

**City Council meeting  
Agenda of business  
February 23, 2015**

The Lord's Prayer

Pledge of Allegiance to the flag lead by 2014 Miss Ohio Mackenzie Bart  
and a Girl Scout Troop

Item  
no.

- A. Roll call
- B. Approval of minutes
- C. Communications, reports, and resolutions
  - 1. Resolution No. 27 – Introduced by Council – A Resolution recognizing and honoring Mackenzie Bart, Miss Ohio 2014 (First Reading)
  - 2. Resolution No. 28 – Introduced by Council – A Resolution authorizing the appointing authority to appoint a new employee at a higher step and declaring an emergency. (Emergency or First Reading)
- D. Proposed ordinances
  - 3. Ordinance No. 15-19 – Introduced by Council – An Ordinance rescinding Ordinance 00-46. (First Reading)
  - 4. Ordinance No. 15-20 – Introduced by Council – An Ordinance amending Ordinance 13-45, which provided for dual occupancy of an employment position. (First Reading)
  - 5. Ordinance No. 15-21 – Introduced by Council – An Ordinance authorizing the proper city official to enter into Professional Contract with Brian Addis Architect, LLC. and declaring an emergency. (Emergency or First Reading)
  - 6. Ordinance No. 15-22 – Introduced by Council – An Ordinance authorizing the purchase of HVAC materials through the State of Ohio Purchase Program, and declaring an emergency. (Emergency or First Reading)
  - 7. Ordinance No. 15-23 – Introduced by Council – An Ordinance providing appropriations for use during the fiscal year 2015, and declaring an emergency. (Emergency or First Reading)

8. Ordinance No. 15-24 – Introduced by Council – An Ordinance authorizing the proper city official to apply for OWDA Low Interest Loan Funding, advertise for bids for construction of the Linden Draining project, and enter into contracts with the lowest and best bidder. (First Reading)
9. Ordinance No. 15-25 – Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into a contract for the 2015 citywide overlays, with the lowest and best bidder. (First Reading)
10. Ordinance No. 15-26 – Introduced by Council – An Ordinance amending exhibit A of Ordinance 99-99, which designated property owned by the City of Zanesville as a park and authorized the proper city official to enter into an agreement with Bartlett Hagemeyer Jr. and Kathleen Hagemeyer for the development and maintenance of the park, and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

Ordinance No. 15-17 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for City employees; amending Ordinance No. 13-15 (amended), which authorized a maximum schedule of positions; and amending Ordinance No. 13-16 (amended), which established pay, benefits and employment policies for unaffiliated employees. (Second Reading)

Ordinance No. 15-06A - Introduced by Council – An Ordinance authorizing the proper city official to reduce the Water and Sewer Tap fees for Genesis at the new Bethesda Campus. (Third Reading)

F. Traffic orders

G. Private petitions and communications

H. Miscellaneous and unfinished business

## **CITY COUNCIL MEETING – MONDAY, FEBRUARY 09, 2015**

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, February 09, 2015 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

Mr. Vincent led those present in the Lord's Prayer and the Pledge of Allegiance to the Flag.

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

Mr. Foreman was absent.

Motion made by Ms. Gildow to excuse Mr. Foreman. It was seconded by Mr. Roberts. There was no discussion. A voice vote was taken with all present in favor of excusing Mr. Foreman. None were opposed. Mr. Foreman stands excused.

### **APPROVAL OF MINUTES**

Mr. Hutcheson moved to accept the minutes of January 26, 2015 as printed, seconded by Mr. Sharrer. All were in favor. Motion carried. Minutes stand approved.

### **COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

None

### **PROPOSED ORDINANCES**

Ordinance No. 15-13 – Introduced by Council – An Ordinance approving a Labor Agreement with Fraternal Order of Police, Ohio Labor Council, Inc. Police Secretaries and Records Clerks, 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.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

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

Mr. Vincent: Is there any discussion? Mr. Tarbert, do you want to share anything from Ways and Means regarding this?

Mr. Tarbert: Well, this and all of the other Ordinances coming up. We had a Ways & Means Committee meeting and there was great information presented by the Administration. We appreciate that. There was no recommendation from the committee because we thought that it was better to come here, but we asked if there were any issues, any negative thoughts about this and none were raised. While I can't say there was a recommendation from the committee for those of you who weren't at that meeting it certainly seemed like the administration put in a lot of hard work into this and that the committee seemed to be in favor of these Ordinances.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-14 – Introduced by Council – An Ordinance approving a Labor Agreement with Zane Lodge #5, Fraternal Order of Police, Ohio Labor Council, Inc. Police Officers, and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

Mr. Roberts moved for passage, seconded by Mr. Sharrer.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-15 – Introduced by Council – An Ordinance approving a Labor Agreement with Fraternal Order of Police, Ohio Labor Council, Inc. Police Sergeants and Lieutenants, and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

Mrs. Norman moved for passage, seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion? I do have a petition here. Mr. Dave Rogers wants to speak in opposition this Ordinance.

Mr. Vincent: With that Mr. Rogers, you need to leave the personal part out of this as far as names and stuff. If you have an issue with someone, based on past comments you have had, I encourage you to refer to a police officer or sergeant, but leave personal names out of it if you would please.

Private Petition: David Rogers, 1104 Benjamin Avenue, Zanesville, Ohio.

Mr. Dave Rogers: Wouldn't it be public record?

Mr. Vincent: No, I don't want any personal attacks here. You can refer to a sergeant, lieutenant, or whatever you want to refer to, but I am not going to tolerate personal attacks on people. You can still discuss it and I am sure everyone here knows who you are talking about if it is the same issue that you have had before.

Mr. Dave Rogers: Before the incident of June 19, 2013, when I went to file a complaint in which the contract was violated by I wouldn't need to file a complaint. I had spoke about the police being held under scrutiny. Now obviously if they are going to violate their contract, they are not being held under any scrutiny. In general the law enforcement in this community was under federal investigation eight years ago. Not just the Zanesville Police Department (ZPD), but the law enforcement in general along with

the Mayor. I know that for a fact and how I know that is beside the point. On 4-25-2013 the Mayor wants to state that we have such fine law enforcement officers under Chief Lambes who is no longer here and retired. The paperwork that was filed, a complaint, with the City got misplaced even though it was spoke of at a prior meeting. The City is going to have to study how they handle their contracts. Obviously there is a problem with it. Kikosing, water department, fire truck and looks like the police department is free to do what they want with their contract as they have without no threat onto the officers. Everything is to look the other way and under the table. Most jobs if a person is found sleeping on their job; gets fired. I don't see how this could even be considered an emergency ordinance if you are not going to figure out a way to make the so called law enforcement officers abide by their contract. Are we going to keep covering up for them? One other thing, Mr. Hillis, the packet from Columbus is on its way.

Mr. Hillis: Great.

Mr. Vincent: Ok, Mr. Rogers. Is there anything from Council? Are there any questions? With that, we have a motion and second for passage. If we have no additional discussion from Council; we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-16 - Introduced by Council – An Ordinance approving a Labor Agreement with Local #88, International Association of Fire Fighters, and declaring an emergency.

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

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.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-17 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for City employees; amending Ordinance No. 13-15 (amended), which authorized a maximum schedule of positions; and amending Ordinance No. 13-16 (amended), which established pay, benefits and employment policies for unaffiliated employees.

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

Mr. Vincent: Is there any discussion? Hearing none all in favor of first reading signify by saying Aye. All present were in favor. None opposed.

Motion carries. Mr. Foreman was absent.

Ordinance No. 15-18 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for City employees; amending Ordinance No. 13-15 (amended), which authorized a maximum schedule of positions; and amending Ordinance No. 13-16 (amended), which established pay, benefits and employment policies for unaffiliated employees, and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

Mr. Vincent: I need a motion for passage.

Mr. Hutcheson moved for passage, 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.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

Ordinance No. 15-06A – Introduced by Council – An Ordinance authorizing the proper city official to reduce the Water and Sewer Tap fees for Genesis at the new Bethesda Campus.

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

Mr. Vincent: Is there any discussion? Hearing none all in favor of second reading signify by saying Aye. All present were in favor except Mr. Tarbert and he abstained. None opposed.

Motion carries. Mr. Foreman was absent.

Mr. Vincent: This will come back for third reading the next time.

## **TRAFFIC ORDERS**

None

## **PRIVATE PETITIONS AND COMMUNICATIONS**

Eric Jones, 221 Luck Avenue, Zanesville, Ohio to speak regarding Axioms & Allegations.

Mr. Eric Jones: Hello everybody. I am going to start out with a few axioms. My guard is basically an axiom. Axiomatic, pardon me, the first axiom I would like to do is: Silence shall be considered as consent. And that is understood. Mr. Vincent doesn't want that to be an axiom. He wants to somehow be outside of that rule. Sort of like Bill Cosby wants to be outside that rule. It didn't work for him and it is not going to work for Mr. Vincent either. The next one is citizens; if there is no law against something a citizen has the right to do it. With elected officials and for appointed officials; if there is no law for it, they are not allowed to do it. Now, I want to go to the presiding officers. If you can't rule; you can't lead. Mr. Vincent does not have the authority. He does not have the authority to make a ruling pursuant to the Ohio Revised Code. If you check back into your minutes you will discover he has never made a ruling. He can say I rule. He can say that, but that is him ruling. If he doesn't say pursuant to and he will give a statute number and he will give the section and then now he can make a ruling. He is not a lawyer. Since he is not a lawyer, he cannot make a ruling. If he makes a ruling he will be practicing law without a license. Now the truth, again another axiom, the truth is an absolute defense against slander and liable; absolutely, even if it is malicious. If I am telling the truth about you, tough. Now I am going to make a statement. I will state my statement and I have said this one a million times. Zanesville has been deprived of republican democracy. What we have here is a tyranny of the majority. I said for you to

think about how that happened and how stewards make change. Before I make an allegation against you Mr. Vincent it is not going to be personal Mr. Vincent. I am going to say that Council has a problem distinguishing between such things as private and public; between personal and professional. This is not about personal. This is about you in your official capacity as elected officials. You don't seem to understand the difference between official and unofficial. This is official. The lovely Ms. Culbertson is taking transcript of what we are doing. You don't seem to understand the difference between in session and adjourned. Now I bet you don't know the difference between (I know 10 seconds) name calling and descriptive adjectives. So here is my allegation. Mr. Vincent has lied, he is practicing treason, and he is a tyrant. All of those statements I can back up with.

Mr. Vincent: Thank you, sir. Your time is over.

Mr. Jones: Thank you very much.

### **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mr. Vincent: Is there anything from Administration? Is there anything from Council? With that I would like, I mean we passed all of these contracts tonight, or Council did. I think comments I have heard in the past from all of Council and I think I can speak on behalf of Council on this one here. We do appreciate all the services that our City workers do provide. They do excellent work. I will leave someone out here but all of the safety forces, all of those who provide service, we are very appreciative. We hear lots of good things all the time. We do appreciate it. It is nice to be able to do this at this time. Things have been tight in the past. It is nice to do this this time around. Thank you to the Mayor, Mr. Hillis, Fred Buck and whoever else was involved. I think all of administration was involved, I guess with getting the contracts done, so thank you. Is there anything else from Council? Ms. Gildow, did you have something?

Ms. Gildow: I was just wondering if these are new employees of our Fire Department.

Fred Buck: One of them is, Matt Reed.

Ms. Gildow: I just thought it would be a nice opportunity for us to meet these gentlemen.

Mr. Vincent: We can talk to them afterwards. We won't put them on the spot. Is there anything else from Council?

Mr. Hutcheson: I move we adjourn.

Ms. Gildow: I second it.

Mr. Vincent: I have a motion and second to adjourn. All in favor of adjournment signify by saying aye. All present were in favor. None were opposed. Mr. Foreman was absent. Motion carries.

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

The meeting was adjourned about 7:20 p.m.

Councilperson  
Rob Sharrer

RESOLUTION NO. 15-27  
INTRODUCED BY COUNCIL

**A RESOLUTION RECOGNIZING AND HONORING MACKENZIE BART, MISS OHIO 2014**

WHEREAS, Mackenzie Bart was crowned Miss Ohio 2014 on Saturday, June 21, 2014;  
and

WHEREAS, Ms. Bart honorably represented the great State of Ohio in the Miss America Scholarship Program on September 15, 2014, where she was a talent winner for her ventriloquist song and placed as a Top Ten Finalist; and

WHEREAS, through her participation in the Miss America program Ms. Bart advocates for the empowerment of young women, encouraging their involvement in science, technology, engineering and math (STEM) and promotes this STEM education, as well as her platform of Universal Newborn Screening (UNS); and

WHEREAS, Ms. Bart has dedicated her year as Miss Ohio to spreading the powerful messages of literacy, arts, health, fitness, volunteerism and service to community, while attending The Ohio State University in pursuit of her Bachelor of Science degree in Atmospheric Sciences; and

WHEREAS, we, the Zanesville City Council believe that our community can be improved by encouraging all education, including science, technology, engineering and math.

NOW, THEREFORE, BE IT RESOLVED that the Zanesville City Council recognizes and honors Miss Mackenzie Bart for her tireless dedication and mentoring to the youth throughout the State of Ohio and around the country. Her commitment to the empowerment of young women and STEM education will continue to inspire and influence the lives of children, our future leaders.

NOW, THEREFORE, BE IT RESOLVED for the reasons stated in the preamble hereto, this resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2015

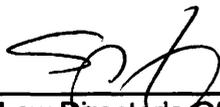
\_\_\_\_\_  
Susan Culbertson  
Clerk of Council

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

APPROVED: \_\_\_\_\_, 2015

This legislation approved as to form:

\_\_\_\_\_  
Jeff Tilton, Mayor

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

**Municipal Court**

**RESOLUTION NO. 15- 28**

**A RESOLUTION AUTHORIZING THE APPOINTING AUTHORITY TO APPOINT A NEW EMPLOYEE AT A HIGHER STEP AND DECLARING AN EMERGENCY**

**WHEREAS, Ordinance No. 13-87 amended Section 7(A) of Ordinance No. 13-16(A) to allow the appointing authority to appoint a new employee at a higher step with the prior written approval of City Council; and**

**WHEREAS, City Council has been approached by the appointing authority for the Municipal Court Probation Officer at a starting step of Step 19 in Pay Range 7 and good cause for said request has been demonstrated to City Council; and**

**WHEREAS, due to an existing vacancy in the municipal service which needed to be filled as soon as possible, the Municipal Court hired a probation officer to preserve substantial grant funding and to continue the operation of the probation department on December 15, 2014 and therefore, this resolution should be considered an emergency so that it may become effective immediately.**

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

**SECTION ONE: The appointing authority for the Municipal Court Probation Officer may authorize appointment of a new Municipal Court Probation Officer at a starting step of Step 19 in Pay Range 7, effective December 15, 2014.**

**SECTION TWO: For the reasons stated in the preamble hereto, this Resolution is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, this Resolution 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.**

Ordinance 15-28

PASSED: \_\_\_\_\_, 2015

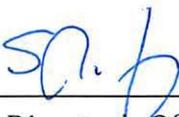
\_\_\_\_\_  
SUSAN CULBERTSON  
CLERK OF COUNCIL

\_\_\_\_\_  
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

**ORDINANCE NO. 15 - 19  
INTRODUCED BY COUNCIL**

**AN ORDINANCE RESCINDING ORDINANCE 00-46.**

**WHEREAS**, City Council approved Ordinance 00-46 as shown in "Attachment A," which authorized the Zanesville Civic League Community Center to prepare and utilize a vacant city lot for Community Center attendee parking; and

**WHEREAS**, the parking lot is no longer being utilized and will not be used in the future by the Zanesville Civic League.

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

**SECTION ONE:** Ordinance 00-46 is hereby rescinded.

**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

\_\_\_\_\_  
JEFF TILTON,  
Mayor

**THIS LEGISLATION APPROVED AS TO FORM**

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

Department of Public Service  
Michael A. Sims, Deputy Director

**ORDINANCE NO. 00-46 (Amended)**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO AUTHORIZE THE ZANESVILLE CIVIC LEAGUE COMMUNITY CENTER TO PREPARE AND UTILIZE A VACANT CITY LOT FOR COMMUNITY CENTER ATTENDEE PARKING.**

WHEREAS, the current Civic League's success has inconvenienced local neighbors with parking in the area of the Community Center; and

WHEREAS, the City owns a vacant lot in Brown's Subdivision, Lot Number 9, on Jackson Street; and

WHEREAS, this vacant lot serves no Municipal purpose to the City; and

WHEREAS, the Civic League is willing to prepare the lot for parking and maintain it; and

WHEREAS, this action would benefit the Civic League, the area residents, and remove the maintenance requirement by the City.

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

SECTION ONE: The proper City official is hereby authorized to enter into an agreement to permit the Zanesville Civic League to utilize Lot #9 in the Brown's Subdivision for parking by Community Center attendees.

SECTION TWO: The City of Zanesville shall retain ownership of the property and reserve all rights for future use.

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

PASSED: April 10, 2000

ATTEST: Joan L. Ziemer  
JOAN L. ZIEMER,  
Clerk of Council

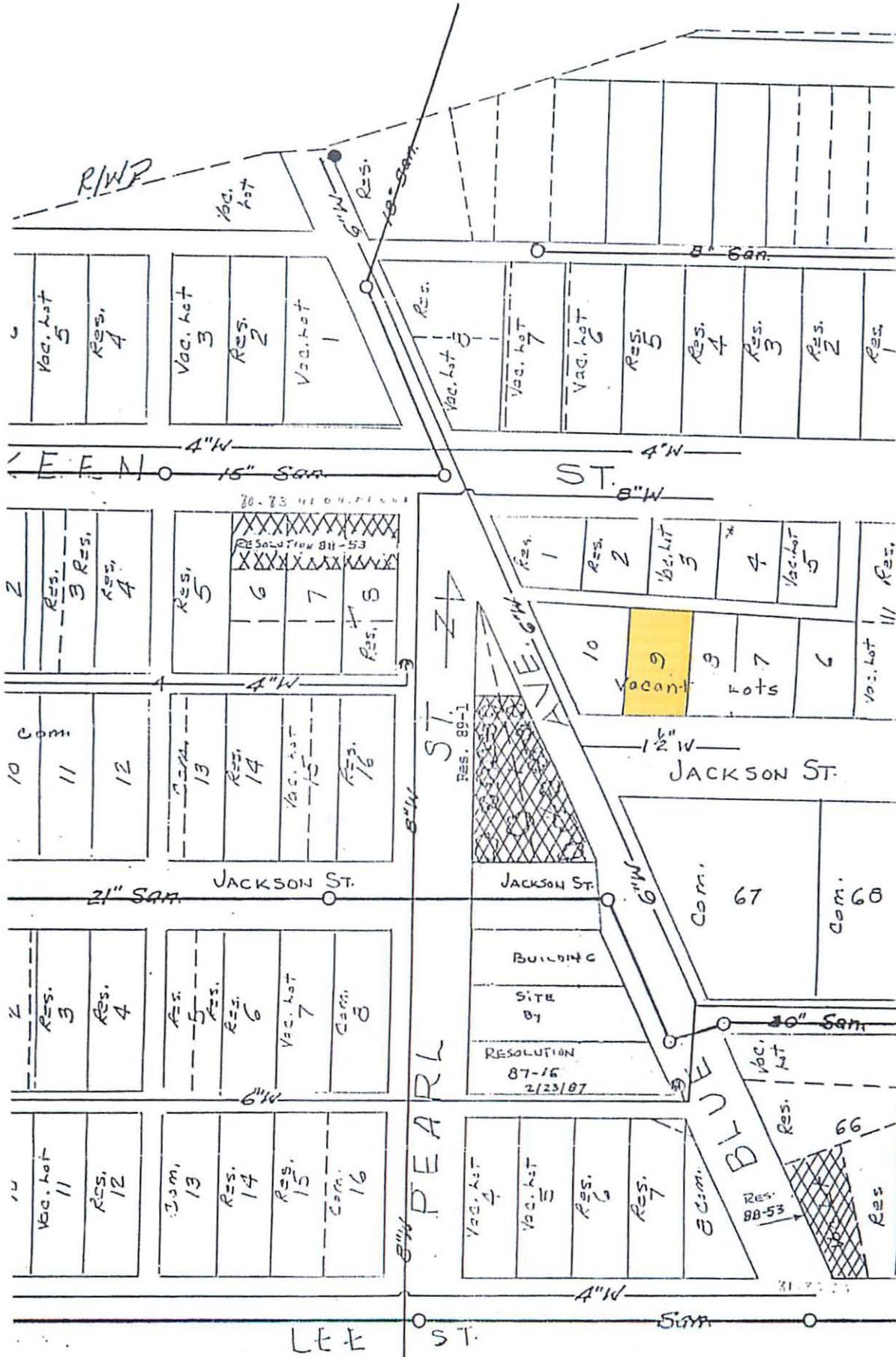
Joanne K. Winland  
JOANNE K. WINLAND,  
President of Council

APPROVED: April 10, 2000

John F. Fenton  
JOHN F. FENTON,  
Mayor

[Signature]

\* Highlight is lot location.



Department of Public Service  
Jay D. Bennett, Director



**ORDINANCE NO. 15 - 20**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AMENDING ORDINANCE 13-45, WHICH PROVIDED FOR  
DUAL OCCUPANCY OF AN EMPLOYMENT POSITION.**

**WHEREAS**, Ordinance 13-45 was passed on May 28, 2013 to establish a procedure for on-the-job training of unaffiliated employees in the municipal service; and

**WHEREAS**, periodically, there is a need for dual occupancy of a position to include emergency measures, which may include a short-term leave of absence, and not solely just for the purpose of on-the-job training.

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

**SECTION ONE:** Section Two of Ordinance No. 13-45 which reads:

When deemed necessary by the appointing authority, the City will allow two employees to occupy the same position for a period not to exceed six (6) weeks, thirty (30) working days.

***Shall be amended to read:***

When deemed necessary by the appointing authority, the City may allow two employees to occupy the same position for a period not to exceed twelve (12) calendar weeks, sixty (60) working days.

**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

\_\_\_\_\_  
JEFF TILTON,  
Mayor

**THIS LEGISLATION APPROVED AS TO FORM**

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

RECEIVED  
MAY 21 2013  
CLERK OF COUNCIL

Mayor Jeff Tilton

ORDINANCE NO. 13-45  
INTRODUCED BY COUNCIL

ESTABLISHING A PROCEDURE FOR ON-THE-JOB TRAINING OF  
UNAFFILIATED EMPLOYEES IN THE MUNICIPAL SERVICE  
AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 13-15 A authorizes a maximum number of employees and positions the City may have on payroll at any given time; and

WHEREAS, periodically it is necessary to allow two people to occupy the same position for the purpose of on-the-job training; and

WHEREAS, Ordinance No. 13-16 A establishes ~~classification and job titles for the~~ City of Zanesville unaffiliated employees; and

WHEREAS, it is anticipated that an unaffiliated position will soon be filled and the Director and Supervisor of the department would like to allow for on-the-job training of the newly appointed employee, therefore necessitating this ordinance be passed as an emergency.

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

SECTION ONE: For the unaffiliated positions governed by Ordinance No. 13-16 A, there is hereby established a procedure for on-the-job training.

SECTION TWO: When deemed necessary by the appointing authority, the City will allow two employees to occupy the same position for a period not to exceed six (6) weeks, thirty (30) working days.

SECTION THREE: The training period may be allowed for newly appointed unaffiliated employees or current employees transferring and/or moving into an unaffiliated position governed by Ordinance No. 13-16 A.

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

PASSED: May 28, 2013

Vicki L. Figgins  
Vicki L. Figgins  
Clerk of Council

Daniel M. Vincent  
Daniel M. Vincent  
President of Council

APPROVED: May 29, 2013

Jeff Tilton  
Jeff Tilton, Mayor

This legislation approved as to form:

S. J.  
Law Director's Office

Fred Buck  
Director of Public Safety

ORDINANCE NO. 15-21  
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO  
PROFESSIONAL CONTRACT WITH BRIAN ADDIS ARCHITECT, LLC. AND  
DECLARING AN EMERGENCY.

WHEREAS, Council has previously authorized ordinance #14-75 and #14-76  
which allows for the Design Build process for improvement projects at Secrest Auditorium; and

WHEREAS, through the RFQ process, seeking a criteria architect one proposal  
was received; and

WHEREAS, after meeting with the firm and developing the scope of services said  
services are anticipated to exceed \$50,000.00, therefore requiring Council approval; and

WHEREAS, the criteria architectural process needs to be completed as soon as  
possible in order for the project to move forward prior to Spring 2015, thereby creating the need  
to have this ordinance passed as an emergency.

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

SECTION ONE: The proper city official is hereby authorized to enter into a  
contract for professional services with Brian Addis Architect, LLC.

SECTION TWO: Said professional services are to be paid from line item  
620.3261.54499 and are estimated to be \$68,000.00.

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

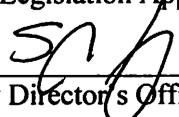
ATTEST: \_\_\_\_\_  
Sue Culbertson  
Clerk of Council

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

APPROVED: \_\_\_\_\_, 2015

\_\_\_\_\_  
Jeff Tilton, Mayor

This Legislation Approved As To Form:

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

Fred Buck  
Director of Public Safety

ORDINANCE NO. 15-22  
INTRODUCED BY COUNCIL

AUTHORIZING THE PURCHASE OF HVAC MATERIALS THROUGH THE STATE OF OHIO PURCHASE PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, through Ordinance #14-75 council has authorized the Design Build process for HVAC Replacement Project at Secrest Auditorium; and

WHEREAS, the City will be funding the entire project authorized by Ordinances 14-75 and 14-76 through bond anticipation notes and a subsequent bond issue; and

WHEREAS, in order to keep the project moving towards the spring 2015 project timeline and guarantee the current state purchase price, materials need to be ordered immediately.

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

SECTION ONE: that the proper City official be and hereby is authorized to purchase HVAC materials for Secrest Auditorium through the State Purchase Program.

SECTION TWO: prior to the issuance of bond anticipation notes materials estimated to be \$285,000.00 shall be paid from line item 620.3261.54499.

SECTION THREE: for the reasons stated in the preamble, 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.

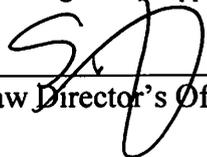
PASSED: \_\_\_\_\_, 2015

ATTEST: \_\_\_\_\_  
Sue Culbertson  
Clerk of Council

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

APPROVED: \_\_\_\_\_, 2015

\_\_\_\_\_  
Jeff Tilton, Mayor  
Mayor

This Legislation Approved As To Form:  
  
\_\_\_\_\_  
Law Director's Office

**Please see**

**separate**

**attachment**

**for Ordinance 15-23**

**Appropriations for 2015**

Rhonda Heskett,  
Budget & Finance Director

ORDINANCE NO. 15-23  
INTRODUCED BY COUNCIL

PROVIDING APPROPRIATIONS FOR USE DURING THE FISCAL YEAR 2015, AND  
DECLARING AN EMERGENCY

**WHEREAS**, City Council must establish an annual budget for the operations of the City of Zanesville for the fiscal year 2015; and

**WHEREAS**, said budget must be passed and be in effect on or before April 1, 2015; and

**WHEREAS**, In order to maintain the daily operations of municipal departments within the City it is essential this ordinance become effective prior to thirty days after passage.

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

**SECTION ONE:** The City of Zanesville's FY 2015 working budget is attached as Exhibit 1, and with Council's approval shall be amended as necessary to meet the daily operations of the City.

**SECTION TWO:** Out of the monies known to be in the Treasury and estimated to come into the Treasury during the period from January 1, 2015 through December 31, 2015, from the collection of taxes and from all other sources of revenue, there is hereby appropriated the following amounts set forth in the columns designated as "Appropriations." Each of the following sections numbered 101.0000.41102 etc. (Revenues) and 101.1021. etc. (Appropriations), is hereby declared to be a separate and distinct section for purposes of this ordinance.

**SECTION THREE:** The amounts presented in the budget for the years, 2013 and 2014 are provided for informational purposes only.

**SECTION FOUR:** For the reasons stated in the preamble hereto, this ordinance is declared to be an emergency measure. Provided it receives the affirmative votes of six (6) or more members of Council, this ordinance shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED \_\_\_\_\_, 2015

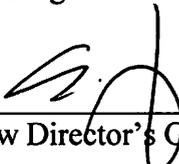
ATTEST: \_\_\_\_\_  
Susan Culbertson  
Clerk of Council

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

APPROVED: \_\_\_\_\_, 2015

This legislation approved as to form:

\_\_\_\_\_  
Jeff Tilton, Mayor

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

Department of Public Service  
Jay D. Bennett, Director

**ORDINANCE NO. 15- 24**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO APPLY FOR OWDA LOW INTEREST LOAN FUNDING, ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE LINDEN DRAINING PROJECT, AND ENTER INTO CONTRACTS WITH THE LOWEST AND BEST BIDDER.**

**WHEREAS**, the City has committed existing local stormwater fund resources to other projects in anticipation that the Linden Avenue Drainage Project would be financed through an Ohio Water Development Authority (OWDA) low interest loan; and

**WHEREAS**, the corridor along Linden Avenue between Hoge Avenue and Tileston Avenue has experienced repeated high water and flooding over the last several years, resulting in traffic inconvenience, resident safety, and moderate flood damage to properties; and

**WHEREAS**, the City has designed improvements to implement a construction plan that will improve drainage in the immediate area, thus reducing the future flood potential in the area; and

**WHEREAS**, the City has secured the necessary easements for construction of the improvements.

**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 funding through the Ohio Water Development Authority (OWDA) in the amount of \$700,000.00 for the construction of the Linden Avenue Drainage Project.

**SECTION TWO:** The proper city official is hereby authorized to advertise for bids for the construction of the Linden Avenue Drainage Project and enter into a contract with the lowest and best bidder.

**SECTION THREE:** 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

Department of Public Service  
Jay D. Bennett, Director

**ORDINANCE NO. 15 – 25**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE 2015 CITYWIDE OVERLAYS, WITH THE LOWEST AND BEST BIDDER.**

**WHEREAS,** the City has budgeted general fund monies within the 2015 permanent budget for necessary improvements to City streets; and

**WHEREAS,** the City would like to proceed with bid advertisement and award to the lowest and best bidder.

**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 advertise for bids and enter into a contract for 2015 Overlays, as delineated within Attachment A, with the lowest and best bidder.

**SECTION TWO:** The cost of the overlays is estimated to be \$500,000.00 and shall be taken from Line Item 202.6541.54426.

**SECTION THREE:** 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

## **City Funded 2015 Paving Program**

Elberon Ave.

Pierce St.

Indiana St. (Cliffwood Ave. to Pershing Ave.)

Colony Dr.

Brown St.

Elm St. (Hamline to Underwood)

Woodlawn Ave.

Ohio St. (Pine St. to Brighton Blvd.)

Center Dr.

ORDINANCE NO. 15 – 26  
INTRODUCED BY COUNCIL

**AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE 99-99, WHICH DESIGNATED PROPERTY OWNED BY THE CITY OF ZANESVILLE AS A PARK AND AUTHORIZED THE PROPER CITY OFFICIAL TO ENTER INTO AN AGREEMENT WITH BARTLETT HAGEMEYER JR. AND KATHLEEN HAGEMEYER FOR THE DEVELOPMENT AND MAINTENANCE OF THE PARK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ordinance 99-99 was passed on July 12, 1999 to designate property owned by the City of Zanesville as a park and authorized the proper city official to enter into an agreement with Bartlett Hagemeyer Jr. and Kathleen Hagemeyer for the development and maintenance of the park; and

**WHEREAS**, the property was improved and designated as a park; and

**WHEREAS**, it was brought to the attention of city officials during an internal audit that liability insurance documentation was not presented as was arranged in the agreement; and

**WHEREAS**, it is difficult and costly for the Hagemeyers to maintain the liability insurance on the property;  
and

**WHEREAS**, the Hagemeyers are seeking other immediate options for the park's long term care; and

**WHEREAS**, it is the desire of both parties to resolve this matter in a timely manner.

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

**SECTION ONE:** Section 2 of Exhibit A of Ordinance 99-99 which reads:

"2. Hagemeyers' agree to maintain the Premises in a consistently neat and park-like manner and further agree to pay the cost of all utilities required to operate the park and also to ***obtain and maintain liability insurance on the premises***. After the death of both Hagemeyers the afore-mentioned costs will be funded by an endowment fund to be established by the Hagemeyers through the Muskingum County Community Foundation. The maintenance and operation of the premises after the death of both Hagemeyers will be administered by a committee of three citizens of Muskingum County to be appointed by the Muskingum County Community Foundation until this Agreement expires is otherwise terminated or if this Agreement is extended or renewed by mutual agreement of the parties, their heirs and assigns."

***Shall be amended to read:***

"2. Hagemeyers' agree to maintain the Premises in a consistently neat and park-like manner and further agree to pay the cost of all utilities required to operate the park and also to ***execute a "Hold Harmless and Indemnity Agreement" in lieu of commercial liability insurance***. After the death of both Hagemeyers the afore-mentioned costs will be funded by an endowment fund to be established by the Hagemeyers through the Muskingum County Community Foundation. The maintenance and operation of the premises after the death of both Hagemeyers will be administered by a committee of three citizens of Muskingum County to be appointed by the Muskingum County Community Foundation until this Agreement expires is otherwise terminated or if this Agreement is extended or renewed by mutual agreement of the parties, their heirs and assigns."

Ordinance 15-26

**SECTION TWO:** Exhibit A of Ordinance 99-99 is hereby further amended by adding Section 6 which shall read as follows:

6. The Hagemeyers may assign their interest in this agreement to a third party with the prior written consent from the City of Zanesville or its authorized agent must be obtained.

**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

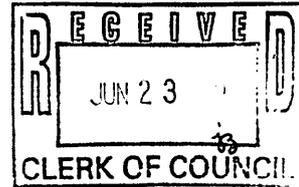
**APPROVED:** \_\_\_\_\_, 2015

**THIS LEGISLATION APPROVED AS TO FORM**

\_\_\_\_\_  
JEFF TILTON,  
Mayor

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

INTRODUCED BY  
THE LAW DIRECTOR



ORDINANCE NO. 99 -99

**AN ORDINANCE DESIGNATING CERTAIN REAL PROPERTY OWNED BY THE CITY OF ZANESVILLE AS A PARK AND AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO AN AGREEMENT WITH BARTLETT HAGEMEYER JR., AND KATHLEEN HAGEMEYER FOR THE DEVELOPMENT AND MAINTENANCE OF THE PARK.**

WHEREAS, the City of Zanesville is the owner of certain real estate located at 260 West Muskingum Avenue, Zanesville, Ohio; and,

WHEREAS, the City has authority under Revised Code Section 717.01 to provide land for and improve parks and may hold, improve, protect and preserve public grounds and parks; and,

WHEREAS, Bartlett Hagemeyer Jr., and Kathleen Hagemeyer desire to enter into an agreement whereby they will provide the funds to develop the real estate as a park and provide maintenance in the proposed park, a copy of said Proposed Agreement is attached hereto as Exhibit "A".

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

SECTION ONE: The property located at 260 West Muskingum Avenue, Zanesville, Ohio, as more fully described in Exhibit "A" as attached hereto is declared a public park.

SECTION TWO: The proper city official is granted authority to enter into the Agreement attached hereto and marked Exhibit "A", provided however, that the use of such property as a public park may not commence until construction of the Sixth Street Bridge is completed and the property is no longer needed by the contractors.

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

PASSED: July 12, 1999

ATTEST: Joan L. Ziemer  
JOAN L. ZIEMER  
Clerk of Council

[Signature]  
PRESIDENT OF COUNCIL

APPROVED: \_\_\_\_\_

Date: July 13 1999

John F. Fenton  
JOHN F. FENTON, MAYOR

APPROVED AS TO FORM:

[Signature]  
LAW DIRECTOR'S OFFICE

## AGREEMENT

This Agreement entered into this 13<sup>th</sup> day of August, 1999, by and between Bartlett Hagemeyer Jr., and Kathleen W. Hagemeyer (herein "Hagemeyers") and the City of Zanesville, Ohio (herein "City").

WHEREAS, the City is the owner of certain real estate located at 260 West Muskingum Avenue (herein "Premises") and bounded and described as follows:

Being 1.710 acres, more or less, deeded to the City of Zanesville under deed in Deed Book 518, Page 526 of the Muskingum County Records and filed on September 14<sup>th</sup>, 1962, BUT being reduced by 0.195 acres, more or less, deeded to the Anchor Hocking Corporation under deed in Deed Book 683, Page 58 of the Muskingum County Records and filed on July 10<sup>th</sup>, 1974, leaving a net acreage of 1.515 acres, more or less.

, and;

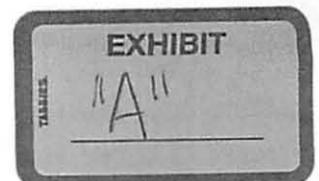
WHEREAS, the Premises have been an eyesore in and to the Putnam area for many years and Hagemeyers have proposed the establishment of a public park on and in the Premises and have further proposed to fund the capital costs of restoration and improvement and also to fund continuing maintenance of the area; and,

WHEREAS, Zanesville City Council, by way of Ordinance No. 99-99 has established and dedicated the premises as a park commencing July 1, 1999 providing, however, that the use of the property as a park will not commence until construction of the Sixth Street Bridge is completed and the premises are no longer needed by the contractors.

NOW THEREFORE, in consideration of the mutual promises, it is hereby agreed by the parties as follows:

1. Hagemeyers agree to develop the Premises as a public park by the addition of sidewalks, benches, flower urns, lightning, fencing, scenic overlooks, trees, flowers, shrubs, plantings or other park like items as personal, charitable or grant type funds become available. All such improvements will be subject to approval by the Community Development Department of the City of Zanesville and the Design Review Board for Historic Areas of the City of Zanesville or their historic successors.

2. Hagemeyers' agree to maintain the Premises in a consistently neat and park-like manner and further agree to pay the cost of all utilities required to operate the park and also to obtain and maintain liability insurance on the premises. After the death of both Hagemeyers the



afore-mentioned costs will be funded by an endowment fund to be established by the Hagemeyers through the Muskingum County Community Foundation. The maintenance and operation of the premises after the death of both Hagemeyers will be administered by a committee of three citizens of Muskingum County to be appointed by the Muskingum County Community Foundation until this Agreement expires is otherwise terminated or if this Agreement is extended or renewed by mutual agreement of the parties, their heirs and assigns.

3. The premises shall remain the property of the City. During the term of this agreement, the City, in accordance with the provisions of Ordinance No. 99-~~99~~, will permit the sole use of the premises as a park, and will not sell, lease or otherwise encumber the property or attempt to utilize the premises for any other purpose.

4. This Agreement may be terminated only the mutual agreement of the parties, their heirs, successors or assigns.

5. All controversies arising out of this Agreement will be decided by Arbitration. Either party may request Arbitration by providing the other with written notice. Each party will appoint one arbitrator within sixty (60) days of the receipt of such notice. The two appointees shall choose a third arbitrator who will serve as chairperson. If the two appointees of the parties cannot agree on a third arbitrator same will be appointed by the then-sitting Judge of the Probate Court of Muskingum County.

IN WITNESS WHEREOF, the parties have set their hands this 13 day of Aug., 1999 at Zanesville, Ohio.

Michael R. Linn  
Witness

Wm H. Adams III  
Witness

Bartlett Hagemeyer Jr.  
BARTLETT HAGEMEYER JR.,

Kathleen W. Hagemeyer  
KATHLEEN W. HAGEMEYER

Connie Harriman  
Witness

Barbara J. Harrett  
Witness

CITY OF ZANESVILLE

By: John J. Lentor  
MAYOR

**ORDINANCE NO. 15- 17**  
**INTRODUCED BY COUNCIL**

**AMENDING ORDINANCE NO. 00-16, WHICH ADOPTED A CLASSIFICATION PLAN FOR CITY EMPLOYEES; AMENDING ORDINANCE NO. 13-15 (AMENDED), WHICH AUTHORIZED A MAXIMUM SCHEDULE OF POSITIONS; AND AMENDING ORDINANCE NO. 13-16 (AMENDED), WHICH ESTABLISHED PAY, BENEFITS AND EMPLOYMENT POLICIES FOR UNAFFILIATED EMPLOYEES.**

**WHEREAS**, City Council has previously passed Ordinance No. 00-16, which adopted a Classification Plan for city employees; Ordinance No. 13-15 (Amended), which authorized a maximum schedule of positions; and Ordinance No. 13-16 (Amended), which established pay, benefits and employment policies for unaffiliated employees; and

**WHEREAS**, the Community Development Director requested an amendment to the Classification Plan by creating the position of Redevelopment Administrator, and the Civil Service Commission at their meeting on December 15, 2014 has approved and recommended said position; and

**WHEREAS**, it is necessary to amend the maximum strength ordinance, and the unaffiliated pay and benefits ordinance for the newly created position.

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

**SECTION ONE:** Ordinance No. 00-16 is hereby amended by adding the position description for the classification title of Redevelopment Administrator to the classification plan; description attached hereto as Exhibit A.

**SECTION TWO:** The specified section of Section One of Ordinance No. 13-15 (Amended), which reads:

<u>SECTION</u>	<u>CLASSIFICATION</u>	<u>NUMBER AUTHORIZED</u>
304-4361	<b>COMMUNITY DEVELOPMENT:</b>	
	Administrative Secretary to Community	1
	Development Director	1
	Housing Administrator	1
	Planner—Planning & Zoning	1
	Community Development Director	1
	Deputy Director/Community Development	1
	Grants Compliance Administrator	1

is hereby amended to read:

<u>SECTION</u>	<u>CLASSIFICATION</u>	<u>NUMBER AUTHORIZED</u>
304-4361	<b>COMMUNITY DEVELOPMENT:</b>	
	Administrative Secretary to Community	1
	Development Director	1
	Housing Administrator	0
	Planner—Planning & Zoning	1
	Community Development Director	1
	Deputy Director/Community Development	1
	Grants Compliance Administrator	0
	Redevelopment Administrator	1

Ordinance 15-17

**SECTION THREE:** Section Six (A) of Ordinance No. 13-16 (Amended) is hereby amended by adding classification title as described below:

<u>CLASSIFICATION TITLE</u>	<u>PAY RANGE</u>
Redevelopment Administrator	12

**SECTION FOUR:** 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

# 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



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### MEMORANDUM

Date: February 4, 2015

To: Honorable Members of City Council

From: Jay D. Bennett, Public Service/Community Development Director

Re: Ordinance No. 15-17

Consideration a Redevelopment Administrator's Job Position within the Community Development Department

For City Council's consideration, Ordinance No 15-17 proposes to amend the City's Maximum Strength Ordinance and other associated ordinances for the addition of a new job title and associated pay of City of Zanesville Redevelopment Administrator.

In July of last year, the then Housing Administrator resigned, which lead staff to the recruitment and interview of candidates to fill the existing (unclassified) position vacancy. I subsequently declined to recommend appointment of any of the candidates to the Mayor.

I have had several discussions with the Mayor concerning direction of the department along with evaluation of existing staff and positions, measured against the current (and future) challenges faced by the City of Zanesville. Through those dialogs, a proposed departmental reorganization has been mapped which takes into account the needs of the department and how to best utilize existing staff and job positions. The creation of a Redevelopment Administrator job classification is specifically aimed at how to most effectively implement the expressed city development goals of the Mayor and the City Council.

City Council previously authorized the first step of this effort through the approval of Ordinance No 14-81, a Memorandum of Understanding with Muskingum County, providing for their implementation of our housing projects.

City Council should note, as discussed with the Community Development Committee on January 22<sup>nd</sup>, the last step in reshaping the department will be to fill the existing Deputy Director of Community Development position, preferring to not fill the vacant Grants Compliance staff position.

## Ordinance 15-17

Thusly, proposed Ordinance No 15-17 also decreases the authorized staffing level of the currently vacant Housing position from one to zero; and reduction to zero of authorized staff in the position of Grants Compliance.

The forth coming FY 2015 Permanent Budget for the Community Development Department proposes sufficient funding for the proposed actions. The net budgetary increase between full-time Redevelopment Administrator vs a full-time Housing staffer is approximately \$6,800 (inclusive) per year.

### Redevelopment Administrator

The duties and responsibilities of a proposed Redevelopment Administrator position involves the application of specialized knowledge and abilities regarding redevelopment of economic and housing properties within the City of Zanesville.

Under direction, this position would be responsible for planning and administering activities associated with creation and implementation of major City economic and housing redevelopment. A separate position classification is appropriate due to the specialized nature of the work. The proposed salary range is equivalent to the current on-going pay range for the Planning/Zoning Administrator, which is work at a similar level of complexity.

A snap shot summary of the position responsibilities are as follows:

- In conjunction with Director, develop projects that encourage redevelopment within the City;
- Review proposals for development and redevelopment in the various investment districts to be established within the City;
- Work with the Port Authority, ZDA, the Community Development Corporation, and other partners within the City to provide technical expertise of redevelopment issues;
- Work with neighborhood interests, landowners and developers regarding redevelopment projects in the City.

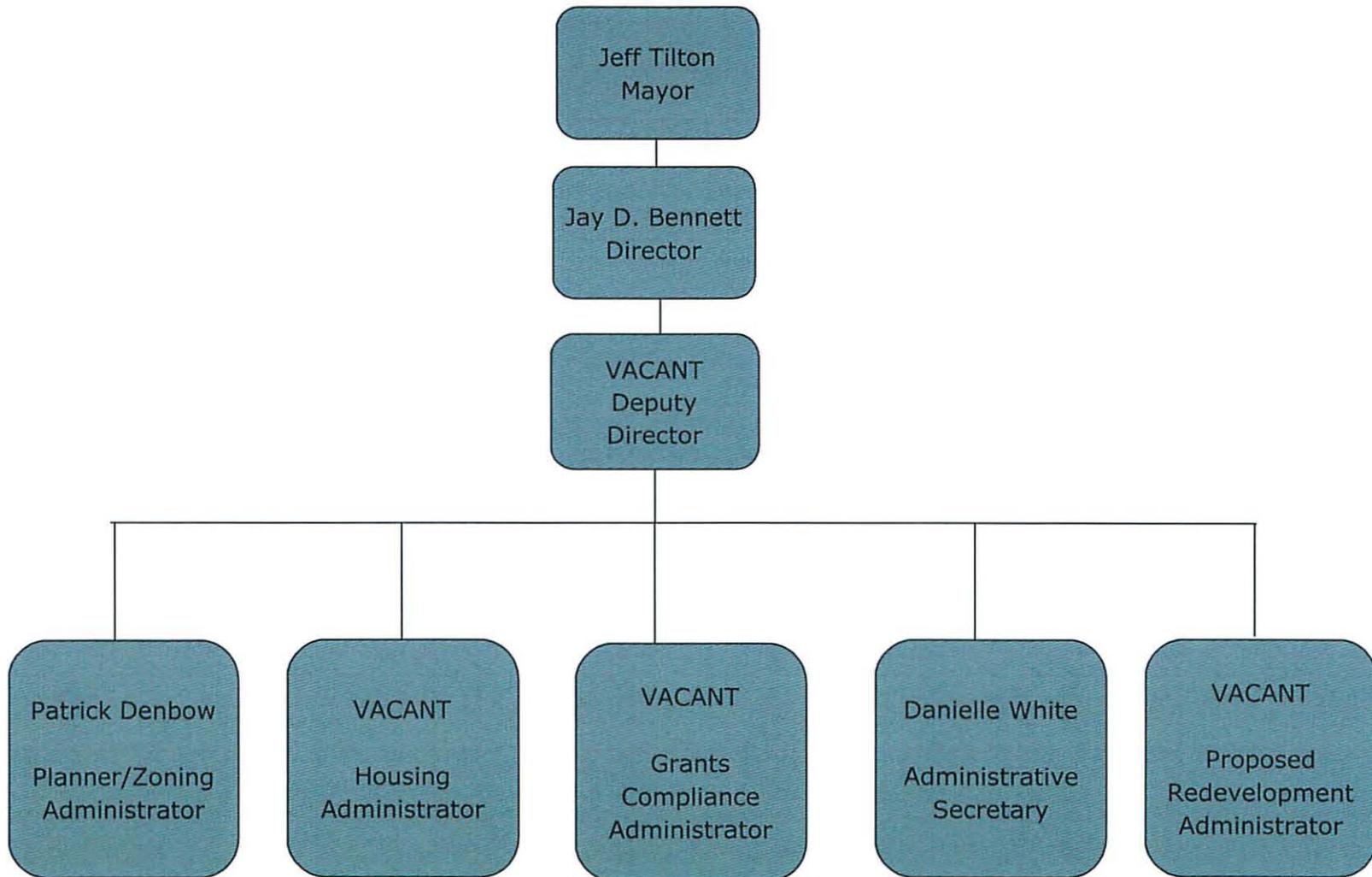
As evidenced by the attachment to the proposed ordinance, the Civil Service Commission met, discussed and approved the proposed job classification, job description and recommended pay range within the un-affiliated scale.

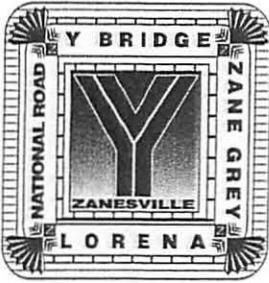
I have attached the proposed job description and the organizational chart of the department.

The proposed ordinance is not written as an emergency legislation. If/when the City Council is comfortable with the proposal; expediting would enable staff to move forward through the hiring process.

I look forward to meeting with you and discussing this proposed position.

# City of Zanesville Community Development Department





THE CITY OF  
*Zanesville*

401 Market Street • Zanesville, Ohio 43701  
Phone (740) 455-0601, ext. 148 • Fax (740) 455-0675  
E-mail: [civser@coz.org](mailto:civser@coz.org) Civil Service Commission

Council-Mayor Government

**TO:** Jay D. Bennett  
Director Public Service/Community Development

**FROM:** Civil Service Commission

**DATE:** December 15, 2014

**SUBJECT:** Proposed Classification Title and Job Description

The Civil Service Commission met with you on December 15, 2014 and discussed the proposed classification title and job description for the unclassified position of Redevelopment Administrator for the City of Zanesville.

After explanation and discussion, motion was made to approve the classification, job description, proposed title and pay range. Please proceed with obtaining Council's approval and having the position added to the schedule of positions.

Thank you for attending the Civil Service meeting and thoroughly explaining your thoughts on this new, proposed position as well as sharing your future plans to further develop the Community Development Department.

Should you have any further questions, please do not hesitate to contact the office.

## POSITION DESCRIPTION

### City of Zanesville

**CLASSIFICATION TITLE: Redevelopment Administrator**

FLSA STATUS/TYPE	Non-exempt	EMPLOYMENT STATUS	Full-time
CIVIL SERVICE STATUS	Unclassified	REPORTS TO	CD Director
BARGAINING UNIT	None	PAY GRADE	12
DEPARTMENT	Community Development	CLASS SERIES NUMBER	

#### POSITION QUALIFICATIONS

An appropriate combination of education, training, course work and experience may qualify an applicant to demonstrate required knowledge, skills, and abilities. An example of an acceptable qualification is: Equivalent to a Bachelor's degree from an accredited college or university with major course work in geography, urban planning, business administration, public administration, or a related field.

One (1) year of related experience; any equivalent combination of education and progressively responsible experience, with additional work experience, analytical or project management experience with a public agency, community development corporation, private developer, or consulting firm is desirable.

Ability to document identity and employment eligibility within three (3) days of original appointment as a condition of employment in compliance with Immigration Reform and Control Act requirements.

#### LICENSURE OR CERTIFICATION REQUIREMENTS

State of Ohio Driver's License.

#### DISTINGUISHING JOB CHARACTERISTICS

Under general supervision, assists in planning, organizing, implementing, and monitoring community redevelopment, housing, and economic development projects and programs; and to provide highly responsible and complex staff assistance to the Community Development Director.

#### ESSENTIAL DUTIES AND RESPONSIBILITIES

*To perform this job successfully, an individual must be able to satisfactorily perform each essential duty listed below. Reasonable accommodation will be made for disabled persons, covered by the Americans With Disabilities Act, in accordance with its requirements.*

Assist in the preparation and delivery of the City's Community Development Department's goals and objectives; conduct studies and analyses regarding redevelopment, housing and economic development;

Works with Director in negotiations with owners, developers and investors into real properties;

Works with Director in securing funding which leads to redevelopment of real property;

Plans, implements, monitors and reports on redevelopment, housing, and economic development projects and programs;

Leadership in implementing and monitoring of redevelopment, CDBG and HOME housing activities; and economic development project budgets and the department's annual budget;

Assist in the preparation of the Community Development Department's annual report;

Prepares funding applications; requests for qualifications and requests for proposals;

Monitors and reports on work performed by legal acquisition, relocation, land use, engineering, and financial consultants;

Participate in problem resolution with contractors, citizen groups, citizens, and other public agencies;

Prepare and review pending legislation and make recommendations for appropriate responses.

#### OTHER DUTIES AND RESPONSIBILITIES

Make public presentations regarding redevelopment, housing, and economic development activities, projects, and programs. Coordinate applicable City departments involved in redevelopment, housing, and economic development programs and projects. Attend meetings of the Community Investment Corporation, City/County Land Bank, relevant City boards, commissions, committees, and other public meetings. Perform related duties and responsibilities as assigned.

#### SCOPE OF SUPERVISION

May exercise technical and functional supervision over lower level staff and interns.

#### EQUIPMENT OPERATED

Personal computer, including word processing; spreadsheet and data base software; calculator; phone; copy machine; fax machine.

#### CONTACTS WITH OTHERS

Elected Officials; developers; investors; financial lenders; staff; and general public.

### CONFIDENTIAL DATA

Information relating to negotiations with prospects, finances and financial projections, customers, clients, marketing, and current or future plans and models, proprietary ideas and inventions, ideas, trade secrets, existing and/or contemplated products and services.

### WORKING CONDITIONS

Good working conditions but with occasional exposure to heat, cold, dampness, fumes, equipment noise, dirt, dust and other conditions associated with construction. The employee must use standard safety precautions due to exposure to injury from work requirements.

### USUAL PHYSICAL DEMANDS

*The following physical demands are typically exhibited by position incumbents performing this job's essential duties and responsibilities. These physical demands are not, and should not, be construed to be job qualification standards, but are illustrated to help the employer, employee and/or applicant identify tasks where reasonable accommodations may need to be made when an otherwise qualified person is unable to perform the job's essential duties because of an ADA disability.*

While performing duties of this job, the employee frequently required to sit and talk or listen, use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

### REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

#### **Knowledge of:**

- Principles of redevelopment, government land use planning, tax credit programs, tax increment financing, and commercial, industrial, and residential development.
- Pertinent Federal, State and local laws, codes and regulations.
- Sources of information related to a broad range of redevelopment, housing, and economic development programs, services and administration.
- Public relations techniques.
- Modern office procedures, methods and computer software and hardware.
- Principles and procedures of record keeping and report preparation.

#### **Ability to:**

- Research, analyze, and evaluate redevelopment, housing, and economic development programs, policies, and procedures.
- Prepare clear correspondence and reports on a variety of community redevelopment, economic development, housing, financial issues.

- Effectively administer a variety of departmental redevelopment, housing and economic development programs, and administrative activities.
- Plan, organize, and carry out assignments from Director with minimal supervision and direction.
- Interpret and apply Federal, State, and local policies, procedures, laws and regulations.
- Develop and administer assigned budgets.

**Skill in:**

- Skill in developing and implementing municipal redevelopment programs.

This job description in no manner states or implies that these are the only duties and responsibilities to be performed by the employee filling this position, who will be required to follow instructions and perform any duties required by the employee's supervisor or designee.

MANAGEMENT APPROVAL

\_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 Department Head Date

EMPLOYEE UNDERSTANDING AND AGREEMENT

I understand, and will effectively perform, the duties & requirements specified in this job description.

\_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 Employee Date

RECEIVED  
JAN 27 2015  
CLERK OF COUNCIL

Jeff Tilton,  
Mayor

**ORDINANCE NO. 15- 06 Amended**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO REDUCE THE WATER AND SEWER TAP FEES FOR GENESIS AT THE NEW BETHESDA CAMPUS.**

**WHEREAS,** Genesis is finalizing the construction of facilities on their Bethesda Campus; and

**WHEREAS,** Genesis has requested consideration for a waiver of water and sanitary sewer tapping/capacity fees associated with the construction of the new facilities at the Bethesda Campus; and

**WHEREAS,** the Administration staff has reviewed the request and recommends a partial reduction in water and sewer charges; and

**WHEREAS,** in this instance, elimination of new and/or reduction of sewer and water fees is appropriate as a result of an equal or greater reduction of systems demand through the termination of services at Good Samaritan Campus.

**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 reduce the water and sewer tap capacity charges for the construction of Genesis's new facilities at the new Bethesda Campus to a total charge of \$7,000.00.

**SECTION TWO:** Upon redevelopment of the Good Samaritan Campus property, sewage capacity and water tap charges will be assessed by the city at the then current fee structure.

**SECTION THREE:** 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

# The City of Zanesville

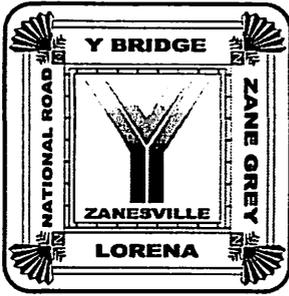
401 Market Street, Zanesville, Ohio 43701

Phone: (740) 455-0601 X101

Email: jay.bennett@coz.org

## Department of Public Service

Jay D. Bennett, DIRECTOR



To: Mayor Jeff Tilton

From: Jay D. Bennett, Public Service/Community Development Director

A handwritten signature in black ink, appearing to read 'Jay D. Bennett', with a stylized flourish at the end.

Date: January 21, 2015

Re: Water and Sanitary Sewer Tap Fee Waiver Request

### Overview

Genesis is requesting consideration by the City for a waiver of new sanitary sewer tapping/capacity fees associated with the construction of the new Bethesda campus. The following fees are included in this request for waiver:

### Background

Recommended fees for service are set at levels necessary to recover the costs incurred by the City to provide the permit or service. Some fees, as noted, are based on actual costs and are billed upon completion.

The Sewer-Connection and Water-Meter/Tap Fee is intended to cover the cost of tapping the water and sewer mains and providing the water meter, corporation stop, and stub out for the property owner's water and sewer connections.

A Capacity Fee is intended to pay for capacity in the "Central System." The fee is charged for each new connection to the City's system, regardless of location, to pay for the systems' growth and expansion projects as outlined in the City's water and sewer CIP. Each new connection purchase will buy a share of the core or Central System capacity under the "value of service concept."

### New Bethesda Campus Impacts

#### *Sewage Capacity Fees/Impacts*

The City Engineer calculated the Sewage Capacity fee for the construction project based upon information provided by Genesis, the City of Zanesville adopted fees/charges of \$1570 per 250 gallons per day and design flow rates listed OAC 3745-42-05 for a hospital, institution (Forest View post), nursing home (Forest View pre), and office building (MOBII and Cancer Center). The calculations consider the Bethesda campus as a whole by providing credit for the usage change at Forest View to offset the significant employee

**Ordinance 15-06**

increase at the hospital. The table below provides the breakdown of estimated gallons per day per facility at the Bethesda campus.

<b>BUILDING</b>	<b>PRE-PROJECT</b>	<b>POST-PROJECT</b>	<b>CALCULATIONS</b>
I. MOB I / Phys. Pavilion	56,960 s.f.	56,960 s.f.	
a. In-Patients	0	0	
b. Employees / Staff	93	93	
c. Visitors	475	475	
II. MOB II	0 s.f.	62,390 s.f.	
a. In-Patients	0	0	X 20 = 3000 gpd
b. Employees / Staff	0	150	
c. Visitors	0	434	
III. Cancer Center	0 s.f.	33,800 s.f.	
a. In-Patients	0	0	X 20 = 860 gpd
b. Employees / Staff	0	43	
c. Visitors	0	98	
IV. New Patient Tower	0 s.f.	159,698 s.f.	
a. In-Patients	0	Included in Main Hospital	
b. Employees / Staff	0	Included in Main Hospital	
c. Visitors	0	Included in Main Hospital	
V. Bethesda Main Hospital	327,912 s.f.	327,912 s.f.	
a. In-Patients	284 beds	262 beds	X 300 = -6600 gpd
b. Employees / Staff	1,481 / 498 max. shift	2,522 / 820 max. shift	X 35 = 36435 gpd
c. Visitors	284	262	
VI. Forest View	41,150 s.f.	41,150 s.f.	Pre
a. In-Patients	150 beds	30 beds	150x200 = -30000
b. Employees / Staff	93	64 max. shift	93x50 = -4650
c. Visitors	150	30	Post
			30x100 = 3000
			64x35 = 2200
<b>TOTAL = 4,245 additional GPD / 250 GPD x \$1570 = \$26,658.60 new</b>			

Credit for removal of the Good Samaritan Hospital Campus impacts

Good Samaritan Hospital	357,190 s.f.	0 s.f.	
a. In-Patients	351 beds	0	351 x 300 = 105,300 gpd less
b. Employees / Staff	1,530 / 579 max. shift	0	1530 x 35 = 53,500 gpd less
<b>158,850 calculated / 96,400 actual GPD less usage of sanitary sewer system</b>			

**Ordinance 15-06**

**Water Tapping Fees**

The City Engineer has calculated the Water Tap fee for the project to be **\$29,000.00**.

The Water System Tap fee is based on \$1000 per inch of new service size (domestic & fire) plus parts, labor, and materials necessary to make the tap. The fee was calculated by determining the amount and size of new connections to the private water loop which surrounds the Bethesda hospital.

However, since the Bethesda campus is a private water loop, it has been the City of Zanesville's policy that the taps will be made by the owner's contractor. This alleviates the charge of City crew's time and materials being added as a part of the fee. The table below represents the breakdown of the sizes, locations, and associated fees used to determine the water tap fee.

BUILDING	# OF TAPS	SIZE	FEE	NOTES
I. MOB II				
a. Fire	1	4"	\$4,000	
b. Domestic	1	3"	\$3,000	
II. Cancer Center				The Cancer Center receives both Domestic & Fire Suppression water from the hospital taps. The domestic water is not separately metered.
a. Fire	0	0"	\$0	
b. Domestic	0	0"	\$0	
III. New Patient Tower				
a. Fire	2	8"	\$16,000	
b. Domestic	1	6"	\$6,000	
<b>Total Charge</b>			<b>\$29,000</b>	

**Credit for removal of the Good Samaritan Hospital Campus water system demand**

Good Sam Hospital	2	3"	\$6,000	Domestic
	2	1"	\$2,000	
	2	6"	\$12,000	Fire
	1	2"	\$2,000	
<b>Total Credit</b>			<b>\$22,000</b>	

**Relevant Policies / Regulations**

**WATER**

Ohio Revised Code 743.02 provides “The director of public service may make such bylaws and regulations as he deems necessary for the safe, economical, and efficient management and protection of the water works of a municipal corporation. Such bylaws and regulations shall have the same validity as ordinances when not repugnant thereto or to the constitution or laws of the state.”

The fees associated with water meter taps are set out in the City’s Water Policies, Section 10.2 which provides:

*Section 10.2 Water Tap Charges*

*The water tap charges are as follows (figured cost plus time and materials):*

*For taps larger than one (1) inch in nominal diameter, the charge shall be the actual cost of labor, equipment and materials. A cash deposit equal to the estimated charge shall be required. Any excess deposit will be refunded and any deficiency shall be paid before the water is turned on.*

Lastly, Section 10.9 (Special Agreements) of the City’s Water Policies states “No statement contained herein shall be construed as preventing any special agreement or arrangement between the City and any person under special circumstances.”

**SANITARY SEWER**

The sanitary sewer tap fees are set out in Zanesville Municipal Code, Chapter 924.11 (e) Commercial or Industrial Capacity Fee.

I believe that the cast can certainly be made that the new construction upon the Bethesda Campus is not **new demand** upon either the water or sanitary sewer systems since there is a removal of demand by the same owner of facilities in another location of the city. Thus, this reduction or elimination of Genesis tap fees does not prevent the city from assessing these fees/charges upon new construction (without similar circumstances) or granting/seeking Council permission (sewer only) of similar relief to a new construction project.

**Next Steps**

After your consideration of the methodology presented herein, I request your direction regarding:

- (a) Developing an Ordinance for City Council consideration that would reduce the Genesis water tap fees on the Bethesda Campus from \$29,000 to a new total of \$7,000 and waive the sanitary sewer tap fees associated with the construction of the new facilities on the Bethesda Campus.