

**City Council meeting
Agenda of business
November 09, 2015**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

1. Communication from Mayor Tilton – Board appointment for Zanesville Community Improvement Corporation-Recommendng the appointment of Christy Woodburn to fill the unexpired term of Gene McDonald to the Zanesville Community Improvement Corporation Board. Ms. Woodburn's term will end December 31, 2016.
2. Communication from Jay Bennett, Public Service Director – Third Quarterly Report for Zanesville Municipal Airport for 2015.
3. Communication from Jay Bennett, Public Service Director – City Cemeteries Third Quarterly Report for 2015.
4. Resolution No. 15-111 – Introduced by Council – A Resolution in support of City of Zanesville Law Enforcement and Law Enforcement Officers Nationwide. (Second Reading)

D. Proposed ordinances

5. Ordinance No. 15-126 – Introduced by Council – An Ordinance authorizing the proper city official to apply for grant funding from the FAA for FY 2016 projects and accept funding, if awarded, and declaring an emergency. (Emergency or First Reading)
6. Ordinance No. 15-127 – Introduced by Council – An Ordinance authorizing the proper city official to accept grant funding through the Ohio Division of Aviation, Ohio Department of Transportation, for certain improvements to the Zanesville Municipal Airport, and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

7. Ordinance No. 15-119 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2016. (Second Reading)
8. Ordinance No. 15-123 – Introduced by Council – An Ordinance amending Chapters 922 and 923 of the City of Zanesville’s Codified Ordinances, regarding discharges to the sanitary sewer systems. (Second Reading)
9. Ordinance No. 15-115 – Introduced by Council - An Ordinance authorizing the proper city official to provide funds to the Muskingum Economic Opportunity Action Group. (Third Reading)
10. Ordinance No. 15-116 - Introduced by Council – An Ordinance authorizing the proper city official to provide amenities for the City Employee’s United Way Fundraiser. (Third Reading)
11. Ordinance No. 15-117 – 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 2016. (Third Reading)
12. Ordinance No. 15-118 A – Introduced by Council – An Ordinance to adopt Chapter 182 of the Codified Ordinances of the City of Zanesville regarding Municipal Income Tax. (Third Reading)

F. Traffic orders

G. Miscellaneous and unfinished business

H. Private petitions and communications

Non-agenda item petitions filed

Mr. Eric Jones regarding Police Comments

CITY COUNCIL MEETING – MONDAY, OCTOBER 26, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, October 26, 2015 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

We are honored to have two scout troops with us this evening. Scout Troop 194 from Avondale and Scout Troop 158 from Euclid Avenue Church. That is excellent. We are glad you are here gentlemen. If everyone will stand and join me in the Lord's Prayer and then we will have our Scout Troops lead us in the Pledge of Allegiance to the Flag.

Mr. Vincent led those present in the Lord's Prayer.

The Boy Scout Troops led those present in the Pledge of Allegiance to the Flag.

Mr. Vincent: Thank you gentlemen. We are honored that you are here.

The following members of Council answered Roll Call: Mrs. Gentry, Mrs. Norman, Mr. Hutcheson, Mr. Roberts, Ms. Gildow, Mr. Foreman, Mr. Sharrer, Mr. Tarbert, Mr. Baker, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Vincent: We are now at the approval of the minutes for October 13, 2015.

Mr. Roberts moved to make a correction to page 13 of 16 should be libel not liable. It was seconded by Mr. Tarbert.

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

All were in favor. None were opposed.

Motion carries.

Mr. Vincent: We are now at the approval of the minutes for Tuesday, October 13, 2015 as amended.

Mr. Hutcheson moved to accept the minutes of October 13, 2015 as corrected, seconded by Ms. Gildow.

All were in favor. None were opposed.

Motion carries. The minutes stand approved as amended.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Resolution No. 15-111 – Tabled until November 9, 2015

PROPOSED ORDINANCES

Ordinance No. 15-119 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2016.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion? We have Mr. Howard Stewart, the Director, is here and Council you also have it looks like a table here in front of you showing some expenses. Mr. Stewart, thank you for coming. We appreciate it, sir. We are looking forward to the annual report.

Mr. Howard Stewart: Thank you for having me. First of all I want to give this to Ms. Gildow because I know she is going to ask the question. We have errors at S.E.A.T. and it is called B.H. before Howard. When I started in 2012 we hadn't done a 2010 audit or a 2011 audit and we did those in about four months. It was taxing believe me not; learning about transit, federal compliance, and the shape we were in. We had fifty-five findings in 2010, in 2011 we had eighteen, in 2012 we had five, in 2013 we had three, and in 2014 we were perfect. We have no findings and no issues what so ever. So Ms. Gildow, as far as finances are concerned; we are in great shape.

Ms. Gildow: May I make a comment?

Mr. Vincent: Sure.

Ms. Gildow: Great Job!

Mr. Stewart: My staff did a tremendous job on a little under a three million budget. We are purchasing buses every year. We are working collaboratively with the City. We are purchasing capital assets for improvement of the building. Our partners in Cambridge we are making sure they are satisfied with buses over there. So that is a 20% match on our behalf on local funds and that is what helps us, the local match coming from the City of Zanesville to help us purchase that equipment. We will keep improving. We will keep the buses clean. We keep nice buses running on the street. I think you have something to be very proud of as far as rural transit is concerned here in Zanesville. We get a lot of complements. Again we are one of the largest rural transits in the State of Ohio out of thirty-three. Of course, we can't compete with COTA, or Akron Metro, or Greater Dayton, or Greater Cleveland, but we can hold our own as far as transportation is concerned. In front of you, you have a rundown of our operations for 2015 thus far this year. We have our fixed routes there. That is just this year. We have our E & D. That stands for elderly and disabled. That is how many elderly and disabled individuals we have transported this year to date. EZ Ride, that is elderly and disabled, on the street route. If you are an EZ Ride client you also qualify for E & D as well. So you put those two numbers together and that is the total individuals we are hauling as far as E & D is concerned, plus a few other miscellaneous contracts. You can see the totals over here for 2015 so far. Matching it up with 2014, over 2013 we are about 7% over 2013's

number and about 3.5% over 2014's number so people are taking advantage of public transportation. They are utilizing it. Mr. Baker, we are still working on Greenwood. We are pulling and pulling and believe it or not it is up.

Mr. Baker: He knew that was coming too.

Mr. Stewart: I knew it was coming. Believe it or not, Maple used to be our biggest route, but the Putnam/Brighton/Pine has surpassed Maple Avenue. A lot of people are going South. We are looking at that route. It is kind of hard to make it down Maysville Pike in half an hour and back with the traffic. Of course you have all been on SR 22 especially on a Friday and when you are stopping and picking up people. We have seven wheelchairs on that route. So when you are loading wheelchairs, it takes about three to five minutes to load a wheelchair. If you load a wheelchair first and you are driving to where that first wheelchair needs to get off first you have to unload the second chair and get that person off and then put the other wheelchair back on, all within a time frame. This is the puzzle we put together every day transporting about 450 people a day with our demand response and our street route. So it is taxing. We have some great drivers. They do a great job. They are courteous. They are professional. We had a rough summer. We had a driver pass away. We had two drivers have heart attacks. We had a hip replacement. We only have twelve drivers and when you take four out of it plus during the summer months are vacations. We had a lot of overtime, but we got it done. We got people where they needed to go and kudos to my staff. They did a great job. I have some great people working for me so I give them all of the credit. So if there are any questions. Mr. Bennett, you are a board member if you would like to add anything.

Mr. Bennett: I am the Mayor's appointment confirmed by Council, earlier this year, and coming on to the board and coming up to speed on the past and kind of understanding what happened several years ago. And then seeing the leadership that Howard and his current staff provided just in turning around this agency; that is so critical to building a community. We sat in a meeting last week and talked about economic development and getting people to jobs and having people job ready; this agency helps provide that. The funding, from the City, helps provide that, so kudos Howard. Thank you very much.

Mr. Stewart. Thank you. I appreciate those kind words.

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

Mr. Baker: I know that a while back that there had been some discussion about repair of the bus depot shelters particularly on the east side that have been deteriorated.

Mr. Stewart: Where at on the east side?

Mr. Baker: It has been too long. I can't remember off the top of my head.

Mr. Stewart: We have a bus shelter. We have two at the transit center. We have bus shelters that have been donated to us that we can track down clear back into the 1990's

from Kiwanis in front of the high-rise and down in South Zanesville. I am unaware of any other bus shelters on the east side of town. If there is, that is news to me.

Mr. Mark Baker: Okay, well if I find out some more information.

Mr. Stewart: Yes, please do. ODOT was giving away some bus shelters and they were the size of garages. They were 12' X 24'. I was trying to work with the hospital on Maple Avenue to try to get a bus shelter out there. We were going to go up and tear the bus shelter down and bring it back and we were asking them to pour a pad in between their surgery center and their new entrance. They were just not interested in that. We use the hospital as an on call type, if someone needs to be picked up we swing in there and if not Maple Avenue is such a tight route as well, that we keep on going. We do the same thing with the Social Security office and Autumn Healthcare out there. If there are people going to work we get them there. If we don't need to pick them up we go on to Northpointe, swing back around and start coming south. We call that an on call or deviated route. We are looking at that for Putnam as well. We have a lot of demand for kids going to Foxfire. We think that would be important to be a part of that route. I am looking at making that an hour long route. If we make that an hour long route that means we need to have a second hand route to meet the Brighton/Pine which I am looking at the west side of Zanesville. That means two more drivers. You are talking about \$54,000 a year in salary plus benefits, plus the overhead of a vehicle, somewhere in the area of \$7,000 to \$8,000 for equipment and gas. It is costly to do that. So they call me bottom line, my staff does. That is how we do things. Everything runs through the board. It is transparent. Jay shrills a little bit and says haven't we already gotten that taken care of in that Resolution? But I go ahead and do it anyway. So it is kind of double checking ourselves and making sure we are okay. Because ODOT keeps a thumb on us and then the FTA keeps a thumb on ODOT. In our audit, Ann, this is how complicated it can get. The GAAP accounting procedures say you are supposed to do it this way, but the FTA wants it done this way, so the two don't mesh together. Then we are two dings prior year, so actually we didn't get dinged for that this year and I don't think we should have gotten dinged for it the last couple years. So we were doing it the way that ODOT told us to do it, but the Auditor's, Mr. Yost, says to do it this way.

Mr. Foreman: I have a question. The route that you designed that goes to the east end out to National Road and Troon Crossing; do you have any numbers? Is that successful? Is that something that is being utilized? Is it going well is what I am asking.

Mr. Stewart: Sure, that is part of the Greenwood route. In 2014, I am looking at my numbers and we had total passengers of 3,813. We had 492 elderly and disabled take advantage of that route. We had 232 student fares, 1,333 regular fares and then there were 1,750 other fares. Those are transfers; people transferring and going to other facilities. Thus far this year we are at 3,274 so it looks like we are going to surpass 2014 numbers. 273 elderly and disabled and our regular fares are about 2600 and other is about 223.

Mr. Foreman: That is good. I am glad to hear that and I greatly appreciate your help with that because you were vital to making that happen. I think it is extremely important to the people on the east end of town who send their children out to National Road to have access to them during the day regardless of their own personal transportation issues. So that is very helpful and I appreciate it.

Mr. Stewart: We had a letter come in from Washington Place apartments out there and we had people sign that and we drove the route, looked at it, and we thought it made sense to go out that far, especially since the National Road School was out there and Troon Crossing income housing out there. It just made all the sense in the world. So if we are going to go west, we are going to look at something like that, out on the west end as well. Especially hit the apartments right there on 40, the income, with Eagle View apartments there? So we are looking at that. When you do something with ODOT it takes about six months to get things done.

Mr. Foreman: I know that I was very adamant about that, working with you. Just so you know it does benefit our students as well because our volunteerism is up at that school as well as participation at the parent/teacher conferences. I solely place that on that route. I think that is a major influence there.

Mr. Stewart: We appreciate that very much. I appreciate it.

Mr. Vincent: Is there anything else from Council? I bet you were surprised to hear that your services are impacting education to our students in the city?

Mr. Stewart: You know we are out there and we can't force people to ride, but we try to keep our services on time, our drivers are customer oriented, too customer oriented some times. They just get involved in just a little too much information with the passengers. It is there, but if people don't take advantage of it then shame on them because it is; you should be proud to have public transportation in Zanesville. That is the bottom line; that is what it boils down to, you should be proud.

Mr. Vincent: Okay, is there anything else from Council? Thank you, Mr. Stewart. We appreciate it. We can tell you have the pride in the services you provide and your staff. So that is great, thank you. So with that, if there is nothing else from Council, we are at first reading so all in favor of first reading signify by saying aye.

All present were in favor. None were opposed. Mrs. Gentry had stepped out for a moment.

Motion carries.

Mr. Vincent: With that if I could have a motion to temporarily excuse Mrs. Gentry.

Mr. Roberts moved.

Mrs. Gentry returned.

Mr. Roberts withdrew his motion.

Mr. Vincent: With that Mrs. Gentry, are you in favor of first reading for Ordinance 15-119.

Mrs. Gentry: Yes.

Ordinance No. 15-120 – Introduced by Council –An Ordinance amending Appropriation Ordinance 15-23 and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: I now need a motion for passage.

Mrs. Norman moved for passage, seconded by Mr. Foreman.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-121 – Introduced by Council –An Ordinance authorizing the proper city official to enter into a Federal Local LET Project Agreement with ODOT for the resurfacing and related work to Northpointe Drive from SR 146 to Maple Avenue, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? With no discussion, we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: I now need a motion for passage.

Ms. Gildow moved for passage, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? Mr. Bennett, it may have been in here but the timeline for this will be?

Mr. Bennett: This is scheduled for 2018. But it is a resurfacing project so if we push and we have the match then we can move it up.

Mr. Vincent: I went out specifically last night to drive that to see what kind of shape it was in and some areas are still very good and some areas that may look really bad with this winter coming.

Mr. Bennett: Yeah, we put some money in to it this year and we will continue to keep it patched up. It is Chip and I's mind to go ahead and push this forward quicker.

Mr. Vincent: Thank you and will Mr. Saunders be over this project as far as evaluating and save the City some money?

Mr. Bennett: Yes.

Chip Saunders: It is a local LET which means we will put the plans together. We will bid it. And we will be over the construction.

Mr. Vincent: So that will be our part for the twenty percent.

Mr. Bennett: When you see that is some of the match.

Mr. Vincent: So that is our City Engineer that is helping save money. So thank you. Is there anything else from Council? Okay we will have roll call vote for passage then.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-122 – Introduced by Council –An Ordinance authorizing the proper city official to accept grant funding through the Land and Water Conservation Fund for replacement of the play structures at Kidzville, located at Riverside Park, and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Vincent: I now need a motion for passage.

Mr. Hutcheson moved for passage, seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion? Mr. Bennett, do you want to add anything?

Mr. Bennett: I am excited to receive \$150,000 offer to be matched by \$150,000 local money. A project has to be done by 2017. We received an abundance of community support letters. Some big football team from Muskingum College is willing to come help build this thing. So all of that donation counts as part of our match. So it is a good project and excited to get going over the winter on planning it.

Mr. Vincent: Very exciting and I think a lot of the people who originally helped built it will be excited to come back and help redo things.

Jay Bennett: I have heard that they gave out kind of a medal for those who participated. That would be kind of cool to kind of reinvent that again.

Mr. Vincent: Okay. Is there anything else from Council? I guess one more thought that not only as far as serving the children and citizens here in the City; it is also an attraction here for people who come in from out of the City. I think that could benefit businesses.

Mr. Bennett: It is part of the design kind of concept that we submitted. We talked about adding a splash pad feature to start to incorporate water to the facility. I think that would draw people as well.

Mr. Vincent: I agree. I will look forward to that. With that we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-123 – Introduced by Council – An Ordinance amending Chapters 922 and 923 of the City of Zanesville's Codified Ordinances, regarding discharges to the sanitary sewer systems.

Mr. Vincent: We are at first reading.

Mr. Roberts moved for first reading, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Jay, a lot of discharge talk in here, could you boil this down for us into what this is going to accomplish?

Mr. Bennett: Specifically the City is permitted by Ohio EPA through its Waste Water Treatment Plant permit. We are required and have been for years to regulate industrial users that discharge into the sewer system. The City has been in compliance with those requirements for years. Mid to late 2000 the EPA came out with new streamlining regulations. It is interesting when they talk streamlining and it requires that much text to streamline. But it does. I got back last year and this was kind of sitting, waiting, and staff and I kind of took it on and worked with Ohio EPA. They have finally signed off on the changes that you see as compliant with their regulations; so next up would be for Council's consideration. I am happy to kind of work through that in a presentation with Council before you get to third reading.

Mr. Vincent: Is there anything else from Council? Mr. Bennett that is all guided by the EPA? Some of the wording though we had some leeway in it as far as deciding how we met the requirements?

Mr. Bennett: There is very little of that. We are required to develop standards. We have some local standards on oils, greases, and things of that nature, but when you start getting into more of the toxic type discharge, those are called categorical standards. The language talking about best management practices. There is some ability to consider that and to negotiate with our industries on that and some of that is outlined.

Mr. Vincent: With that, I think my interest and I think also Council's would be how much of this is EPA driven that we have no choice in versus is there anything we need to focus on that the City has some options in that we would want to consider.

Mr. Bennett: Yes, we can certainly present that before the second reading. We will have a presentation at the next meeting.

Mr. Vincent: Wonderful. Sounds good. Thank you, sir. Is there anything else from Council? With that, we are at first reading so all in favor of first reading signify by saying aye.

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

Ordinance No. 15-124 – Introduced by Council –An Ordinance authorizing the proper city official to execute a change order to Shelly & Sands for the 2015 Overlays Project, and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

8 Ayes

1 Nay- Mr. Baker

Motion carries.

Mr. Vincent: I now need a motion for passage.

Mr. Roberts moved for passage, seconded by Mrs. Norman.

Mr. Vincent: Is there any discussion?

Mr. Baker: What is the deterioration that led to the overrun?

Mr. Bennett: Center Drive, there were two decisions made that were out of necessity if you will. Extending Ohio Street beyond the projected limits as that project was going down Ohio Street it was looked at and decided, if we could, we needed to extend it to get on down to Westbourne. That was part of it. Once as many have seen, as you took off asphalt on Center Drive there was no base. So they had to add additional quantity to just bridge it if you will. So it was those two projects that.

Mr. Baker: Road extension and road stability basically. Okay.

Mr. Bennett: Correct.

Mr. Vincent: Is there anything else from Council? With that we have no other comments so we will move on to roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Mr. Vincent: Moving on to Ordinance 15-125 and before we start with that or ask for a motion on that; there was an error on the agenda. It doesn't change the actual Ordinance. The information is correct on it as far as with that the company is actually KE Site Company DBA Kendrick where the agenda has Shelly & Sands instead of the

KE Site Company DBA Kendrick. So with that if I could have a motion to amend the agenda.

Mr. Roberts moved, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion? All in favor of amending the agenda with the wording signify by saying aye.

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

Mr. Vincent: We are now at Ordinance 15-125 with the correction to the agenda and no correction to the Ordinance itself.

Ordinance No. 15-125 – Introduced by Council –An Ordinance authorizing the proper city official to execute a change order to KE Site Company DBA Kendrick for the Ridgewood Storm Sewer project, and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving? If there is no discussion we will go for roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Abstention Mr. Sharrer

Motion carries.

Mr. Vincent: I now need a motion for passage.

Mrs. Norman moved for passage, seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion? With no discussion we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstention Mr. Sharrer

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 15-115 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Muskingum Economic Opportunity Action Group.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: I guess in general if somebody could answer a question as to why we are donating \$10,000 to a 501(c) 3. I spoke with the Mayor earlier and it seems we have been doing this forever, but it has always been one of my favorite questions is to ask why we have been doing this forever. I have no quandaries with these people doing wonderful, wonderful work for the community. However, I question public purpose for taxpayers' dollars being given to a non-profit entity.

Mr. Vincent: Okay, thank you.

Rhonda Heskett: I feel that the City has always felt that it was important to support their cause because of the veterans they help, the senior citizens, and the underprivileged people. That has always been my impression as to why this Ordinance is always put on and why we expend those public funds for that purpose.

Mr. Bennett: Secondly I think what we have heard is the volume of external money they bring in to deliver those services. The City support is specifically to kind of pay for those audit expenses and those operational things that there never seems to be that amount of money. That seems to be why the City has always participated.

Mr. Roberts: I guess my only concern is several other entities such as this exists within the City. I don't want it to look like we are just giving this one \$10,000 a year and not contributing money to other ones. Or, opening ourselves up down the road to someone saying hey, can we also have \$10,000. I guess it is just my stance that these are public funds. This is a quasi-private entity.

Mrs. Norman: How many years have we done this? I have been on Council for twenty hundred years

(laughter broke out)

Mrs. Norman: and they have always given to this cause which helps a lot of senior citizens especially.

Mr. Roberts: I guess Mrs. Norman that is kind of part of my question. Just because things have always been done in a certain way doesn't always mean that they were done for the right reasons or it sometimes clouds our judgement in the fact that oh we have been doing this since this long ago. I guess I just wanted to open it up for discussion so that we actually vetted it and thought about what we were doing.

Mr. Tarbert: Would it be possible to have someone from this group come to the next Council meeting? We are at second reading tonight, correct?

Several people commented yes to second reading.

Mr. Tarbert: Could we have someone come to speak about this to see how they are using the money.

Comments were she was here at first reading.

Jay Bennett: I am sure they would have

Several people talking at the same time.

Mr. Vincent: Please, hold on, let's keep in order here

Mr. Tarbert: Mr. Roberts, do you have questions specifically for what is here?

Mr. Roberts: It is not even, I have looked through the materials they provided and I looked at their website to see if the services that they give to the community and don't get me wrong, I think they are doing very, very good things. I just question whether we as a municipality are in the business of doling out funds to non-profit entities in general, not so much specific to this exact one.

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

Mr. Baker: Are there any other non-profits that we contribute to? I don't recall any off the top of my head.

Jay Bennett: Certainly through CDBG we participate.

Howard Stewart: When I was at the Zanesville Civic League we had what we called Partnership for County-wide Basketball and the City through the Department of Recreation gave to the Partnership for County-wide Basketball. That was a collaborative engagement between Eastside Community Ministry, Salvation Army, Pierce Street Community Center and the Zanesville Civic League.

Mr. Vincent: Thank you Mr. Stewart. If you will wait to be recognized here.

Mr. Roberts: It was actually a question for Mr. Stewart. I believe I remember that coming through and I believe it was somewhere in the amount of \$500.

Mr. Stewart: If was no more than \$1,000 I know that.

Mr. Roberts: I guess that is kind of my point. That is an example of what we have of contributions to other non-profit entities in the City.

Mr. Vincent: With that I want to say, and I am sorry, but I need to keep things fair so with that please wait to be recognized as far as I can't have people talking out from the public. Okay? Is there anything else from Council? We are at second reading, all in favor of second reading signify by saying aye.

All were in favor except Mr. Roberts voted nay.
Motion carries.

Ordinance No. 15-116 – Introduced by Council – An Ordinance authorizing the proper city official to provide amenities for the City Employee's United Way Fundraiser.

Mr. Vincent: We are at second reading.

Ms. Gildow moved for second reading, seconded by Mr. Foreman.

Mr. Vincent: Is there any discussion?

Mr. Baker: Do we want to take a note that this is pretty much the same thing by providing amenities we were just talking about. I just thought I would throw that out there.

Mr. Vincent: Okay, Mr. Baker. Is there anything else?

Mr. Roberts: I guess the way that I would view this is it is an internal use of funds for the benefit of City employees and we are controlling the funds, I believe, so not exactly on the same basis.

Mr. Vincent: Is there anything else from Council? Okay, with nothing else we are at second reading so all in favor of second reading signify by saying aye.

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

Ordinance No. 15-117 – 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 2016.

Mr. Vincent: We are at second reading.

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

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

All were in favor except Mr. Tarbert and he abstained. None were opposed.

Motion carries.

Ordinance No. 15-118 A - Introduced by Council – An Ordinance to adopt Chapter 182 of the Codified Ordinances of the City of Zanesville regarding Municipal Income Tax.

Mr. Vincent: We are at second reading.

Mr. Hillis: It has come to my attention that the first Whereas in the Ordinance contains a typo when it refers to the Home Rule Amendment of the Ohio Constitution being Article XVII, Section 3 and it should be Article XVIII, Section 3. So if someone would please make a motion to amend that I will type up the amendment for your next meeting.

Mr. Roberts moved to amend, seconded by Mr. Tarbert.

Mr. Vincent: A motion by Mr. Roberts to amend under the first Whereas where it says Article XVII in Roman Numerals to change that to Article XVIII. It was seconded by Mr. Tarbert. Is there any discussion on that amendment? Hearing none, all in favor of that amendment signify by saying aye.

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

Mr. Vincent: We are now at ordinance 15-118 as amended for a second time. We are at second reading. Do I have a motion for second reading?

Ms. Gildow moved for second reading, seconded by Mr. Tarbert.

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

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

Ordinance No. 15-112 – Introduced by Council – An Ordinance authorizing a partnership agreement between Muskingum County and the City of Zanesville for the creation of a Countywide Analysis of Impediments Plan for Fair Housing and declaring an emergency.

Mr. Vincent: We are at third reading.

Mr. Hutcheson moved for third reading and passage, seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Jay, do you need us to waive this or is emergency language enough?

Mr. Bennett: No, this is fine.

Mr. Vincent: Is there any other discussion? With that, the emergency language in this it will pass as soon as I sign it and the Mayor signs it so we will be good to go. Okay, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 15-113 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract for grant writing and technical services for brownfield assessments and declaring an emergency.

Mr. Roberts moved for third reading, seconded by Mr. Tarbert.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

Traffic Order 15-14

Mr. Vincent: First Traffic Order 15-14. With that, I went down there last night trying to figure out where this location was and there is a word missing here to help clarify where it is. With that, the No Parking Zone is actually on Putnam Avenue. It is the only thing that fits here. So with that if Council so choses if they want to insert in Section One after No Parking Zone insert on Putnam and prior to 50 feet they can do that or if you are uncomfortable and want to wait for that to come back again, correctly, we can also go that route.

Mr. Hutcheson moved to amend Traffic Order 15-14 to read under Section One: Traffic Order 15-14 is hereby to establish a No Parking Zone on Putnam Avenue 50 feet from Jefferson Street south on the west side of the street.

It was seconded by Ms. Gildow.

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

All were in favor. Motion carried.

Traffic Order 15-14 as amended

Section One: Traffic Order 15-14 is hereby to establish a No Parking Zone on Putnam Avenue 50 feet from Jefferson Street south on the west side of the street.

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

Mr. Tarbert moved to receive, seconded by Mr. Hutcheson.

Mr. Vincent: Is there any discussion? Mr. Buck the reason for this is?

Mr. Buck: It is for sight distance. It is a dangerous situation there. When cars park at the Salvation Army down there you really can't see the oncoming traffic at all when you go to pull out there. With that distance it gives a line of sight with thirty-five miles per hour if they travel the speed limit.

Mr. Vincent: Have we had any accidents?

Fred Buck: No, we actually put up a speed sign. We have a mobile one to record any possible speeds we have there. It actually has been anywhere from 31 to 35 mile per hour. I am sure we are going to have some spikes in there, but we watched it and looked at it a couple of different times and pulled it and it seems to be okay. We are going to reverse it and look at the north bound traffic also.

Mr. Vincent: I did see a sign put up down there to tell people traveling through there as far as what their speed is. Hopefully that creates awareness then. Okay. Is there anything else from Council? Okay all in favor of receiving the amended traffic order signify by saying aye.

All were in favor. Motion carried. The traffic order is received.

Traffic Order 15-15

Section One: Traffic Order 06-02 is hereby rescinded which established a speed limit on Northpointe Drive from Newark Road (SR 146) to Brandywine Blvd. at 45 miles per hour.

Section Two: Traffic Order 15-15 is hereby to establish a 35 mile per hour speed zone on Northpointe Dr. from State Route 146 to Frazeyburg Road.

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

Mr. Hutcheson moved to receive and it was seconded by Mr. Tarbert.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Fred or Chip, what was the road designed, what was the speed for it?

Fred Buck: I think originally it was designed at 45 mph.

Chip Saunders: That is correct.

Fred Buck: But the problem of it is the crest of the hill versus traffic. Also the speed we are having there is a lot more than 45 mph. We had thirty-one accidents in the area. We have been given tasks to look at what we can possibly do to lower the traffic accidents. One of the things we talked about in Traffic Committee is we can put this out here. We can study it again for a few months and see if this works. If it doesn't work then we have to look at something else. This seems to be our best fit instead of putting a signal in.

Mr. Roberts: I understand that and I get why you are doing this, but I guess my only thought on this is if the road is still designed as a 45 mph road with the lane widths being what they are and no impediments being put up. I am sure people will get heftier tickets, but is it actually going to decrease speed. Is there anything that we have looked at in the way of crosshatch paint on the roads at dangerous intersections or something like that to help?

Fred Buck: No, we thought about signing it potentially with dangerous intersection ahead, but the problem is the people coming out of Military. It isn't actually Northpointe. It is the people coming out of Military and pulling in front of other people because of the blind spot that is there like SR 719.

Mr. Roberts: That is what I was going to say. Could you use a flash signal or anything like that? I mean anything that would get somebody's attention.

Fred Buck: Well, as you know that area that is 45 mph for some reason there is no lighting in it. The 35 mph area is well lit if I do say so myself. That side with the higher speed and then we picked up a lot of businesses in that area. So that was another factor we looked at in the meetings so we are actually putting a surgery center in there I believe.

Mayor Tilton: Yes.

Fred Buck: And it might be an inconvenience for people for a little while but I think it is going to lower the accidents and we thought for the cost versus benefit it seemed to be the best route we could take.

Mr. Roberts: Okay.

Mr. Vincent: Is there anything else Mr. Roberts? Is there anything else from Council?

Chip Saunders: Just to add to that, the last accident, the last bad accident that we had there it was actually somebody pulling out from Military and hitting the car on Northpointe. It is not like you can't see to get out at Military. It is the fact that a car is

coming toward Military from the south and wanting to turn in and there is another car beside them and they don't see that person and they don't wait until that person makes their turn to pull out. So that is the situation that we are seeing. So the first thing we can try to do is lower that speed to give that person a little bit more time.

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

Mayor Tilton: If you remember once we first opened this road it was at 35 mph and they thought because there was no development on that end we raised it to 45 mph, but now we are getting development in that area and we need to look at the speed.

Mr. Vincent: Thank you. Is there anything else from Council? With that, Mr. Saunders, you are probably the expert here. There is still a large area that is open. As far as keeping it at 45 and then reducing it right there at the dangerous area.

Chip Saunders: I think you have to be uniform. I really do. I think we are just kicking off out there. Sometimes it just takes one project to get the ball rolling. And the surgery center is going to get done and I can't see that triangle at Kerns Drive being much longer. The other thing is the success of our project that we did with the turn lane; it is continuous now. The traffic is, you don't get the gaps where you used to get them from the traffic down on SR 146 having to sit at the red. The only time that light is red now is if somebody is coming from Newark and turning left onto Northpointe Drive. That is the only time it is ever red for all of those people that used to back up in the right turn.

Mr. Vincent: Thank you. Mr. Buck, you said there have been 41 accidents?

Mr. Buck: 31.

Mr. Vincent: 31 accidents there over what time period.

Fred Buck: Well I think my Chief is back there. Has that been over a three year period?

Mr. Vincent: Chief Miller, do you have that memorized?

Chief Miller: No, I don't.

(Laughter broke out)

Fred Buck: I think it has been the last two years. I think we just looked at 2013 and no it was 2014 and 2015. I am sorry.

Mr. Vincent: I guess my thoughts are if we are looking at this and we want to see if there is improvement it would be nice to have a timeframe and be able to look back and say yes this action did help. I know things are changing such as increased traffic and if there are going to be more businesses out there then too. There have been quite a few

accidents so we don't want to cause any more injuries. Okay, is there anything else from Council? All in favor of receiving signify by saying aye.

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

MISCELLANEOUS AND UNFINISHED BUSINESS

Mayor Tilton: As you can see out here at the corner of Fourth and Market Street we've had to cut a hole in our new blacktop. The reason for that being is the renovation at Secrest. We could not get the water shut off so we had to cut a hole in there to put a new valve in so that we could get that water shut down. That is the reason for cutting our new black top.

Mr. Vincent: That is unfortunate.

Mayor Tilton: Unfortunate.

Mr. Bennett: Those things you don't realize until you cannot get it shut down. That is the point where you go back in and make that improvement. Part B is as of last Friday there was a discussion with Shelly & Sands for the last remaining street on this year's paving. So are we still on schedule Mr. Saunders?

Mr. Saunders: As of this morning we were still on schedule.

Mr. Bennett: That would be Bell Street this week.

Mr. Vincent: So Bell Street is coming up this week for repair.

Jay Bennett: Correct.

Mr. Vincent: That is good news as that street is rough. Okay, is there anything else from the administration?

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Dan Vincent: I have a petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville regarding amended Chapter 111 rules.

Mr. Eric Jones: Hello everybody. I am still housekeeping basically. At the last meeting my course is the public address system didn't work. It didn't work properly or it didn't work up to its regular standards. A number of people said they couldn't hear me; a couple on TV and a couple in the room. I don't know what the procedure is but let's say somebody is in the back of the room and they can't hear. You can explain this after I get done speaking. What they should do when they can't hear. Now that was the last meeting. I am going to do this one more time. The truth is an absolute defense against

libel and slander even when voiced maliciously. I understand you made the rules for speaking before Zanesville City Council. I appreciate that; that is a good start. The question becomes what will be your sole determination of what the rules will be. You need to know that before you find out if you are dealing with, and I do this because language becomes the problem if the person is not going to use Webster's Dictionary as the standard or Black's Law dictionary as the standard. Language becomes difficult. By looking at Mr. Vincent and saying he is truth challenged then I need a different word. Is that acceptable? If I say to you, if I look at Ms. Gildow and say Ms. Gildow you are rendering your services for an unjust cause; an unjust cause being tyranny of the majority. If you use a definition, but not being able to use the word the definition is from you start to see kind of the difficulty involved. Because you don't like a word even though it is not profane or vulgar considering Webster's dictionary, considering the Bible, considering the Federalist Papers. You can't use the word, but you can use the definition of that word. Now this is the third time I am discussing this particular Ordinance. The question becomes can I ask you questions about procedure after this or am I closed out now? This is the last time I can ask you a question about what I can or cannot say at Council. Which can ask you with repetition, if we are talking about this particular Ordinance again or not. Again you can answer these after I get done talking. I can give different examples and I like as I said a reasonable content based descriptions. The question becomes what is reasonable? Thank you very much.

Mr. Vincent: Thank you Mr. Jones. Okay, with not being able to hear. With that we did have a microphone problem. It has been a while back and we replaced it with a microphone that did work. I thought that took care of that. I guess I would encourage people to move forward if they are having trouble hearing and we will have to look at the system again but we did have a professional look at it then and I am not sure what other options we might have, but we will look at that again. My apologies.

With that I have a petition from Ms. Cyndi Royce; 1543 Ridge Avenue, Zanesville, Ohio regarding missing garbage bag found at murder scene unsolved murders.

Mrs. Royce was not present.

Mr. Vincent: So she is not here then. Okay.

Mr. Roberts: I believe we have the Chief of Police and Detective to answer her questions here so I just wanted the record to show that we have the people who she asked to be here for her petition and she is not present.

Mr. Vincent: Okay, thank you Mr. Roberts. So noted we do have the Chief of Police here and a detective then also here. With that gentlemen, do you want to speak or say anything? I think there is an issue as far as that an open investigation kind of limits what you can say. But beyond that I, and don't feel you have to.

The detective said this is not the proper forum to discuss this.

Mr. Vincent: Not the proper forum, okay, I will accept that then. So we don't want to create any problems. I need you gentlemen to be able to do your jobs and help solve crimes and not cause problems.

The detective: I can assure her there is no conspiracy going on. There is no missing evidence. It is all there.

Mr. Vincent: Sir, for the records if you will give us your name.

Mr. Taylor: Harry Taylor

Mr. Vincent: Detective Harry Taylor. So no conspiracy and the other part of that was?

Detective Harry Taylor: She is free to come down. Anyone is free to come down and we can speak to what we can speak to at the police station during normal business hours. To my knowledge she has never come down and asked any questions of us.

Mr. Vincent: Okay just to relay because you don't have a microphone back there, the detective did share that people are invited to come down to the police station during regular business hours and they can answer questions to a certain point. They can speak to someone regarding the case and provide information and ask questions and I am sure that answers can be given will be given, during regular business hours. Alright, thank you. Is there anything else? We do appreciate you gentlemen coming in this evening. We appreciate your work here in the community. Is there anything else from Council?

Mr. Hutcheson: I move we adjourn.

Mr. Sharrer: I second.

Mr. Vincent: All in favor of adjournment signify by saying aye.

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

Mr. Vincent: We stand adjourned. Thank you everyone and have a good night.

The meeting adjourned about 8:00 p.m.



Council-Mayor Government
Jeff Tilton, Mayor

THE CITY OF
Zanesville

401 Market Street • Zanesville, Ohio 43701
Phone (740) 455-0601 Ext 128 •
Fax (740) 455-0744 E-mail: mayor@coz.org



MEMORANDUM

TO: *Members of City Council*
FROM: *Mayor Jeff Tilton* JT
DATE: *November 2, 2015*
SUBJECT: *Mayor Appointment*

I am hereby recommending the appointment of Christy Woodburn to fill the unexpired term of Gene McDonald to the Zanesville Community Improvement Corporation Board. Ms. Woodburn's term will end December 31, 2016.

JT/bm



Council-Mayor Government
Jeff Tilton, Mayor

The City of Zanesville

401 Market Street, Zanesville, Ohio 43701
Phone: (740) 455-0601 x101
Email: jay.bennett@coz.org



Department of Public Service
Jay D. Bennett, DIRECTOR

MEMO

TO: Honorable Members of Council
Jeff Tilton, Mayor

FROM: Jay D. Bennett, Public Service Director 

DATE: November 2, 2015

RE: Zanesville Municipal Airport Quarterly Report (3rd Quarter)

CC:

Please find attached the quarterly report for the Zanesville Municipal Airport for your information.

JDB/bc

Attachment

ZANESVILLE MUNICIPAL AIRPORT

QUARTERLY REPORT

JULY 1, 2015 - SEPTEMBER 30, 2015

FUEL SALES:

JET 27,479

AVGAS 5,239

JET FUEL SALES DOWN 20% FROM 3RD QUARTER LAST YEAR WHILE AVGAS WAS UP 30% FOR THE SAME PERIOD.

CHARTER FLIGHTS:

58 TOTAL IN 2014

53 TOTAL IN 2015

NO OVERTIME THIS QUARTER.

TREE REMOVAL ON NEIGHBORING PROPERTY OWNER MAKING PROGRESS.

THE METLIFE BLIMP MADE THREE STOPS THIS SUMMER, WITHOUT INCIDENT, I MIGHT ADD!

THE LOCAL CHAPTER OF THE E.A.A.(EXPERIMENTAL AIRCRAFT ASSOCIATION) BROUGHT IN A VINTAGE FORD TRI-MOTOR AIRPLANE AT THE END OF SEPTEMBER. MANY PEOPLE TOOK RIDES IN THE RESTORED AIRCRAFT. THE SAME WEEKEND ALSO OFFERED A FLY-IN AND CAR SHOW.



Council-Mayor Government
Jeff Tilton, Mayor



The City of Zanesville

401 Market Street, Zanesville, Ohio 43701
Phone: (740) 455-0601 x101
Email: jay.bennett@coz.org

Department of Public Service
Jay D. Bennett, DIRECTOR

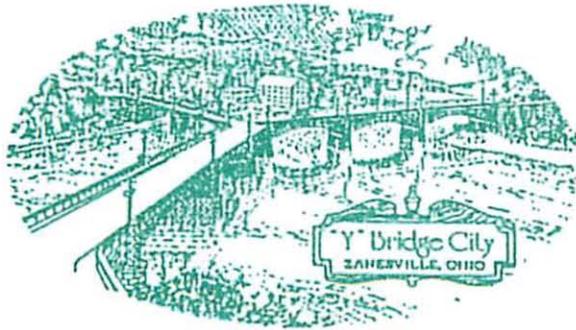
MEMO

TO: Honorable Members of Council
FROM: Jay D. Bennett, Public Service Director
DATE: November 3, 2015
RE: City Cemeteries 3rd Quarter Report (2015)
CC:

In accordance with Ohio Revised Code, please find attached the 3rd Quarter Report of 2015 for the City of Zanesville Cemetery Division from Jeff Johnson, Cemeteries/Parks Superintendent.

JDB/bc

Attachment



City of Zanesville

JEFF JOHNSON

SUPERINTENDENT, CEMETERIES & PARK MAINTENANCE

401 Market St., Zanesville OH 43701

740-455-0637

Cemetery Division

2015 3rd Quarter Report

	Interments	Lot Sales	Transfers
July	8	0	1
August	9	4	0
September	6	0	0
	-----	-----	-----
Total	23	4	1

	Cemetery Operating	Cemetery Development	Cemetery Endowment
July	5,229.48	555.75	61.75
August	1,660.00	3,455.00	330.00
September	2,655.00	573.75	63.75
	-----	-----	-----
Total	\$9,544.48	\$4,584.50	\$455.50

Total: \$14,584.48

David Tarbert, 5th Ward Council
Daniel Vincent, President of Council



RESOLUTION NO. 15-111
INTRODUCED BY COUNCIL

RESOLUTION IN SUPPORT OF CITY OF ZANESVILLE LAW ENFORCMENT
AND LAW ENFORCEMENT OFFICERS NATIONWIDE

WHEREAS, the City of Zanesville acknowledges the increase of law enforcement officers killed in the line of duty and mourns for the families and communities suffering said loses; and

WHEREAS, the City of Zanesville wishes to stand with the law enforcement officers who stand behind the thin blue line in an effort to protect and serve our community; and

WHEREAS, the City of Zanesville wishes to acknowledge the increase risk to law enforcement officers and the Zanesville Police Department's fearless dedication and sacrifice despite the risks; and

WHEREAS, the City of Zanesville supports and agrees with the National Fraternal Order of Police that additional education and action are necessary, including but not limited to expansion of federal regulations protecting law enforcement officers as a protected class within hate crime legislation and to fully fund the State and local law enforcement assistance programs that provide our men and women in the field with the resources and equipment they need to do their jobs and get home to their families at the end of their shift; and

WHEREAS, the City of Zanesville shall continue to authorize and invest in the safety and protection of our Zanesville Police Department; and

WHEREAS, to honor all law enforcement officers, especially the twenty-eight officers lost this year as they protected their communities, we ask every law enforcement officer in the City of Zanesville to activate their red and blue lights for one minute on the first day of every month at 11:00 A.M.

NOW THEREFORE BE IT RESOLVED, this Council stands behind the thin blue line and supports our Zanesville Police Department and law enforcement nationwide.

PASSED: _____, 2015

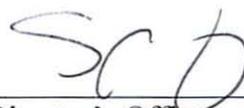
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2015

This legislation approved as to form:

Jeff Tilton, Mayor



Law Director's Office

Department of Public Service
Jay D. Bennett, Director

RECEIVED
NOV 03 2015
CLERK OF COUNCIL

ORDINANCE NO. 15 - 126

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO APPLY FOR GRANT FUNDING FROM THE FAA FOR FY 2016 PROJECTS AND ACCEPT FUNDING, IF AWARDED, AND DECLARING AN EMERGENCY.

WHEREAS, the administration would like to apply to the FAA for FY 2016 improvements at the Zanesville Municipal Airport, and accept such funding, if awarded; and

WHEREAS, because applications are due by December 1, 2015, this ordinance should be considered an emergency measure.

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

SECTION ONE: The proper City official is hereby authorized to apply for and accept grant funding from the FAA in FY 2016 for improvements at the Zanesville Municipal Airport, and if awarded, the appropriate city official is authorized to execute associated grant agreements.

SECTION TWO: For the reasons stated in the preamble hereto, 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: _____, 2015

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

THIS LEGISLATION APPROVED AS TO FORM

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE

Ordinance 15-126

Attachment "A"

10 YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) FY-2017 to FY-2026										
Airport Name: Zanesville Municipal Airport						Date prepared: 11/3/15 4:18 PM				
Associated City: Zanesville, OH						Prepared By: Crawford, Murphy & Tilly, Inc.				
Sponsor: City of Zanesville			NPIAS No. 39-0097			Telephone No.: 614-468-1200				
Airport Three Letter ID: ZZV			Congressional District: Ohio's 12th District							
Item #	Description	Fiscal Year	Total Cost	Entitlement	FAA Apportionment /Discretionary	State Non-FAA	Local	Other	PFC	Remarks/Item Justification
1	Security Fencing (Design Only)	16	\$ 35,000	\$ 31,500		\$ 1,750	\$ 1,750			
2	Security Upgrade, Partial Fencing and Surveillance Equipment (Phase 1)	16	\$ 336,800	\$ 303,120		\$ 16,840	\$ 16,840			
3	S16 Engineering design for Rwy 16/34 reahb	16	\$ 35,000	\$ 31,500		\$ 1,750	\$ 1,750			
4	Partial Perimeter Security Fencing (Phase 2 , as needed)	17	\$ 165,000	\$ 148,500		\$ 8,250	\$ 8,250			
5	Roll-Over NPE	18	\$ -	\$ -		\$ -	\$ -			
6	Rehabilitate Regulator Vault Switch Gear, Power, and Control Cabling	19	\$ 325,000	\$ 292,500		\$ 16,250	\$ 16,250			
7	Rollover NPE Funds	20	\$ -	\$ -		\$ -	\$ -			
8	Rehabilitate Runway 16/34 and MIRL (Design Only)	21	\$ 180,000	\$ 162,000		\$ 9,000	\$ 9,000			
9	Rehabilitate Runway 16/34 and MIRL (Construction)	22	\$ 1,800,000	\$ 288,000	\$ 1,332,000	\$ 90,000	\$ 90,000			
10	Rollover NPE funds	23				\$ -	\$ -			
11	Rehabilitate Taxiway B (Design Only)	24	\$ 105,000	\$ 94,500	\$ -	\$ 5,250	\$ 5,250			
12	Rehabilitate Taxiway B (Construction)	25	\$ 1,100,000	\$ 355,500	\$ 634,500	\$ 55,000	\$ 55,000			

Department of Public Service
Jay D. Bennett, Director

RECEIVED
NOV 04 2015
CLERK OF COUNCIL

ORDINANCE NO. 15 - 127
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ACCEPT GRANT FUNDING THROUGH THE OHIO DIVISION OF AVIATION, OHIO DEPARTMENT OF TRANSPORTATION, FOR CERTAIN IMPROVEMENTS TO THE ZANESVILLE MUNICIPAL AIRPORT, AND DECLARING AN EMERGENCY.

WHEREAS, through Ordinance 15-98, City Council authorized an application to the Ohio Division of Aviation, Ohio Department of Transportation for a grant for repair to the crosswind runway and offsite obstruction removal in the amount of \$471,000.00; and

WHEREAS, the City has received approval for grant funding from the Ohio Division of Aviation, Ohio Department of Transportation for the Crosswind Runway Improvement Project only in the amount of \$404,700; and

WHEREAS, an ordinance is required in order for the City to accept said funding; and

WHEREAS, to ensure the timely return of the grant, this ordinance needs to be passed as an emergency.

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

SECTION ONE: The proper City official is hereby authorized to accept and execute grant funding in the amount of \$404,700.00 from the Ohio Division of Aviation, Ohio Department of Transportation for improvements at Zanesville Municipal Airport.

SECTION TWO: The City of Zanesville does agree to obligate the funds during the fiscal year of 2016, required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Ohio Division of Aviation, Ohio Department of Transportation in the amount of \$20,235.00.

SECTION THREE: For the reasons stated in the preamble hereto, 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: _____, 2015

ATTEST:

SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

JEFF TILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM

LAW DIRECTOR'S OFFICE

Mayor Jeff Tilton



ORDINANCE NO. 15-119
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS
TO SOUTH EAST AREA TRANSIT FOR THE YEAR 2016

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 2016. 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 _____, 2016

ATTEST: _____
Sue Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office



ORDINANCE NO. 15-123
INTRODUCED BY COUNCIL

AN ORDINANCE AMENDING CHAPTER 922 and CHAPTER 923 OF THE
CITY OF ZANESVILLE'S CODIFIED ORDINANCES, REGARDING
DISCHARGES TO THE SANITARY SEWER SYSTEMS.

WHEREAS, Pretreatment Streamlining Rules have been developed by the Environmental Protection Agency of both the State of Ohio and the United States of America. In order to satisfy these Rules, the City must amend its ordinances regulating industrial pretreatment; and

WHEREAS, amending the industrial pretreatment regulations will allow for more efficient enforcement by the City and a reduced regulatory burden on industrial users without adversely effecting environmental protection; and

WHEREAS, the State of Ohio, Environmental Protection Agency has reviewed these amendments of the industrial pretreatment regulations and has advised of its provisional approval.

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

SECTION ONE: The proper City official is hereby authorized to amend Section 922 (a) of the Zanesville Codified Ordinances to include the following language:

922.01 DEFINITIONS.

(1.5) "BEST MANAGEMENT PRACTICES OR BMP'S" MEANS SCHEDULES OF ACTIVITIES, PROHIBITIONS OF PRACTICES, MAINTENANCE PROCEDURES, AND OTHER MANAGEMENT PRACTICES TO ENFORCE SPECIFIC LIMITS TO IMPLEMENT THE PROHIBITIONS LISTED IN OAC 3745-3-04. BMP'S ALSO INCLUDE TREATMENT REQUIREMENTS, OPERATING PROCEDURES, AND PRACTICES TO CONTROL PLANT SITE RUNOFF, SPILLAGE OR LEAKS, SLUDGE OR WASTE DISPOSAL, OR DRAINAGE FROM RAW MATERIALS STORAGE. THE DIRECTOR HAS THE AUTHORITY TO REQUIRE BMP'S AS A CONDITION OF INDUSTRIAL USER PERMITS, INCLUDING RECORDKEEPING AND REPORTING REQUIREMENTS.

(21.2) "INSTANTANEOUS LIMIT" MEANS THE MAXIMUM CONCENTRATION OF A POLLUTANT AT ANY TIME, DETERMINED FROM THE ANALYSIS OF ANY DISCRETE OR COMPOSITED SAMPLE COLLECTED, INDEPENDENT OF THE INDUSTRIAL FLOW RATE AND THE DURATION OF THE SAMPLING EVENT.

(25.7) "NON-SIGNIFICANT INDUSTRIAL USER" IS AN INDUSTRIAL DISCHARGER THAT DOES NOT FIT IN THE CRITERIA OF A SIGNIFICANT INDUSTRIAL USER.

(42.5) "Significant Industrial User" (SIU) means:

- A. Except as provided in subsection (42.5)B hereof, "significant industrial user" includes:
 - 1. All industrial users subject to categorical pretreatment standards; and

Ordinance 15-123

2. Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW; contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or has the reasonable potential, in the opinion of the Director, to adversely affect the POTW's operation or for violating any pretreatment standard requirement.

B. The Director may at any time, on its own initiative or in response to a petition received from an industrial user, determine that a noncategorical industrial user is not a significant industrial user if the industrial user has no reasonable potential to adversely affect the POTW's operation or for violating any pretreatment standard or requirements.

(42.7) "SIGNIFICANT NONCOMPLIANCE." THE TERM SIGNIFICANT NONCOMPLIANCE SHALL BE APPLICABLE TO ALL SIGNIFICANT INDUSTRIAL USERS (OR ANY OTHER INDUSTRIAL USERS THAT VIOLATE ONE OR MORE OF THE CRITERIA AS SET FORTH IN CHAPTER 923.23 (d))

(43) "Slugload" means any DISCHARGE AT A FLOW RATE OR CONCENTRATION, WHICH CAUSE A VIOLATION OF THE PROHIBITED DISCHARGED STANDARDS IN SECTION 923.11 OF THIS ORDINANCE. A SLUG DISCHARGE IS A DISCHARGE OF A NON-ROUTINE, EPISODIC NATURE, INCLUDING BUT NOT LIMITED TO AN ACCIDENTAL SPILL OR A NON-CUSTOMARY BATCH DISCHARGE, WHICH HAS A REASONABLE POTENTIAL TO CAUSE INTERFERENCE OR PASS THROUGH, OR IN ANY OTHER WAY VIOLATE THE POTW'S REGULATIONS, LOCAL LIMITS, OR WASTEWATER PERMIT CONDITIONS. ~~pollutant, including oxygen-demanding pollutants released in a discharge at a flow rate and or pollutant concentration as to cause interference in the POTW.~~

(46.5) "TOMP" MEANS TOXIC ORGANIC MANAGEMENT PLAN.

(55.5) "WASTEWATER DISCHARGE PERMIT (INDUSTRIAL USER PERMIT)." A FORMAL PERMIT TO DISCHARGE INDUSTRIAL WASTE INTO ANY SEWER OR THE SEWAGE SYSTEM, AS ISSUED BY THE CITY AUTHORIZED BY THE STATE OF OHIO OR UNITED STATES E.P.A. TO ISSUE THOSE PERMITS. AS SPECIFIED MORE PARTICULARLY IN THIS CHAPTER, THE DIRECTOR MAY ISSUE EITHER AN INDIVIDUAL WASTEWATER DISCHARGE PERMIT OR A GENERAL WASTEWATER DISCHARGE PERMIT.

SECTION TWO: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.12 SPECIFIC LIMITATIONS ON WASTEWATER STRENGTH.

(h) USERS MAY BE REQUIRED BY THE DIRECTOR TO COMPLY WITH BEST MANAGEMENT PRACTICES.

SECTION THREE: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.11 GENERAL PROHIBITIONS ON DISCHARGES.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer, ditch, drain or culvert:

g. Holding tank, trucked or hauled wastes, except at discharge points designated by the Director in accordance with Chapter 923.04 of this code.

SECTION FOUR: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.14 DILUTION. WASTEWATER DISCHARGE PERMIT REQUIRED.

~~No person shall in any way increase the use of potable or process water, or mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to comply with standards specified in this chapter.~~

(a) WASTEWATER DISCHARGERS. IT SHALL BE UNLAWFUL TO DISCHARGE SEWAGE, INDUSTRIAL WASTES, OR OTHER WASTES IN EXCESS OF THE BACKGROUND CONCENTRATIONS, WITHOUT FIRST OBTAINING AN INDIVIDUAL WASTEWATER DISCHARGE PERMIT OR A GENERAL WASTEWATER DISCHARGE PERMIT TO ANY SEWER WITHIN THE JURISDICTION OF THE CITY AND/OR THE POTW. IT SHALL BE UNLAWFUL TO DISCHARGE SEWAGE, INDUSTRIAL WASTES, OR OTHER WASTES IN EXCESS OF SUPPLEMENTARY LIMITATIONS. IT SHALL BE UNLAWFUL TO DISCHARGE TO NAVIGABLE WATERS OF THE UNITED STATES WITHOUT A STATE OF OHIO EPA OR USEPA NPDES PERMIT.

(b) WASTEWATER DISCHARGE PERMITS. ALL SIGNIFICANT INDUSTRIAL USERS (SIU), AS REQUIRED BY THE DIRECTOR, PROPOSING TO CONNECT TO OR TO DISCHARGE SEWAGE, INDUSTRIAL WASTES, AND/OR OTHER WASTES TO THE POTW SHALL OBTAIN FROM THE DIRECTOR A WASTEWATER DISCHARGE PERMIT BEFORE CONNECTION TO OR DISCHARGING TO THE POTW. ALL EXISTING SIGNIFICANT INDUSTRIAL USERS CONNECTED TO OR DISCHARGEING TO THE POTW SHALL OBTAIN FROM THE DIRECTOR A WASTEWATER DISCHARGE PERMIT AS DIRECTED BY THE DIRECTOR. THIS REQUIREMENT SHALL NOT APPLY TO DISCHARGERS CLASSIFIED BY THE DIRECTOR AS NON-SIGNIFICANT INDUSTRIES OR DISCHARGERS OTHER THAN INDUSTRIAL DISCHARGERS UNLESS REQUIRED BY THE DIRECTOR. INDUSTRIES SUBJECT TO NATIONAL PRETREATMENT STANDARDS, WHICH DISPOSE OF WASTEWATERS OFF SITE, SHALL OBTAIN A DISCHARGE PERMIT SPECIFYING "NO DISCHARGE" AND MEETING THE REQUIREMENTS OF PENALTY. SEE SECTION 923.99.

(c) PERMIT APPLICATION AND CONDITIONS

(1) SIU SHALL COMPLETE AND FILE WITH THE DIRECTOR, A PERMIT APPLICATION AND A WASTEWATER DISCHARGE DISCLOSURE DECLARATION THEREFORE IN THE FORM PRESCRIBED BY THE DIRECTOR, AND ACCOMPANIED BY AN APPROPRIATE FEE, IF ANY. PROPOSED NEW DISCHARGERS SHALL APPLY AT LEAST NINETY (90) DAYS PRIOR TO CONNECTING TO THE POTW. ANY NON-SIGNIFICANT INDUSTRY, WHICH, VIA CHANGES IN PROCESS OR FACILITIES USE, WILL CEASE TO BE A NON-SIGNIFICANT INDUSTRY, SHALL APPLY FOR A PERMIT WITHIN NINETY (90) DAYS PRIOR TO THE CHANGE. FEES AND CHARGES FOR INITIAL PERMITS SHALL BE ESTABLISHED FROM TIME-TO-TIME BY THE DIRECTOR. THE FOLLOWING PERMIT CONDITIONS SHALL APPLY TO ALL PERMITS AS A CONDITION PRECEDENT TO ISSUANCE:

(i) SHALL INCLUDE THE LIMITS ON THE AVERAGE AND MAXIMUM WASTEWATER CONSTITUENTS AND CHARACTERISTICS REGULATED THEREBY INCLUDING CATEGORICAL PRETREATMENT STANDARDS, LOCAL LIMITATIONS, AND STATE AND LOCAL LAW. PERMITS MAY INCLUDE A LIMIT ON TOTAL FLOW. AN INCREASE IN FLOW GREATER THAN TWENTY-FIVE PERCENT OF THE PERMITTED FLOW REQUIRES PRIOR WRITTEN APPROVAL OF THE CITY. THE DIRECTOR MAY DEVELOP BEST MANAGEMENT PRACTICES (BMP'S) BY ORDINANCE OR IN INDIVIDUAL WASTEWATER DISCHARGE

PERMITS, TO IMPLEMENT LOCAL LIMITATIONS AND THE REQUIREMENTS OF CHAPTER 923.11.

- (2) SHALL INCLUDE THE REQUIREMENTS FOR INSTALLATION AND MAINTENANCE OF INSPECTION AND SAMPLING FACILITIES.**
- (3) SHALL INCLUDE SPECIAL CONDITIONS AS THE CITY THROUGH THE DIRECTOR MAY REASONABLY REQUIRE UNDER PARTICULAR CIRCUMSTANCES OF A GIVEN DISCHARGE INCLUDING SELF-MONITORING, SAMPLING LOCATIONS, FREQUENCY OF SAMPLING, NUMBER, TYPES, AND STANDARDS FOR TESTS' REPORTING SCHEDULE, AND NOTIFICATION AND RECORDKEEPING REQUIREMENTS.**
- (4) MAY INCLUDE COMPLIANCE SCHEDULES.**
- (5) MAY INCLUDE THOSE REQUIREMENTS FOR SUBMISSION OF SPECIAL TECHNICAL REPORTS OR DISCHARGE REPORTS WHERE SAME DIFFER FROM THOSE PRESCRIBED BY THIS SUBCHAPTER.**
- (6) ALL WASTEWATER DISCHARGE PERMITS ARE ISSUED TO A SPECIFIC DISCHARGER FOR A SPECIFIC OPERATION AND PERIOD OF TIME. PERMITS ARE NOT ASSIGNABLE OR TRANSFERABLE TO ANOTHER DISCHARGER OR LOCATION WITHOUT THE PRIOR NOTIFICATION TO THE POTW AND WRITTEN APPROVAL OF THE DIRECTOR.**
- (7) SHALL INCLUDE STATEMENT OF APPLICABLE CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF PRETREATMENT STANDARDS AND REQUIREMENTS.**

(d) EACH APPLICATION SHALL INCLUDE:

- (1) THE NAME, ADDRESS, AND LOCATION OF THE DISCHARGER;**
- (2) THE STANDARD INDUSTRIAL CLASSIFICATION (SIC) NUMBER OF THE APPLICANT ACCORDING TO THE STANDARD INDUSTRIAL CLASSIFICATION MANUAL, BUREAU OF THE BUDGET, 1987, AS AMENDED;**
- (3) THE WASTEWATER CONSTITUENTS AND CHARACTERISTICS, INCLUDING, BUT NOT LIMITED TO, THOSE MENTIONED IN THIS SUBCHAPTER, IN THE ANTICIPATED DISCHARGE AS DETERMINED BY BONA FIDE CHEMICAL AND BIOLOGICAL ANALYSES. SAMPLING AND ANALYSIS SHALL BE PERFORMED IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE U.S. EPA AND CONTAINED IN 40 CFR, PART 136, AS AMENDED;**
- (4) THE ANTICIPATED TIME AND DURATION OF DISCHARGES, THE AVERAGE AND PEAK FLOWS, AND SEASONAL VARIATIONS, IF ANY;**
- (5) PROVIDE, IF REQUESTED, SITE PLANS, FLOOR PLANS, MECHANICAL AND PLUMBING PLANS AND DETAILS TO SHOW ALL SEWERS, SEWER CONNECTIONS, INSPECTION MANHOLES, SAMPLING CHAMBERS AND APPURTENANCES BY SIZE, LOCATION AND ELEVATION OF THE APPLICANTS PREMISES;**
- (6) A DESCRIPTION OF THE ACTIVITIES, FACILITIES AND PLAN PROCESSES ON THE PREMISES INCLUDING ALL MATERIALS WHICH ARE DISCHARGED TO THE SEWAGE SYSTEM AND THEIR DISCHARGE POINTS IN THE APPLICANTS SEWER COLLECTION SYSTEM;**

- (7) DISCLOSURE OF PRODUCT BY TYPE, AMOUNT, PROCESS OR PROCESSES AND RATE OF PRODUCTION AS REQUESTED;**
- (8) DISCLOSURE OF THE TYPE AND AMOUNT OF RAW MATERIALS UTILIZED AS REQUESTED;**
- (9) PROVIDE, IF REQUESTED, ALL WASTE MANIFESTS OR APPROVED SUMMARY SHEETS AND MATERIAL SAFETY DATA SHEETS;**
- (10) ALL PERMIT APPLICATIONS FOR NEW OR MODIFIED PERMITS SHALL BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE DISCHARGER AND ALL RENEWAL APPLICATIONS FOR EXISTING PERMITS SHALL BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE DISCHARGER;**
- (11) ALL DISCHARGERS REQUIRED TO SUBMIT BASELINE MONITORING REPORTS SHALL PROVIDE THE INFORMATION FOR PERMIT APPLICATION OR MODIFICATION ACCORDING TO 40 CFR 403.12 AS CURRENTLY PROMULGATED OR AS SUBSEQUENTLY AMENDED OR MODIFIED.**

THE CITY SHALL EVALUATE THE COMPLETED APPLICATION AND DATA FURNISHED BY THE DISCHARGER AND MAY REQUIRE AT THAT TIME ADDITIONAL INFORMATION. UPON REVIEW, THE CITY MAY ISSUE A WASTEWATER DISCHARGE PERMIT.

(e) PERMIT MODIFICATIONS.

- (1) THE CITY RESERVES THE RIGHT TO AMEND ANY WASTEWATER DISCHARGE PERMIT ISSUED HEREUNDER IN ORDER TO ASSURE COMPLIANCE BY THE CITY WITH APPLICABLE LAWS AND REGULATIONS. ALL NATIONAL CATEGORICAL PRETREATMENT STANDARDS ADOPTED AFTER THE PROMULGATION OF THIS SUBCHAPTER SHALL WITHOUT FURTHER ACTION BY THE CITY BECOME PART OF THIS SUBCHAPTER UPON THEIR EFFECTIVE DATE. A DISCHARGER WITH AN EXISTING WASTEWATER DISCHARGE PERMIT SHALL SUBMIT TO THE CITY WITHIN 180 DAYS AFTER THE PROMULGATION OF AN APPLICABLE NATIONAL CATEGORICAL PRETREATMENT STANDARD, THE AMENDED INFORMATION REQUIRED BY THIS CHAPTER. NEW SOURCE DISCHARGERS SHALL SUBMIT TO THE CITY AT LEAST NINETY (90) DAYS PRIOR TO COMMENCEMENT OF DISCHARGE THE AMENDED INFORMATION REQUIRED BY THIS CHAPTER. THE DISCHARGER SHALL BE INFORMED OF ANY PROPOSED CHANGES IN THIS PERMIT AT LEAST THIRTY (30) DAYS PRIOR TO THE EFFECTIVE DATE OF CHANGE IN SUCH PERMIT. ANY CHANGES OR NEW CONDITIONS IN THE PERMIT SHALL INCLUDE A REASONABLE TIME SCHEDULED FOR COMPLIANCE.**
- (2) THE DIRECTOR MAY AT ANY TIME, ON ITS OWN INITIATIVE OR IN RESPONSE TO A PETITION RECEIVED FROM AN SIU, DETERMINE THAT A NON-CATEGORICAL INDUSTRIAL USER IS NOT A SIGNIFICANT INDUSTRIAL USER IF THE INDUSTRIAL USER HAS NO REASONABLE POTENTIAL TO ADVERSELY AFFECT THE POTW'S OPERATION IN THE OPINION OF THE CITY OR FOR VIOLATING ANY PRETREATMENT STANDARD OR REQUIREMENT.**
- (3) EXCEPT FOR IN THE CASE OF CENTRALIZED WASTE TREATMENT FACILITIES REGULATED BY AND DEFINED IN 40 CFR 437, THE DIRECTOR MAY AUTHORIZE A SIU SUBJECT TO A CATEGORICAL PRETREATMENT STANDARD TO FOREGO SAMPLING OF A POLLUTANT REGULATED BY A CATEGORICAL PRETREATMENT STANDARD IF THE SIU HAS DEMONSTRATED THROUGH SAMPLING AND OTHER TECHNICAL FACTORS THAT THE POLLUTANT IS NEITHER PRESENT NOR EXPECTED TO BE PRESENT IN THE DISCHARGE, OR IS PRESENT ONLY AT BACKGROUND LEVELS**

FROM INTAKE WATER AND WITHOUT ANY INCREASE IN THE POLLUTANT DUE TO ACTIVITIES OF THE SIU. THIS AUTHORIZATION IS SUBJECT TO THE FOLLOWING CONDITIONS:

- (i) THE WAIVER MAY BE AUTHORIZED WHERE A POLLUTANT IS DETERMINED TO BE PRESENT SOLELY DUE TO SANITARY WASTEWATER DISCHARGED FROM THE FACILITY PROVIDED THAT THE SANITARY WASTEWATER IS NOT REGULATED BY AN APPLICABLE CATEGORICAL STANDARD AND OTHERWISE INCLUDES NO PROCESS WASTEWATER.**
- (ii) THE MONITORING WAIVER IS VALID ONLY FOR THE DURATION OF THE EFFECTIVE PERIOD OF THE INDIVIDUAL WASTEWATER DISCHARGE PERMIT, BUT IN NO CASE LONGER THAN FIVE (5) YEARS. THE SIU MUST SUBMIT A NEW REQUEST FOR THE WAIVER BEFORE THE WAIVER CAN BE GRANTED FOR EACH SUBSEQUENT INDIVIDUAL WASTEWATER DISCHARGE PERMIT.**
- (iii) IN MAKING A DEMONSTRATION THAT A POLLUTANT IS NOT PRESENT, THE SIU MUST PROVIDE DATA FROM AT LEAST ONE SAMPLING OF THE FACILITY'S PROCESSED WASTEWATER PRIOR TO ANY TREATMENT PRESENT AT THE FACILITY THAT IS REPRESENTATIVE OF ALL WASTEWATER FROM ALL PROCESSES.**
- (iv) THE REQUEST FOR A MONITORING WAIVER MUST BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE DISCHARGER.**
- (v) NON-DETECTABLE SAMPLE RESULTS MAY BE USED ONLY AS A DEMONSTRATION THAT A POLLUTANT IS NOT PRESENT IF THE U.S. EPA APPROVED METHOD FROM 40 CFR PART 136 WITH THE LOWEST MINIMUM DETECTION LEVEL FOR THAT POLLUTANT WAS USED IN THE ANALYSIS.**
- (vi) ANY GRANT OF THE MONITORING WAIVER BY THE DIRECTOR MUST BE INCLUDED AS A CONDITION IN THE SIU'S PERMIT. THE REASONS SUPPORTING THE WAIVER AND ANY INFORMATION SUBMITTED BY THE SIU IN ITS REQUEST FOR THE WAIVER MUST BE MAINTAINED BY THE DIRECTOR FOR THREE (3) YEARS AFTER EXPIRATION OF THE WAIVER.**
- (vii) UPON APPROVAL OF THE MONITORING WAIVER AND REVISION OF THE SIU'S PERMIT BY THE DIRECTOR, THE SIU MUST CERTIFY ON EACH REPORT THE FOLLOWING STATEMENT, ESTABLISHING THAT THERE HAS BEEN NO INCREASE IN THE POLLUTANT IN ITS WASTE STREAM DUE TO ACTIVITIES OF THE SIU:**

"BASED ON MY INQUIRY OF THE PERSON OR PERSONS DIRECTLY RESPONSIBLE FOR MANAGING COMPLIANCE WITH THE PRETREATMENT STANDARDS UNDER 40 CFR SPECIFY APPLICABLE NATIONAL PRETREATMENT STANDARD PART OR PARTS, I CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE HAS BEEN NO INCREASE IN THE LEVEL OF LIST POLLUTANT OR POLLUTANTS IN THE WASTEWATERS DUE TO THE ACTIVITIES AT THE FACILITY SINCE SUBMITTAL OF THE LAST PERIODIC REPORT UNDER PARAGRAPH (E) OF RULE 3745-3-06 OF THE ADMINISTRATIVE CODE."
- (viii) IN THE EVENT THAT A WAIVED POLLUTANT IS FOUND TO BE PRESENT OR IS EXPECTED TO BE PRESENT BECAUSE OF CHANGES THAT OCCUR IN THE SIU'S OPERATIONS, THE SIU MUST IMMEDIATELY NOTIFY THE DIRECTOR IN WRITING AND START MONITORING THAT POLLUTANT AT THE FREQUENCY SPECIFIED BY THE APPLICABLE PRETREATMENT STANDARD.**

(ix) MONITORING WAIVERS DO NOT APPLY TO POLLUTANTS WHERE THERE ARE CERTIFICATION PROCESSES AND REQUIREMENTS ESTABLISHED BY THE CONTROL AUTHORITY OR BY CATEGORICAL PRETREATMENT STANDARDS (E.G. TOMP/CERTIFICATION ALTERNATIVE TO TOTAL TOXIC ORGANICS MONITORING) UNLESS ALLOWED FOR BY THE APPLICABLE CATEGORICAL PRETREATMENT STANDARD.

(x) THIS WAIVER APPLIES ONLY TO SIU SELF-MONITORING AND DOES NOT REMOVE THE DIRECTOR'S OBLIGATION TO MONITOR FOR THE PARAMETER. HOWEVER, THIS WAIVER CAN BE EXTENDED TO MONITORING COMPLETED BY THE DIRECTOR IN ORDER TO SATISFY SIU SELF-MONITORING.

(f) PERMIT DURATION.

(1) NEW AND MODIFIED WASTEWATER DISCHARGE PERMITS SHALL BE ISSUED FOR A SPECIFIC TIME PERIOD, NOT TO EXCEED FIVE YEARS. THE DISCHARGER SHALL APPLY FOR PERMIT REISSUANCE A MINIMUM OF 180 DAYS PRIOR TO THE EXPIRATION OF THE EXISTING PERMIT.

(g) COMPLIANCE SCHEDULES.

(1) WHERE ADDITIONAL PRETREATMENT AND/OR OPERATION AND MAINTENANCE ACTIVITIES WILL BE REQUIRED TO COMPLY WITH THIS SUBCHAPTER, THE DISCHARGER SHALL PROVIDE A DECLARATION OF THE SHORTEST SCHEDULE BY WHICH THE DISCHARGER WILL PROVIDE SUCH ADDITIONAL PRETREATMENT AND/OR IMPLEMENTATION OF ADDITIONAL OPERATIONAL AND MAINTENANCE ACTIVITIES. THE SCHEDULE SHALL CONTAIN MILESTONE DATES FOR THE COMMENCEMENT AND COMPLETION OF MAJOR EVENTS LEADING TO THE CONSTRUCTION AND OPERATION OF ADDITIONAL PRETREATMENT REQUIRED FOR THE DISCHARGER TO COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER OR CATEGORICAL PRETREATMENT STANDARD INCLUDING, BUT NOT LIMITED TO, DATES RELATING TO HIRING AN ENGINEER, HIRING OTHER APPROPRIATE PERSONNEL, COMPLETING PRELIMINARY PLANS, COMPLETING FINAL PLANS, EXECUTING CONTRACT FOR MAJOR COMPONENTS, COMMENCING CONSTRUCTION, COMPLETING CONSTRUCTION, START-UP OF OPERATIONS, AND ALL OTHER ACTS NECESSARY TO ACHIEVE COMPLIANCE WITH THIS CHAPTER.

(2) UPON COMPLETING FINAL PLANS ALL REQUIRED PERMITS SHALL BE OBTAINED BY THE DISCHARGER.

IF REQUIRED BY OHIO EPA, A PERMIT TO INSTALL SHALL BE OBTAINED BY THE DISCHARGER PRIOR TO CONSTRUCTION. FINAL PLANS SHALL BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE DISCHARGER AND CERTIFIED TO BY A QUALIFIED ENGINEER WHO IS A LICENSED PROFESSIONAL.

(3) UNDER NO CIRCUMSTANCES SHALL THE CITY PERMIT A TIME INCREMENT IN THE COMPLIANCE SCHEDULE FOR ANY SINGLE STEP DIRECTED TOWARD COMPLIANCE, WHICH EXCEEDS NINE MONTHS.

(4) NOT LATER THAN FOURTEEN DAYS FOLLOWING EACH MILESTONE DATE IN THE SCHEDULE AND THE FINAL DATE FOR COMPLIANCE, THE DISCHARGER SHALL SUBMIT A PROGRESS REPORT TO THE CITY, INCLUDING NO LESS THAN A STATEMENT AS TO WHETHER OR NOT IT COMPLIED WITH THE INCREMENT OF PROGRESS REPRESENTED BY THAT MILESTONE DATE AND, IF NOT, THE DATE ON WHICH IT EXPECTS TO COMPLY WITH THIS INCREMENT OF PROGRESS, THE REASON

FOR DELAY, AND THE STEPS BEING TAKEN BY THE DISCHARGER TO RETURN THE CONSTRUCTION TO THE APPROVED SCHEDULE. IN NO EVENT SHALL MORE THAN NINE MONTHS ELAPSE BETWEEN SUCH PROGRESS REPORTS TO THE CITY.

(h) GENERAL WASTEWATER DISCHARGE PERMITS.

- (1) THE DIRECTOR MAY ISSUE A GENERAL PERMIT TO CONTROL SIU DISCHARGES TO THE POTW IF THE FOLLOWING CONDITIONS ARE MET. ALL FACILITIES TO BE COVERED BY A GENERAL PERMIT MUST:**
 - (i) HAVE THE SAME OR SUBSTANTIALLY SIMILAR TYPES OF OPERATIONS;**
 - (ii) DISCHARGE THE SAME TYPES OF WASTES;**
 - (iii) REQUIRE THE SAME EFFLUENT LIMITATIONS; AND**
 - (iv) REQUIRE THE SAME OR SIMILAR MONITORING.**
 - (v) IN THE OPINION OF THE DIRECTOR, BE MORE APPROPRIATELY CONTROLLED UNDER A GENERAL PERMIT THAN UNDER INDIVIDUAL WASTEWATER DISCHARGE PERMITS.**
- (2) THE DIRECTOR MAY NOT ISSUE A GENERAL PERMIT FOR DISCHARGERS THAT ARE SUBJECT TO PRODUCTION-BASED CATEGORICAL PRETREATMENT STANDARDS, CATEGORICAL PRETREATMENT STANDARDS EXPRESSED AS MASS OF POLLUTANT DISCHARGED PER DAY OR INDUSTRIAL USERS WHOSE LIMITS ARE BASED ON THE COMBINED WASTE STREAM FORMULA OR NET/GROSS CALCULATIONS.**
- (3) TO BE COVERED BY A GENERAL CONTROL MECHANISM, THE SIU IS REQUIRED TO FILE A WRITTEN REQUEST FOR COVERAGE TO THE DIRECTOR THAT IDENTIFIES:**
 - (i) SIU'S CONTACT INFORMATION;**
 - (ii) SIU'S PRODUCTION PROCESSES;**
 - (iii) THE TYPES OF WASTE GENERATED;**
 - (iv) THE LOCATION OF MONITORING ALL WASTES TO BE COVERED BY THE CONTROL MECHANISM;**
 - (v) ANY REQUESTS FOR A MONITORING WAIVER FOR ANY POLLUTANT NOT PRESENT; AND**
 - (vi) ANY OTHER INFORMATION REQUESTED BY THE DIRECTOR.**
- (4) A MONITORING WAIVER FOR A POLLUTANT NEITHER PRESENT NOR EXPECTED TO BE PRESENT IN THE DISCHARGE IS NOT EFFECTIVE IN THE GENERAL PERMIT UNTIL AFTER THE DIRECTOR HAS PROVIDED WRITTEN NOTICE TO THE SIU THAT SUCH A WAIVER REQUEST HAS BEEN GRANTED IN ACCORDANCE WITH CHAPTER 923.17 OF THIS ORDINANCE. THE DIRECTOR SHALL RETAIN A COPY OF THE GENERAL CONTROL MECHANISM, DOCUMENTATION TO SUPPORT THE DIRECTOR'S DETERMINATION THAT A SPECIFIC SIU MEETS THE CRITERIA LISTED ABOVE AND A COPY OF THE SIU'S WRITTEN REQUEST FOR COVERAGE FOR THREE (3) YEARS AFTER THE EXPIRATION OF THE CONTROL MECHANISM.**

SECTION FIVE: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.12 SPECIFIC LIMITATIONS ON WASTEWATER STRENGTH.

- (d) The Director shall establish additional or more stringent limitations on wastewater strength and more stringent specific limitations and requirements on individual dischargers where deemed necessary by the Director to comply with the applicable Pretreatment Standards or the objectives set forth in Chapter 921. Such standards and requirements shall be published fifteen days prior to their effective date in the largest newspaper of general circulation within the City. Additionally, the Director shall notify in writing each regulated or potentially regulated industrial discharger of the limitations or requirements. All limitations and requirements established by the Director shall be rulings subject to the provisions of Section 923.23. **LOCAL LIMITS OF WASTEWATER STRENGTH CAN BE FOUND WITHIN THE INDUSTRIAL USER DISCHARGE PERMIT PROVIDED BY THE CITY OF ZANESVILLE WASTEWATER TREATMENT PLANT. THE DIRECTOR MAY ALSO DEVELOP BMP'S AND WOULD BE CONSIDERED LOCAL LIMITS AND PRETREATMENT STANDARDS.**
- (e) ~~The Director may impose mass limitations on dischargers to meet the applicable Pretreatment Standards or in other cases where the imposition of mass limitations is deemed necessary to comply with the objectives set forth in Chapter 921.~~ WHEN A CATEGORICAL PRETREATMENT STANDARD IS EXPRESSED ONLY IN TERMS OF POLLUTANT CONCENTRATIONS, A SIU MAY REQUEST THE DIRECTOR TO CONVERT THE LIMITS TO EQUIVALENT MASS LIMITS. THE DETERMINATION TO CONVERT CONCENTRATION LIMITS TO MASS LIMITS IS WITHIN THE DISCRETION OF THE DIRECTOR. THE DIRECTOR MAY ESTABLISH EQUIVALENT MASS LIMITS ONLY IF THE SIU MEETS THE CONDITIONS SET FORTH IN 40 CFR 403.6 (C) (5). THE DIRECTOR MAY CONVERT THE MASS BASED LIMITS OF THE CATEGORICAL PRETREATMENT STANDARDS OF 40 CFR PARTS 414, 419, AND 455 TO CONCENTRATION LIMITS, IN ACCORDANCE WITH 40 CFR 403.6 (C) (6), FOR PURPOSES OF CALCULATING LIMITATIONS APPLICABLE TO THE INDIVIDUAL SIU. THE DETERMINATION TO CONVERT MASS BASED LIMITS TO CONCENTRATION LIMITS IS AT THE DISCRETION OF THE DIRECTOR.
- (g) The Director may issue specific orders to any industrial user or to classes of industrial users or may issue general orders to all industrial users to require compliance with any requirements under this section, including applicable categorical pretreatment standards, other discharge limits and reporting requirements. **SEE CHAPTER 923.14**
- (h) **DILUTION. NO PERSON SHALL IN ANY WAY INCREASE THE USE OF POTABLE OR PROCESS WATER, OR MIX SEPARATE WASTE STREAMS FOR THE PURPOSE OF DILUTING A DISCHARGE AS A PARTIAL OR COMPLETE SUBSTITUTE FOR ADEQUATE TREATMENT TO COMPLY WITH STANDARDS SPECIFIED IN THIS CHAPTER.**

SECTION SIX: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.16 ACCIDENTAL DISCHARGES AND OPERATING UPSETS.

- (a) **EACH SIGNIFICANT INDUSTRIAL USER (SIU) WHICH IS REQUIRED TO OBTAIN A WASTEWATER DISCHARGE PERMIT UNDER 923.14, DISCHARGER, STORM WATER DISCHARGER, PERSON OR GOVERNMENTAL ENTITY AS REQUIRED BY THE DIRECTOR OR HIS AUTHORIZED REPRESENTATIVE SHALL PROVIDE PROTECTION FROM ACCIDENTAL DISCHARGE OF PROHIBITED OR REGULATED MATERIALS OR SUBSTANCES ESTABLISHED BY THIS SUBCHAPTER. DETAILED PLANS OR NEW CONSTRUCTION SHOWING**

FACILITIES AND OPERATING PROCEDURES TO PROVIDE THIS PROTECTION SHALL BE SUBMITTED TO THE DIRECTOR AND BUILDING INSPECTOR FOR REVIEW, AND SHALL BE APPROVED BY THE DIRECTOR BEFORE CONSTRUCTION OF THE FACILITY. EACH EXISTING FACILITY SHALL COMPLETE ITS PLAN AND SUBMIT SAME TO THE DIRECTOR AND BUILDING INSPECTOR AS REQUIRED BY THE DIRECTOR. NEW SIU'S WHO DISCHARGE TO THE POTW SHALL NOT BE PERMITTED TO INTRODUCE POLLUTANTS INTO THE SYSTEM UNTIL ACCIDENTAL DISCHARGE PROTECTION PROCEDURES HAVE BEEN SUBMITTED AND APPROVED BY THE DIRECTOR OR HIS AUTHORIZED REPRESENTATIVE. REVIEW AND APPROVAL OF THOSE PLANS AND OPERATING PROCEDURES BY THE CITY SHALL NOT RELIEVE THE DISCHARGER FROM THE RESPONSIBILITY TO MODIFY ITS FACILITY AS NECESSARY TO MEET THE REQUIREMENTS OF THIS SUBCHAPTER.

(a d) A person shall notify the City immediately upon the occurrence of a slugload or accidental discharge of wastes prohibited by this chapter. The notification shall include the location of the discharge, date and time, type of waste, concentration and volume and corrective actions. A person who discharges any prohibited liquid or solid waste into a public sewer or natural outlet shall be liable for any expense, loss or damage to the sewage works. In addition, he shall be liable for any fines imposed on the City under State or Federal law as a result of this discharge. Each such discharge and each day on which there continues to be a discharge shall be considered separate violations and the penalties and costs shall be levied accordingly. Such penalties and costs shall be collected by the City in the same manner as all other charges set by the City.

(b c) Any person who is unintentionally and temporarily in a state of noncompliance with this chapter due to factors beyond his reasonable control shall inform the City, within twenty-four hours of the commencement of the operating upset. Where information is given orally, the person shall file a written follow-up report with the City within five days. The report shall:

- (1)** Describe the incident, its cause and its impact on the person's compliance status;
- (2)** Give the duration of noncompliance, including exact dates and times of noncompliance. If the noncompliance continues, the time by which compliance is reasonably expected to occur; and
- (3)** All steps taken or to be taken to reduce, eliminate and prevent recurrence of the conditions of noncompliance.

A documented and verified operating upset shall be an affirmative defense to any enforcement action brought by the City against a discharger for noncompliance with the chapter.

(e d) Signs shall be permanently posted in conspicuous places on the person's premises advising employees whom to call in the event of a slugload, accidental discharge or operating upset. Any employee who may cause or discover such a discharge shall be given instruction in emergency notification procedures.

(e) **THE DIRECTOR MAY REQUIRE ANY USER TO DEVELOP, SUBMIT FOR APPROVAL, AND IMPLEMENT A SLUG CONTROL PLAN. AN ACCIDENTAL DISCHARGE/SLUG CONTROL PLAN SHALL ADDRESS, AT A MINIMUM, THE FOLLOWING:**

- 1. DESCRIPTION OF STORED CHEMICALS; AND**
- 2. PROCEDURES FOR IMMEDIATELY NOTIFYING THE DIRECTOR OF ANY ACCIDENTAL OR SLUG DISCHARGE, AS REQUIRED BY SUBSECTION (b) HEREOF; AND**

3. PROCEDURES TO PREVENT ADVERSE IMPACT FROM ANY ACCIDENTAL SPILLS OR SLUG DISCHARGE. SUCH PROCEDURES INCLUDE, BUT ARE NOT LIMITED TO, INSPECTION AND MAINTENANCE OF STORAGE AREAS, HANDLING AND TRANSFER OF MATERIALS, LOADING AND UNLOADING OPERATIONS, CONTROL OF PLANT SITE RUNOFF, WORKER TRAINING, BUILDING OF CONTAINMENT STRUCTURES OR EQUIPMENT, MEASURES FOR CONTAINING TOXIC ORGANIC POLLUTANTS, INCLUDING SOLVENTS, AND/OR MEASURES AND EQUIPMENT FOR EMERGENCY RESPONSE.

(f) THE DIRECTOR MAY EVALUATE THE NEED FOR THE SIGNIFICANT INDUSTRIAL USER TO DEVELOP A SLUG DISCHARGE CONTROL PLAN AT LEAST ONCE DURING THE TERM OF EACH SIU'S WASTEWATER DISCHARGE PERMIT, OR WITHIN ONE (1) YEAR OF BEING IDENTIFIED AS A SIU.

(g) DISCHARGERS ARE REQUIRED TO NOTIFY THE DIRECTOR OF ANY SIGNIFICANT CHANGES AT ITS FACILITY OR SYSTEM WHICH MIGHT ALTER THE NATURE, QUALITY OR VOLUME OF ITS WASTEWATER AT LEAST THIRTY (30) DAYS PRIOR TO THE CHANGE.

SECTION SEVEN: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.17 INDUSTRIAL USERS, REPORTS AND COMPLIANCE SCHEDULES. (f)

(a) All industrial users subject to Categorical Pretreatment Standards and any other industrial user as required by the Director **SHALL NOT DISCHARGE WASTEWATER INTO THE POTW WITHOUT FIRST OBTAINING A WASTEWATER DISCHARGE PERMIT FROM THE DIRECTOR AS REQUIRED IN 923.14. THESE INDUSTRIAL USERS** shall submit a baseline monitoring report to determine acceptability of discharge and compliance with applicable pretreatment standards and requirements. Industrial users subject to a newly promulgated Categorical Pretreatment Standard shall submit this report within 180 days following the effective date of such a standard. New source dischargers shall submit a baseline report at least ninety days prior to discharging to the POTW. For new source industries, the Director may allow estimates of production rates, discharge volumes and pollutant concentrations. The information on this report shall be current and shall include the following:

- (1) Name and address of applicant.
- (2) A list of any environmental control permits held by the facility.
- (3) A description of operations, including the nature, rate of production and Standard Industrial Classification (SIC) of the operation(s). This description shall include a schematic process diagram which indicates the point(s) of discharge to the POTW.
- (4) Measured average daily and maximum flows of regulated process streams and other non-regulated streams.
- (5) Results of sampling and analysis of regulated pollutants from each regulated process. **Except as indicated in sub-section (i), below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the Director may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged. In addition, grab samples may be required to show compliance with instantaneous discharge limits. For pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics a minimum of four grab samples shall be analyzed. For all other**

Ordinance 15-123

~~pollutants a minimum of one twenty-four hour flow proportional composite sample shall be obtained.~~ Samples should be taken immediately downstream of pretreatment facilities if such exist or immediately downstream of regulated processes if no pretreatment facilities exist. All samples shall be representative of daily operations.

- i. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, hexavalent chromium, and volatile organic compounds must be obtained using grab collection techniques and composited in a laboratory.
- ii. Except for those pollutants that are required to be measured by grab samples (referenced above), all other pollutants will be measured by flow-proportional sampling unless justification for an alternate sampling type, representative of the discharge, is documented in the industrial user file.
- iii. Multiple grab samples collected during a twenty-four-hour period may now be composited prior to the analysis as follows: for hexavalent chromium, cyanide, total phenols, and sulfides the samples may now be composited in the laboratory or in the field; for volatile organics and oil & grease the samples may now be composited in the laboratory. Protocols (including appropriate preservation) specified in 40 C.F.R. 136 and appropriate U.S. EPA guidance must be followed.
- iv. The Director may require an industrial user to install flow monitoring facilities, instruments, and recording devices to enable accurate measurement of flows as determined to be necessary.
- v. If a violation is detected through sampling and analysis conducted by City in lieu of the industrial user, the City will perform the repeat sampling and analysis within thirty days of becoming aware of the violation unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
- vi. All wastewater samples must be representative of the Discharger's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a Discharger to keep its monitoring facility in good working order shall not be grounds for the Discharger to claim that sample results are unrepresentative of its discharge.
- vii. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

(5.5) EFFLUENT LIMITS, INCLUDING BEST MANAGEMENT PRACTICES, BASED ON APPLICABLE PRETREATMENT STANDARDS

- (6) Raw materials utilized and their amount.
- (7) Type and amount of product produced. For industrial users subject to equivalent mass or concentration limits established by the Director, this report shall include a reasonable measure of the user's long-term production rate. For industrial users subject to production based standards, this report shall include the user's actual production during the appropriate sampling period.

(7.5) WHEN DETERMINED TO BE NECESSARY BY THE DIRECTOR, SUBMIT DOCUMENTATION INDICATING COMPLIANCE WITH BMP'S.

- (8) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this section, the discharger shall provide a declaration of the shortest schedule by

Ordinance 15-123

which the discharger will provide such additional pretreatment according to the conditions in Section 923.17(d).

- (9) This report shall include the certification statement and shall be signed by an authorized representative of the discharger as defined in Section 923.17(f).

- (b) ~~Within ninety days following the date for final compliance as required by the industrial user's discharge order or ninety days following commencement of the introduction of wastewater into the POTW by a new discharger or ninety days following promulgation of an additional applicable categorical pretreatment standard, any discharger subject to these regulations shall submit a report as to the prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the discharger into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the discharger as defined in Section 923.17(f).~~ **COMPLIANCE DATA REPORT. WITHIN NINETY DAYS FOLLOWING THE DATE FOR FINAL COMPLIANCE BY THE SIU WITH APPLICABLE PRETREATMENT STANDARDS SET FORTH IN THIS SUBCHAPTER OR NINETY DAYS FOLLOWING COMMENCEMENT OF THE INTRODUCTION OF WASTEWATER INTO THE SEWAGE SYSTEM BY A NEW DISCHARGER, ANY DISCHARGER SUBJECT TO THIS SUBCHAPTER SHALL SUBMIT TO THE CITY A REPORT INDICATING THE NATURE AND CONCENTRATION OF ALL PROHIBITED OR REGULATED SUBSTANCES CONTAINED IN ITS DISCHARGE AND THE AVERAGE AND MAXIMUM DAILY FLOW IN GALLONS. IN CASES WHERE THE WASTEWATER DISCHARGE PERMIT REQUIRES COMPLIANCE WITH A BEST MANAGEMENT PRACTICE, THE DISCHARGER MUST SUBMIT DOCUMENTATION REQUIRED BY THE DIRECTOR OR THE WASTEWATER DISCHARGE PERMIT NECESSARY TO DETERMINE THE COMPLIANCE STATUS OF THE DISCHARGER. THE REPORT SHALL STATE WHETHER THE APPLICABLE PRETREATMENT STANDARDS OR REQUIREMENTS ARE BEING MET ON A CONSISTENT BASIS AND, IF NOT, WHAT ADDITIONAL OPERATIONS AND MAINTENANCE AND/OR PRETREATMENT IS NECESSARY TO BRING THE DISCHARGER INTO COMPLIANCE WITH THE APPLICABLE PRETREATMENT STANDARDS OR REQUIREMENTS, AND THIS STATEMENT SHALL BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE DISCHARGER.**

- (1) FOR DISCHARGERS SUBJECT TO EQUIVALENT MASS OR CONCENTRATION LIMITS ESTABLISHED BY THE DIRECTOR IN ACCORDANCE WITH THE PROCEDURES IN SECTION CHAPTER 923.12 (e), THE COMPLIANCE DATA REPORT SHALL CONTAIN A REASONABLE MEASURE OF THE USER'S LONG TERM PRODUCTION RATE, FOR ALL OTHER INDUSTRIAL USERS SUBJECT TO CATEGORICAL PRETREATMENT STANDARDS EXPRESSED IN TERMS OF ALLOWABLE POLLUTANT DISCHARGE PER UNIT OF PRODUCTION (OR OTHER MEASURE OF OPERATION), THIS REPORT SHALL INCLUDE THE USER'S ACTUAL PRODUCTION DURING THE APPROPRIATE SAMPLING PERIOD.**

SECTION EIGHT: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.17 INDUSTRIAL USERS, REPORTS AND COMPLIANCE SCHEDULES.

- (f) All reports required under this section shall include the following certification statement:

Ordinance 15-123

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, at the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Additionally, all reports shall be signed by:

- (1) In case of a corporation, by a responsible corporate officer. A responsible corporate officer means:
 - a. A president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation, or
 - b. ~~The manager of one or more manufacturing, production or operating facilities employing more than 250 persons or have gross annual sales or expenditures of twenty five million dollars (\$25,000,000), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.~~
THE MANAGER OF ONE OR MORE MANUFACTURING, PRODUCTION OR OPERATING FACILITY, PROVIDED THE MANAGER:
 - (i) IS AUTHORIZED TO MAKE MANAGEMENT DECISIONS THAT GOVERN THE OPERATION OF THE REGULATED FACILITIES INCLUDING HAVING THE EXPLICIT OR IMPLICIT DUTY OF MAKING MAJOR CAPITAL INVESTMENT RECOMMENDATIONS, AND INITIATE AND DIRECT OTHER COMPREHENSIVE MEASURES TO ASSURE LONG TERM ENVIRONMENTAL COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS; AND**
 - (ii) CAN ENSURE THAT THE NECESSARY SYSTEMS ARE ESTABLISHED OR ACTIONS TAKEN TO GATHER COMPLETE AND ACCURATE INFORMATION FOR WASTEWATER DISCHARGE PERMIT REQUIREMENTS; AND**
 - (iii) IS ASSIGNED OR DELEGATED THE AUTHORITY TO SIGN DOCUMENTS IN ACCORDANCE WITH CORPORATE PROCEDURES.**
- (2) In the case of a partnership, by a general partner.
- (3) In the case of a sole proprietorship, by the proprietor.
- (4) By a duly authorized representative of the individual designated in subsections (f)(1) to (3) hereof, if the authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, superintendent, a position of equivalent responsibility or having overall responsibility for environmental matters for the company.

SECTION NINE: The proper City official is hereby authorized to amend Section 923 of the Zanesville Codified Ordinances to include the following language:

923.23 DISPUTES AND APPEALS; PUBLICATION OF ENFORCEMENT ACTIONS.

(d) At least annually, the Director shall publish a list of all industrial users which at any time during the previous twelve months were in significant noncompliance with applicable pretreatment requirements. For the purpose of this provision, a significant industrial user is in significant noncompliance if its violations from any permitted monitoring point meet one or more of the following criteria:

(1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six-month period exceed (by any magnitude) including instantaneous limits, as defined by 40 CFR 403.3(l), for the same pollutant parameter by any amount the daily maximum limit or the average limits for the same pollutant parameter;

(2) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of a numeric pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(l), multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH); of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);

(3) Any other discharge violation of a pretreatment standard or requirement as defined by 40 CFR 403.3(l) pretreatment effluent limit (daily maximum, or longer term average, instantaneous limit, or narrative standard) that the Director determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

(4) Any discharge of a pollutant that has caused imminent endangerment of human health, welfare or to the environment or has resulted in the POTW's exercise of emergency authority to halt or prevent such a discharge;

(5) Failure to meet, within ninety days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge order or enforcement order for starting construction, completing construction, or attaining final compliance;

(6) Failure to provide, within ~~thirty days~~ forty-five (45) days after the due date, required reports, such as baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

(7) Failure to accurately report noncompliance;

(8) Any other violation or group of violations, which may include a violation of Best Management Practices, which the Director determines will or has adversely affected the operation or implementation of the City's pretreatment program.

(e) A non-significant industrial user is in significant non-compliance if it violates Section 923.23(d) (3, 4, or 8).

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

PASSED: _____, 2015

ATTEST:

SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

JEFF TILTON,
Mayor

**THIS LEGISLATION APPROVED
AS TO FORM**



LAW DIRECTOR'S OFFICE

Mayor Jeff Tilton

ORDINANCE NO. 15-115
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS
TO THE MUSKINGUM ECONOMIC OPPORTUNITY ACTION GROUP

WHEREAS, the Muskingum Economic Opportunity Action Group, Inc. was designated a Community Action Agency for Muskingum County on March 20, 1968; and

WHEREAS, such organization was incorporated as a non-profit organization in the State of Ohio with the mission to utilize public and private resources to attack poverty and its causes in Muskingum County and surrounding areas; and

WHEREAS, the Organization receives funding from the State of Ohio under the Community Services Block Grant program and the City of Zanesville has for many years provided local funds to help finance administration of the organization's programs; and

WHEREAS, the Administration of the City of Zanesville believes that said organization is helpful throughout the community in regard to community services and general outreach and referral.

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 administrative funding to the Muskingum Economic Opportunity Action Group, Inc. for the period January 1, 2016 through December 31, 2016. Said funding shall be \$10,000.00, and will be paid from account number 101.2110.53209 in equal installments in January, April, July and October.

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

PASSED _____, 2015

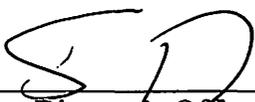
ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2015

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

Mayor Jeff Tilton

ORDINANCE NO. 15-116
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE
AMENITIES FOR THE CITY EMPLOYEE'S UNITED WAY
FUNDRAISER

WHEREAS, the employees of the City believe in and support the cause and efforts of the United Way of Muskingum, Morgan, and Perry Counties; and

WHEREAS, employees from all divisions of the City donate their time and effort organizing a chili cook-off to raise money for the United Way; and

WHEREAS, the City wishes to support the efforts of these volunteers and alleviate some of their monetary burden by allowing amenities to be purchased for the event.

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 \$250.00 on amenities for the chili cook off fundraising event to benefit The United Way of Muskingum, Morgan, and Perry Counties. Said funds shall be expended from line item 101-7863-53226.

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

PASSED _____, 2015

ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2015

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

Mayor Jeff Tilton

ORDINANCE NO. 15-117
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 2016

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, 2016 through December 31, 2016. 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 _____, 2016

ATTEST: _____
Sue Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2016

This legislation approved as to form:



Jeff Tilton
Mayor

Law Director's Office

City Treasurer

ORDINANCE NO. 15-118A

AN ORDINANCE TO ADOPT CHAPTER 182 OF THE CODIFIED ORDINANCES OF THE CITY OF ZANESVILLE REGARDING MUNICIPAL INCOME TAX

WHEREAS, the Home Rule Amendment of the Ohio Constitution, Article XVIII, Section 3, provides that “Municipalities shall have authority to exercise all powers of local self-government,” and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities; and

WHEREAS, Article XIII, Section 6 of the Ohio Constitution provides that the General Assembly may restrict a municipalities power of taxation to the extent necessary to prevent abuse of such power, and Article XVIII, Section 13 of the Ohio Constitution states that “laws may be passed to limit the powers of municipalities to levy taxes and incur debts for local purposes;” and

WHEREAS, the General Assembly has determined that it is necessary and appropriate to comprehensively review and amend Chapter 718 of the Ohio Revised Code, setting forth statutory requirements for municipal income tax codes in Ohio; and

WHEREAS, more specifically, the General Assembly enacted H. B. 5 in December 2014, and mandated that municipal income tax codes be amended by January 1, 2016 such that any income or withholding tax is “levied in accordance with the provisions and limitations specified in [Chapter 718];” and

WHEREAS, upon a detailed review of H. B. 5 and the Codified Ordinances of the City of Zanesville, this Ordinance is found and determined by this Council to enact the amendments required prior to the January 1, 2016 deadline to be in accord with the provisions and limitations specified in Chapter 718 of the Revised Code; and

WHEREAS, Council also finds and determines that the constitutionality of certain provisions of the state-mandated code may have been put in question by recent decisions of the Ohio Supreme Court regarding, among other things, taxation of professional athletes, but these provisions must be included if the municipal income tax code is to be “levied in accordance with the provisions and limitations specified in [Chapter 718]” and thus reluctantly are adopted by this Council but are disclaimed to the extent they are unlawful or unconstitutional;

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

Section 1. That Chapter 182 of the Codified Ordinances be adopted to read as set forth in the document entitled “Chapter 182, Income Tax” attached hereto as Exhibit A and incorporated herein by reference.

Section 2. That this Ordinance shall take effect and be in force from and after January 1, 2016.

PASSED: _____, 2015

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2015 This legislation approved as to form:

JEFF TILTON
MAYOR



Law Director's Office

	182.084	CREDIT FOR TAX BEYOND STATUTE FOR OBTAINING REFUND
182.09		ANNUAL RETURN
	182.091	RETURN AND PAYMENT OF TAX
	182.092	RETURN AND PAYMENT OF TAX; INDIVIDUALS SERVING IN COMBAT ZONE
	182.093	USE OF OHIO BUSINESS GATEWAY; TYPES OF FILINGS AUTHORIZED
	182.094	EXTENSION OF TIME TO FILE
	182.095	AMENDED RETURNS
	182.096	REFUNDS
182.10		PENALTY, INTEREST, FEES AND CHARGES
182.11		AUDIT
182.12		ROUNDING
182.13		AUTHORITY AND POWERS OF THE TAX ADMINISTRATOR
	182.131	AUTHORITY OF TAX ADMINISTRATOR; ADMINISTRATIVE POWERS OF THE TAX ADMINISTRATOR
	182.132	AUTHORITY OF TAX ADMINISTRATOR; COMPROMISE OF CLAIM AND PAYMENT OVER TIME
	182.133	AUTHORITY OF TAX ADMINISTRATOR; RIGHT TO EXAMINE
	182.134	AUTHORITY OF TAX ADMINISTRATOR; REQUIRING IDENTIFYING INFORMATION
182.14		CONFIDENTIALITY
182.15		FRAUD
182.16		OPINION OF THE TAX ADMINISTRATOR
182.17		ASSESSMENT; APPEAL BASED ON PRESUMPTION OF DELIVERY
182.18		LOCAL BOARD OF TAX REVIEW; APPEAL TO LOCAL BOARD OF TAX REVIEW
182.19		ACTIONS TO RECOVER; STATUTE OF LIMITATIONS
182.20		ADOPTION OF RULES
182.30		MANDATORY REGISTRATION
182.97		COLLECTION OF TAX AFTER TERMINATION OF CHAPTER
182.98		SAVINGS CLAUSE
182.99		VIOLATIONS - PENALTY

CHAPTER 182

Municipal Income Tax

Effective January 1, 2016

For taxable years beginning with taxable year 2016

182.01	AUTHORITY TO LEVY TAX; PURPOSES OF TAX; RATE
182.011	AUTHORITY TO LEVY TAX
182.012	PURPOSES OF TAX; RATES
182.013	ALLOCATION OF FUNDS
182.014	STATEMENT OF PROCEDURAL HISTORY; STATE MANDATED CHANGES TO MUNICIPAL INCOME TAX
182.02	EFFECTIVE DATE
182.03	DEFINITIONS
182.04	INCOME SUBJECT TO TAX FOR INDIVIDUALS
182.041	DETERMINING MUNICIPAL TAXABLE INCOME FOR INDIVIDUALS
182.042	DOMICILE
182.043	EXEMPTION FOR MEMBER OR EMPLOYEE OF GENERAL ASSEMBLY AND CERTAIN JUDGES
182.05	COLLECTION AT SOURCE
182.051	COLLECTION AT SOURCE; WITHHOLDING FROM WAGES
182.052	COLLECTION AT SOURCE; OCCASIONAL ENTRANT
182.053	COLLECTION AT SOURCE; CASINO AND VLT
182.06	INCOME SUBJECT TO NET PROFIT TAX
182.061	DETERMINING MUNICIPAL TAXABLE INCOME FOR TAXPAYERS WHO ARE NOT INDIVIDUALS
182.062	NET PROFIT; INCOME SUBJECT TO NET PROFIT TAX; ALTERNATIVE APPORTIONMENT
182.063	CONSOLIDATED FEDERAL INCOME TAX RETURN
182.064	TAX CREDIT FOR BUSINESSES THAT FOSTER NEW JOBS IN OHIO
182.065	TAX CREDITS TO FOSTER JOB RETENTION
182.07	DECLARATION OF ESTIMATED TAX
182.08	CREDIT FOR TAX PAID
182.081	CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY
182.082	REFUNDABLE CREDIT FOR QUALIFYING LOSS
182.083	CREDIT FOR PERSON WORKING IN JOINT ECONOMIC DEVELOPMENT DISTRICT

182.01 AUTHORITY TO LEVY TAX; PURPOSES OF TAX; RATE

182.011 AUTHORITY TO LEVY TAX

(A) The tax on income and the withholding tax established by this Chapter 182 are authorized by Article XVIII, Section 3 of the Ohio Constitution. The tax on income and the withholding tax established by this Chapter 182 are deemed to be levied in accordance with, and to be consistent with, the provisions and limitations of Ohio Revised Code 718 (ORC 718). This Chapter is deemed to incorporate the provisions of ORC 718.

(B) The tax is an annual tax levied on the income of every person residing in or earning or receiving income in the municipal corporation, and shall be measured by municipal taxable income. The Municipality shall tax income at a uniform rate. The tax is levied on Municipal Taxable Income, as defined herein.

(Source: ORC 718.04)

182.012 PURPOSES OF TAX; RATES

(A) Purpose. To provide funds for the purpose of general Municipal operations, maintenance, new equipment, extension and enlargement of Municipal services and facilities and capital improvements of the City, there shall be and is hereby levied a tax on salaries, wages, commissions and other compensation, and on net profits as hereinafter provided.

(B) Base Amount Levied. Subject to the provisions of Section 182.98, an annual tax for the purpose specified in Section 182.012(A) shall be levied at the rate of one and one-half percent (1.5%) per annum.

(C) Additional Amount Levied For City Jail and Police Department. In addition to the tax imposed by Section 182.012(B), there is levied an additional tax of two-tenths of one percent (.20%) upon those classes of salaries, wages, commissions, rents, other compensation and profits set forth in this Chapter, for the purpose of constructing, furnishing and equipping a City jail addition to, and related remodeling and renovation of, the Safety Center, debt service on debt incurred for those improvements, costs of operation and maintenance of the City jail, and other costs of operation and maintenance of the Police Department of the City.

(D) Additional Amount Levied For Fire Department. In addition, to the tax imposed by Sections 182.012(B) and 182.012(C), there is levied an additional tax of two-tenths of one percent (0.20%) upon those classes of salaries, wages, commission, rents, other compensation and profits set forth in this Chapter, for the purpose of operations of the Zanesville City Fire Department to replace apparatuses, equipment, appliances and emergency devices; and to make repairs, refurbish and improve its existing fire stations; and to enact and modify its supervisory structure; and to add an additional fire station to portions of the City.

(Source: ORC 718.04)

182.013 ALLOCATION OF FUNDS

The funds collected under the provisions of this chapter shall be deposited in a special fund known as the *Income Tax Revenue Fund* and such funds shall be disbursed in the following manner:

No repetition of remarks shall be permitted nor speaking on the same subject matter will be allowed at more than three meetings, unless there has been a substantive change to the legislation or situation as determined by the President.

To accommodate special needs or circumstances that are in the best interest of the City, Council may temporarily suspend any of these rules, by motion, second and 2/3 majority vote (6 votes), which includes the opportunity to address Council without written notice.

If a speaker does not speak on a matter concerning the legislative or administrative responsibilities of city government, the President may terminate the right to speak and refer the speaker to more appropriate public forum.

Signs and banners are not permitted in Council Chambers. This prohibition does not apply to charts, diagrams, enlarged photographs, or other demonstrative exhibits or visual media utilized by a speaker in presenting testimony to Council.

Any variance or waiver of these rules shall be by a 2/3 majority vote (6 votes) of Council.

PETITION TO ADDRESS COUNCIL

IT IS ADVISED THAT YOU READ AND FAMILIARIZE YOURSELF WITH THE ABOVE-LISTED RULES AS WELL AS ALL RULES SET FORTH IN CHAPTER 111 OF THE CODIFIED ORDINANCES OF THE CITY OF ZANESVILLE PRIOR TO SPEAKING BEFORE COUNCIL.

Those desiring to address Council must complete a "Petition to Address Council." These Petitions are available in the Clerk's office, online, by email request, and in Council Chambers. To speak on a non-agenda item, the completed Petition must be provided to the Clerk of Council by noon on Wednesday the week prior to the Council meeting to be eligible to speak at the meeting. To address Council on an item that is on the agenda, the Petition must be provided to the Clerk of Council fifteen minutes prior to beginning of the meeting. Council will not consider an incomplete Petition to Address Council, which requires the following: Name, Organization Representing (if any), Address, Telephone Number, Email Address (optional), Ordinance/Resolution Number and if For or Against the legislation, and if not speaking on an agenda item list the Subject. Also required is a Signature and Date to indicate "I Have read the restrictions and guidelines regarding speaking before Council, including those set forth in Chapter 111 of Zanesville's Codified Ordinances. I understand and agree to abide by these rules and acknowledge that my failure to abide by these rules may result in my request to speak being denied or terminated". It is recommended that any available supporting documentation be submitted with the Petition to ensure that Council and City Administration have the information necessary to effectively respond to the concern. All documents submitted to Council become public documents, so please ensure that all personal and private information is redacted (deleted or removed).

NAME: Eric Jones

REPRESENTING AN ORGANIZATION (IF YES, PLEASE LIST): MYSELF

ADDRESS: 221 Luck Ave

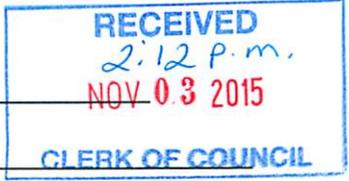
TELEPHONE: 740 588-1837

EMAIL (OPTIONAL):

COMMUNICATION/RESOLUTION/ORDINANCE #: _____ FOR OR _____ AGAINST

IF YOU ARE NOT SPEAKING ON AN AGENDA ITEM, YOU MUST INDICATE YOUR SUBJECT BELOW:

Police Comments



I HAVE READ THE RESTRICTIONS AND GUIDELINES REGARDING SPEAKING BEFORE COUNCIL, INCLUDING THOSE SET FORTH IN CHAPTER 111 OF ZANESVILLE'S CODIFIED ORDINANCES. I UNDERSTAND AND AGREE TO ABIDE BY THESE RULES AND ACKNOWLEDGE THAT MY FAILURE TO ABIDE BY THESE RULES MAY RESULT IN MY REQUEST TO SPEAK BEING DENIED OR TERMINATED.

Signature: Eric Jones

DATE: 11/3/15