, for the purposes of labor negotiations, employee issues, and other legal issues with prior approval from the Law Director, the City is currently challenged with; and

WHEREAS, said services are anticipated to continue through the years 2020-2021, and are expected to exceed \$50,000.00, therefore requiring Council approval.

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

SECTION ONE: The proper city official is hereby authorized to enter into various contracts for professional services with Zashin & Rich, LLP, during the fiscal years 2020-2021.

SECTION TWO: Said professional services are to be paid from line item 101.7863.53299 and are estimated to be \$110,000.

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

PASSED _____, 2020

ATTEST: _____
Sue 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

Ways and Means Committee
Ann Gildow, Chair

ORDINANCE NO. 2020-115
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PURCHASE ITEMS
FOR EMPLOYEE RECOGNITION

WHEREAS, City Administration and City Council recognizes its work force is a valuable resource, and the employees of the City deserve recognition for their years of dedication as public servants; and

WHEREAS, during the year 2021 sixty-seven (67) employees are expected to hit landmark anniversaries of 5, 10, 15, 20, 25, 30, 40, 45, and 60 years of service; and

WHEREAS, during the year 2021 the City may have employees retire from their career with the City; and

WHEREAS, the Administration and Council feel it is important to recognize those employees for their years of service and dedication.

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

SECTION ONE: The proper city official is authorized to expend an amount not to exceed \$1,500.00 on employee recognition items during the year 2021; said funds will be paid from line item 101-7661-53399.

SECTION TWO: 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:

Donald L. Mason
Mayor

Law Director's Office

Ways and Means Committee
Ann Gildow, Chair

ORDINANCE NO. 2020-116
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS
TO SOUTH EAST AREA TRANSIT FOR THE YEAR 2021

WHEREAS, South East Area Transit (SEAT) operates public transit facilities and services within the City of Zanesville; and

WHEREAS, the funding provided to South East Area Transit is necessary for their daily operations; and

WHEREAS, the City feels financially supporting public transit services is in the best interest of the citizens of Zanesville.

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

SECTION ONE: The proper city official is authorized to provide local funding to South East Area Transit for the year 2021. Said funding shall be in the amount of \$80,000.00, to be paid in equal installments in March, June, September, and December from account number 101-7951-53405.

SECTION TWO: 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:

Donald L. Mason
Mayor

Law Director's Office

ORDINANCE NO. 2020-117
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS
TO THE ZANESVILLE-MUSKINGUM COUNTY PORT AUTHORITY
FOR ORGANIZATIONAL, PROMOTIONAL, AND OPERATIONAL
EXPENSES DURING THE YEAR 2021

WHEREAS, the City of Zanesville and the Board of Commissioners of Muskingum County did enter into an agreement for the creation of the Zanesville-Muskingum County Port Authority (Port Authority) on November 2, 1987; and

WHEREAS, the City of Zanesville and the Board of Commissioners of Muskingum County are mutually desirous to expand the economic development activities of the Port Authority as set forth in section 4582.201 through 4582.99 of the Ohio Revised Code; and

WHEREAS, in order to expand its economic development activities; the Port Authority will incur organizational, promotional, and operational expenses throughout the year.

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

SECTION ONE: The proper city official is authorized to provide funds to the Zanesville-Muskingum County Port Authority for the period January 1, 2021 through December 31, 2021 Said funding shall be in the amount of \$100,000.00, to be paid in eleven monthly installments of \$8,333.00 and one monthly payment of \$8,337.00 from account 101-7951-53297.

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

PASSED _____, 2020

ATTEST: _____
Clerk of Council

President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald L. Mason
Mayor

Law Director's Office

Ways and Means Committee
Ann Gildow, Chair

ORDINANCE NO. 2020-118

INTRODUCED BY COUNCIL
AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS FOR A
HUMANE OFFICER

WHEREAS, Section 1717.06 of the Ohio Revised Code (ORC) authorizes a county humane society to appoint an agent for the purpose of prosecuting any person guilty of an act of cruelty to animals, and the Muskingum County Humane Society has appointed an agent pursuant to the ORC; and

WHEREAS, Section 1717.07 of the ORC authorizes the legislative authority of a municipal corporation to set the monthly salary as it deems just and reasonable for said agent; and

WHEREAS, The attached Memorandum of Understanding (Exhibit A) defines the terms and conditions of the Humane Officer's responsibilities to the City, and the City's responsibility to the Humane Society.

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

SECTION ONE: The proper city official is hereby authorized to execute the attached Memorandum of Understanding (Exhibit A) with the Humane Society.

SECTION TWO: The proper city official is hereby authorized to pay \$1,200.00 per Quarter, or \$4,800.000 annually to the Muskingum County Humane Society for the salary of the appointed Humane Officer.

SECTION THREE: Pursuant to 1717.07 of the ORC funds shall be paid from the general revenues of the City from line item 101-7863-53299.

SECTION FOUR: 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:

Donald L. Mason
Mayor

Law Director's Office

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter "MOU") is entered into as of the date last signed by the parties hereto by and between City of Zanesville (hereinafter "the City"), a body corporate and politic of the State of Ohio, and the Muskingum County Humane Society (hereinafter "MCHS"), an Ohio corporation not-for-profit that is a county humane society organized under Ohio Revised Code Section 1717.05.

WITNESSETH:

WHEREAS, the parties hereto mutually recognize the importance of investigating and prosecuting any person guilty of an act of cruelty to animals; and,

WHEREAS, one of the objects of MCHS is the inculcation of humane principles and the enforcement of the laws for the prevention of cruelty to animals; and,

WHEREAS, MCHS is authorized to appoint agents for the purpose of prosecuting any person guilty of an act of cruelty to animals; and,

WHEREAS, MCHS has entered into an agreement for an individual to perform the duties of a humane agent pursuant to Ohio Revised Code Section 1717.06; and,

WHEREAS, MCHS has appointed a humane agent and the Muskingum County Probate Court has approved that appointment; and, MCHS desires to assume the responsibility for enforcing the animal cruelty laws and for prosecuting the violators thereof; and,

WHEREAS, the City supports the endeavors of MCHS to enforce the animal cruelty laws; and,

WHEREAS, Ohio Revised Code Section 1717.07 provides that the City shall be responsible for the reasonable salary of one humane agent in an amount not less than twenty-five dollars per month; and,

WHEREAS, the City and MCHS have agreed that MCHS will continue the work of enforcing the animal cruelty laws and that the City will be responsible for the payment of a portion of a reasonable salary, divided between Muskingum County and the City, for the work performed by one humane agent.

NOW, THEREFORE, in consideration of the foregoing, and the requirements of the Ohio Revised Code, the City and MCHS do hereby agree to the following:

I. ENFORCEMENT OF OHIO'S ANIMAL CRUELTY LAWS

1. MCHS shall be responsible for contracting with an individual to serve as a humane agent for the purpose of enforcing the animal cruelty laws.
2. MCHS shall provide a copy of any such contract for humane agent services to the City; and, MCHS shall notify the City prior to entering into any such contract.
3. Any humane agent with whom MCHS contracts shall maintain accurate records (including case reports and statistical compilations) of all calls, reports of animal cruelty, investigations, prosecutions, and the care and disposition of any animals seized by the humane agent.
4. The humane agent with whom MCHS contracts shall meet with the City during their last regular meeting during the months of May, and September to update the City about the enforcement activities of the preceding months.

II. PAYMENT PROVISIONS

5. The City, pursuant to Ohio Revised Code Section 1717.07, shall pay to MCHS, a maximum of Four Thousand Eight Hundred Dollars (\$4,800.00) annually, for humane agent services, commencing January 1, 2021 through December 31, 2021.

6. The City and MCHS understand and agree that any individual with whom MCHS contracts to serve as a humane agent shall not be an employee or agent of the City.

7. The City shall encumber funds annually for the services provided herein. MCHS shall invoice the City quarterly and within seven calendar days after the last day of March, June, September, and December, in which the service of the humane agent has been provided. Invoices shall include date(s) and description of services.

III. DURATION

8. The term of this agreement shall be for a period of one (1) year commencing on January 1, 2021 and ending on December 31, 2021.

9. Should either party wish to terminate this agreement, that party will provide written notice of not less than thirty (30) days prior to the date of termination to the other party.

IV. NOTICES

10. The parties hereto agree that any notices concerning this Memorandum of Understanding shall be in writing and shall be effective on the earlier of when actually served or within three days of posting by mail to the following:

The City of Zanesville
Attn: David J. Tarbert, City Law Director
401 Market Street, Room 209
Zanesville, Ohio 43701

Muskingum County Humane Society
Attn: Board President
PO Box 283
Duncan Falls, Ohio 43734-0283

V. MISCELLANEOUS

11. GOVERNING LAW – The laws of the State of Ohio shall govern this agreement and any performance hereunder; and, venue shall be in Muskingum County.

12. AMENDMENTS – Any amendments hereto shall be in writing with the mutual consent of the parties hereto.

13. PREVIOUS AGREEMENTS - On the date of execution, this writing constitutes the entire agreement between the parties with respect to all matters herein. There are no promises, terms, conditions, or obligations other than those contained within this agreement. This Memorandum of Understanding shall supersede any previous communications, representations, contracts, or memorandums of understanding, either written or oral, between the parties and specifically replaces any and all previously executed Memorandum of Understanding entered into between the parties.

14. SEVERABILITY – If any provision of this Memorandum of Understanding shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions shall not be affected thereby and the remaining provisions shall continue to be valid and enforceable to the fullest extent permitted by law.

15. COPIES – This Memorandum of Understanding shall be executed in duplicate with an original to be retained by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have signed this Memorandum of Understanding on the dates provided below.

CITY OF ZANESVILLE

Dated: _____

by _____
Donald L. Mason, Mayor

MUSKINGUM COUNTY HUMANE SOCIETY, an Ohio corporation not-for-profit that is a county humane society organized under Ohio Revised Code Section 1717.05

Dated: _____

by _____

its _____

APPROVED AS TO FORM:
DAVID J. TARBERT
CITY OF ZANESVILLE LAW DIRECTOR

By: _____
David J. Tarbert, City Law Director

ORDINANCE NO. 2020-119
INTRODUCED BY COUNCIL

AN ORDINANCE AMENDING APPROPRIATION ORDINANCE
NO. 2020-32 AND DECLARING AN EMERGENCY

WHEREAS, it is necessary during the course of the fiscal year to make changes to the City's working budget; and

WHEREAS, to keep the City's estimated revenues and appropriations as current as possible those changes should be made at least on a quarterly basis or when the need arises; and

WHEREAS, without appropriate funding City Departments would be in jeopardy of providing efficient and reliable services, it is therefore in the best interest of the residents and visitors of Zanesville, to have this ordinance passed as an emergency.

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

SECTION ONE: Exhibit #A of ordinance No. 2020-32, which established revenues and appropriations from January 1, 2020 through December 31, 2020, is hereby amended as indicated in Exhibit 1, attached hereto.

SECTION TWO: For the reasons stated above, this ordinance is 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.

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

**THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)**

		<u>BUDGET 2020</u>	<u>AMENDING AMOUNT</u>	<u>AMENDED BUDGET</u>
101	GENERAL FUND			
	BALANCE AVAILABLE	4,144,164		
101-41117	Special Assessment Tax	10,000	17,400	27,400
101-43101	Residential Building Permits	20,000	1,600	21,600
101-43103	Vacant Property Registration Fees	2,500	500	3,000
101-45101	Sale of Assets	0	4,000	4,000
101-48205	Transfer from Income Tax Fund	<u>\$11,431,420</u>	<u>20,414</u>	<u>11,451,834</u>
	TOTAL RECEIPTS	15,138,596	43,914	15,182,510
	TOTAL AVAILABLE FUNDS	19,282,760	43,914	19,326,674
APPROPRIATIONS:				
101-3281	<u>PARKS</u>			
101-3281-532	Contractual Services	<u>91,400</u>	<u>(35,000)</u>	<u>56,400</u>
	TOTAL	941,049	(35,000)	906,049
101-4381	<u>BUILDING & CODE ENFORCEMENT</u>			
101-4381-532	Contractual Services	<u>607,210</u>	<u>(75,000)</u>	<u>532,210</u>
	TOTAL	1,010,349	(75,000)	935,349
101-7661	<u>MAYOR'S OFFICE</u>			
101-7661-532	Contractual Services	7,400	5,000	12,400
101-7661-533	Materials and Supplies	<u>3,000</u>	<u>1,000</u>	<u>4,000</u>
	TOTAL	156,794	6,000	162,794
101-7682	<u>TREASURER'S OFFICE</u>			
101-7682-532	Contractual Services	<u>53,500</u>	<u>8,000</u>	<u>61,500</u>
	TOTAL	509,025	8,000	517,025
101-7691	<u>LAW DIRECTOR'S OFFICE</u>			
101-7691-532	Contractual Services	30,000	(1,000)	29,000
101-7691-533	Materials and Supplies	<u>12,500</u>	<u>1,000</u>	<u>13,500</u>
	TOTAL	307,414	0	307,414

THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)

		<u>BUDGET 2020</u>	<u>AMENDING AMOUNT</u>	<u>AMENDED BUDGET</u>
101-7721	<u>MUNICIPAL COURT</u>			
101-7721-533	Materials and Supplies	7,000	1,000	8,000
	TOTAL	392,639	1,000	393,639
101-7791	<u>ENGINEERING</u>			
101-7791-532	Contractual Services	344,200	40,000	384,200
	TOTAL	491,157	40,000	531,157
101-7862	<u>IT MANAGEMENT</u>			
101-7862-510	Salaries and Wages	116,989	2,000	118,989
101-7862-521	Employee Benefits	26,404	(2,000)	24,404
	TOTAL	287,393	0	287,393
101-7863	<u>BUDGET & FINANCE</u>			
101-7863-521	Employee Benefits	17,650	(2,000)	15,650
101-7863-532	Contractual Services	134,500	75,000	209,500
	TOTAL	257,703	73,000	330,703
101-7921	<u>TRANSFERS</u>			
101-7921-55202	Transfer to Auto Gas Fund	552,710	67,100	619,810
101-7921-55401	Transfer to General Sinking Fund	272,762	41	272,803
	TOTAL	9,044,693	67,141	9,111,834
101-7951	<u>OTHER DISBURSEMENTS</u>			
101-7951-53434	Contingencies	798,074	(52,927)	745,147
101-7951-53460	School Tax Exemption Payments	10,000	11,700	21,700
	TOTAL	2,248,424	(41,227)	2,207,197
	TOTAL APPROPRIATION	19,282,760	43,914	19,326,674

**THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)**

201	POLICE FUND	<u>BUDGET 2020</u>	<u>AMENDING AMOUNT</u>	<u>AMENDED BUDGET</u>
	BALANCE AVAILABLE	505,000		
REVENUES:				
201-46108	User Charges	99,600	(10,000)	89,600
201-48211	Transfer from Income Tax Fund--.5%	4,395,875	10,205	4,406,080
201-49199	Miscellaneous Revenues	<u>589,600</u>	<u>10,000</u>	<u>599,600</u>
	TOTAL RECEIPTS	7,529,542	10,205	7,539,747
	TOTAL AVAILABLE FUNDS	8,034,542	10,205	8,044,747
APPROPRIATIONS:				
201-1111	<u>POLICE OPERATIONS</u>			
201-1111-53406	Insurance	<u>65,000</u>	<u>3,400</u>	<u>68,400</u>
	TOTAL	6,070,244	3,400	6,073,644
201-1311	<u>EMPLOYEE BENEFITS</u>			
201-1311-521	Employee Benefits	\$1,064,298	(3,400)	1,060,898
201-1311-57020	Reimbursement to Self Insurance Fund	<u>900,000</u>	<u>10,205</u>	<u>910,205</u>
	TOTAL	1,964,298	6,805	1,971,103
	TOTAL APPROPRIATION	8,034,542	10,205	8,044,747

THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)

		<u>BUDGET</u>	<u>AMENDING</u>	<u>AMENDED</u>
202	<i>AUTO GAS FUND</i>	2020	AMOUNT	BUDGET
	BALANCE AVAILABLE	504,538		
REVENUES:				
202-41118	State and Local Government Highway Tax	255,000	(30,000)	225,000
202-45101	Sale of Assets	0	3,200	3,200
202-48101	Transfer from General Fund	552,710	67,100	619,810
	TOTAL RECEIPTS	2,118,310	40,300	2,158,610
	TOTAL AVAILABLE FUNDS	2,622,848	40,300	2,663,148
APPROPRIATIONS:				
202-6311	<u>EMPLOYEE BENEFITS</u>			
202-6311-521	Employee Benefits	131,920	(4,700)	127,220
	TOTAL	341,920	(4,700)	337,220
202-6541	<u>STREET OPERATIONS</u>			
202-6541-532	Contractual Services	127,214	(5,000)	122,214
202-6541-544	Capital Outlay	823,270	50,000	873,270
	TOTAL	2,280,928	45,000	2,325,928
	TOTAL APPROPRIATION	2,622,848	40,300	2,663,148

		<u>BUDGET</u>	<u>AMENDING</u>	<u>AMENDED</u>
204	<i>STATE HIGHWAY IMPROVEMENT FUND</i>	2020	AMOUNT	BUDGET
	BALANCE AVAILABLE	\$126,760		
REVENUES:				
204-41118	State and Local Government Highway Tax	25,000	(5,000)	20,000
	TOTAL RECEIPTS	\$100,800	(5,000)	95,800
	TOTAL AVAILABLE FUNDS	\$227,560	(\$5,000)	\$222,560
APPROPRIATIONS:				
204-6541-532	Contractual Services	\$20,000	(5,000)	15,000
	TOTAL APPROPRIATION	227,560	(5,000)	222,560

THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)

		<u>BUDGET</u> 2020	<u>AMENDING</u> <u>AMOUNT</u>	<u>AMENDED</u> <u>BUDGET</u>
270	FIRE OPERATING FUND			
	BALANCE AVAILABLE	335,609		
REVENUES:				
270-45101	Sale of Assets	\$0	1,500	1,500
270-48209	Transfer from Income Tax Fund--.2% Fire	1,766,436	(3,000)	1,763,436
270-49199	Miscellaneous Revenues	<u>278,326</u>	<u>(20,000)</u>	<u>258,326</u>
	TOTAL RECEIPTS	5,707,285	(21,500)	5,685,785
	TOTAL AVAILABLE FUNDS	6,042,894	(21,500)	6,021,394
APPROPRIATIONS:				
270-1041	<u>FIRE DEPARTMENT</u>			
270-1041-510	Salaries and Wages	\$3,824,857	(74,500)	3,750,357
270-1041-532	Contractual Services	203,116	(5,000)	198,116
270-1041-533	Materials and Supplies	<u>154,708</u>	<u>(5,000)</u>	<u>149,708</u>
	TOTAL	4,513,177	(84,500)	4,428,677
270-1311	<u>EMPLOYEE BENEFITS</u>			
270-1311-521	Employee Benefits	\$929,717	(7,000)	922,717
270-1311-57020	Reimbursement to Self Insurance Fund	<u>600,000</u>	<u>70,000</u>	<u>670,000</u>
	TOTAL	1,529,717	63,000	1,592,717
	TOTAL APPROPRIATION	6,042,894	(21,500)	6,021,394

THE CITY OF ZANESVILLE
 WORKING BUDGET 01/01/2020 - 12/31/2020
 ORDINANCE #2020-119 (Exhibit 1)

		BUDGET 2020	AMENDING AMOUNT	AMENDED BUDGET
352	LOCAL CORONA VIRUS RELIEF FUND			
	BALANCE AVAILABLE	0		
REVENUES:				
352-49197	Federal Grants	894,000	1,351,000	2,245,000
	TOTAL RECEIPTS	894,000	1,351,000	2,245,000
	TOTAL AVAILABLE FUNDS	894,000	1,351,000	2,245,000
APPROPRIATIONS:				
352-7951-56185	Major Projects	894,000	1,351,000	2,245,000
	TOTAL APPROPRIATION	894,000	1,351,000	2,245,000
401	GENERAL SINKING FUND			
	BALANCE AVAILABLE	-	-	-
REVENUES:				
401-48101	Transfer from General Fund	272,762	41	272,803
	TOTAL RECEIPTS	329,022	41	329,063
	TOTAL AVAILABLE FUNDS	329,022	41	329,063
APPROPRIATIONS:				
401-7901	DEBT SERVICE			
401-7901-53409	Bond Interest-General Obligation	109,917	41	109,958
	TOTAL APPROPRIATION	329,022	41	329,063
602	CEMETERY OPERATING FUND			
APPROPRIATIONS:				
602-2311	EMPLOYEE BENEFITS			
602-2311-521	Employee Benefits	\$60,945	(\$6,600)	54,345
602-2311-57020	Reimbursement to Self Insurance Fund	40,000	\$6,600	46,600
	TOTAL	100,945	0	100,945
	TOTAL APPROPRIATION	597,604	0	597,604

THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)

603	<u>WATER OPERATING FUND</u>	<u>BUDGET</u> 2020	<u>AMENDING</u> <u>AMOUNT</u>	<u>AMENDED</u> <u>BUDGET</u>
	BALANCE AVAILABLE	1,569,455		
REVENUES:				
603-41117	Special Assessment Tax	19,500	6,100	25,600
603-46199	Miscellaneous Charges	236,922	(24,200)	212,722
603-49199	Miscellaneous Revenues	168,602	(20,000)	148,602
	TOTAL RECEIPTS	5,746,724	(38,100)	5,708,624
	TOTAL AVAILABLE FUNDS	7,316,179	(38,100)	7,278,079
APPROPRIATIONS:				
603-5311	<u>EMPLOYEE BENEFITS</u>			
603-5311-521	Employee Benefits	320,076	(33,000)	287,076
	TOTAL	1,120,076	(33,000)	1,087,076
603-5470	<u>WATER OPERATIONS</u>			
603-5470-53407	Security Deposit Refund	28,000	(5,100)	22,900
603-5470-53428	Vehicle Lease Payment	127,000	75,000	202,000
603-5470-53434	Contingencies	556,214	(75,000)	481,214
	TOTAL	5,732,000	(5,100)	5,726,900
	TOTAL APPROPRIATION	7,316,179	(38,100)	7,278,079

**THE CITY OF ZANESVILLE
WORKING BUDGET 01/01/2020 - 12/31/2020
ORDINANCE #2020-119 (Exhibit 1)**

700		BUDGET	AMENDING	AMENDED
VEHICLE & EQUIPMENT MAINTENANCE FUND		2020	AMOUNT	BUDGET
APPROPRIATIONS:				
700-7311	EMPLOYEE BENEFITS			
700-7311-521	Employee Benefits	\$98,155	(\$350)	\$97,805
	TOTAL	\$233,155	(\$350)	\$232,805
700-7631 VEHICLE & EQUIPMENT MAINTENANCE				
700-7631-53406	Insurance	5,600	350	5,950
	TOTAL	1,468,245	350	1,468,595
	TOTAL APPROPRIATION	1,701,400	0	1,701,400

750		BUDGET	AMENDING	AMENDED
SELF INSURANCE FUND		2020	AMOUNT	BUDGET
	BALANCE AVAILABLE	910,967		
REVENUES:				
750-47201	Reimbursement from Police Fund	900,000	10,205	910,205
750-47270	Reimbursement from Fire Operating Fund	600,000	70,000	670,000
750-47602	Reimbursement from Cemetery Fund	40,000	6,600	46,600
	TOTAL RECEIPTS	5,290,000	86,805	5,376,805
	TOTAL AVAILABLE FUNDS	6,200,967	86,805	6,287,772
APPROPRIATIONS:				
750-7641-53299	Miscellaneous Contracts	525,000	86,805	611,805
	TOTAL APPROPRIATION	6,200,967	86,805	6,287,772

838		BUDGET	AMENDING	AMENDED
PERRY TOWNSHIP JEDD		2020	AMOUNT	BUDGET
	BALANCE AVAILABLE	0		
REVENUES:				
849-49192	Loan Proceeds	1,550,000	(37,700)	1,512,300
	TOTAL RECEIPTS	1,550,000	(37,700)	1,512,300
	TOTAL AVAILABLE FUNDS	1,550,000	(37,700)	1,512,300
APPROPRIATIONS:				
849-7833-532	Miscellaneous Contracts and Svcs - JEDD Construction	50,000	(37,700)	12,300
	TOTAL APPROPRIATION	1,550,000	(37,700)	1,512,300

ORDINANCE NO. 2020 - 120

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL PER ORC 735.051 TO PURCHASE MATERIALS AND ENTER INTO A CONTRACT WITHOUT FORMAL BIDDING AND ADVERTISING FOR THE CONSTRUCTION OF THE MAIN STREET STORM SEWER REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, portions of the existing brick Main Street storm sewer have collapsed causing the complete closure of the roadway between Seventh Street and Ninth Street; and

WHEREAS, the materials to replace the storm sewer can have long lead times for purchase which could jeopardize the health and safety of the City's residents and visitors; and

WHEREAS, the administration is currently completing the plans and specifications for the project in preparation for awarding a construction contract; and

WHEREAS, in order to expedite the reopening and repair of this vital downtown thoroughfare and promote roadway safety, this ordinance should be considered to be a real and present emergency.

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

SECTION ONE: The proper city official is hereby authorized per ORC 735.051, as this matter creates a real and present emergency, to procure materials for the project without formal bidding and advertising but using availability and price as considerations.

SECTION TWO: The proper city official is hereby authorized per ORC 735.051, as this matter creates a real and present emergency, to enter into a contract without formal bidding and advertising but using availability and price as considerations for the construction of the Main Street Storm Sewer Replacement Project.

SECTION THREE: The total estimated cost of the project is \$400,000 and shall come from line item 608-5462-53266.

SECTION FOUR: For the reasons states above, and because this Council finds that a real and present emergency exists, this Ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, the 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

THIS LEGISLATION APPROVED AS TO FORM

Donald L. Mason
Mayor

Law Director's Office

**SPONSORED BY:
MAYOR**

**ORDINANCE NO. 2020-121
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 \$907,000.00 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, due to deadlines involved to securing these 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 in the approximate amounts listed below:

Citizens Economic Relief Package \$200,000. 00 (Economic Support)

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

COVID-19 Compliance Package \$100,000.00 (Public Health Measurers)

The City will grant funds to various nonprofit organizations to facilitate food deliver to vulnerable populations. PPE could be supplied to this same population.

Sanitizing Publicly Accessible Areas \$230,000.000 (Public Health Measure)

The City will grant funds to various civic, public, and private organizations to sanitize and respond to the COVID-19 pandemic. Organizations including but are not limited to the following: The VFW, The American Legion, The Eagles, SEAT, Transitions, etc. The City will also purchase equipment such as portable restroom facilities for public use.

Small Business Assistance \$100,000.00 (Economic Support)

The City will grant funds to various locally owned and operated businesses to aid in their COVID-19 responses.

Internal COVID Expenses \$277,000 (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. This will include but is not 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.

School Walkway Safety Measures (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.

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

Ways and Means Committee
Ann Gildow, Chair

ORDINANCE 2020-122
INTRODUCED BY COUNCIL

ESTABLISHING BENEFITS FOR
UNAFFILIATED EMPLOYEES
IN THE MUNICIPAL SERVICE BY
AUTHORIZING EMPLOYEE HANDBOOK

WHEREAS, Ordinance #20-36 presently governs the pay and benefit policies for unaffiliated employees of the City of Zanesville;

WHEREAS, it is necessary to replace Ordinance #20-36 in order to update benefits practices, and to make other changes in City policy; and

WHEREAS, the City has determined that summary information concerning employment benefits plans and policies for unaffiliated employees should be set forth in an Employee Handbook and Policy Manual, rather than by an annual ordinance;

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

SECTION ONE: APPLICABILITY OF ORDINANCE

(A) This ordinance shall apply to employees in the service of the City who are not seasonal, elected, covered by collective bargaining agreements, or any others which are governed by separate ordinances.

(B) For the purpose of this ordinance the employees of the City, with the exception of those mentioned in Paragraph (A), shall constitute the unaffiliated group in the municipal service who will perform work and be employees full-time or part-time throughout the year, or for a temporary period of time.

SECTION TWO: AUTHORIZATION OF CITY OF
ZANESVILLE HANDBOOK

(A) Council hereby authorizes the City Administration, by and through its Human Resources Department, to promulgate and to maintain a City of Zanesville Employee Handbook & Policy Manual. An Employee Handbook & Policy Manual issued pursuant to this Ordinance shall supersede and replace all prior versions and drafts.

(B) In issuing an Employee Handbook & Policy Manual, Council authorizes the City Administration to maintain and administer certain employment benefit plans and programs

for unaffiliated employees, including plans provided through third-party vendors. These plans and programs may include, but are not limited to:

- medical insurance,
- vacation leave,
- sick leave,
- holidays,
- military leave,
- sick leave donation,
- tuition reimbursement,
- overtime compensation,
- longevity pay,
- mileage reimbursement, and
- uniform allowances

(C) Any expenditures necessary to implement the employment benefits, policies, or programs contained in the Employee Handbook & Policy Manual must be appropriated by Council.

(D) The Mayor or his designee shall report to the Council from time to time, and at least once per calendar year, concerning any changes in the contents of the Employee Handbook & Policy Manual.

(E) The descriptions of the insurance and other plan benefits in the Employee Handbook and Policy Manual shall be for general information only. The details of City benefit plans are contained in the official plan documents, which the City Administration shall make available to employees upon request. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions (“SPDs”) for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and the Employee Handbook & Policy Manual.

SECTION THREE: INCONSISTENT ORDINANCES REPEALED

(A) Ordinance Nos. 20-36, 19-39, and 18-35A, their amendments, and any other ordinance and/or resolution or any part of an ordinance and/or resolution inconsistent herewith are hereby repealed.

(B) The codified ordinances of the City contain several provisions that the Council has identified as duplicative of provisions of the Employee Handbook. Those provisions are set forth below:

- 143.01 Tuition reimbursement.
- 143.02 Bonds for City officials.
- 143.03 Military leave.

- 143.04 Possession of deadly weapon or dangerous ordnance.
- 143.05 Cell phone policy.
- 143.06 Wage continuation policy.
- 143.07 Furlough payroll deduction system.
- 143.08 Sick Leave Donation Policy.

(C) Council hereby rescinds Sections 143.01 through 143.08 of the City's codified ordinances.

SECTION FOUR: SAVINGS CLAUSE

If any part of this ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such part of this ordinance and shall not affect or impair any of the remaining provisions of this ordinance. It is hereby declared to be the intention of the Council for the City of Zanesville that this ordinance would have been adopted had such unconstitutional, illegal, or invalid part thereof not been included herein.

SECTION FIVE: EFFECTIVE DATE OF ORDINANCE

This ordinance 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:

Mayor Don Mason

Law Director's Office

Ways and Means Committee
Ann Gildow, Chair

ORDINANCE No. 2020-123
INTRODUCED BY COUNCIL

ESTABLISHING WAGES FOR
UNAFFILIATED EMPLOYEES
IN THE MUNICIPAL SERVICE

WHEREAS, the City's existing compensation and classification system for non-bargaining unit employees is comprised of a "point factor" job evaluation system that was last updated in 1993;

WHEREAS, the City's existing compensation structure for non-bargaining unit employees was separated into multiple, unrelated wage schedules;

WHEREAS, the City determined that its existing compensation and classification systems should be updated, and therefore engaged an external consultant to review and to recommend updates to the City's classification and compensation practices;

WHEREAS, Ordinance #20-36 presently governs the pay and benefit policies for unaffiliated employees of the City of Zanesville;

WHEREAS, it is necessary to replace Ordinance #20-36 in order to update pay practices, and to make other changes in City policy;

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

SECTION ONE: APPLICABILITY OF ORDINANCE

(A) This ordinance shall apply to employees in the service of the City who are not seasonal, elected, covered by collective bargaining agreements, or any others which are governed by separate ordinances.

(B) For the purpose of this ordinance the employees of the City, with the exception of those mentioned in Paragraph (A), shall constitute the unaffiliated group in the municipal service who will perform work and be employees full-time or part-time throughout the year, or for a temporary period of time.

SECTION TWO: APPOINTMENTS IN THE UNCLASSIFIED
AND CLASSIFIED SERVICE

(A) The civil service of the City shall be divided into the unclassified service and the classified service. The classified service shall comprise all persons in the employ of the City not specifically included in the unclassified service.

(B) Appointment to a position in the unclassified service is at the discretion of the appointing authority, and the incumbent may be removed, suspended, or reduced in pay or position at the pleasure of the appointing authority.

(C) All appointments to the classified service are governed by Chapter 124 of the Ohio Revised Code and rules and regulations of the Zanesville Civil Service Commission.

(D) The Civil Service Commission shall maintain such records as are necessary or required to accomplish the provisions of this ordinance, including but not limited to, a list of current classification titles, a copy of each job description, and a record of the pay range to which each position has been assigned. The Civil Service Commission may also maintain other records related to the City's unaffiliated employees, including but not limited to, a current roster of employees with a record of their service including dates of service; classification assignments, compensation history, and such other information as may be deemed appropriate.

(E) The Civil Service Commission and the appointing authority are hereby authorized to develop any additional regulations necessary to implement the policies established in this ordinance.

SECTION THREE: CLASSIFICATION PLAN

(A) A classification plan has been established for unaffiliated positions in the City. The Classification Plan is maintained by the City Administration through the Department of Human Resources. The classification plan consists of a point factor job evaluation system that provides a method for quantitative and qualitative assessment of positions. Within the Plan, classifications within the City are ranked by point factor score. Classifications with relatively similar point factor scores are grouped into similar pay grade assignments.

(B) The City Administration shall be responsible for completing point factor evaluations of new and existing classifications, as needed.

(C) The City Administration shall be responsible for maintaining the Classification Plan and for recommending any changes to the plan, the factors, the scoring methodology, and/or the pay grades. The Civil Service Commission shall review any changes to the Classification Plan that are recommended by the City Administration, and issue a recommendation to the City Council regarding approval of the changes. Council shall approve changes to the Classification Plan from time to time.

SECTION FOUR: PAY RANGES, GRADE ASSIGNMENTS
AND SCHEDULES

(A) All employees subject to the provisions of this ordinance shall be paid a wage in accordance with the attached Schedules. The City Administration shall be responsible for determining wage rates for unaffiliated personnel, which shall be not inconsistent with the Schedules in this Ordinance.

(B) Schedule A establishes the pay grades for unaffiliated employees subject to the provisions of this ordinance, and the pay ranges that correspond to each pay grade.

(C) Schedule B establishes the pay grade assignments for the positions subject to this ordinance.

(D) The pay rates for some employees in the Legal Department and the Municipal Court are paid from two different sources. Pay increases for those affected employees shall be paid from said funding sources. The percentage to be paid from each funding source shall be determined between the City and the applicable appointing authority.

SECTION FIVE: INCONSISTENT ORDINANCES
REPEALED

Ordinance Nos. 20-36, 19-39, and 18-35A, their amendments, and any other ordinance and/or resolution or any part of an ordinance and/or resolution inconsistent herewith are hereby repealed.

SECTION SIX: SAVINGS CLAUSE

If any part of this ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such part of this ordinance and shall not affect or impair any of the remaining provisions of this ordinance. It is hereby declared to be the intention of the Council for the City of Zanesville that this ordinance would have been adopted had such unconstitutional, illegal, or invalid part thereof not been included herein.

SECTION SEVEN: EFFECTIVE DATE OF ORDINANCE

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

Susan Culbertson
Clerk of Council

APPROVED: _____, 2020

Mayor Don Mason

Daniel M. Vincent
President of Council

This legislation approved as to form:

Law Director's Office

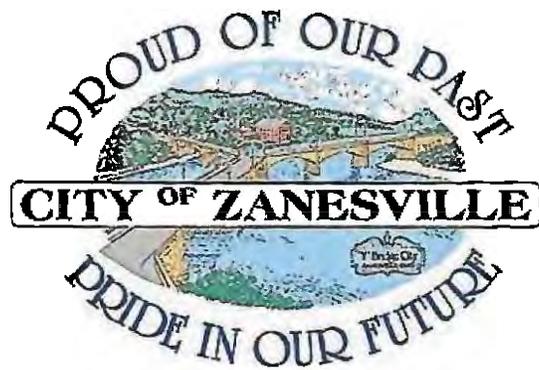
SCHEDULE A

PAY GRADE	ANNUAL SALARY			HOURLY EQUIVALENT		
	MINIMUM	MIDPOINT	MAXIMUM	MINIMUM	MIDPOINT	MAXIMUM
1	\$20,280.00	\$27,040.00	\$33,800.00	\$9.75	\$13.00	\$16.25
2	\$22,135.62	\$29,514.16	\$36,892.70	\$10.64	\$14.19	\$17.74
3	\$24,161.03	\$32,214.71	\$40,268.38	\$11.62	\$15.49	\$19.36
4	\$26,371.76	\$35,162.35	\$43,952.94	\$12.68	\$16.90	\$21.13
5	\$28,784.78	\$38,379.71	\$47,974.63	\$13.84	\$18.45	\$23.06
6	\$31,418.59	\$41,891.45	\$52,364.31	\$15.11	\$20.14	\$25.18
7	\$34,293.39	\$45,724.52	\$57,155.65	\$16.49	\$21.98	\$27.48
8	\$37,431.23	\$49,908.31	\$62,385.39	\$18.00	\$23.99	\$29.99
9	\$40,856.19	\$54,474.92	\$68,093.65	\$19.64	\$26.19	\$32.74
10	\$44,594.53	\$59,459.38	\$74,324.22	\$21.44	\$28.59	\$35.73
11	\$48,674.93	\$64,899.91	\$81,124.89	\$23.40	\$31.20	\$39.00
12	\$53,128.69	\$70,838.25	\$88,547.81	\$25.54	\$34.06	\$42.57
13	\$57,989.96	\$77,319.95	\$96,649.94	\$27.88	\$37.17	\$46.47
14	\$63,296.04	\$84,394.73	\$105,493.41	\$30.43	\$40.57	\$50.72

SCHEDULE B

Job Classification	Pay Grade
Accounting Specialist	7
Admin Asst. to Auditorium Manager	4
Admin Secretary to Community Dev Director	5
Admin Secretary to Safety Director	5
Administrative Secretary to Public Service Director	5
Airport Manager	9
Assistant Jail Administrator	8
Assistant Law Director	13
Associate Planner for Planning & Zoning	7
Auditing Specialist	5
Auditorium Manager	9
Budget and Finance Director	14
Building Inspector	10
Cemeteries & Parks Supervisor	11
Chief Probation Officer	9
City Architect	13
City Engineer	13
City Maintenance Supervisor	9
Civil Service Employment Coordinator	5
Code Enforcement Officer	6
Code Enforcement/Building Inspector	9
Community Development Director	14
Council Clerk	7
Court Bailiff	6
Deputy Auditor	10
Deputy Court Bailiff	5
Deputy Court Clerk	4
Deputy Director/Public Service	11
Deputy Income Tax Administrator	9
Deputy Treasurer	9
Deputy Wastewater Superintendent	11
Engineering Technician	6
Environmental Coordinator	10
Executive Secretary to Mayor	6
Fair Housing Coordinator	5
Fire Chief	13
Fleet Manager	11
General Service Worker City Maintenance	4
GIS Specialist	11
Human Resources Manager	11
HVAC Technician/Inspector City Maintenance	7

Income Tax Administrator	10
Income Tax Auditor/Investigations	7
Income Tax Clerk II	4
Income Tax Clerk III	5
IT Administrator	11
IT Technician	9
Jail Administrator	11
Maintenance Garage Coordinator	4
Master Electrician	10
Municipal Court Bookkeeper	2
Municipal Court Clerk	7
Paralegal	5
Payroll Clerk	4
Planning & Zoning Administrator	8
Plant Maintenance Mechanic/Foreman - Sewer	9
Police Chief	13
Public Safety Director	14
Public Service Auditor	8
Public Service Director	14
Purchasing Coordinator	5
Redevelopment Administrator	7
Refuse Collection Supervisor	7
Secretary for Parks and Cemeteries Superintendent	4
Secretary to Fire Chief	4
Secretary to Probation Officer	4
Secretary to Superintendent of Streets and Refuse	4
Secretary to Wastewater Superintendent	4
Secretary to Water Superintendent	4
Sewer/Drain Maintenance Crew Leader	6
Sewer/Drain Maintenance Supervisor	7
Storm Water Program Manager	11
Street & Refuse Superintendent	11
Street Maintenance Supervisor	7
Traffic Signal Crew Leader - City Maintenance	8
Traffic Signal Tech 1 - City Maint	6
Utility Billing Clerk I Unaffiliated - Part-Time	4
Utility Billing Supervisor	9
Victim/Witness Coordinator	5
Wastewater Lab Supervisor	9
Wastewater Superintendent	12
Water Maintenance and Metering Supervisor	7
Water Maintenance Crew Leader	6
Water Maintenance Crew Leader	6
Water Superintendent	12
Weed, Litter, and Property Preservation Manager	5



POINT FACTOR SYSTEM FOR INTERNAL JOB EVALUATION

**AUTHORIZED BY ORDINANCE:
2020-123**

**REVISIONS APPROVED BY ORDINANCE:
2020-**

INTRODUCTION

This manual contains a "Point Factor" system for the quantitative and qualitative evaluation of unaffiliated (non-bargaining unit) job classifications in the City of Zanesville, Ohio, for internal equity and ranking within the City's compensation system. The system described in this manual covers nine (9) factors:

FACTORS
1 Knowledge & Skill
2 Communication
3 Independence of Judgement/Supervision Received
4 Supervision Exercised
5 Complexity
6 Confidentiality
7 Impact & Accountability
8 Physical Demands
9 Work Environment

Within each of these factors is a descriptive rating scale: a table containing a series of progressive degrees or levels, with a narrative description of each level. Each level is numbered (e.g. 1, 2, 3, 4 etc.) and each level carries a specific number of points within the point factor system.

Unaffiliated (non-bargaining) positions in the City are evaluated according to each of the nine factors. This is accomplished by comparing the content of the job against the descriptive rating scale within each factor (e.g. 6 - Confidentiality). The evaluator determines which descriptive level best describes the content of the job; documents the assigned level; and then repeats this process for the remaining 8 factors.

Points identified for each factor are added together to determine the job's overall "point factor" score. The point factor score in turn determines the pay grade to which the job is assigned. The minimum and maximum pay rates associated with each pay grade are developed through external market analysis, to promote competitive and equitable pay decisions.

This guide is a resource, and not a substitute for common sense and good judgment. This material is provided to give background information, general concepts, and technical guidance that will assist those who evaluate positions using the City's point factor system. Rating not an exact science; however the process described in this manual is intended to promote uniform, objective judgments about the relative worth of positions within the hierarchy of City employment.

Ideally, a job evaluation should be performed by more than one person. For example, a supervisor and a Human Resource professional and are pragmatic choices: one has detailed knowledge of the position, and the other has comprehensive knowledge of all positions in the organization. An external job rating analyst may also be useful because the analyst's perceptions are not affected by knowledge of incumbent employees. In any event, the final rating should be the result of pooled judgments.

Point factor job evaluations are public documents and should be available for review by anyone interested in their content. Copies of current standards must be maintained for use by those with responsibility for classifying positions.

THE CITY'S CLASSIFICATION AND COMPENSATION PLANS

A **classification plan** has been established by ordinance and is maintained by the City Administration for all unaffiliated positions in the municipal service. This classification plan groups together those classifications that have been developed and approved by the Civil Service Commission into their respective departments and/or classification series.

The Civil Service Commission also maintains written descriptions of the nature and requirements of the work for each position (i.e. Job Descriptions). Job descriptions shall generally reflect job duties and requirements of each position, but are not construed as limiting or restricting an employee from performing any related duty or following any instructions required by the employee's supervisor or designee.

A **compensation plan** has also been established by ordinance and is maintained by the City Administration for all unaffiliated positions in the municipal service. The City's compensation plan includes a series of attached schedules which contain: a list of job classifications and their assigned pay grade and/or compensation.

The classification plan and compensation plan may be amended by the City to ensure that they continually reflect currently assigned duties, responsibilities, and compensation.

INITIAL APPOINTMENTS / REAPPOINTMENTS

The default compensation for a newly-hired or transferred employee will be the minimum value in the pay range for the classification to which the employee is assigned. The employee's appointing authority may, however, recommend initial appointments at a rate above the minimum rate, but not to exceed the maximum rate for that grade, in cases of exceptional qualifications of the new employee or where outside labor market conditions so necessitate.

If a former employee is re-employed in a position which he/she previously held with the City, the Appointing Authority may recommend an appointment at the appropriate pay rate based on the employee's previous rate (at the time of separation of service); provided, however, that the rate is at, or below, the maximum rate assigned to the employee's classification.

Additionally, employees on layoff shall, at the time of reinstatement, be reinstated at the same pay range and rate which he/she was assigned at the time of layoff.

REQUESTS FOR POSITION EVALUATION

In the case of reclassification, the employee shall be assigned to the new classification and to its assigned pay range. The employee's pay rate shall remain the same when the employee is reclassified to a classification with the same pay range as the classification to which the employee was previously assigned.

For employees in the classified service:

If a department head, division head, supervisor, or employee believes that a position is improperly classified, that a change in a classification's job duties or responsibilities has rendered its point factor score inaccurate, that the employee has been assigned to an improper pay range, or that the employee's pay should be adjusted for some other reason, that person may request a point factor re-evaluation.

The City will make such investigations and inquiries as it deems necessary and issue a recommendation regarding the proposed pay range or pay rate adjustment. The Appointing Authority may then submit an ordinance to City Council recommending the proposed pay range assignment.

For employees in the unclassified service:

If the Appointing Authority believes that a pay range adjustment is needed for a position or employee under his/her authority, he/she may submit an ordinance to City Council for approval of any such pay range assignment.

EVALUATING A POSITION

The basic steps to follow when evaluating a position under this program are:

- Prepare a position description;
- Evaluate each factor to determine the 'point factor' score;
- Convert the total point value to a pay grade using an established chart; and
- Record the results of the evaluation.

Understanding the Position

The starting point of a job evaluation is generally the position description. A position description represents the official record of the duties and responsibilities assigned to a position or group of positions by a supervisor or manager in order to accomplish a specific job.

Important to fully understanding the position is consideration of such factors as the position's relationship to other positions, its primary purpose or reason for existence, the mission and responsibility of the organization in which it is located, and the qualifications required to do the work. It is helpful to review organization charts, mission and function statements, technical and procedural manuals, classification standards and agency guides, position description files, and any other available documents relating to the position. Supervisors and managers can be helpful, and often essential, sources of information.

The Point Rating Process

Remember that it is the position that is evaluated, not the person assigned to it. This means that the work to be performed and the requirements to do that work are to be analyzed; the special capabilities or qualifications of the employee generally are not factors that influence the position's ratings.

Evaluate each factor in the position description using the factors in this manual. When assigning levels, observe the following:

- Use only the specific point values indicated in this manual. Do not use intermediate point values.
- A job's duties must align with the narrative description for a selected level to warrant the assignment of that level's point value. Although the descriptions in this system are generalized to apply to many different types of jobs, the level description must fairly and accurately describe the duties of the position -- it should not be a 'stretch.' If the position factor exceeds one factor level but fails to meet fully the intent of the next higher factor level, then the lower point value must be credited
- Some jobs combine a mix of unrelated duties together into one position. In those cases, evaluate the position based on the duties that take a majority of the employee's time and have obvious weight and influence for point rating purposes.

Using Benchmarks

Benchmark positions are other jobs that have been graded and can be compared with another position that is under review. The same grade should result from using benchmarks or this system, whether alone or in combination.

Be careful to select a benchmark only if it is very similar to the kind and level of the duties assigned to the position. These duties do not have to be exactly the same as the benchmark because positions will vary somewhat with the mission of the organization. On the other hand, the selection should not be forced. Compare the position factor with the descriptions in this manual to confirm the appropriateness of the benchmark.

Interviewing Stakeholders

One of the best ways to achieve the most complete understanding of a position is to gain first-hand knowledge by interviewing key stakeholders. This may be a conversation with the person in the job, or with the supervisor of the position, or sometimes with both, usually at the work location. The purpose is to gain as much information as possible about the position. This information, combined with an analysis of other available material about the job and the organization, can help to verify details and resolve questions.

Recording the Results

At a minimum, the point values for each factor, the total point values, and the pay grade must be recorded. In addition, any benchmark(s) used in point rating should be stated on the evaluation form.

FACTOR 1 – KNOWLEDGE AND SKILL

All jobs require some knowledge and skill. Factor 1 measures the nature and extent of the knowledge and skill that is required to perform a job at a satisfactory level. “Knowledge” and “skill” are often used interchangeably, and the concepts are evaluated together in this compensation system.

- *Knowledge* refers to an employee’s understanding of a subject, which is conceptual or cognitive in nature. For example, an employee might have knowledge about a particular standard used in an occupation (e.g. Generally Accepted Accounting Procedures) or knowledge of a particular method of completing a task (e.g. creating a mailing list in a computer word processing program).
- *Skill* refers to learned proficiencies in the application of an employee’s knowledge. Skills are practical “know-how” that is developed through training and hands-on experience.

The primary emphasis of Factor 1 is on the necessary knowledge and the skills, not necessarily on *how* the employee acquired them. The descriptive rating scale for Factor 1 includes equivalent levels of formal “education” and relevant “experience, but these are secondary guidelines only.

Evaluators must be cautious not to assume that a current employee’s qualifications are what a job actually requires (e.g., the job requires a bachelor’s degree because that is the education level of the incumbent). Employees often have more knowledge and skill (or in some cases, less knowledge and skill) than what would be considered the minimum requirement to perform the job at a satisfactory level. To be used as a basis for selecting a level under this factor, the “knowledge” must be actually *required* and *applied* in the course of performing the job duties.

In assessing Factor 1, it may also be important to consider the difference between knowledge that must be available at all times and accessible to one’s thinking at a moment’s notice in the case of some sort of crisis (e.g., knowledge of emergency procedures) and knowing where to find information within a reasonable time (e.g., example a specific legal standard, a financial accounting best practice, or a precedent for providing services under a similar set of circumstances). Factor 1 measures the *highest* level of knowledge and skill required by a job. It does not consider the frequency with which that knowledge/skill is used. Many skills may be required in certain jobs, and these skills must be available when they are needed.

The following examples illustrate how Factor 1 might appear in a job description:

- Professional knowledge of civil engineering to design flood control structures;
- Knowledge of English grammar, spelling, and punctuation to correct obvious errors in draft material;
- Competitive level typing skill to produce documents on a personal computer using word processing software; or
- Skill in conversational Spanish to interview witnesses.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal Factor Evaluation System (“FES”) from the Office of Personnel Management (“OPM”). The most similar federal FES category to this factor is labeled “Factor 1, Knowledge Required by the Position.”

Level	Description of Knowledge	Educational Equivalency
1	<p>Basic knowledge of simple, routine, or repetitive tasks. Jobs in this category require an incumbent to receive and understand step-by-step instructions and follow simple, structured guidelines to complete tasks. The tasks require little or no previous training or experience. None (or very few) of the tasks must be performed in a particular way that is unique to this position ("job specific" tasks).</p> <p>Jobs in this category require very little specific job knowledge (depth). Jobs in this category require very minimal knowledge of a narrow range of duties and procedures (breadth).</p> <p>Knowledge requirements in this category may include: basic arithmetic; American English spelling and grammar; counting and sorting.</p> <p>Skill requirements may include: using simple tools, or equipment that operates repetitively with little or no previous training or experience.</p>	<p>Skills and knowledge requirements are normally acquired by having completed an elementary / middle school education</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
2	<p>General knowledge of a small group of standard work methods, processes, rules, and/or procedures. Jobs in this category require the ability to apply both common techniques <i>and</i> job-specific techniques or procedures to complete tasks and/or activities that require <i>some</i> previous training or experience.</p> <p>Jobs in this category require a small amount of job-specific knowledge (depth). Jobs in this category may require <i>minimal</i> knowledge of a <i>moderately</i> broad range of duties and procedures, or <i>moderate</i> knowledge of a <i>narrow</i> range of duties and procedures (breadth).</p> <p>Knowledge requirements in this category may include: basic clerical support tasks; typing; posting, filing; units of measure.</p> <p>Skill requirements may include: operation of basic office equipment that requires some prior training or experience, including facsimile, telephone, and copier; basic proficiency with personal computers and other devices for word processing, spreadsheets, e-mail, or job-specific software; computation using adding machines, calculators, or manual methods; ability to use powered hand tools. Ability to operate a motor vehicle may be required.</p>	<p>Skills and knowledge requirements are normally acquired by having completed a high school education, GED or its equivalent;</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
3	<p>Specific knowledge of a group of job-specific work methods, processes, rules, and/or procedures; or working familiarity with an administrative, business, or operational / technical field. Jobs in this category require the ability to apply a larger body of</p>	<p>Skills and knowledge requirements are normally acquired by having completed a high school</p>

	<p>knowledge that has been acquired through specific training and experience to perform a range of assignments and resolve recurring problems.</p> <p>Jobs in this category require a moderate amount of job knowledge (depth). Jobs in this category may require <i>minimal</i> knowledge of a <i>broad</i> range of duties and procedures, <i>moderate</i> knowledge of a <i>moderately</i> broad range of duties and procedures, or <i>extensive</i> knowledge of a <i>narrow</i> range of duties and procedures (breadth).</p> <p>Knowledge requirements in this category may include: a working familiarity with cost or general accounting; bookkeeping entries; statistics; technical terminology, basic laboratory procedures, shop machinery, and a variety of precision measuring instruments.</p> <p>Skill requirements in this category may include: operation of specialized office equipment; utilization of personal computers including intermediate knowledge of department applications and/or word processing, database, and spreadsheet applications, data entry terminals, and transcribing equipment; ability to operate specialized heavy motor equipment such as a large truck, grader, backhoe.</p>	<p>education, GED or its equivalent, plus additional special training equivalent to one year of post-secondary college education;</p> <p>OR</p> <p>Apprenticeship or basic knowledge of crafts or trades</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
<p>4</p>	<p>General knowledge of an administrative, business, or operational / technical field. Jobs in this category require the ability to adapt and apply technical concepts and methods to tasks or activities where known precedents or standards exist, in order to perform a wide variety of interrelated or nonstandard procedural assignments and resolve a wide range of problems.</p> <p>Jobs in this category require a moderate amount of job knowledge (depth). Jobs in this category may require <i>minimal</i> knowledge of a <i>broad</i> range of duties and procedures, or <i>moderate</i> knowledge of a <i>moderately</i> broad range of duties and procedures (breadth).</p> <p>For office (non-manual) positions, the administrative, business, or operational / technical field may include, but is not limited to, the City's internal administrative functions: tax; finance; accounting; budgeting; auditing; insurance; quality control; purchasing; procurement; advertising; marketing; research; safety and health; personnel management; human resources; employee benefits; labor relations; public relations; computer network, Internet and database administration; legal and regulatory compliance; and similar areas. The field of work may also involve service-oriented areas such as education; nursing; urban planning; engineering; computer science; psychology or sociology; or similar areas.</p>	<p>Skills and knowledge requirements are normally acquired by having completed a high school education, GED or its equivalent, plus additional special training equivalent to an Associate's Degree and/or two years of post-secondary college education;</p> <p>OR</p> <p>Journeyman or basic knowledge of crafts or trades</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>

<p>5</p>	<p>Specific knowledge of an administrative, business, or operational / technical field, which may be accompanied by general knowledge of one or more related fields. With broad job content and varied work processes, jobs in this category require the ability to co-ordinate related work- or project-specific activities.</p> <p>Jobs in this category require a large amount of job knowledge (depth). Jobs in this category may require <i>extensive</i> knowledge of a <i>moderately</i> broad range of duties and procedures, or <i>moderate</i> knowledge on a <i>broad</i> range of duties and procedures, or <i>minimal</i> knowledge of an <i>extremely broad</i> range of duties and procedures (breadth).</p>	<p>Skills and knowledge requirements are normally acquired by having completed an undergraduate degree (B.S., B.A.) program or its equivalent,</p> <p>OR</p> <p>Master ability in trades or crafts;</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
<p>6</p>	<p>Advanced knowledge of an administrative, business, or operational / technical field, accompanied by knowledge of related fields. Jobs in this category require the ability to interpret and adapt documented “textbook” concepts and principles to novel situations that involve problem definition and solution development. Positions in this category require the use of specialized, complex techniques or methodologies. The position demands that the incumbent understand the relationships between and across a number of processes and activities and business units and effectively manages those inter-relationships.</p> <p>Jobs in this category require a large amount of job knowledge (depth). Jobs in this category may require <i>extensive</i> knowledge of a <i>moderately</i> broad range of duties and procedures, or <i>moderate</i> knowledge on a <i>broad</i> range of duties and procedures (breadth).</p>	<p>Skills and knowledge requirements are normally acquired by having completed an undergraduate (B.S., B.A.) degree program or its equivalent, and two years of relevant experience;</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
<p>7</p>	<p>Knowledge of a specialized profession (e.g. public administration, library science, public health, engineering, human resources) that generally requires advanced formal studies. Jobs in this category perform duties that require comprehension and application of a wide range of concepts, principles, and practices of, such as would be gained through extended study and/or experience, and skill in applying this knowledge to difficult and complex work assignments.</p> <p>Jobs in this category require a significant amount of job knowledge (depth). Jobs in this category may require <i>extensive</i> knowledge of a</p>	<p>Skills and knowledge requirements are normally acquired by having completed an undergraduate (B.S., B.A.) degree program or its equivalent, and a masters level degree program (M.A., M.S., M.L.S., M.P.A., M.Ed. M.B.A.);</p>

	<i>broad</i> range of duties and procedures, or <i>moderate</i> knowledge of an <i>extremely broad</i> range of duties and procedures (breadth).	OR An equivalent combination of education and/or experience.
8	<p>Advanced knowledge of a specialized profession, and/or knowledge of a highly-specialized profession that requires a terminal degree and licensure to perform (e.g. law, medicine, or higher education). Jobs in this category require the ability to apply theories and experimental concepts to problems not susceptible to treatment by accepted methods, in order to make strategic decisions or recommendations for changing, interpreting, or developing important public policies or programs.</p> <p>Jobs in this category require a very significant amount of job knowledge. Jobs in this category may require <i>extensive</i> knowledge of an <i>extremely broad</i> range of duties and procedures.</p>	<p>Skills and knowledge requirements are normally acquired by having completed a masters level degree program, plus two years of related experience;</p> <p>OR</p> <p>A terminal, mandatory degree for the professional field (J.D., M.D., Ph.D.)</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>
9	<p>Mastery and demonstrated achievement in a specialized or highly-specialized profession, normally obtained by possession of the terminal degree in the field along with relevant work experience.</p>	<p>Skills and knowledge requirements are normally acquired by having completed a masters level degree program, plus six years of related experience;</p> <p>OR</p> <p>A terminal, mandatory degree for the professional field (J.D., M.D., Ph.D.) plus 3 years of related experience;</p> <p>OR</p> <p>An equivalent combination of education and/or experience.</p>

FACTOR 2 – COMMUNICATION

“Communication” is a broad concept that covers a wide range of activities ranging from exchanging information to listening, explaining, disclosing, persuading, motivating, negotiating, advising, facilitating, counselling, nurturing, mentoring, drafting, editing, and presenting – and the list goes on.

Factor 2 measures the job requirements for using these types of communication skills, with a primary focus on interpersonal communication. This factor has two components in its descriptive rating scale:

- First, this factor evaluates the extent of face-to-face, telephonic, and electronic communication with persons who are not the individual's immediate supervisor. (Those interactions are measured in Factor 3, below). The levels described in Factor 2 are what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting/context in which the contacts take place, e.g. the degree to which the employee and the contacts understand their relative roles and authorities.
- Second, this factor evaluates the purpose for these contacts, which might range from exchanges of routine facts and information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

All forms of interpersonal interaction should be considered, both internal and external to the City. For example, interaction may occur with colleagues/team members, other employees, suppliers, volunteers, the general public, patients and/or clients, to name a few.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES categories to this factor are labeled “Factor 6, Personal Contacts” and “Factor 7, Purpose of Contacts.”

Level	Extent of Contacts	Purpose of Contacts
1	Employee works alone most of the time or has little or no interaction with others except with immediate co-workers and own supervision. and / or Contacts with members of the general public are rare, and require ordinary courtesy and tact.	Contact with others is unstructured, incidental to the position's essential functions, and generally does not involve providing information beyond routine answers to basic, general inquiries.
2	Internal personal contacts are predominately with employees in the same work unit, office, project, or department. Interactions may involve explanation, discussion or interpretation of what is required in order to render service, planning or coordinating work effort, or resolving operating problems.	The purpose is to obtain, clarify, or give information regardless of the nature of those facts, i.e. the facts or information may range from easily understood to highly technical. Contacts may take place in structured

	<p>and / or</p> <p>The contacts are with service recipients, members of the public, and employees of other organizations such as other government agencies, vendors, or banks.</p>	<p>situations, e.g., the purpose of the contact and the question of with whom to deal are relatively clear.</p> <p>Typical of contacts at this level are purchases of admission tickets or filing permit requests at a service window.</p>
3	<p>Internal personal contacts may extend to multiple levels within the employee's department and frequently to other departments. Those contacted are typically engaged in different functions and kinds of work.</p> <p>and / or</p> <p>The contacts are with members of the general public, as individuals or groups, in a moderately structured setting. The contacts generally are established on a routine basis, often at the employee's work place; the exact purpose of the contact may be unclear at first to one or more of the parties; and one or more of the parties may be uninformed concerning the role and authority of other participants.</p>	<p>The purpose of the contacts is to plan, coordinate, or advise on work efforts, or to resolve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes.</p> <p>Typical of contacts at this level are those with persons seeking airline reservations or with job applicants at a job information center.</p>
4	<p>The personal contacts are with individuals or groups from outside the City, and these contacts occur in a moderately unstructured setting. For example, the contacts are not established on a routine basis; the purpose and extent of each contact is different; and the role and authority of each party is identified and developed during the course of the contact.</p> <p>Typical of contacts at this level are those with people acting in their capacities as civic leaders; attorneys; contractors; peers from other municipalities; representatives of government agencies; representatives of professional organizations, the news media; or public action groups.</p>	<p>The purpose is to influence, motivate, interrogate, or control persons or groups. The persons contacted may be fearful, skeptical, or uncooperative. Therefore, the employee must be skillful in approaching the individual or group in order to obtain the desired effect, such as gaining compliance with established policies and regulations by persuasion or negotiation, or gaining information by establishing rapport with a suspicious informant.</p>
5	<p>Relationships with high ranking officials from outside the municipality such as legislators, the Governor, leaders in Federal or State agencies, or others who have a significant impact on the policies</p>	<p>The purpose is to justify, defend, negotiate, or settle matters involving significant or controversial issues. The work usually involves active participation</p>

<p>and program of the municipality to justify, defend, negotiate or settle matters involving significant or controversial matters, or litigation where the decisions will have a substantial impact on municipal policy.</p> <p>These contacts may occur in highly unstructured settings, e.g., contacts are characterized by problems, such as the officials who are relatively inaccessible; arrangements may have to be made for accompanying staff members; appointments may have to be made well in advance; each party may be very unclear as to the role and authority of the other; and each contact may be conducted under different ground rules.</p> <p>The employee must possess high degrees of diplomacy and judgment and must be able to work effectively with and influence all types of persons. The essential work functions of this position require a well-developed sense of strategy and timing in representing the municipality effectively in critical and important situations which may influence the well-being of the municipality.</p>	<p>in conferences, meetings, hearings, or presentations involving problems or issues of considerable consequence or importance.</p> <p>The persons contacted typically have diverse viewpoints, goals, or objectives requiring the employee to achieve a common understanding of the problem and a satisfactory solution by convincing them, arriving at a compromise, or developing suitable alternatives.</p>
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FACTOR 3 – INDEPENDENCE OF JUDGMENT / SUPERVISION RECEIVED

Factor 3 addresses the nature and extent of direct or indirect controls exercised by the supervisor, the extent of the review of completed work, the availability of guidelines to identify the tasks or methods to perform, and the employee's responsibility to use independent judgment and discretion.

Controls are exercised by a supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. For example, a supervisor might assign work with: detailed instructions on how to do the work; instructions only for new, difficult, or unusual aspects of the work; suggestions for procedures to follow; or only information about the objectives, priorities, and deadlines.

Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. For example: an employee might work exactly as instructed; refer situations not covered by instructions to the supervisor; or handle all work independently according to established policies and accepted practices.

The degree of review of completed work depends upon the nature and extent of the review, e.g., close and detailed review of each phase of the assignment, detailed review of the finished assignment, spot-check of finished work for accuracy, or review only for adherence to policy.

Note that it is not just the degree of independence that is evaluated, but also the degree to which the nature of the work allows the employee to make decisions and commitments and to exercise judgment. For example, many clerical employees perform their work with considerable independence and receive very general review. This work is evaluated, however, at the lower levels of this factor because there is limited opportunity to exercise judgment and initiative.

The following illustrate how this factor might appear in a position description.

- The supervisor assigns work, advises on changes in procedures, and is available for assistance when required.
- Routine work is performed independently following set procedures. The work is reviewed for accuracy through spot checks, through complaints from customers, and through observation of the employee at work.
- The supervisor assigns work in terms of project objectives and basic priorities and is available for consultation in resolving controversial issues.
- The employee independently plans and carries out the projects and selects the approaches and methods to be used in solving problems.
- Completed projects are reviewed to determine that objectives have been met and are in compliance with agency policies and regulations.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES categories to this factor are labeled "Factor 2, Supervisory Controls" and "Factor 3, Guidelines."

Level	Description
1	<p>Control: Work is directly controlled, either through the highly structured nature of the work itself or through the immediate supervision of others. This may include checking progress or reviewing completed work for accuracy, adequacy, and adherence to instructions and established procedures.</p> <p>Guidelines: For both ad hoc and repetitive tasks, the supervisor makes specific assignments that are accompanied by clear, detailed, and specific instructions. The employee works as instructed and consults with the supervisor as needed on all matters not specifically covered in the original instructions or guidelines.</p> <p>Judgment: Specific, detailed guidelines covering all important aspects of the assignment are generally available to the employee, to which strict adherence is expected. All deviations from the assigned work must be authorized by a supervisor.</p>
2	<p>Control: Work is controlled through the occasional checking for accuracy, quality, and adherence to detailed instructions, or through the structured nature of the work itself. The supervisor ensures that finished work and methods used are technically accurate and in compliance with instructions or established procedures. Review of the work increases with more difficult assignments if the employee has not previously performed similar assignments.</p> <p>Guidelines: The supervisor provides continuing or individual assignments by indicating generally what is to be done; deadlines; limitations, quality and quantity expected; and priority of assignments. The supervisor provides additional, specific instructions for new, difficult, or unusual assignments, including suggested work methods or advice on source material available.</p> <p>Judgment: The employee uses initiative in carrying out recurring assignments independently without specific instructions, but refers deviations, problems, and unfamiliar situations not covered by instructions to the supervisor for decision or help. Some discretion may be exercised within pre-determined limits and procedures. For example, the employee may need to use judgment in locating and selecting the most appropriate guidelines, references, and procedures for application; in making minor deviations to adapt a guideline to specific new cases; or in selecting which of several established alternatives to use.</p>
3	<p>Control: Finished work results are evaluated for compliance with technical standards, appropriateness, and conformity to policy/procedure. The methods used in arriving at the end results are not usually reviewed in detail.</p> <p>Guidelines: The supervisor gives general direction regarding work responsibilities, and makes assignments</p>

	<p>by defining objectives, priorities, and deadlines. The supervisor may assist the employee with unusual situations that do not have clear precedents.</p> <p>Judgment: The employee plans and carries out the successive steps and handles problems and deviations in the work assignments in accordance with instructions, policies, previous training, or accepted practices in the occupation. The employee uses judgment in interpreting and adapting guidelines, such as agency policies, regulations, precedents, and work directions for application to specific cases or problems. The employee analyzes results and recommends changes.</p>
<p>4</p>	<p>Control: Completed work is reviewed only from an overall standpoint in terms of feasibility, compatibility with other work, or effectiveness in meeting requirements or expected results.</p> <p>Guidelines: The supervisor sets the overall objectives and resources available. The employee and supervisor, in consultation, develop deadlines, projects, and work to be done. The employee, having developed an expertise in the line of work, is responsible for planning and carrying out the assignments, resolving most of the conflicts that arise, coordinating the work with others as necessary, and interpreting policy on own initiative in terms of established objectives. In some assignments, the employee also determines the approach to be taken and the methodology to be used. The employee keeps the supervisor informed of progress and potentially controversial matters.</p> <p>Judgment: Receives nominal direction regarding work responsibilities, and operates under administrative policies and precedents that are generalized. Independent judgment and discretion must be exercised in translating organizational goals into the development/refinement of program(s) strategy and related objectives and activities. The employee may be responsible for establishing or effectively recommending administrative guidelines and procedures; the employee uses initiative and resourcefulness in deviating from traditional methods or researching trends and patterns to develop new methods, criteria, or proposed new policies.</p>
<p>5</p>	<p>Control: Work is performed under minimal supervision, with periodic progress reports. Results of the work are considered technically authoritative and are normally accepted without significant change. If the work should be reviewed, evaluated relative to general organizational policy in terms of feasibility, compatibility and effectiveness. Recommendations for new projects and alteration of objectives usually are evaluated for such considerations as availability of funds and other resources, broad program goals, or municipal priorities.</p> <p>Guidelines: The position is largely self-directing. The supervisor provides administrative direction with assignments in terms of broadly defined missions or functions. The employee has responsibility for independently planning, designing, and carrying out programs, projects, studies, or other work. Guidelines are broadly stated and nonspecific, e.g., broad policy statements and basic</p>

	<p>legislation that require extensive interpretation.</p> <p>Judgment: Positions use substantial judgment and ingenuity to develop and interpret program, functional and/or organizational goals and guidelines. Frequently, the employee is recognized as a technical authority in the development and interpretation of guidelines.</p>
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FACTOR 4 – SUPERVISION EXERCISED

This factor measures the level of authority and span of control of the position in supervising or managing the job performance of other City employees, including the professional development and discipline of staff. Jobs which involve the occasional direction of other employees “in the absence of the supervisor or manager” are not considered to have supervisory or managerial authority.

Leadership and supervision may be thought of as points along a continuum from nonsupervisory to managerial work. The range of duties a team leader may be assigned is very flexible, i.e., duties may be just sufficient to meet the minimum for coverage to almost sufficient to warrant a supervisory classification.

Level	Description
N/A	No supervisory responsibilities. May provide occasional advice and/or guidance to new employees, student employees, temporary employees, etc. Accountable for managing one’s own performance.
1	Group Support / Guide. Provides immediate functional or technical explanations, guidance, and monitoring for other employees in the same or a closely related classification. The work of the supervised employee(s) is normally the same as that of the guiding/monitoring employee. May assume relief responsibility for a crew leader or supervisor. Has little or no responsibility for total costs, methods or personnel; does not generally recommend, approve, or administer personnel actions (hiring, discipline, promotion, demotion, removal).
2	Crew Leader / Foreperson. Provides day-to-day, immediate direction, control and monitoring over a functional unit or section. Duties may include assigning, explaining, instructing, coordinating work, checking progress and reviewing routine work. May develop work requirements and has responsibility to assure jobs or projects are complete. Direct accountability for quantitative and qualitative results of the team, but generally does not approve or administer personnel actions (hiring, discipline, promotion, demotion, removal); however, crew leader may provide input into personnel decisions and performance evaluation.
3	First-Level Supervisor / Manager. Provides direction, control, and monitoring of a division within a larger department. Direct accountability for quantitative and qualitative results of the team, and generally approves and administers personnel actions (hiring, discipline, promotion, demotion, removal), even though higher approval may be required. Has responsibility for workforce and job planning, budget administration and cost control. Regularly develops job and task requirements.
4	Second-Level Supervisor / Manager. Has supervisory responsibility for two or more divisions, or for a small department, including all personnel actions, work force planning, and all phases of budget management and cost control. Regularly develops programs, job requirements, and operational goals. Assigns objectives and/or projects for others to manage and complete within budgetary constraints. Regularly evaluates employees and/or the performance of other supervisors or crew leaders.

<p>5</p>	<p>Departmental Director / Head. Directs and coordinates the operations of one or more departments, through subordinate supervisors who are responsible for supervision over individual departments.</p> <p>Has department-wide management and service delivery responsibilities for all phases of operations including budget and personnel. Develops required service levels, long term strategies, priorities, resources requirements to accomplish missions. Provides general guidance in the tactical application of resources, modifies their allocation, monitors goal attainment and holds subordinates accountable for the results achieved.</p>
<p>6</p>	<p>Municipal Director. Directs, coordinates, plans, organizes the overall operation of a major unit of the municipality (e.g., multiple departments), conforming to the general objectives and directives established by the Mayor and Council. Generally this position is a direct report to the Mayor. May assume temporary responsibility for the Mayor in his or her absence.</p> <p>Has municipal-wide responsibility for contributing to and implementing a shared vision, an understanding of missions, strategies, and the results to be achieved. Evaluates, approves and holds subordinates accountable for the attainment of organizational objectives. Reviews, modifies and approves priorities established by subordinates. Obtains or substantially influences securing the necessary resources to accomplish municipal missions and objectives and their allocation.</p>

FACTOR 5 – COMPLEXITY

Factor 5 covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

Some employees have little or no choice about how to perform the work. Others may have to develop, analyze, or evaluate information before their work can progress. The level of difficulty in carrying out the work varies depending on whether the facts or conditions are clear-cut and apply directly to the problem or issue; vary according to the nature of the subject matter, phase, or problem handled; or involve unusual circumstances and incomplete or conflicting data.

In some situations the work is mastered easily, and the employee takes the obvious course of action. The level of difficulty and novelty increases as the employee considers differences in courses of action and refines methods or develops new techniques, concepts, theories, or programs to solve problems.

The following illustrate how this factor might appear in a position description.

Mail Clerk –

- The assignment involves opening, sorting, and routing mail by general subject matter to approximately 150 delivery points and by specialized subject matter to 70 or 80 points.
- The employee examines the content of a variety of materials to identify and associate subject matter with closely related technical units.
- The employee determines proper routing or other action to take.

Engineer –

- Projects involve developing designs, plans, and specifications for a variety of utility systems for multistory buildings.
- The engineer considers factors, such as unusual local conditions, increased emphasis on energy conservation, and the relationship of problems and practices related to engineering fields.
- In making decisions the employee is often required to depart from past approaches and to extend traditional techniques or develop new ones to meet major objectives without compromising design and engineering principles.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES category to this factor is labeled “Factor 4, Complexity.”

Level	Description
1	The work consists of tasks that are clear-cut and directly related . There is little or no choice to be made in deciding what needs to be done. Actions to be taken or responses to be made are readily discernible. The work is quickly mastered.
2	The work consists of duties that involve related steps, processes, or methods . The decision regarding what needs to be done involves various choices that require the employee to recognize the existence of and differences among a few easily recognizable situations . Actions to be

	taken or responses to be made differ in such things as the source of information, the kind of transactions or entries, or other differences of a factual nature.
3	The work includes various duties involving different and unrelated processes and methods . The decision regarding what needs to be done depends upon the analysis of the subject, phase, or issues involved in each assignment, and the chosen course of action may have to be selected from many alternatives. The work involves conditions and elements that must be identified and analyzed to discern interrelationships.
4	The work typically includes varied duties that require many different and unrelated processes and methods , such as those relating to well established aspects of an administrative or professional field. Decisions regarding what needs to be done include the assessment of unusual circumstances, variations in approach, and incomplete or conflicting data. The work requires making many decisions concerning such things as interpretation of considerable data, planning of the work, or refinement of the methods and techniques to be used.
5	The work includes varied duties requiring many different and unrelated processes and methods that are applied to a broad range of activities or substantial depth of analysis, typically for an administrative or professional field . Decisions regarding what needs to be done include major areas of uncertainty in approach, methodology, or interpretation and evaluation processes that result from such elements as continuing changes in program, technological developments, unknown phenomena, or conflicting requirements. The work requires originating new techniques, establishing criteria, or developing new information.
6	The work consists of broad functions and processes of an administrative or professional field . Assignments are characterized by breadth and intensity of effort and involve several phases pursued concurrently or sequentially with the support of others within or outside the organization. Decisions regarding what needs to be done include largely undefined issues and elements and require extensive probing and analysis to determine the nature and scope of the problems. The work requires continuing efforts to establish concepts, theories, or programs, or to resolve unyielding problems.

FACTOR 6 – CONFIDENTIALITY

Factor 6 measures the discretion and integrity required by those positions which have access to privileged, non-public information handled or obtained in the normal performance of duties. In rating this factor, consider the nature of the information, the full significance and meaning of the confidential information, and whether disclosure would compromise the municipality or the public, or constitute a breach of security.

Level	Description
1	Little or no confidential data involved.
2	Has access to some confidential information where the effect of any disclosure would probably be negligible within the organization and its significance would not be apparent in the work performed. Disclosure would not generally result in a negative effect outside of the organization.
3	Works with limited confidential information such as personnel records, employee medical records, individual wage and salary rates, performance evaluations and discipline records, bid proposals, citations, litigation files, computer system networks and/or security, etc., which, if disclosed, might adversely affect operations, employee morale, create adverse public relations or otherwise be legally inappropriate. May have access to information that would be exempt from disclosure under the Ohio Public Records Act, R.C. Chapter 143
4	Has routine access to a wide variety of confidential information of substantial importance, which may include information that would be exempt from disclosure under the Ohio Public Records Act, R.C. Chapter 143. Work involves access to information on personnel planning decisions, policy changes, strategic projects, medical reports, police files, tax records, negotiating positions, development proposal details, public assistance related client details, etc. Disclosure would have a pronounced adverse effect on the agency's interest and/or would be contrary to legal and ethical rules.
5	Has broad access to municipal-wide confidential information. The disclosure of such information would cause very serious legal, operational, financial or other repercussions for the municipality.

FACTOR 7 – IMPACT AND ACCOUNTABILITY

Factor 7 covers the relationship between the scope of the work, i.e., the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization.

This factor measures such things as whether the work output facilitates the work of others, provides timely services of a personal nature, etc. This may involve the conclusions reached and decisions or recommendations made; treatment or service provided; results of tests or research performed; or approvals or denials made. The effect of properly performed work is to be considered in conjunction with the impact of errors.

The examples below show how to describe this factor for different kinds of work.

File Clerk –

- The purpose of the work is to maintain control and reference files for incoming correspondence.
- The work contributes to the efficiency of daily operations of the organization.

Engineer –

- The purpose of the work is to provide technical expertise in the design of....
- This work affects the quality of designs of mechanical systems aboard floating plants and equipment used in dredging activities throughout the agency nationwide.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES category to this factor is labeled “Factor 5, Scope and Effect”

Level	Description
1	<p>Work results have limited impact beyond the immediate work section, program or functional unit. The work involves specific, routine operations comprised of a few separate tasks or procedures. The work product or service is generally to facilitate the work of others, or for the timely provision of limited services to others.</p> <p>The basic nature of the work means that probable errors can be readily detected and usually by the employee. Potential consequences from errors may result in minor confusion, rework involving minimal time and expense to correct.</p>
2	<p>Work results have impact beyond the immediate work section and program or functional unit, but primarily within the City (or to a very limited extent outside of the City). The work involves the execution of specific rules, regulations, or procedures and typically comprises a complete segment of an assignment or project of broader scope. The work product or service affects the accuracy, reliability, or acceptability of further processes or services. The employee is responsible for accuracy, thoroughness, coordination and task completion.</p> <p>The nature of supervision and thoroughness of review assures that probably errors are usually detected in succeeding operations. Potential consequences include time loss, rework, and reduced efficiency in completing routine work. Errors are generally confined to a single</p>

	department or series of interrelated tasks.
3	<p>Work results have a direct impact on other program/service units in the City and on the final service or product produced; the design or operation of systems, programs, or equipment; the adequacy of investigations, testing or research; or the social, physical, and economic well-being of people. The employee is responsible to independently produce accurate work, coordinate work products with others, meet deadlines and assist others in job completion.</p> <p>Most work is not independently verified or checked or involves the operation of large, complex or potentially dangerous equipment increasing the scope and magnitude of errors. Potential consequences include monetary losses due to delays in processing important information, waste of individual or work group time and/or materials, damage to buildings and equipment, or minor personal injuries.</p>
4	<p>Work results may have a wide-ranging short-term impact throughout the City. Activities and recommendations have an impact on operations, financial management, health, safety, public image, employee morale, and/or clients/customers/patients. The employee is responsible for the accuracy, thoroughness, timely and cost effective completion of individual and group work. Must coordinate work products or projects with other individuals or teams.</p> <p>The nature of work (e.g. specialized technical procedures, extensive analysis, etc.) means that errors in judgment or techniques would probably be difficult to detect. Potential consequences may result in excessive costs (e.g., the purchase of unsuitable equipment and/or materials, following inaccurate or otherwise inappropriate procedures), delay of service delivery, or direct financial loss or adverse legal repercussions.</p>
5	<p>Work results may have a wide-ranging, medium-term impact throughout the City. Activities and recommendations have a significant impact on operations, financial management, health, safety, public image, employee morale, and/or clients/customers/patients. The employee is responsible for organization or department-level operations, their operating and/or technical procedures, service delivery, contributions to cross organizational or municipal department plans and objectives, and financial and other resource management including buildings, equipment and manpower.</p> <p>Potential errors could severely jeopardize departmental operations or have direct financial or negative legal repercussions.</p>
6	<p>Activities, decisions and possibly approvals have wide-ranging, long-term impact internally and externally to the City. Decisions and actions have an extreme impact on operations, financial management, health, safety, public image, employee morale, and/or clients/customers/patients, etc. The work involves determining or recommending service levels; planning, developing, and carrying out vital administrative programs essential to the missions of the agency or affecting large numbers of people on a long-term or continuing basis.</p> <p>Potential errors in judgement could have an immediate or long term adverse effect on the municipality's operations, costs, its ability to meet established goals and objectives and upon the quality of work. Errors could jeopardize the operations and/or future/long-term goals, and performance and/or sustainability of the organization as a whole.</p>

FACTOR 8 – PHYSICAL DEMANDS

Factor 8 addresses the requirements and physical demands placed on the employee. This includes physical characteristics and abilities, e.g., specific agility and dexterity requirements, and the physical exertion involved in the work, e.g., climbing, lifting, pushing, balancing, stooping, kneeling, crouching, crawling, or reaching. Efforts such as climbing, lifting, stooping, and reaching can be very important.

The factor level should state how often and how intense the activity is and should include any physical characteristics or special abilities needed, such as specific agility or dexterity requirements. To some extent the frequency or intensity of physical exertion must also be considered, e.g., a job requiring prolonged standing involves more physical exertion than a job requiring intermittent standing.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES category to this factor is labeled "Factor 8, Physical Demands"

Intensity	Frequency		
	Occasional (<33%)	Regular (33 - 66%)	Constant (>67%)
<p>Work is largely sedentary, and requires little physical effort. Forces exerted are equivalent to lifting less than 10 lbs.</p> <p>Work effort generally involves sitting with intermittent periods of stooping, walking, standing, reaching, lifting, or bending; carrying of light items, such as papers, books, or small parts; operating a computer or other office equipment, keyboarding and filing; or driving an automobile.</p> <p>The job requirements for manual dexterity or physical manipulation are limited. The degree of physical strain produced on the job is somewhat taxing, but does not usually produce fatigue or require periods of rest.</p>	1	1	1
<p>Work requires moderate physical effort. Forces exerted are equivalent to lifting between 10 and 25 lbs.</p> <p>Job requirements for manual dexterity or physical manipulation are moderate. The degree of physical strain produced on the job is moderately taxing and fatiguing. Work may involve longer periods of walking, standing, confining or tiring work positions, or extended periods of in one position where there is limited freedom to walk/move about. Other physical exertion may include walking over rough, uneven, or rocky surfaces; recurring bending, crouching, stooping, stretching, reaching, or similar activities; using hand and power tools, or climbing a ladder.</p>	2	3	4

<p>Work requires heavy physical effort. Forces exerted are equivalent to lifting between 25 and 50 lbs.</p> <p>The degree of physical strain produced on the job is high, resulting in fatigue and requiring periods of rest. Job requirements for manual dexterity and physical manipulation are high. There may be a requirement for extended periods of standing or sitting. Work could involve the coordination of body movements involving various body postures. Work may require the person to be active physically for extended periods, to perform moderate manual labor for long periods; to push and shove heavy objects; or to periodically exert strenuous effort.</p>	3	4	5
<p>Work requires very heavy physical effort. Forces exerted are equivalent to lifting more than 50 lbs.</p> <p>The degree of physical strain produced on the job is very high resulting in considerable fatigue and requiring periods of rest. Work could require very fine dexterity and extreme muscular control, involving various body postures that could include standing, sitting or working in a confined space, or heavy manual labor effort on a continuous basis.</p>	4	5	6

FACTOR 9 – WORK ENVIRONMENT

Factor 9 considers the risks and discomforts in the employee's physical surroundings, or the nature of the work assigned and the safety regulations required. Although the use of safety precautions can practically eliminate a certain danger or discomfort, such situations typically place additional demands upon the employee in carrying out safety regulations and techniques.

It is not necessary to describe normal everyday safety precautions, such as use of safe work practices in an office or observance of fire regulations and traffic signals.

For additional guidance on this factor, evaluators may reference the position classification standards in the federal FES system. The most similar federal FES category to this factor is labeled "Factor 9, Work Environment."

Intensity	Frequency		
	Occasional (<33%)	Regular (33 - 66%)	Constant (>66%)
<p>Incidental adverse conditions. The environment involves everyday risks or discomforts that require normal safety precautions typical of such places as offices, meeting and training rooms, libraries, residences, or commercial vehicles, e.g., use of safe work practices with office equipment, avoidance of trips and falls, observance of fire regulations and traffic signals. The work area is adequately lighted, climate-controlled (heating, cooling), and ventilated.</p> <p>Duties of the job present little or no potential for injury</p>	1	1	1
<p>Limited adverse conditions. Overall good working conditions, but with exposure to some undesirable or unpleasant environmental characteristics. This may include significant air temperature fluctuations, odors and/or fumes, dust and temporary exposure to weather. Work is generally performed in climate-controlled conditions as in an office, corridors, assembly area, or a light or medium duty maintenance shop; outside activities may have to be suspended during inclement weather.</p> <p>Duties generally do not present any occupational risk. Minor injury could occur, however, through employee failure to follow safety procedures. Examples of injury include minor bruises from falls, minor cuts or burns, or muscular strains from lifting or carrying heavy objects.</p>	2	2	2
<p>Moderately adverse conditions. Working conditions which involve moderately adverse and undesirable environmental conditions. May have exposure to inclement weather, dirt,</p>	3	4	5

<p>grease or other adverse elements; some high levels of noise; some exposure to smoke, fumes, irritating chemicals; working around machinery and its moving parts; occasional chance of injury or attack, possible exposure to communicable diseases; occasional work at heights, or prolonged pressure during emergencies.</p> <p>Special safety precautions or protective clothing such as gowns, coats, gloves, shields, or boots may be required at this level.</p> <p>Duties present potential risk of minor injuries which could result in loss of time from work. Examples of injury include sprains, burns from chemicals, steam or fire, muscular strains from working with heavy materials and illness from exposure to communicable disease.</p>			
<p>Highly Adverse conditions. The work involves exposure to physical hazards, health and safety risks, adverse or otherwise undesirable characteristics in the environment. Many perform work outdoors regardless of the weather, recurring chance of physical injury or attack; frequent work at great heights or with high voltage equipment. Work involves the exposure to several adverse elements on a continuing and prolonged basis.</p> <p>Duties may involve frequent exposure to hazardous conditions involving the possibility for serious injury or occasional exposure to conditions which could result in total and permanent disability or loss of life. Safety equipment or precautions must be followed closely.</p>	4	5	6

POINT FACTOR GRADES AND RANGES

POINTS RANGE		GRADE
83	97	1
98	115	2
116	136	3
137	160	4
161	189	5
190	224	6
225	264	7
265	312	8
313	369	9
370	435	10
436	514	11
515	607	12
608	717	13
718	846	14
847	1000	15

POINT FACTOR CORRESPONDING SALARIES (FOR REFERENCE ONLY)

PAY GRADE	ANNUAL SALARY			HOURLY EQUIVALENT		
	MINIMUM	MIDPOINT	MAXIMUM	MINIMUM	MIDPOINT	MAXIMUM
1	\$20,280.00	\$27,040.00	\$33,800.00	\$9.75	\$13.00	\$16.25
2	\$22,135.62	\$29,514.16	\$36,892.70	\$10.64	\$14.19	\$17.74
3	\$24,161.03	\$32,214.71	\$40,268.38	\$11.62	\$15.49	\$19.36
4	\$26,371.76	\$35,162.35	\$43,952.94	\$12.68	\$16.90	\$21.13
5	\$28,784.78	\$38,379.71	\$47,974.63	\$13.84	\$18.45	\$23.06
6	\$31,418.59	\$41,891.45	\$52,364.31	\$15.11	\$20.14	\$25.18
7	\$34,293.39	\$45,724.52	\$57,155.65	\$16.49	\$21.98	\$27.48
8	\$37,431.23	\$49,908.31	\$62,385.39	\$18.00	\$23.99	\$29.99
9	\$40,856.19	\$54,474.92	\$68,093.65	\$19.64	\$26.19	\$32.74
10	\$44,594.53	\$59,459.38	\$74,324.22	\$21.44	\$28.59	\$35.73
11	\$48,674.93	\$64,899.91	\$81,124.89	\$23.40	\$31.20	\$39.00
12	\$53,128.69	\$70,838.25	\$88,547.81	\$25.54	\$34.06	\$42.57
13	\$57,989.96	\$77,319.95	\$96,649.94	\$27.88	\$37.17	\$46.47
14	\$63,296.04	\$84,394.73	\$105,493.41	\$30.43	\$40.57	\$50.72
15	\$69,087.63	\$92,116.84	\$115,146.05	\$33.22	\$44.29	\$55.36

FACTOR DEGREES AND CORRESPONDING POINT VALUES

FACTORS	LEVELS									
	0	1	2	3	4	5	6	7	8	9
1 Knowledge & Skill	-	20	27	36	47	63	84	112	150	200
2 Communication	-	8	13	24	42	75	-	-	-	-
3 Independence of Judgement/Supervision Received	-	13	22	40	70	125	-	-	-	-
4 Supervision Exercised	0	18	28	44	70	110	175	-	-	-
5 Complexity	-	15	24	38	60	95	150	-	-	-
6 Confidentiality	-	8	13	24	42	75	-	-	-	-
7 Impact & Accountability	-	10	16	25	40	63	100	-	-	-
8 Physical Demands	-	5	8	13	20	32	50	-	-	-
9 Work Environment	-	5	8	13	20	32	50	-	-	-

Attachment to Ordinance No. 2020-123

POINT FACTOR EVALUATION WORKSHEET

POSITION TITLE/CLASSIFICATION: _____

DEPARTMENT / DIVISION: _____

FACTORS	LEVELS										POINTS
	0	1	2	3	4	5	6	7	8	9	
1 Knowledge & Skill	-	20	27	36	47	63	84	112	150	200	
2 Communication	-	8	13	24	42	75	-	-	-	-	
3 Independence of Judgement/Supervision Received	-	13	22	40	70	125	-	-	-	-	
4 Supervision Exercised	0	18	28	44	70	110	175	-	-	-	
5 Complexity	-	15	24	38	60	95	150	-	-	-	
6 Confidentiality	-	8	13	24	42	75	-	-	-	-	
7 Impact & Accountability	-	10	16	25	40	63	100	-	-	-	
8 Physical Demands	-	5	8	13	20	32	50	-	-	-	
9 Work Environment	-	5	8	13	20	32	50	-	-	-	
TOTAL											
CORRESPONDING GRADE (1 TO 15)											

POINTS RANGE		GRADE
83	97	1
98	115	2
116	136	3
137	160	4
161	189	5

POINTS RANGE		GRADE
190	224	6
225	264	7
265	312	8
313	369	9
370	435	10

POINTS RANGE		GRADE
436	514	11
515	607	12
608	717	13
718	846	14
847	1000	15

EVALUATION COMPLETED BY: _____

INCUMBENT
 SUPERVISOR
 HUMAN RESOURCES
 OTHER _____

NAME: _____

DATE: _____

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**ORDINANCE NO. 2020 - 124
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE CITY AUDITOR'S OFFICE TO PAY AN INVOICE THAT DID NOT RECEIVE AUTHORIZATION BEFORE SERVICES WERE PERFORMED, AND DECLARING AN EMERGENCY.

WHEREAS, The Muskingum County Engineer's Office (MCEO) performed street maintenance services for the City of Zanesville Street Department for the chip seal project for Calvert Street and Arcadia Lane ; and

WHEREAS, no purchase orders were obtained prior to the service provided by MCEO and prior to the receipt of an invoice for said services for the chip seal project, making it necessary for City Council to approve payment; and

WHEREAS, failure to pay City invoices when due could subject the City to collection issues and possible litigation, thereby affecting the public welfare.

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

SECTION ONE: The proper City official is authorized to pay an invoice received from MCEO in the amount of \$8,897.24 for services performed prior to a purchase order being opened form line item 202-6541-54426.

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

**THIS LEGISLATION APPROVED
AS TO FORM**

Donald L. Mason, Mayor

LAW DIRECTOR'S OFFICE



INVOICE

155 Rehl Rd.
Zanesville, Ohio 43701
Phone: (740) 454.0155
Fax:(740) 455.7180
engineer@mceo.org

Date: 9/30/2020
Invoice #: 2020-84
For: CHIP SEAL CMS2

Bill To:

CITY OF ZANESVILLE
401 MARKET STREET
ZANESVILLE, OHIO 43701

Quantity	Description	Unit price	Amount
1	CMS-2 OIL FOR CHIP SEAL PROJECT (4,376.29 GAL)	\$ 8,897.24	\$ 8,897.24

Make all checks payable to :
MUSKINGUM COUNTY ENGINEER

AMOUNT DUE \$ 8,897.24

**ORDINANCE NO. 2020 - 125
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A STREETLIGHT AUDIT PROJECT WITH TANKO LIGHTING FOR A COMPREHENSIVE GIS AUDIT OF THE STREETLIGHT SYSTEM WITHIN THE CITY OF ZANESVILLE.

WHEREAS, the City of Zanesville is contracted with American Electric Power ("AEP") to provide street lights; and

WHEREAS, the City of Zanesville does not have a reasonable method to audit the number of street lights, the type of street lights, and the location of street lights for which AEP bills the City of Zanesville; and

WHEREAS, the inability to perform an accurate audit precludes the City of Zanesville from accurately certifying accounts payable to AEP; and

WHEREAS, the Administration is interested in entering into an agreement with Tanko Lighting ("Tanko") (Proposal for said agreement attached hereto as Exhibit A and incorporated as though rewritten herein); and

WHEREAS, pursuant to the terms set forth in the Proposal, Tanko will provide a comprehensive GIS Audit and data reconciliation of City-owned and utility-owned streetlight fixtures within the City of Zanesville; and

WHEREAS, said agreement with Tanko will assist the City in certifying accounts payable to AEP, as well as providing analysis of the City's streetlight system for purposes of energy savings and possible future conversions; and

WHEREAS, pursuant to the Agreement, the City of Zanesville will pay Tanko the amount of \$20.00 per lighting fixture, said amount not to exceed \$49,950.00;

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

SECTION ONE: This Council of the City of Zanesville hereby authorizes the Mayor, or his designee, to enter into an agreement with Tanko Lighting, with terms and conditions substantially similar to the Proposal attached hereto, for the comprehensive GIS Audit and data reconciliation of City-owned and utility-owned streetlight fixtures within the City of Zanesville.

SECTION TWO: The estimated cost of the City's obligations under this Agreement are \$20.00 per fixture, in an amount not to exceed \$49,950.00, and shall be paid from the following line items: 101-7863-53299, 101-7951-53434, 201-1111-53299, 202-6541-53299, 270-1041-53299, 603-5470-53299, 604-5450-53299, 608-5462-53299, 650-5481-53299.

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

Ordinance No. 2020-125

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

**ORDINANCE NO. 2020 - 126
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, FOR THE RECONSTRUCTION OF IR 70 THROUGH THE CITY OF ZANESVILLE.

WHEREAS, the Administration is interested in entering into a Maintenance Agreement with the State of Ohio, Department of Transportation (“ODOT”) (“Agreement” attached hereto as Exhibit A and incorporated as though rewritten herein); and

WHEREAS, pursuant to the Agreement, ODOT will agree to reconstruct, rehabilitate, and widen IR 70 through the City of Zanesville to allow for proper maintenance of traffic; and

WHEREAS, said Agreement also allows for the replacement of median barriers, lighting, drainage system, guardrail, overhead signs, and certain other betterments set forth in the Agreement; and

WHEREAS, pursuant to the Agreement, the City of Zanesville will incur those obligations set forth in the Agreement, including but not limited to certain aesthetic feature maintenance, landscaping and litter requirements;

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

SECTION ONE: This Council of the City of Zanesville hereby authorizes the Mayor, or his designee, to enter into the Maintenance Agreement, attached hereto, for the improvements to IR 70 through the Zanesville corporation limits.

SECTION TWO: 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

Ordinance No. 2020-126

APPROVED: _____, 2020

**THIS LEGISLATION APPROVED
AS TO FORM**

DONALD MASON
Mayor

LAW DIRECTOR'S OFFICE

ODOT AGREEMENT NO. 34772

**MAINTENANCE AGREEMENT
BETWEEN
THE CITY OF ZANESVILLE
AND
THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION
MUS-IR70-10.49
PID 93006
Interstate 70 through Zanesville**

This Maintenance Agreement (defined as the "Agreement") is made by and between the State of Ohio, acting by and through the Director of Transportation (defined as "ODOT"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of Zanesville, an Ohio municipal corporation (defined as "THE CITY"), 401 Market Street, Zanesville, Ohio 43701 (defined collectively as "the Parties").

WHEREAS, §§ 5501.11(A) and 5501.31 of the Ohio Revised code provides that ODOT may cooperate with municipal corporations in the establishment, construction, reconstruction, and improvement of public roads and bridges; and

WHEREAS, § 5501.03(A)(3) of the Ohio Revised Code provides that the Director of Transportation may coordinate the activities of the Department of Transportation with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS, in accordance with § 5515.01 of the Revised Code, the Director of Transportation may grant a permit to any individual to use or occupy such portion of the highway system that will not incommode the traveling public; and

WHEREAS, THE CITY promotes working cooperatively with surrounding jurisdictions and political subdivisions to promote regional transportation planning and programming; and

WHEREAS, ODOT and THE CITY have agreed that ODOT will reconstruct IR 70 through THE CITY; and

WHEREAS, this project, **MUS-IR70-10.49, PID 93006**, is hereinafter defined as "THE PROJECT" and is described as follows:

Major rehabilitation of IR 70 through Zanesville, **MUS-IR70-10.49**. This includes the partial widening of IR 70 to allow for proper maintenance of traffic. Includes replacement of median

barrier, lighting, drainage system, guardrail, and overhead signs. Project improves vertical clearance issues on overhead bridges and bridge deck replacements; and

WHEREAS, THE CITY has requested that ODOT incorporate into THE PROJECT certain aesthetic treatments on the State Street Overpass, as described by SFN 6002730, MUS-60G-0.33, and is more particularly described in Section 2.1 of this Agreement; and

WHEREAS, the above-mentioned aesthetic treatments amount to improvements over and above those construction specifications either explicitly set forth in ODOT's Location and Design Manual, Construction and Material Specifications, or regularly adopted as ODOT Standards for state highway construction (defined as the "Betterments"); and

WHEREAS, ODOT and THE CITY have agreed that, in lieu of the procurement by THE CITY of this additional funding necessary to build out and maintain these Betterments, THE CITY shall provide, or cause to be provided, the maintenance of certain ODOT owned Right of Way associated with IR 70 and the ramp areas that are connected with IR 70 within THE CITY, as bounded and further described by Exhibit A, attached and incorporated by reference to this Agreement;

NOW THEREFORE, in consideration of the mutual covenants and benefits stated herein, and in further consideration of the obligations, terms and considerations hereinafter set forth and recited, ODOT and THE CITY agree as follows:

1. OBLIGATIONS OF THE CITY

- 1.1. **Scope of Maintenance.** THE CITY shall bear all costs to provide or cause to be provided the routine and aesthetic feature maintenance as described below, and as defined in the Ohio Revised Code §§ 5501.31, 5501.49, 5511.01 and 5535.08 (defined as the "Maintenance"). THE CITY's obligation to provide or cause to be provided the Maintenance shall begin on January 1, 2021.
- 1.2. **Geographic Limits of Maintenance.** The Maintenance shall occur exclusively within the geographic boundaries of THE PROJECT limits, as highlighted and further described in Exhibit A, which is hereby attached and incorporated by reference to this Agreement.
 - 1.2.1. **Landscaping.** THE CITY shall be responsible for, and shall bear all costs to provide or cause to be provided, the routine maintenance of the following:
 - 1.2.1.1. All top soil and plant material including, without limitation, trees, shrubs, and grasses; THE CITY shall obtain ODOT's approval prior to altering the landscape and associated non-structural hardscape elements in accordance with ODOT's Location & Design Manual, Construction and Material Specifications and ODOT standards. However, THE CITY may replace landscaping plantings with the same or similar plant species or with those having a similar growth habit, as long as they are in accordance with ODOT's Location & Design Manual, Construction and Material Specifications and ODOT standards.
 - 1.2.1.2. Mowing of all appurtenances of the landscaping design, including weed eating and spot mowing of all guardrails.

- 1.3. Routine litter pick-up and the pick-up and disposal of items on non-regular schedules as a result of debris being blown out of vehicles or the result of roadway dumping. All litter and trash will be the responsibility of The CITY to dispose of properly and at their cost. The CITY agrees to maintain traffic on the lanes, shoulders, and exit and entrance ramps to the interstate system while performing maintenance activities along IR 70 in accordance with the applicable ODOT standards. Any activities requiring lane, shoulder, or ramp closures will be performed in accordance with the current Temporary Traffic Control Manual and the Ohio Manual of Uniform Traffic Control Devices. Lane closure/restrictions charts, as provided in the ODOT Traffic Engineering Manual and the Permitted Lane Closure Schedule (PLCS) web-based tool, shall be used when performing the Maintenance.
- 1.4. Highway appurtenances disturbed by THE CITY or its agents shall be restored using materials, design, and workmanship in conformance with ODOT's Location and Design Manual, Construction and Material Specifications, and ODOT Standards. Any changes other than restoration to the original state requires ODOT's prior written approval.

2. OBLIGATIONS OF ODOT

- 2.1. ODOT agrees to provide all costs to construct or cause to be constructed the Betterments, as more particularly described below:
 - 2.1.1. A decorative vandal protection fence constructed to the same specifications as that decorative vandal protection fence constructed at Thornwood Crossing, as depicted in a picture of decorative vandal protection fence, attached and incorporated by reference to this Agreement as Exhibit B;
 - 2.1.2. Decorative roadway lighting, as specified in the 6th Street Enhancement Project (PID 78719), which specifications are further depicted and displayed in Exhibit C, attached and incorporated by reference to this Agreement; and
 - 2.1.3. Lettering on the Westbound-facing fence line of the decorative vandal protection fence, which reads "ZANESVILLE";
- 2.2. Subject to the restrictions of state and federal law, including but not limited to the Highway Beautification Act, ODOT shall not unreasonably deny THE CITY and any future developer permits that meet the development and aesthetic needs of THE CITY and ODOT.
- 2.3. Structural repairs shall remain the responsibility of ODOT in accordance with the Ohio Revised Code. ODOT shall incorporate the replacement or restoration of project affected aesthetic features of bridges and walls.
- 2.4. All aesthetic features will be maintained by THE CITY.

[remainder of this page left blank intentionally]

3. TERMINATION AND MODIFICATION

The term of this Agreement shall commence on January 1, 2021; this term may be reviewed by either Party for modification every ten (10) years. This Agreement shall not be amended or terminated except by mutual agreement between the Parties, which is executed in writing and specifically incorporates this Agreement by way of reference.

4. GENERAL PROVISIONS

- 4.1. The signing of this Agreement does not in any way abridge the right of the Director of Transportation's jurisdiction over the state highway system. If at any time it becomes necessary, in the opinion of the Director of Transportation, to order the removal, reconstruction, relocation, or repair of the Betterments, or any other improvement or other feature, as described in this Agreement, for the safety of the traveling public, said removal work shall be completed wholly at the expense of THE CITY, and be made as directed by the Director of Transportation.
- 4.2. This Agreement constitutes the entire Agreement between the Parties regarding THE PROJECT. All prior discussions, understandings, agreements, and exchanges between the Parties Zanesville regarding maintenance of THE PROJECT, whether verbal or written, are superseded by this Agreement.
- 4.3. Any modifications to this Agreement shall be agreed to by the Parties in writing, and shall specifically reference this Agreement.
- 4.4. Neither this Agreement nor any rights, duties, or obligations described herein shall be assigned to any party hereto without the express written consent of the other Party.
- 4.5. This Agreement shall be construed and interpreted, and the rights of the Parties determined, in accordance with the laws of the State of Ohio.
- 4.6. The District Deputy Director of District 5 shall have authority to ensure the compliance of the provisions of this Agreement.
- 4.7. The execution by the Parties of this Agreement, or the performance of substantial work thereunder, shall constitute an agreement by the Parties to comply with all of the terms, conditions, and restrictions of this Agreement.
- 4.8. To the extent permitted by law, and without waiving Ohio's political subdivision immunity, THE CITY shall be responsible for all loss, liability, damages to any person, property, or business directly caused by THE CITY.
- 4.9. THE CITY shall comply with the air pollution requirements of Rule 3745-17-08 of the Ohio Administrative Code promulgated and enforced by the Ohio Environmental Protection Agency and all other permits applicable to the actions of THE CITY.

[remainder of this page left blank intentionally]

4.10. It is expressly understood by the Parties that all financial obligations of the State of Ohio are subject to the provisions of § 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by ODOT. If the Ohio General Assembly fails at any time to continue funding for maintenance and inspection projects hereunder, this Agreement is hereby terminated as of the date that the funding expires without further obligation of ODOT or THE CITY.

4.11. Notice under this Agreement shall be directed, in writing, as follows:

**Ohio Department of Transportation District 5
9600 Jacksontown Road, Jacksontown, Ohio 43030
Attn: Jason Sturgeon, P.E., District Deputy Director**

**City of Zanesville
401 Market Street, Zanesville, Ohio 43701
Attn: Mayor Donald L. Mason**

4.12. Any person executing this Agreement in a representative capacity hereby warrants that he or she has been duly authorized by the Party to execute on the Party's behalf.

4.13. Either Party hereto may deliver a copy of its counterpart signature page to this Agreement via fax or email. Each Party hereto shall be entitled to rely upon a facsimile or electronic signature of the other Party delivered in such a manner as if such signature were an original.

STATE OF OHIO

CITY OF ZANESVILLE

Department of Transportation

By: _____
Jack Marchbanks, Director

By: _____

Date: _____

Date: _____

For Use by ODOT Chief Legal
Counsel Only:
Date Reviewed: _____

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.

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