

**City Council Meeting
Agenda of Business
March 23, 2015**

The Lord's Prayer

Pledge of Allegiance to the flag

Item Number

- A. Roll call
- B. Approval of minutes
- C. Communications, reports, and resolutions
 - 1. Communication from Mayor Jeff Tilton – Board Appointment for Muskingum County Convention Facilities Authority - I am hereby recommending the appointment of Ann Combs to fill the unexpired term of Stacy Clapper to the Muskingum County Convention Facilities Authority Board of Directors. The term will end December 15, 2016.
 - 2. Resolution No. 15-35 – Introduced by Council – A Resolution waiving rental fees for the Muskingum County Senior Center and declaring an emergency. (Emergency or First Reading)
- D. Proposed ordinances
 - 3. Ordinance No. 15-36 – Introduced by Council – An Ordinance establishing wages for unaffiliated employees in the Municipal Service. (First Reading)
 - 4. Ordinance No. 15-37 – Introduced by Council – An Ordinance establishing health insurance benefits for unaffiliated employees in the Municipal Service. (First Reading)
 - 5. Ordinance No. 15-38 – Introduced by Council – An Ordinance authorizing the proper city official to apply for grant funding through the Appalachian Regional Commission (ARC) for contracting of a GPS Data Collection & GIS Mapping Service, and declaring an emergency. (Emergency or First Reading)
 - 6. Ordinance No. 15-39 – Introduced by Council – An Ordinance re-authorizing the proper city official to administer the Revolving Loan Fund, and declaring an emergency. (Emergency or First Reading)

7. Ordinance No. 15-40 – Introduced by Council – An Ordinance amending Ordinance 15-10, which authorized the proper city official to accept funding and execute a related agreement with the Muskingum County Convention Facilities Authority, and declaring an emergency. (Emergency or First Reading)
8. Ordinance No. 15-41 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract with Arcadis, Inc. for bid process, excavation oversight and reporting, associated with the removal of contaminated soil at the Public Service Complex, and declaring an emergency. (Emergency or First Reading)
9. Ordinance No. 15-42 – Introduced by Council – An Ordinance amending Ordinance No. 13-77 which created the position of Victim/Witness Coordinator and Ordinance No. 00-16 which adopted a Classification Plan by adding the position to the Classified Service of the City of Zanesville and removing it from the Unclassified Service. (First Reading)
10. Ordinance No. 15-43 – Introduced by Council – An Ordinance authorizing the Zanesville Community Improvement Corporation, acting as the Agent of the City of Zanesville, Ohio, to negotiate a lease of certain city owned property located at 1674 Fairview Road for economic development purposes, and declaring an emergency. (Emergency or First Reading)
11. Ordinance No. 15-44 – Introduced by Council – An Ordinance amending Chapter 111 of the Codified Ordinances of the City of Zanesville

E. Ordinances for action

12. Ordinance No. 15-31 – Introduced by Council – An Ordinance adopting an updated Citizens Participation Plan required for CDBG and Home Funding. (Second Reading)
13. Ordinance No. 15-32 - Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Transportation Improvement District Board for operational expenses. (Second Reading)
14. Ordinance No. 15-19 - Introduced by Council – An Ordinance rescinding Ordinance 00-46. (Third Reading)
15. Ordinance No. 15-20 - Introduced by Council – An Ordinance amending Ordinance 13-45, which provided for dual occupancy of an employment position. (Third Reading)

16. Ordinance No. 15-23 - Introduced by Council – An Ordinance providing appropriations for use during the fiscal year 2015, and declaring an emergency. (Third Reading)

17. Ordinance No. 15-24 - Introduced by Council – An Ordinance authorizing the proper city official to apply for OWDA low interest loan funding, advertise for construction of the Linden Draining Project, and enter into contracts with the lowest and best bidder. (Third Reading)

F. Traffic orders

18. Traffic Order 15-03

Section One: Traffic Order 15-03 is hereby to establish No Parking anytime on Colony Park Court on the east side from Eastward Circle to the cul-de-sac.

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

19. Traffic Order 15-04

Section One: Traffic Order 15-04 is hereby established to temporarily close Cypress Alley south to Canal Street.

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

20. Traffic Order 15-05

Section One: Traffic Order 94-97 is hereby rescinded which established a loading zone on Market Street from 15' East of Potters Alley proceeding 100' East.

Section Two: Traffic Order 15-05 is hereby to establish 2 hour parking on Market Street on the South side from Potters Alley to 4th Street.

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

G. Private petitions and communications

H. Miscellaneous and unfinished business

I. Adjourn

Ways and Means Committee meeting

There was a Ways and Means Committee meeting to discuss the 2015 Appropriations prior to the Council meeting. This session began at 6:00 p.m. in Council Chambers.

Public Hearing

A Public Hearing was held at 6:30 p.m., Monday, March 09, 2015 in the City of Zanesville's Council Chambers, 401 Market Street, Zanesville, OH.

Mr. Vincent: It is now 6:30 p.m. so let's call this Public Hearing to order. This is a public hearing as requested by Dutro Real Estate LLC for the vacation of small undocumented right-of-ways near 5th and South Streets and at the rear of 400 South Street in downtown Zanesville. With that, I will turn this over to Mr. Pat Denbow, Zoning Administrator for the City of Zanesville.

Mr. Denbow: Thank you very much. If you remember from one of the last requests that came through for Dutro for alley vacations we mentioned that there were going to be a couple of pieces coming forward that weren't discovered until after the process had already started on the last one. So the applicant is requesting the vacation of two small right-of-ways that were discovered after the previous request for the alley vacations. The first is a right-of-way that is located in the southwest corner of the intersection of Fifth and South Streets. This right-of-way is not part of the improved portion of either street. In fact, it has been a part of the Dutro lot for many years. The second right-of-way is a ten foot undocumented alley which appears to have been partially vacated many years ago. This alley is located to the south of the City Records' building at 400 South Street. This right-of-way is currently used as a parking area.

Under reconstructed development Dutro Dealership is currently undergoing major expansion and redevelopment of this area. These vacations are the last pieces of the puzzle to be vacated for this development. Access to abutting properties; the right-of-way at the intersection of Fifth and South is not currently utilized as access for any properties. The alley right-of-way is currently utilized to access the City parking area. This vacation would grant most of this alley to the City while Dutro Real Estate would receive half of the eastern portion of the alley. This vacation should not affect traffic flow to the parking lot necessary for future development. It is the staffs' understanding that this request is critical for the future development of the Dutro project and under future plans allow for a public utility easement. The Public Service Department has determined any utilities that are within these right-of-ways and any utilities that will not be relocated will have to have a utility easement. Staff had no objections to the request. The Planning Commission is recommending approval of the vacation. The Ordinance you received does ask for it to be passed as an emergency. This is due to the timing of their project so their construction crew can get in and get work started prior to the road construction season that they are going to be heavily involved with. If there are questions on that I am sure Mr. Cole Graham can help with those questions.

Mr. Vincent: Is there anything else Mr. Denbow? Are there any questions for Mr. Denbow?

Mr. Tarbert: The ten foot easement is currently used for parking?

Mr. Denbow: The ten foot alley?

Mr. Tarbert: Yes.

Mr. Denbow: Actually the lot that you see on the plat that is owned by the City of Zanesville on the south side. That is where the parking lot is.

Mr. Tarbert: Ok.

Pat Denbow: Part of the access into that lot runs through the alley.

Mr. Tarbert: So the alley is not used for parking, it is just an access into the parking lot.

Pat Denbow: Right and the City will retain most of it after this vacation.

Mr. Tarbert: Are there any other bordering properties on any of these other than the City and Dutro?

Pat Denbow: No.

Mr. Tarbert: That is all I have. Thank you.

Mr. Vincent: Is there anything else from Council? This may just be a repeat but to be perfectly clear, with this as proposed it is not going to limit any access to the City property or cause any problems for City property? Correct?

Pat Denbow: That was our determination.

Mr. Vincent: Is there anything else from Council? Is anyone here to speak for or against?

Mr. Cole Graham: I can answer any questions if you need me to on the Dutro side.

Mr. Vincent: We have Mr. Cole Graham here from Dutro if there are questions. In lieu of this, I know this was presented I forget how many weeks ago. I am not sure when it was discovered so I think this is helpful to have been before Council and they have seen maps in the past. So this is not new for Council.

Mr. Cole Graham: It would be beneficial if you could include the emergency for the timing of our crew as we didn't know about these until we started the due process or else we would have included them.

Mr. Vincent: I think it was dated back in 1845 or something.

Mr. Cole Graham: It was 1845 maybe 1850's.

Mr. Vincent: Somebody did some hard work looking for that. Thank you, sir. If there is nothing else from Council or Administration I will call this public hearing to a close. Thank you very much.

The meeting closed about 6:35 p.m.

Mayor Tilton then gave his State of the City address about 6:36 p.m.

CITY COUNCIL MEETING – MONDAY, March 09, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, March 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: Mr. Hutcheson, Mr. Roberts, Ms. Gildow, Mr. Foreman, Mrs. Gentry, Mr. Tarbert, Mrs. Norman, Mr. Sharrer, and Mr. Vincent. Mr. Baker was absent.

Mr. Roberts moved to excuse Mr. Baker and it was seconded by Mr. Tarbert. A voice vote was held with all present in favor of excusing Mr. Baker. Mr. Baker was absent. Motion carried. Mr. Baker stands excused.

APPROVAL OF MINUTES

Mr. Vincent: We are now at approval of the minutes of February 23, 2015.

Mr. Sharrer moved to make a slight correction on page 11 of 12, six lines up from the bottom, the second to the last word, instead of interrupt I would like that to read interpret. It was seconded by Mr. Tarbert.

Mr. Vincent: Is everyone clear on where that is located? Is there any discussion? All in favor of making the modification as far as changing the minutes to read interpret instead of interrupt signify by saying aye. Voice vote with all in favor. None were opposed.
Motion carries.

Mr. Vincent: We are now at the minutes from February 23, 2015 as corrected. I will entertain a motion to accept the minutes.

Mr. Hutcheson moved to accept the minutes as printed with the amended version, seconded by Mr. Tarbert.

Mr. Vincent: Is there any further discussion? A voice vote was held with all present in favor. Mr. Baker was absent.

Motion carries. The minutes stand approved as corrected.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Resolution No. 15-29 – Introduced by Council – A Resolution of support for the Ohio Development Services Agency (ODSA) Appalachian Assistance Line Item.

Mr. Vincent: We are at first reading.

Mr. Roberts moved for first reading, seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion?

Mr. Tarbert: Mr. Bennett is there any urgency to this?

Mr. Bennett: I would say if we could move it forward we could send it over to OMEGA and then on up to the State House.

Mr. Vincent: With that, Mr. Tarbert, we do need a correction as far as this is a Resolution and down at the bottom of the first page under Section Two it does refer to this Ordinance and it should say this Resolution.

Mr. Tarbert moved to amend this Resolution 15-29 in Section Two to say this Resolution instead of this Ordinance. Mr. Sharrer seconded the motion.

Mr. Vincent: Is there any discussion on the correction?

Jay Bennett: Another correction on page one "Now, Therefore, Be It Resolved".

Mr. Tarbert: I will amend my motion to include that Now, Therefore, Be It Resolved" instead of Ordained.

Mr. Vincent: Where is that located? Mr. Tarbert wants to amend Section Two from this Ordinance to this Resolution and up above at the Now, Therefore, Be It Resolved.

It was seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion? All in favor of those two amendments signify by saying aye. All present were in favor of the amendments. Mr. Baker was absent.
Motion carries.

Mr. Vincent: We are now at Resolution 15-29 as amended.

Mr. Tarbert moved to waive the three readings and pass as normal legislation. 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. Mark Baker

Motion carries.

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

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

Mr. Vincent: 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. Mark Baker

Motion carries. Resolution is passed.

PROPOSED ORDINANCES

Mr. Vincent: We are now at Proposed Ordinances-Ordinance 15-30.

Mr. Sharrer: I move to add Ordinance 15-34 as presented to Council as Item 5A under Proposed Ordinances on the agenda. Mr. Tarbert seconded the motion.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of adding Ordinance 15-34 under Item 5A signify by saying aye. A voice vote was held and all present were in favor. Mr. Baker was absent.

Motion carries.

Ordinance No. 15-30 – Introduced by Council – An Ordinance approving a Labor Agreement with Local #1573, Council #8, American Federation of State, County, and Municipal employees, and declaring an emergency.

Mr. Roberts moved to waive the three 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. Mark Baker

Motion carries.

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

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

Mr. Vincent: Is there any discussion?

Mr. Roberts: I just wanted to thank the administration for negotiating this just like they did the other contracts. I think we have a very balanced turn out on all of the contracts. We are in pretty good shape this year.

Mr. Vincent: Thank you Mr. Roberts. Is there anything else from Council? We will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Mark Baker

Motion carries. Ordinance is passed.

Ordinance No. 15-31 – Introduced by Council – An Ordinance adopting an updated Citizens Participation Plan required for CDBG and Home funding.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion? Ok, hearing none all in favor of first reading signify by saying aye. All were in favor. None were opposed. Mr. Baker was absent.

Motion carries.

Ordinance No. 15-32 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Transportation Improvement District Board for Operational Expenses.

Mr. Vincent: We are at first reading.

Mr. Roberts moved for first reading, seconded by Ms. Gildow.

Mr. Vincent: Is there any discussion? Ok, hearing none all in favor of first reading signify by saying aye. Seven members were in favor.

Mr. Tarbert abstained. Mr. Baker was absent.

None were opposed.

Motion carries.

Ordinance No. 15-33 – Introduced by Council – An Ordinance authorizing the proper city official to purchase a new mow trim from Muskingum Tractor & Equipment for the Street Division, and declaring an emergency.

Mr. Vincent: Is there a motion to waive the readings?

Mr. Hutcheson moved to waive the three 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. Mark Baker

Motion carries.

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

Mr. Tarbert moved for passage, seconded by Mrs. Gentry.

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. Mark Baker

Motion carries. Ordinance is passed.

Mrs. Gentry: I would like to say that I am happy that we were able to purchase that from a local dealership in town.

Mr. Vincent: Thank you Mrs. Gentry. We will move on to Item 5A.

Ordinance No. 15-34 – Introduced by Council – An Ordinance to vacate a portion of right-of-way at the intersection of 5th and South Streets and an undocumented alley to the rear of 400 South Street in the City of Zanesville, Ohio as herein provided and declaring an emergency.

Mr. Sharrer moved to waive the three 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. Mark Baker

Motion carries.

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

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

Mr. Vincent: Is there any discussion? With that I do have a petition from Mr. Cole Graham. He is here and submitted it just in case Council had any questions. He has spoken to Council about this before and also presented during the previous legislation brought before Council regarding this project. So with that if Council has any questions I will invite him up. Otherwise, is there anything else from Council? We will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Mark Baker

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 15-19 – Introduced by Council – An Ordinance rescinding Ordinance 00-46.

Mr. Vincent: We are at second reading.

Mr. Tarbert 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 were in favor. None were opposed. Mr. Baker was absent.

Motion carries.

Ordinance No. 15-20 - Introduced by Council – An Ordinance amending Ordinance 13-45, which provided for dual occupancy of an employment position.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion?

Mr. Tarbert: Mr. Bennett, Mr. Case brought up that point at the last meeting. Why are we doing three months of training?

Mr. Bennett: This specifically on this offering is slated more toward the reason we could offer; more so than the months or the time frame. The current authorization is for dual training. There are occasions when we may have a need to have an employee off while still on our books. If there is an investment into an employee that has faced an emergency situation and we decided to retain that employee and help them during that time we could not have another person in that position while they are off. So we are specifically trying to get out where Council has authorized for training there is also an instance where we might need to have an employee off for an emergency and we would need to have somebody in that position while having two people on our payroll for that specific period of time. So specifically that I looked at it and Council had previously authorized a sixty day period and I thought if somebody is going to be out then perhaps we could look at that for ninety.

Mr. Tarbert: You may not know the answer to this. Is this something that happens frequently or are we talking (interrupted)

Mr. Bennett: No.

Mr. Tarbert: Is this happening right now in the City? Has it happened three times or more?

Mr. Bennett: It is happening right now. I don't have the ability to reach out to that person. I guess, and perhaps Rhonda could talk a little bit about having PERS ramifications of what used to be allowed was to have somebody off and be able to have a contractual employee where we did not have. That has been hindered.

Rhonda Heskett: Yes. Public Employees Retirement System frowns upon contractual labor and if we would have somebody as contractual labor we would still end up paying the City's share of PERS. You have to go through a lengthy process to get even that contractual person approved through PERS. This Ordinance would allow us to have a person in a dual position. Not necessarily both people there day- to- day working but like Mr. Bennett said an option if somebody is off.

Mr. Tarbert: Would you be able to let Council know when this dual position is in effect? How many employees so we can kind of keep a tab on it so we know.

Mr. Bennett: Absolutely.

Mr. Tarbert: Ok. Thank you.

Mr. Foreman: Help me understand. It is a case-by-case basis?

Mr. Bennett: Absolutely.

Mr. Foreman: So who would determine what period of time that it would take place?

Mr. Bennett: Depending upon the employee's position and their long-term need to be not here with the City. We would look at that.

Mr. Foreman: Ok.

Mr. Vincent: Is there anything else from Council? With that we are at second reading so all in favor of second reading signify by saying aye. All were in favor. None were opposed. Mr. Baker was absent.

Motion carries.

Ordinance No. 15-23 - Introduced by Council – An Ordinance providing appropriations for use during the fiscal year 2015, and declaring an emergency.

Mr. Vincent: We are at second reading but Mr. Tarbert do you want to make comment on this?

Mr. Tarbert: We had a Ways & Means Committee meeting tonight and it was recommended to Council that this Ordinance be passed. I don't know the recommendation was not so much that the readings be waived but recommend in favor of passing this Ordinance.

Mr. Vincent: Thank you Mr. Tarbert. With that I will entertain a motion.

Mr. Tarbert 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 were in favor. None were opposed. Mr. Baker was absent.

Motion carries.

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.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion? Hearing none all in favor of second reading signify by saying aye. All were in favor. None were opposed. Mr. Baker was absent.

Motion carries.

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.

Mr. Vincent: We are at second reading.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of second reading (interrupted)

Mr. Bennett: If I might. Since this Ordinance is specifically tied to the budget. When you all pass the budget then we would have the authority then to go out and actually get busy on advertising and accepting bids. For your consideration, if you are comfortable with this going forward. I would ask if we could look at waiving these readings because that would then start the thirty day clock. The budget is written as an emergency and will be effective upon passage. There is a little bit of difference with this one; for your consideration.

Mr. Vincent: Ok, thank you Mr. Bennett.

Mr. Tarbert moved to waive the remaining 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 on waiving of the readings.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Mark 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 further discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Mark Baker

Motion carries. Ordinance is passed.

Ordinance No. 15-17 – Introduced by Council – An Ordinance amending Ordinance Number 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. (Third Reading)

Mr. Vincent: We are at third reading.

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

Mr. Vincent: Is there any discussion? Ok, with that we are at third reading. If there is nothing else from Council we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Mark Baker

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

None

PRIVATE PETITIONS AND COMMUNICATIONS

Petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio regarding Republican Democracy.

Mr. Eric Jones expressed Zanesville has been deprived of Republican Democracy. He said what we have here is tyranny of the majority. He feels this has been going on for about thirty years. An Ordinance was passed back in 1984 changing from Roberts Rules of Order to the Ohio Revised Code. You can add this as a stubborn problem for the City. Now a question he asked the last time and will ask it again, if something happens or if something doesn't happen. "How is the officer maintained?" Mr. Jones said he would do the accounting but Mr. Vincent told him he is not allowed to poll the Council members.

Mr. Vincent: With that, Mr. Jones, if you would refer to me as the President.

Mr. Jones: Refer to what?

Mr. Vincent: Just refer to me as the President.

Mr. Jones: Ok, I can't understand you.

Mr. Vincent: When referring to me, just refer to me as the President of Council, sir.

Mr. Jones: President of Council, ok. Is there are reason for that request?

Mr. Vincent: Yes, it is part of keeping it from being personalized, from personal attacks.

Mr. Jones: Calling you Mr. Vincent is a personal attack?

Mr. Vincent: That is part of it sir. I have explained it before.

Mr. Jones: So when Ms. Culbertson, when she asks for roll call, she is giving a personal attack by calling you by your name?

Mr. Vincent: Mr. Jones you have a history of attacking with offensive words.

Mr. Jones: I have never attacked anybody here.

Mr. Vincent: Please, Mr. Jones. Please continue with your presentation. Ok?

Mr. Jones: What are the rules for the private petition? I have asked for this a number of times, Mr. Vincent. You haven't given them to me yet. You have the paper back there that says I receive three minutes.

Mr. Vincent: Yes, sir, I do.

Mr. Jones: I get it. You gave me a paper with number, I think it was 139, about records. Are those the two rules of a private petition? I will stop right now. I am not in a hurry. This has been in effect for thirty years. So if you are going to say what the rules are; you have an opportunity. One of your jobs as the presiding officer is to broadcast what the rules are for City Council. That is one of your jobs. You had a public hearing there and you will announce that and you are supposed to let the community know what the rules are. I am asking you. What are the rules?

Mr. Vincent: You have twenty-three seconds.

Mr. Jones: Twenty-three seconds.

Mr. Vincent: Yes.

Mr. Jones: Ok, to put a count to it, there are five of you who have not read the two books. That is my interpretation. Three of you have read them but have disregard for lessons. One I am not sure and that is you Mr. Roberts, I am not sure if you have read it or not. I will ask you after the meeting. I am thinking you tried to.

Mr. Vincent: Thank you Mr. Jones. Your time is up. We will move on to Miscellaneous and Unfinished Business.

Mr. Jones kept talking and trying to interrupt Mr. Vincent.

Mr. Vincent: Mr. Jones, you are done, thank you. Mr. Jones, you are out of order. Please sit down.

Mr. Jones: I request an extension.

Mr. Vincent: Mr. Jones, we go through this each time.

Mr. Jones: Can I ask each time?

Mr. Vincent: No sir, please sit down.

Mr. Jones: Excuse me, President of Council.

Mr. Vincent: If Council wants to speak up and grant you some time they have that opportunity to do that so with that there is someone from the audience that would like to be recognized to speak before Council. He has not filed a petition. If Council would like to grant the gentleman a chance to speak please make a motion. Will anyone make a motion? Anyone make a motion? Ok, thank you. So, with that sir, no one has made a motion for you to speak. I can't allow it.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: Does the Administration have anything? Is there anything else from Council?

Mr. Tarbert: Mr. Mayor or maybe Ms. Gildow, is the City doing anything to help the Seniors Center with the issue that happened out there?

Mayor Tilton: Absolutely. Right now we have their meals on wheels kind of operating out of the auditorium to help them out until such time as they, I talked with Ann Combs, the Director, this morning and they are still looking to find a kitchen. That is their biggest problem right now. Until they find a kitchen and they can figure out what they are going to do. We have been in touch with them every day.

Mr. Tarbert: Ok, thank you.

Mr. Vincent: Is there anything else from Council?

Ms. Gildow: May I add to that please. The people on the levy campaign committee meet weekly and have done so for a certain length of time. Unfortunately all the planning that's gone into the work so far has been sort of preempted by the ceiling tiles falling and the fact that the building, that is rented, is considered unsafe. Ann Combs and her staff have done a fabulous job and there has been a great deal of cooperation and collaboration by the City and the County. So I feel I speak for the committee in saying that we are all very appreciative of the spirit of cooperation. You can't plan for things like this. For those who may be critical, it is not as if the Senior Center has been unaware of problems with the building. These are things that they can't control or pay for. So, whatever community support is out there is also appreciated but right now if it weren't for cooperation from the City and the County the problem would be so much worse.

Mr. Vincent: Is there anything else from Council? I will entertain a motion to adjourn.

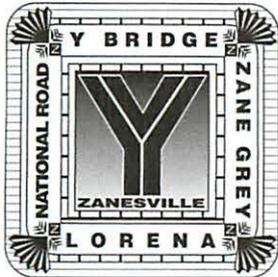
Mr. Tarbert moved to adjourn, seconded by Mr. Hutcheson.

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

All present were in favor. None were opposed. Mr. Baker was absent.
Motion carries.

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

Meeting adjourned about 7:28.



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: *March 19, 2015*
SUBJECT: *Board Appointment*

Muskingum County Convention Facilities Authority

I am hereby recommending the appointment of Ann Combs to fill the unexpired term of Stacy Clapper to the Muskingum County Convention Facilities Authority Board of Directors. This term will end December 15, 2016.

JT/bm

Jeff Tilton, Mayor
David Tarbert, 5th Ward Council



RESOLUTION NO. 15-35
INTRODUCED BY COUNCIL

A RESOLUTION WAIVING RENTAL FEES
FOR THE MUSKINGUM COUNTY SENIOR CENTER
AND DECLARING AN EMERGENCY

WHEREAS, due to structural repairs to the facility that currently houses the Muskingum County Senior Center, there arose a need for the center to find temporary office space; and

WHEREAS, the use of space in Secrest Auditorium is typically permitted on a rental basis; and

WHEREAS, the Members of City Council along with the City Administration recognize the invaluable service the Senior Center provides to our citizens, and wish to support the Senior Center until facility repairs are made.

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

SECTION ONE: The rental fee for the temporary use of office space occupied by the Muskingum County Senior Center in Secrest Auditorium is hereby waived.

SECTION TWO: Should the need to assist the Senior Center with space in a City owned facility arise during the year 2015, Council and Administration wish to waive those rental fees as well.

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

PASSED: _____, 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

Rhonda Heskett,
Budget & Finance Director

ORDINANCE 15-36
INTRODUCED BY COUNCIL

ESTABLISHING WAGES FOR UNAFFILIATED EMPLOYEES IN THE
MUNICIPAL SERVICE.

WHEREAS, Ordinance No. 13-16A, currently governs the pay and benefit policies for unaffiliated employees of the City of Zanesville; and

WHEREAS, Ordinance No. 14-11A, was the last ordinance to grant a wage increase for unaffiliated employees in the municipal service; and

WHEREAS, the wages of the unaffiliated employees governed by ordinance No. 13-16A may not be increased without Council authorization.

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

SECTION ONE:

(A) The employees in the service of the City who are governed by ordinance #13-16A and compensated in accordance with Schedule A shall, for the year 2015, be given a 3% wage increase their hourly wage shall be paid in accordance with Compensation Schedule A attached hereto as Exhibit #1.

(B) The employees in the service of the City who are governed by ordinance #13-16A and compensated in accordance with Schedule S shall, for the year 2015, be paid at the hourly rate associated with their job classification and shown on Compensation Schedule S attached hereto as Exhibit #2.

(C) The Appointing Authority may make annual salary adjustments within the position salary range for Schedule B Employees.

SECTION TWO: The proper city official shall apply the pay increases granted by this ordinance effective the first day of the first full pay period of January, 2015.

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

PASSED: _____, 2015

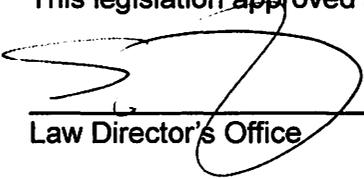
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2015

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

CITY OF ZANESVILLE
 COMPENSATION SCHEDULE A
 FY 2015
 EXHIBIT #1

PAY STEPS

P
A
Y

R
A
N
G
E
S

	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
4	10.66	10.96	11.34	11.67	12.01	12.38	12.74	13.09	13.52	13.93	14.32	14.77	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.27
5	11.34	11.67	12.01	12.38	12.74	13.09	13.52	13.93	14.32	14.77	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.25	19.85	20.45
6	12.01	12.38	12.75	13.09	13.52	13.93	14.32	14.77	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.25	19.85	20.45	21.05	21.68
7	12.75	13.09	13.51	13.93	14.32	14.77	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	23.02
8	13.51	13.93	14.32	14.78	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	22.99	23.68	24.39
9	14.32	14.78	15.20	15.66	16.13	16.60	17.12	17.65	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87
10	15.20	15.66	16.13	16.59	17.12	17.65	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87	26.63	27.43
11	16.13	16.59	17.12	17.64	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.12
12	17.12	17.64	18.15	18.71	19.25	19.85	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.10	29.98	30.88
13	18.15	18.71	19.25	19.86	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.10	29.98	30.90	31.81	32.76
14	19.25	19.86	20.45	21.05	21.65	22.35	22.99	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.10	29.98	30.90	31.81	32.76	33.75	34.76
15	20.45	21.05	21.65	22.34	22.99	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.10	29.98	30.90	31.81	32.76	33.75	34.75	35.79	36.86
16	21.65	22.34	23.00	23.68	24.36	25.12	25.87	26.63	27.44	28.27	29.10	29.98	30.90	31.81	32.76	33.75	34.75	35.79	36.87	37.98	39.12

CITY OF ZANESVILLE
S - SCHEDULE WAGES
FY 2015
EXHIBIT #2

		STEP 0		STEP 1		STEP 2
RANGE	CALCULATION	RATE	CALCULATION	RATE	CALCULATION	RATE
S1	S1 2014 Wages x 4%	\$20.61	S1 2014 Wages x 4%	\$22.26	xxx	xxx
S2	S2 2014 Wages x 4%	\$21.85	S2 2014 Wages x 4%	\$23.60	xxx	xxx
S3	S3 2014 Wages x 4%	\$21.59	S2 2014 Wages x 4%	\$23.31	xxx	xxx
S4	S4 2014 Wages x 4%	\$22.67	S2 2014 Wages x 4%	\$24.47	xxx	xxx
S5	S5 2014 Wages x 4%	\$25.03	S2 2014 Wages x 4%	\$27.01	xxx	xxx
S6	S6 2014 Wages x 4%	\$26.53	S2 2014 Wages x 4%	\$28.64	S2 2014 Wages x 4%	\$30.41
S7	S7 2014 Wages x 4%	\$28.13	S2 2014 Wages x 4%	\$30.36	S2 2014 Wages x 4%	\$32.23
S10	S10 2014 Wages x 4%	\$33.36	S2 2014 Wages x 4%	\$36.52	xxx	xxx
S11	S11 2014 Wages x 4%	\$35.35	S2 2014 Wages x 4%	\$38.73	xxx	xxx
S13	xxx	xxx	S2 2014 Wages x 4%	\$41.95	xxx	xxx

S1=	Water Maintenance Crewleader, Sewer/Drainage Crewleader, Utility Billing Supervisor Traffic Signal Technician II					
S2=	Sewer/Drainage Maintenance Supervisor, Water Maintenance and Meter Supervisor					
S3=	Building Maintenance Supervisor, Refuse Collection Supervisor, Street Maint Supervisor					
S4=	Environmental Coordinator, Wastewater Lab Supervisor					
S5=	Cemetery/Parks Superintendent, Deputy Director/Community Development, Deputy Director/Public Service, Fleet Manager, Income Tax Administrator, Plant Maintenance Mechanic Foreman, Traffic Signal Supervisor					
S6=	Street and Refuse Superintendent, Deputy Wastewater Superintendent					
S7=	Wastewater Superintendent, Water Superintendent					
S10=	Deputy Fire Chief					
S11=	Fire Chief					
S13=	Police Chief					

CITY OF ZANESVILLE
COMPENSATION SCHEDULE B
FY 2015
EXHIBIT #3

PAY GRADE	PAY RANGE
B1 - City Engineer	\$70,000 TO \$83,750 Annually
B2 - Budget & Finance Director & Community Development Director	\$45,000 to \$64,250 Annually
B3 - Assistant Law Director	\$34,200 to \$56,620 Annually

Rhonda Heskett,
Budget & Finance Director

ORDINANCE 15-37
INTRODUCED BY COUNCIL

ESTABLISHING HEALTH INSURANCE BENEFITS FOR UNAFFILIATED EMPLOYEES
IN THE MUNICIPAL SERVICE.

WHEREAS, Ordinance No. 13-16A, currently governs the pay and benefit policies for unaffiliated employees of the City of Zanesville; and

WHEREAS, Section sixteen (16) of said ordinance establishes health insurance benefits for unaffiliated employees in the municipal service; and

WHEREAS, Administration believes it is in the best interest of the City to offer the same health care plan to all city employees regardless of their affiliation.

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

SECTION ONE: Section Sixteen (16) of Ordinance No. 13-16A is hereby amended to read as follows:

(A) The City of Zanesville will offer the same group medical, prescription, dental and vision plan for the employee and eligible family members that it provides to the elected and unaffiliated employees of the City of Zanesville. It is agreed that the schedule of benefits shall be the same as for all other City employees.

(B) If the spouse of a city employee is employed and is eligible for employer-sponsored health coverage with said employer, he or she must enroll in that particular health plan. If the spouse cannot obtain coverage through his or her employer until a certain date or open enrollment period, the spouse will be covered under the City's plan until he or she can obtain coverage through his or her employer. The spouse must provide documentation to the City that he or she is not eligible for coverage. Employees whose spouse has health insurance coverage through an employer shall receive up to one thousand five hundred dollars (\$1,500) per year stipend. If an employee's spouse would be required to pay more than 50% of the insurance premium through their employer, he or she would be allowed to remain on the City's plan. Spouses may also remain on the City's plan under secondary coverage.

(C) Beginning in January of 2015, the City shall establish a health care committee comprised of the Budget and Finance Director, the Mayor, the Law Director, one representative from City Council, two representatives from A.F.S.C.M.E., two representatives from the F.O.P/O.L.C. bargaining unit, one representative from the I.A.F.F. and one representative from the unaffiliated employees. This committee shall meet regularly to review the content of the health care plan for the City and shall explore alternative health care plans, cost saving measures, and proposed changes to current coverage before changes are made.

(D) For the year 2015, the payroll deduction each pay period after the effective date of this ordinance shall be twenty-eight dollars (\$28.00) for single coverage and sixty-four dollars (\$64.00) for family coverage. For 2016, the payroll deduction for health coverage shall not exceed ten percent (10%) of the fully-funded rates provided to the City by the plan's third party administrator at the annual plan renewal, nor shall the payroll deduction exceed thirty-three (\$33.00) for single coverage and seventy-four (\$74.00) for family coverage. For 2017, the payroll deduction for health coverage shall not exceed ten percent (10%) of the fully-funded rates provided to the City by the plan's third party administrator at the annual plan renewal, nor shall the payroll deduction exceed thirty-seven (\$37.00) for single coverage and eighty-four (\$84.00) for family coverage.

(E) The City of Zanesville shall pay the entire cost of a twenty thousand dollars (\$20,000) group life insurance policy on each permanent employee, which may be converted upon separation. It is the employee's responsibility to notify the City of a change in the policy's beneficiary.

(F) While an employee is on workers compensation as a direct result of his/her employment with the City, the City shall continue to pay his/her insurance premiums for up to one year, provided that the employee continues paying his/her share of the insurance cost established in this Section.

(G) Employees must report any family, marital, or Medicare status changes, which affect their health insurance coverage, to the City Auditor immediately following such a change. An employee failing to do so is liable for back payments to the City for additional premiums paid by the City on the employee's behalf.

SECTION THREE: This ordinance 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

Department of Public Service
Jay D. Bennett, Director



ORDINANCE NO. 15- 38

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO APPLY FOR GRANT FUNDING THROUGH THE APPALACHIAN REGIONAL COMMISSION (ARC) FOR CONTRACTING OF A GPS DATA COLLECTION & GIS MAPPING SERVICE, AND DECLARING AN EMERGENCY.

WHEREAS, a GPS data collection and GIS mapping service would enable the Water Department to locate waterlines, valves, hydrants, and curb boxes readily from a computerized system; and

WHEREAS, Rural Community Assistance Program (RCAP) offers staff familiar with water systems, mapping, and GIS software to be hired using ARC and local funds that expedites the retrieval of information; and

WHEREAS, the City's existing water system mapping is in paper format; and

WHEREAS, the total project cost is estimated to be \$240,000, and ARC is offering a grant for GPS & GIS system mapping of \$120,000; and

WHEREAS, the grant requires a 50% match which would require \$70,000 in City cash (payable over three years 2016-2018) and in-kind City labor valued at \$50,000; and

WHEREAS, the Appalachian Regional Commission (ARC) requires a formal application be submitted by the city for the \$120,000 grant no later than April 2, 2015, necessitating the passage of this ordinance by 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 apply for funding through Appalachian Regional Commission (ARC) for contracting through RCAP for GPS data collection & GIS mapping service and software and to execute all grant documents and expend funds relative to said application.

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

JEFF TILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE

GPS Data Collection & GIS Mapping Service

We are your GIS Department for a fraction of the cost!



Affordable Geographic Information System data creation for cities, villages, districts and non-profit utilities.

Contact Sherry Loos at smloos@wsos.org or 330-677-3438



Real Community Solutions!

Visit us at www.ohiorcap.org

- Water Systems
- Sanitary Sewer Systems
- Storm Water Utilities & Impermeable Surface Analysis
- Municipal Electric
- Street Signs
- Parking Meters
- Pavement and Sidewalks
- Trees and Landscaping
- Parks & Recreation
- Cemeteries
- Street Lights
- Chamber of Commerce
- Permits
- Site Selection Analysis

Make the most of your investment!
Use and maintain your data after it is captured in a GIS.

The Cooperative GIS Service provides **big city technology and services on a small town budget!**

GIS Data Hosting & Web Applications

Mobile Applications

Maintain, Edit and Add Data

Site Visits & Training

Technical Support

Map Printing and Reports

Free Loaner GPS Units

Cooperative GIS Data Hosting & Maintenance

We are your GIS Department for a fraction of the cost!



Contact Sherry Loos
smloos@wsos.org
330-677-3438



Upcoming Legislation # 1

Community Development Department
Jay D. Bennett, Director



ORDINANCE NO. 15- 39
INTRODUCED BY COUNCIL

RE-AUTHORIZING THE PROPER CITY OFFICIAL TO ADMINISTER THE REVOLVING LOAN FUND, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 90-126, approved September 25, 1990, established a Revolving Loan Fund; and

WHEREAS, the City of Zanesville has in past years authorized applications for economic development loans for various businesses through the State of Ohio Economic Development Loan Program; and

WHEREAS, according to State of Ohio guidelines, revenues received from the various economic development loan paybacks should be placed in a separate fund to be used for the express purpose of similar economic development loans for other businesses in the city; and

WHEREAS, the City of Zanesville has received monies from loan paybacks and are currently in the Revolving Loan Fund; and

WHEREAS, the current State of Ohio/City of Zanesville Revolving Loan Fund Administration Agreement expired on December 31, 2014; and

WHEREAS, the City received the agreement from the State of Ohio on March 9, 2015 and are required to return the agreement no later than April 9, 2015, thereby requiring the passage of this ordinance as an emergency.

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

SECTION ONE: That this Council hereby re-authorizes the proper City official to administer the Revolving Loan Fund (Fund #311) with the existing and anticipated revenues derived from economic development loan paybacks.

SECTION TWO: The proper City official is hereby authorized to execute an Agreement with the State of Ohio outlining terms and conditions associated with the purpose set forth in SECTION ONE of this Ordinance.

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

ECONOMIC DEVELOPMENT REVOLVING LOAN FUND ADMINISTRATION AGREEMENT

This Economic Development Revolving Loan Fund Administration Agreement (the "Agreement") is made and entered into by and between the **State of Ohio, Development Services Agency**, located at 77 South High Street, P.O. Box 1001, Columbus, Ohio 43216-1001 (the "Grantor"), and the _____, located at _____ with F.T.I. Number: FTI _____ (the "Grantee"), and shall be effective beginning **January 1, 2015** (the "Effective Date") and terminate **December 31, 2017** (the "Termination Date").

BACKGROUND INFORMATION

A. Grantor, through its Office of Community Development ("OCD"), administers the federal Community Development Block Grant ("CDBG") Program for the State of Ohio.

B. Grantee has been determined to be an eligible recipient of CDBG funds and Grantee has been awarded CDBG funds from the Grantor for use to finance eligible activities that may generate Program Income as defined herein.

C. Grantor has recognized the positive impact on community development initiatives when the use of Program Income is locally determined. Grantor has permitted the establishment of Economic Development Revolving Loan Funds within local political subdivisions to meet the primary development goals of: 1) encouraging the expansion and stability of the economic base of the designated area of the Revolving Loan Fund; and 2) encouraging increased employment opportunities, particularly for low- and moderate-income persons in designated areas of the Economic Development Revolving Loan Fund.

D. Grantor desires to have Grantee to administer an Economic Development Revolving Loan Fund using the CDBG Program Income and Grantee desires to administer an Economic Development Revolving Loan Fund using the CDBG Program Income for the purposes stated above.

E. Grantee has adopted Resolution (or Ordinance) # _____ on _____, _____ (date) authorizing the execution of this Agreement.

NOW THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

STATEMENT OF THE AGREEMENT

1. **Economic Development Revolving Loan Fund Capitalization.** Grantee shall deposit any and all Economic Development Program Income into an Economic Development Revolving Loan Fund account held by the Grantee.

2. **Definitions.**

- a.) Revolving Loan Fund ("RLF") is a separate fund established for the purpose of accounting for Program Income and of carrying out the specific activities designated in OCD's RLF Policies and Procedures Manual, which, in turn, generate payments to the fund ("RLF Funds") for the continued use in carrying out the same activities.
- b.) Economic Development Program Income is defined as gross income received by the recipient directly generated from the use of Ohio State Administered CDBG Program funds for economic development, downtown revitalization, and microenterprise business development activities.

3. **RLF Plan and Use of Funds.** Grantee has adopted an RLF Plan that has been previously submitted and approved by the Grantor. Within ninety (90) days after execution of this Agreement Grantee shall update its current RLF Plan and submit the revisions to the Grantor for approval. The updated plan must include the policies and procedures established by Grantor in the OCD RLF Policies and Procedures Manual. The plan must include any designated administrative agent, an established board structure, loan review criteria, and procedures for workouts, delinquencies and defaults. Any changes to the local RLF Plan must be submitted to Grantor for approval. Grantee shall use the RLF Funds solely for the stated purposes set forth in this Agreement, OCD's RLF Policies and Procedures Manual and the Local RLF Plan.

4. **CDBG Economic Development RLF Consolidation.** Grantee shall consolidate all existing Economic Development RLF, Downtown RLF, and Microenterprise RLF accounts into an Economic Development RLF Account held by the Grantee no later than December 31, 2015.

Ordinance 15-39

5. **Loan Approvals.** Grantee shall submit to Grantor an RLF grant/loan approval request for each project being considered for RLF assistance. Grantee must receive Grantor's written approval prior to the commencement of the Grantee's local RLF project.

6. **National Objective Requirements.** Grantee shall ensure that all projects funded as a result of this Agreement meet the national objective of creating or retaining jobs for low-and-moderate income persons. Any projects not meeting this requirement must submit a request for waiver to Grantor. Grantor will review the request to determine if the project meets a CDBG National Objective. Written approval from Grantor must be received prior to the local RLF issuing approval for the project.

7. **Subrecipient Agreements.** Grantee shall not subgrant the Economic Development Program Income funds to any other local political jurisdiction or non-profit agency. Grantee may contract with a non-profit agency to administer the RLF Funds, but the funds are to remain with the Grantee in the Revolving Loan Fund Account. If there is a change in the designated administrative agent of the RLF Funds, it is the responsibility of the Grantee to notify OCD within fifteen (15) days of any change in status of the designated administrative agent.

8. **Accounting of RLF Funds.** RLF Funds shall be deposited and maintained in a separate fund account upon the books and records of Grantee (the "Account"). Grantee shall keep all records of the Account in a manner that is consistent with generally accepted accounting principles. All disbursements from the Account shall be for obligations incurred in the performance of this Agreement and shall be supported by contracts, invoices, vouchers, and other data, as appropriate, evidencing the necessity of such expenditure.

9. **Reporting Requirements.** Grantee shall submit RLF Status Reports to Grantor no more than thirty (30) days after notification of the RLF Status Report request. RLF Status Reports may include but are not limited to the following: program income; program activities; and program outcomes.

10. **Compliance with General CDBG Requirements.** Grantee shall comply with all applicable provisions of the statutes, rules, regulations and guidelines as passed by Congress or promulgated by the Secretary of the Department of Housing and Urban Development (HUD).

11. **Compliance with Environmental Requirements.** Grantee shall comply with the provisions of the National Environmental Policy Act of 1969 insofar as the provisions of such Act apply to activities undertaken with CDBG Economic Development Program Income. Grantee agrees to assume responsibility for preparing Environmental Assessments and Environmental Reviews as required.

12. **Acquisition and Relocation.** Grantee shall comply with the relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementation regulations set forth in 570.488 and 49 CFR Part 24 as they apply to the activities covered by this Agreement. Grantee shall comply with the process established under the Anti-Displacement and Relocation Plan.

13. **Term of the Agreement.** This Agreement shall begin on the Effective Date and shall terminate on the Termination Date, unless otherwise modified pursuant to Section 231 (f) herein. At least sixty (60) days prior to the Termination Date, Grantor will determine if the Grantee continues to have the capacity to administer the RLF Funds based on the performance of the Grantee and its designated administrative agent. Grantor shall promptly notify Grantee in writing of a determination questioning administrative capacity. Grantor reserves the right to determine if the State of Ohio will renew the Agreement to allow the Grantee to administer the RLF, have the Grantee close out the RLF by executing a CDBG Closeout Agreement or recapture the RLF Funds.

14. **Records, Access and Maintenance.** Grantee shall establish and maintain for at least three (3) years from the expiration of this Agreement, all direct information and such records as are reasonably related to the administration of an RLF as set forth in the OCD RLF Policies and Procedures Manual. Both parties further agree that records required by the Grantor with respect to any questioned costs, audit disallowances, litigation or dispute between the Grantor and the Grantee shall be maintained for the time needed for the resolution of said question and that in the event of early termination of this Agreement as provided in Section 22 of this Agreement, or if for any other reason the Grantor shall require a review of the records related to the RLF Funds, the Grantee shall, at its own cost and expense, segregate all such records related to the RLF Funds from its other records of operation.

15. **Inspections.** At any time during normal business hours upon three days prior written notice and as often as Grantor may deem necessary and in such a manner as not to interfere unreasonably with the normal business operations, Grantee shall make available to Grantor, and to appropriate state agencies or officials, for examination, all of its records with respect to matters covered by this Agreement including, but not limited to, records of personnel and conditions of employment and shall permit Grantor to audit, examine and make excerpts or transcripts from such records.

16. **Audits.** The Grant Funds shall be audited according to the requirements of the Office of Management and Budget (OMB) Circular A-133. In addition, Grantee must follow the guidelines provided in the Office of Community Development (OCD) Financial Management Rules and Regulations Handbook. An audited Grantee shall submit to the Federal Clearinghouse and make available for public inspection a copy of the audit, data collection form and reporting package as described in OMB Circular A-133 within the earlier of 30 days after receipt of the auditor's report(s) or nine months after the end of the audit period. In addition:

- a. If Grantee's total federal expenditures in a fiscal year equal or exceed the threshold defined in the OMB Circular A-133 and the OCD Financial Management Rules and Regulations, and the audit meets one of the six conditions listed below, a copy of the audit must be submitted to Grantor's Audit Office:

Ordinance 15-39

- i. The opinion on the financial statements is other than unqualified.
 - ii. The report identifies a material instance of noncompliance.
 - iii. The report identifies a reportable condition or material weakness in internal controls.
 - iv. The report contains a schedule of findings and questioned costs applicable to an OCD-awarded grant.
 - v. The report identifies an instance or indicator of an illegal act that could result in criminal prosecution.
 - vi. The report contains an uncorrected significant finding from a prior related audit.
- b. If Grantee's total federal expenditures in a fiscal year equal or exceed the threshold defined in the OMB Circular A-133 and the OCD Financial Management Rules and Regulations, and the audit does not meet any of the conditions listed above, a "no finding" letter may be submitted instead of the audit to Grantor's Audit Office.
 - c. The report on compliance within the single audit shall be based on the Compliance Supplement for Audits of States, Local Governments and Non-Profit Organizations. The Supplement is published annually by OMB as is made available at http://www.whitehouse.gov/omb/financial_fin_single_audit.
 - d. Grantee shall permit and not constrain the Grantor or its designee, HUD or the U.S. Government Accountability Office (GAO) from access to or auditing of records and financial statements as necessary to comply with OMB Circular A-133.

17. Equal Employment Opportunity. Grantee will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, disability, age, military status, or ancestry. Grantee will take affirmative action to ensure that applicants are considered for employment and that employees are treated during employment, without regard to their race, religion, color, sex, national origin, disability, age, military status, or ancestry. Grantee will, in all solicitations or advertisements for employees placed by or on behalf of Grantee, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin, disability, age, military status or ancestry. Grantee will incorporate the requirements of this paragraph in all of its respective contracts for any of the work for which the Grant Funds are expended (other than subcontracts for standard commercial supplies or raw materials), and Grantee will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.

18. Prevailing Wage Rates and Labor Standards. In the commission of any Project(s) wherein federal funds are used to finance construction work as defined in the Code of Federal Regulations (CFR) Title 29, Part 5 to the extent that such activity is subject to the Davis-Bacon Act (40 United States Code (U.S.C.) 3141 to 3148, as amended), all laborers and mechanics employed by contractors or subcontractors on any such construction work assisted under this Agreement shall be paid the wages that have been determined by the U.S. Secretary of Labor to be the wages prevailing for the corresponding classes of laborers and mechanics employed on project(s) of a character similar to the contract work in the civil subdivision of the state wherein the work is to be performed. In addition, all laborers and mechanics employed by contractors or subcontractors on such construction work assisted under this Agreement shall be paid overtime compensation in accordance with the provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C. 3701 to 3708. Furthermore, Grantee shall require that all contractors and subcontractors shall comply with all regulations issued pursuant to these acts and with other applicable federal and state laws and regulations.

In the event that the construction work to be undertaken does not lie within the purview of the Davis-Bacon Act, and neither the federal government nor any of its agencies prescribes predetermined minimum wages to be paid to mechanics and laborers to be employed in the construction work to be assisted by this Project(s), Grantee will comply with the provisions of Ohio Revised Code (ORC) Sections 4115.03 to 4115.16, inclusive, as applicable, with respect to the payment of all mechanics and laborers employed in such construction work.

19. Use of Federal Grant Funds. Grantee acknowledges that this Agreement involves the use of federal funds and as such, is subject to audit by the agency of the United States Government granting the funds to Grantor for the purposes of performing the work and activities as listed in Attachment A. Grantee shall fully indemnify Grantor for any cost of Grantee which is disallowed by said federal agency and which must be refunded thereto by Grantor.

20. Property and Equipment Purchases. All items purchased by Grantee are and shall remain the property of Grantee, except if Grantor exercises its right to terminate this Agreement pursuant to paragraph 22, in which case all property and equipment purchased by Grantee with any Grant Funds herein awarded shall revert to Grantor. Grantee shall provide for the security and safekeeping of all items obtained through this Agreement.

21. Certification of Grant Funds. None of the rights, duties and obligations described in this Agreement shall be binding on either party until all statutory provisions of the ORC, including but not limited to, Section 126.07, have been complied with, and until such time as all funds have been made available and are forthcoming from the appropriate state agencies.

22. Termination.

- a. Grantor may immediately terminate this Agreement by giving reasonable written notice of termination to Grantee for any of the following occurrences:
 - i. Failure of Grantee to fulfill in a timely and proper manner any of its obligations under this Agreement.

Ordinance 15-39

- ii. Failure of Grantee to submit any report required by this Agreement that is complete and accurate.
 - iii. Failure of Grantee to use the Grant Funds for the stated purposes in this Agreement.
 - iv. Cancellation of the grant of funds from HUD.
- b. **Early Termination:** Grantor may also terminate this Agreement if Grantee (i) defaults under another Agreement between the Grantor and/or the Tax Credit Authority and Grantee and/or the Clean Ohio Council, (ii) admits Grantee's inability to pay its debts as such debts become due, (iii) Grantee commences a voluntary bankruptcy, (iv) an involuntary bankruptcy action occurs against Grantee which remains undismissed or unstayed for 60 days, (v) Grantee fails to meet the minimum funding requirements under the Employee Retirement Income Security Act or other such employee benefits plan, or (vi) Grantor has reason to believe Grantee has ceased operations at the Project location. The events permitting early termination by Grantor shall be considered a default by Grantee and subject to the Effects of Termination under Section 18 of this Agreement.
- c. Grantor reserves the right to suspend the administration of the RLF at any time for failure of the Grantee or its designated administrative agent to administer the local RLF in compliance with the OCD RLF Policies and Procedures Manual which is not attached but incorporated herein by reference. Throughout this Agreement, Grantee and any designated administrative agent must continue to demonstrate administrative capacity in the administration of the RLF. Failure to accurately report on the RLF Funds could result in Grantor placing the RLF Funds on hold or recapturing the RLF Funds. Grantor also reserves the right to request the RLF Funds be returned to the State of Ohio upon failure to comply with the OCD RLF Policies and Procedures Manual.

23. Effects of Termination. Within 60 days after termination of Agreement, Grantee shall surrender all reports, documents, and other materials assembled and prepared pursuant to Agreement, which shall become the property of Grantor, unless otherwise directed by Grantor. After receiving written notice of termination, Grantee shall incur no new obligations and shall cancel as many outstanding obligations as possible. Upon compliance with this Section, Grantee shall receive compensation for all activities satisfactorily performed prior to the effective date of termination.

24. Forbearance Not a Waiver. No act of forbearance or failure to insist on the prompt performance by Grantee of its obligations under Agreement, either express or implied, shall be construed as a waiver by Grantor of any of its rights hereunder.

25. Conflict of Interest. No personnel of Grantee, contractor of Grantee or personnel of any such contractor, and no public official who exercises any functions or responsibilities in connection with the review or approval of any work completed under this Agreement, shall, prior to the completion of such work, voluntarily or involuntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge or fulfillment of his or her functions or responsibilities with respect to the completion of the work contemplated under this Agreement. Grantee shall immediately disclose in writing to Grantor any such person who, prior to or after the execution of this Agreement, acquires any personal interest, voluntarily or involuntarily. Grantee shall cause any such person who, prior to or after the execution of this Agreement, acquires any personal interest, voluntarily or involuntarily, to immediately disclose such interest to Grantor in writing. Thereafter, such person shall not participate in any action affecting the work under this Agreement unless Grantor determines that, in light of the personal interest disclosed, his or her participation in any such action would not be contrary to the public interest.

26. Liability. Unless Grantee is an Ohio political sub-division and can prove to Grantor that it is self-insured, Grantee shall maintain liability and property insurance to cover actionable legal claims for liability or loss which are the result of injury to or death of any person, damage to property (including property of Grantor) caused by the negligent acts or omissions, or negligent conduct of Grantee, to the extent permitted by law, in connection with the activities of this Agreement. Furthermore, each party to this Agreement agrees to be liable for the negligent acts or negligent omissions by or through itself, its employees, agents and subcontractors. Each party further agrees to defend itself and themselves and pay any judgments and costs arising out of such negligent acts or omissions, and nothing in this Agreement shall impute or transfer any such liability from one to the other.

27. Adherence to State and Federal Laws, Regulations.

- a. **General.** Grantee shall comply with all applicable federal, state and local laws in the performance of Grantee's obligations under Agreement, the completion of the Project and the operation of the Project as long as Grantee has any obligation to Grantor under Agreement. Without limiting the generality of such obligation, Grantee shall pay or cause to be paid all unemployment compensation, insurance premiums, workers' compensation premiums, income tax withholding, social security withhold, and any and all other taxes or payroll deductions required for all employees engaged by Grantee in connection with the Project, and Grantee shall comply with all applicable environmental, zoning, planning and building laws and regulations.
- b. **Ethics.** Grantee, by its signature on this document, certifies: (1) it has reviewed and understands the Ohio ethics and conflicts of interest laws including, without limitation, ORC Section 102.01 et seq., Sections 2921.01, 2921.42, 2921.421, 2921.43, and 3517.13(l) and (J), and (2) will take no action inconsistent with those laws, as any of them may be amended or supplemented from time to time. Grantee understands that failure to comply with the Ohio ethics and conflict of interest laws, is in itself, grounds for termination of Agreement and the grant of funds made pursuant to Agreement and may result in the loss of other contracts or grants with the State of Ohio.

Ordinance 15-39

28. Outstanding Liabilities. Grantee represents and warrants that it does not owe: (1) any delinquent taxes to the State of Ohio (the "State") or a political subdivision of the State; (2) any amount to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other amount to the State, a state agency or a political subdivision of the State that are past due, whether or not the amounts owed are being contested in a court of law.

29. Falsification of Information. Grantee affirmatively covenants that it has made no false statements to Grantor in the process of obtaining this award of the Grant Funds. If Grantee has knowingly made a false statement to Grantor to obtain this award of the Grant Funds, Grantee shall be required to return all the Grant Funds immediately pursuant to ORC Section 9.66(C) (2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C) (1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(F)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than one hundred eighty (180) days.

30. Public Records. Grantee acknowledges that Agreement and other records in the possession or control of Grantor regarding the Project are public records under ORC Section 149.43 and are open to public inspection unless a legal exemption applies.

31. Miscellaneous.

a. **Governing Law.** Agreement shall be governed by the laws of the State of Ohio as to all matters, including but not limited to matters of validity, construction, effect and performance.

b. **Forum and Venue.** Grantee irrevocably submits to the non-exclusive jurisdiction of any federal or state court sitting in Columbus, Ohio, in any action or proceeding arising out of or related to Agreement, Grantee agrees that all claims in respect of such action or proceeding may be heard and determined in any such court, and Grantee irrevocably waives any objection it may now or hereafter have as to the venue of any such action or proceeding brought in such court or that such court is an inconvenient forum. Nothing in this Agreement shall limit the right of Grantor to bring any action or proceedings against Grantee in the courts of any other jurisdiction. Any actions or proceedings by Grantee against Grantor or the State of Ohio involving, directly or indirectly, any matter in any way arising out of or related to Agreement shall be brought only in a court in Columbus, Ohio.

c. **Entire Agreement.** Agreement, including its exhibits and documents incorporated into it by reference, constitutes the entire agreement and understanding of the parties with respect to its subject matter. Any prior written or verbal agreement, understanding or representation between parties or any of their respective officers, agents, or employees is superseded and no such prior agreement, understanding or representation shall be deemed to affect or modify any of the terms or conditions of Agreement.

d. **Severability.** Whenever possible, each provision of Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this Agreement.

e. **Notices.** All notices, consents, demands, requests and other communications which may or are required to be given hereunder shall be in writing and shall be deemed duly given if personally delivered or sent by United States mail, registered or certified, return receipt requested, postage prepaid, to the addresses set forth hereunder or to such other address as the other party hereto may designate in written notice transmitted in accordance with this provision.

i. In the case of Grantor, to:

Ohio Development Services Agency
Office of Community Development
77 South High Street, P.O. Box 1001
Columbus, Ohio 43216-1001
Attn: Deputy Chief

ii. In the case of Grantee, to:

Grantee Name: _____
Address: _____
City, State, Zip: _____
Attention: _____

Ordinance 15-39

- f. Amendments or Modifications. Either party may at any time during the term of this Agreement request amendments or modifications, as described in the applicable State of Ohio Consolidated Submission. Requests for amendment or modification of Agreement shall be in writing and shall specify the requested changes and the justification of such changes. The parties shall review the request for modification in terms of the regulations and goals relating to the Project(s). Should the parties consent to modification of the Agreement, then an amendment shall be drawn, approved, and executed in the same manner as the original agreement.
- g. Pronouns. The use of any gender pronoun shall be deemed to include all the other genders, and the use of any singular noun or verb shall be deemed to include the plural, and vice versa, whenever the context so requires.
- h. Headings. Section headings contained in Agreement are inserted for convenience only and shall not be deemed to be a part of Agreement.
- i. Assignment. Neither Agreement nor any rights, duties, or obligations described herein shall be assigned, subcontracted or subgranted by Grantee without the prior express written consent of Grantor.
- j. Permissible Expenses. If "travel expenses," as defined in Ohio Administrative Code Section 126-1-02 (the "Expense Rule"), are a cost of the Project eligible for reimbursement with Grant Funds, Grantee shall be reimbursed accordingly. Grantee agrees that it shall not be reimbursed and Grantor shall not pay any items that are deemed to be "non-reimbursable travel expenses" under the Expense Rule, whether purchased by the Grantee or Grantor or their respective employees or agents.
- k. Binding Effect. Each and all of the terms and conditions of this Agreement shall extend to and bind and inure to the benefit of Grantee, its successors and permitted assigns.
- l. Survival. Any provision of this Agreement which, by its nature, is intended to survive the expiration or other termination of this Agreement, including, without limitation, any indemnification obligation, shall so survive and shall benefit the parties and their respective successors and permitted assigns.
- m. Counterparts: PDF Accepted. This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement. Copies of signatures sent by facsimile transmission or provided electronically in portable document format ("PDF") shall be deemed to be originals for purposes of execution and proof of this Agreement

Ordinance 15-39

Signature: Each of the parties has caused this Grant Agreement to be executed by its authorized representatives as of the dates set forth below their respective signatures effective as of the Effective Date:

GRANTEE:

GRANTOR:

State of Ohio
Development Services Agency

David Goodman, Director

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Department of Public Service
Jay D. Bennett, Director



ORDINANCE NO. 15- 40
INTRODUCED BY COUNCIL

AN ORDINANCE AMENDING ORDINANCE 15-10, WHICH AUTHORIZED THE PROPER CITY OFFICIAL TO ACCEPT FUNDING AND EXECUTE A RELATED AGREEMENT WITH THE MUSKINGUM COUNTY CONVENTION FACILITIES AUTHORITY, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 15-10 was passed on January 26, 2015 to accept funding and execute a related reimbursement agreement with the Muskingum County Convention Facilities Authority; and

WHEREAS, based on the low bid for this project, ODOT is requesting an additional sum of local share in the amount of \$82,730; and

WHEREAS, at their March 11, 2015 meeting, the MCCFA Board authorized the additional monies required by ODOT; and

WHEREAS, ODOT requires payment of Invoice 10460A by April 23, 2015.

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

SECTION ONE: Section One of Ordinance 15-10 currently reads:

That the proper city official is hereby authorized to enter into an agreement, which is attached as Exhibit A, with Muskingum County Convention Facilities Authority to reimburse the City for the local share of the project, which is \$163,900.00.

Shall be amended to read:

That the proper city official is hereby authorized to enter into an agreement, which is attached as Exhibit A, with Muskingum County Convention Facilities Authority to reimburse the City for the local share of the project, which is \$246,630.00.

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

Department of Public Service
Jay D. Bennett, Director

RECEIVED
JAN 21 2015
CLERK OF COUNCIL

ORDINANCE NO. 15- 10
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ACCEPT FUNDING AND EXECUTE A RELATED AGREEMENT WITH THE MUSKINGUM COUNTY CONVENTION FACILITIES AUTHORITY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville was awarded a grant in the amount of \$1,340,152.00 from the Ohio Department of Transportation for sidewalk enhancements on Shinnick Street between 6th & 4th Streets and on 4th Street to Market Street; and

WHEREAS, the attached agreement with Muskingum County Convention Facilities Authority would enable the Muskingum County Convention Facilities Authority to reimburse the City of Zanesville for the local share of the project which is \$163,900.00; and

WHEREAS, ODOT requires all documentation to be returned by February 13, 2015; and

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

SECTION ONE: That the proper city official is hereby authorized to enter into an agreement, which is attached as Exhibit A, with Muskingum County Convention Facilities Authority to reimburse the City for the local share of the project, which is \$163,900.00.

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: January 26, 2015

ATTEST: Susan Culbertson
SUSAN CULBERTSON,
Clerk of Council

Daniel M. Vincent
DANIEL M. VINCENT,
President of Council

APPROVED: JANUARY 28, 2015

Jeff Titon
JEFF TITON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM
[Signature]
LAW DIRECTOR'S OFFICE

FY15 MCCFA Shinnick Street Enhancement/Reimbursement Agreement

MCCFA Resolution: _____

City of Zanesville Ordinance No: _____

Date: _____

Amount: \$163,900.00

Project: Cost reimbursement for enhancements to sidewalks on Shinnick Street between 6th & 4th Street and 4th Street to Market Street.

This agreement is between the Muskingum County Convention Facilities Authority and The City of Zanesville in the amount of \$163,900.00 to pay for the said improvements.

\$163,900.00 will be repaid by the Muskingum County Convention Facilities Authority when the FY15 Shinnick Street Enhancement payment is received from the Ohio Department of Transportation.

MCCFA Administrative Agent

Date

City of Zanesville

Date

**Ohio Department of Transportation
ACCOUNT RECEIVABLE**

Make check payable to: Treasurer of State

Mail to: Jeffrey M. Hisem, Administrator
Attn: Helene Ware
Ohio Department of Transportation
Office of Estimating - #4160
1980 W. Broad Street, 1st Floor
Columbus, Ohio 43223

Division: Planning Administration
 PID No. 92334
 Invoice No. 10460A

To: **Margo Moyer**
Auditor
401 Market St.
Zanesville, Ohio
43701

Federal Project No. E120(888)
Muskingum County
City of Zanesville
DOWNTOWN ENHANCEMENT

Proposal of Participation	Type of Contract	Amount
Contract amount.		\$32,206.12
ODOT Engineering.		\$50,523.88

This invoice is predicated upon a cooperative Contract by and between the City of Zanesville and the State of Ohio as a result of the low bid received for the project

Total adjusted amount	\$246,630.00
Less a Check No. 30907 Invoice 10460 in the amount of.	\$163,900.00
Total additional amount presently due the State of Ohio from the City	\$82,730.00

c: City of Zanesville
 District (5) Engineer
 Accounts Receivable
 Invoice File

Total additional amount due \$82,730.00

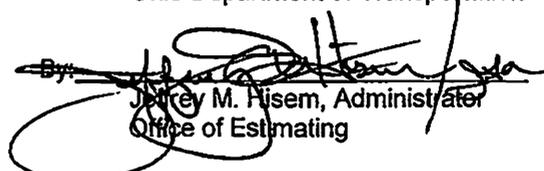
Approved for Payment

Signature _____

Title _____

Date _____

Ohio Department of Transportation

By: 
 Jeffrey M. Hisem, Administrator
 Office of Estimating

PLEASE ENCLOSE ONE COPY OF THIS INVOICE TO IDENTIFY YOUR REMITTANCE.

FY15 MCCFA Shinnick Street Enhancement/Reimbursement Agreement

MCCFA Resolution: _____

City of Zanesville Ordinance No: _____

Date: _____

Amount: \$246,630.00

Project: Cost reimbursement for enhancements to sidewalks on Shinnick Street between 6th & 4th Street and 4th Street to Market Street.

This agreement is between the Muskingum County Convention Facilities Authority and The City of Zanesville in the amount of \$246,630.00 to pay for the said improvements.

\$246,630.00 will be repaid by the Muskingum County Convention Facilities Authority when the FY15 Shinnick Street Enhancement payment is received from the Ohio Department of Transportation.

MCCFA Administrative Agent

Date

City of Zanesville

Date

Department of Public Service
Jay D. Bennett, Director

ORDINANCE NO. 15- 41
INTRODUCED BY COUNCIL



AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO A PROFESSIONAL CONTRACT WITH ARCADIS, INC. FOR BID PROCESS, EXCAVATION OVERSIGHT AND REPORTING, ASSOCIATED WITH THE REMOVAL OF CONTAMINATED SOIL AT THE PUBLIC SERVICE COMPLEX, AND DECLARING AN EMERGENCY.

WHEREAS, the City has previously contracted with ARCADIS, Inc. to perform evaluations of the contaminated soil at the Central Avenue City property, as a result of an abandoned fueling station that was removed over 20 years ago that left residual hydrocarbon in the soil; and

WHEREAS, the Remedial Action Plan (RAP) was submitted to the Bureau of Underground Storage Tank Regulations (BUSTR) and was approved on February 17, 2015; and

WHEREAS, the BUSTR approval permits the city to proceed with the bidding process; and

WHEREAS, all Public Service Departments utilized the refueling station, therefore the cost of said service will be split proportionately among the Public Service Department divisions, based on average usage per division; and

WHEREAS, the price for said professional services is proposed to cost \$63,630, thus requiring Council approval; and

WHEREAS, the costs for said services are eligible for reimbursement through Petroleum Underground Storage Tank Release Compensation Board (PUSTRCB); and

WHEREAS, in order for the project be completed in the 2015 construction season, an emergency condition exists.

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

SECTION ONE: The proper City official is hereby authorized to enter into a professional contract with ARCADIS, Inc. for bid process and excavation oversight and reporting.

SECTION TWO: The cost of such service is estimated to be \$63,630 and shall be divided among all Public Service Divisions, based on percent of usage, as determined by the Auditor and Budget Director.

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:

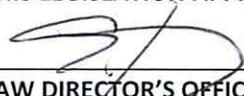
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

JEFF TILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE



Mr. Jay Bennett
City of Zanesville Interim Public Service Director
401 Market Street
Zanesville, Ohio 43701

ARCADIS U.S., Inc.
100 E Campus View Blvd
Suite 200
Columbus
Ohio 43235
Tel 614 985 9100
Fax 614 985 9170
www.arcadis-us.com

Subject:

Proposal for Contractor Bidding, Excavation Oversight, and Reporting, 1084 Central Avenue, Zanesville, Ohio, BUSTR Release #60000078-N00001.

ENVIRONMENT

Dear Mr. Bennett:

Date:
February 5, 2015

ARCADIS U.S., Inc. (ARCADIS) is pleased to provide the City of Zanesville with this proposal to perform continued environmental services related to the Bureau of Underground Storage Tank Regulations (BUSTR) release at the Streets Garage facility.

Contact:
Bill Golla

Phone:
614.985.9138

On December 18, 2014 a Remedial Action Plan (RAP) was submitted to BUSTR for review to address residual hydrocarbon impact in soil at the Streets Garage facility. ARCADIS expects BUSTR to approve the RAP following the public comment period. To implement the RAP, ARCADIS proposes the preparation of contractor bid documents including a pre-construction site visit, oversight of and sampling during the excavation activities, preparation of a RAP completion report and submittal of Petroleum Underground Storage Tank Release Compensation Board (PUSTRCB) claim packages. This effort should bring this project to its completion by the end of 2015 contingent on the approval from BUSTR.

Email:
Bill.Golla@arcadis-us.com

Scope of Work

Task 1 – Contractor Bid Process

The proposed remedial strategy for the RAP is excavation and offsite disposal of hydrocarbon impacted soil exceeding site action levels. The majority of the costs associated with this strategy will be for construction services: labor, equipment, and supplies for a qualified excavation contractor; and soil transportation and disposal costs for a licensed landfill. The excavation subcontractor will be contracted through the City of Zanesville.

Imagine the result

Use or disclosure of information contained on this sheet is subject to the restriction and disclaimer located on the signature page of this document.



Mr. Jay Bennett
February 5, 2015

Two ARCADIS staff will visit the site with the City to evaluate the site conditions and discuss City capabilities and resources that may decrease the overall cost of the project. Based on the simplicity of the excavation, no surveying will be required prior to the preparation of the bid documents. Following the site visit, ARCADIS will prepare the following for review by the City:

- Opinion of construction costs for submittal to the Ohio Petroleum Underground Storage Tank Release Compensation Board (PUSTRCB) for pre-approval;
- Draft set of construction bid specifications (specification anticipated to be relatively brief based on the simplicity of the project);
- Draft site plan including the location of relevant site features and the anticipated excavation based on existing laboratory analytical;
- Draft project specific bid proposal form; and,
- Draft Advertisement for Bids.

Upon receiving comments from the City, ARCADIS will finalize the documents for the City to utilize in the bidding process. This proposal assumes that the City will provide the front end documents (such as the Invitation to Bid, Instructions to Bidders, and the Contract) and will arrange for the publication of the Advertisement for Bids in the local newspaper. To aid in bid participation, ARCADIS will notify contractors that we have worked with in the past and are familiar with the rules related to petroleum contaminated soil, BUSTR, and PUSTRCB.

ARCADIS will participate in a walk through with potential bidders (pre-bid meeting) and assist in the response to questions on the bid specifications during the bidding process. Following the pre-bid meeting, ARCADIS will prepare one addendum to the bidding documents to include minutes from the pre-bid meeting, the list of potential bidders, and a response to potential bidder's questions. This proposal assumes that only one addendum will be required.

Upon receipt of the bids from the potential contractors, ARCADIS will evaluate the bids, prepare a bid comparison table, and provide a recommendation to the City for selection of a contractor. This proposal assumes that the City of Zanesville will handle all the required public notices for this bidding opportunity.



Mr. Jay Bennett
February 5, 2015

In addition, this proposal assumes that ARCADIS will submit two reimbursement packages to PUSTRCB (approximately March 2015 and November 2015).

Task 2 – RAP Implementation

Costs associated with RAP implementation, including excavation oversight and confirmatory soil sampling, and mobile laboratory costs, have been included in this proposal under Task 2. This proposal assumes that no off-site laboratory will be required.

This proposal considers one ARCADIS employee performing oversight and sampling activities for up to 15 days, and mobile laboratory costs for up to 8 days.

Task 3 – RAP Completion Report and PUSTRCB Claim Packages

ARCADIS will prepare a RAP completion report and request for No Further Action to BUSTR for approval. The RAP completion report will include the waste documentation, tables of all the data, photographs, and site figures presented the excavation area. Assuming the excavation goes as planned, the RAP completion report will include a No Further Action Request. Once approved by BUSTR, the project will be complete. At that time the remaining monitoring wells on site can be abandoned, however this effort will be presented under a separate cover.

Cost Estimate

ARCADIS estimates the cost to conduct the above scope of work to be \$63,630. The details (including the proposed labor rates) associated with the proposed cost are provided on the attached cost estimate form.

Invoices for this project will be submitted monthly on a time and material basis per the terms and conditions executed between ARCADIS and the City of Zanesville on August 4, 2004.



Mr. Jay Bennett
February 5, 2015

ARCADIS appreciates the opportunity to submit this proposal and looks forward to providing environmental services to the City of Zanesville at this site. Please contact us if you have any questions or comments regarding this proposal

Sincerely,

ARCADIS U.S., Inc.

A handwritten signature in black ink, appearing to read 'William M. Golla'.

William Golla, P.E. - Ohio
Certified Project Manager

This proposal and its contents shall not be duplicated, used, or disclosed—in whole or in part—for any purpose other than to evaluate the proposal. This proposal is not intended to be binding or form the terms of a contract. The scope and price of this proposal will be superseded by the contract. If this proposal is accepted and a contract is awarded to ARCADIS as a result of—or in connection with—the submission of this proposal, ARCADIS and/or the client shall have the right to make appropriate revisions of its terms, including scope and price, for purposes of the contract. Further, client shall have the right to duplicate, use, or disclose the data contained in this proposal only to the extent provided in the resulting contract.

Ordinance 15-41



Zanesville Streets Garage

City of Zanesville Street Garage 1084 Central Avenue Zanesville, Ohio Contractor bid process, excavation oversight, and reporting.	PROJECT TOTALS		Task 1: Contractor Bid Coordination								Task 2 - Excavation Oversight		Task 3 - Excavation Completion Report				
			Pre-Design Site Meeting		Bid Documents & Specifications		Pre-Bid Meeting and Addendum		Bid Evaluation/ Recommendation						Continued PUSTRCB Support (2 Submittals)		
			Hrs	Amount	Hrs	Amount	Hrs	Amount	Hrs	Amount					Hrs	Amount	Hrs
LABOR	RATE																
Senior Project Manager	\$185	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Project Manager and/or PE	\$150	46	\$6,900	6	\$900	6	\$900	8	\$1,200	2	\$300	2	\$300	18	\$2,700	4	\$600
Task Manager	\$110	2	\$220		\$0		\$0		\$0		\$0	2	\$220		\$0		\$0
Project Scientist	\$105	92	\$9,860	6	\$630	8	\$840	2	\$210		\$0	8	\$840	48	\$5,040	20	\$2,100
Staff Scientist/Engineer	\$90	34	\$3,060		\$0	18	\$1,620	12	\$1,080	4	\$360		\$0		\$0		\$0
Scientist/Engineer	\$75	273	\$20,475		\$0		\$0		\$0		\$0	225	\$16,875	48	\$3,600		\$0
Technician 3	\$70	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Senior Drafter	\$75	6	\$450		\$0	4	\$300	2	\$150		\$0		\$0		\$0		\$0
Project Assistant	\$72	10	\$720	1	\$75	2	\$150		\$0	1	\$75		\$0		\$0	6	\$450
Word Processor	\$60	26	\$1,560		\$0	4	\$240	4	\$240	2	\$120	4	\$240	8	\$480	4	\$240
TOTAL LABOR		489	\$43,045	13	\$1,805	42	\$4,050	28	\$2,880	9	\$855	16	\$1,600	299	\$25,095	82	\$6,990
TOTAL SUBCONTRACTORS			\$16,000		\$0		\$0		\$0		\$0		\$0		\$16,000		\$0
TOTAL EXPENSES			\$4,581		\$172		\$250		\$422		\$0		\$200		\$3,287		\$250
TOTAL ESTIMATED COSTS			\$63,630		\$1,777		\$4,300		\$3,302		\$855		\$1,800		\$44,382		\$7,240

EXPENSE DETAILS	PROJECT TOTALS		Task 1: Contractor Bid Coordination								Task 2 - Excavation Oversight		Task 3 - Excavation Completion Report				
			Pre-Design Site Meeting		Bid Documents & Specifications		Pre-Bid Meeting and Addendum		Bid Evaluation/ Recommendation						Continued PUSTRCB Support (2 Submittals)		
			Units	Amount	Units	Amount	Units	Amount	Units	Amount					Units	Amount	Units
SUBCONTRACTORS	RATE																
Mobile Laboratory - 10% mark-up	\$2,000	8	\$16,000		\$0		\$0		\$0		\$0	8	\$16,000		\$0		\$0
TOTAL SUBCONTRACTORS			\$16,000		\$0		\$0		\$0		\$0		\$16,000		\$0		\$0
EXPENSES																	
Rental Car/Gas	\$115.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Vehicle Mileage	\$0.574	2850	\$1,636	300	\$172		\$0	300	\$172		\$0	2250	\$1,292		\$0		\$0
Lodging	\$125.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Meals	\$25.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
PID (per week)	\$250.00	3	\$750		\$0		\$0		\$0		\$0	3	\$750		\$0		\$0
Water Level Meter (per week)	\$50.00	3	\$150		\$0		\$0		\$0		\$0	3	\$150		\$0		\$0
Interface Probe	\$60.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Disposable Bailers	\$13.00	15	\$195		\$0		\$0		\$0		\$0	15	\$195		\$0		\$0
Honba U-22	\$125.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Oakton Meter	\$30.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Peristaltic pump	\$35.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Gloves, rope, etc.	\$60.00	15	\$900		\$0		\$0		\$0		\$0	15	\$900		\$0		\$0
Shipping (assume 6 bidders)	\$25.00	14	\$350		\$0	6	\$150	6	\$150		\$0		\$0		\$0	2	\$50
Survey Equipment	\$75.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Air Sampling Equipment	\$50.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Drums	\$40.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Survey Equipment	\$75.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
GPS	\$100.00	0	\$0		\$0		\$0		\$0		\$0		\$0		\$0		\$0
Office Expenses	\$100.00	6	\$600	0	\$0	1	\$100	1	\$100		\$0	2	\$200		\$0	2	\$200
TOTAL EXPENSES			\$4,581		\$172		\$250		\$422		\$0		\$200		\$3,287		\$250

Law Director

ORDINANCE NO. 15- 42
INTRODUCED BY COUNCIL



AN ORDINANCE AMENDING ORDINANCE NO. 13-77 WHICH CREATED THE POSITION OF VICTIM/WITNESS COORDINATOR AND ORDINANCE NO. 00-16 WHICH ADOPTED A CLASSIFICATION PLAN BY ADDING THE POSITION TO THE CLASSIFIED SERVICE OF THE CITY OF ZANESVILLE AND REMOVING IT FROM THE UNCLASSIFIED SERVICE

WHEREAS, on October 15, 2013, Zanesville City Council passed Ordinance No. 13-77 which created the position of Victim/Witness Coordinator in the Law Director's office and amended Ordinance No. 00-16 which adopted a classification plan; and

WHEREAS, at the time the position of Victim/Witness Coordinator was created and the classification plan was amended, said position was assigned to the Unclassified Service of the City of Zanesville; and

WHEREAS, as the position of Victim/Witness Coordinator is a full time position in the City, unlike the other positions in the Law Director's Office, and in addition, since said position does not hold a fiduciary relation to the Law Director, it is appropriate that in accordance with State Law and specifically Ohio Revised Code Section 124.11 that said position should be situated in the Classified Service of The City of Zanesville rather than the Unclassified Service.

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

SECTION ONE: Ordinances No. 13-77 and 00-16 are hereby amended such that the position of Victim/Witness Coordinator is hereby assigned to the Classified Service of the City of Zanesville and removed from the Unclassified Service.

SECTION TWO: This Ordinance shall take effect upon and be in effect 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

Public Service Director



ORDINANCE NO. 15- 43

AN ORDINANCE AUTHORIZING THE ZANESVILLE COMMUNITY IMPROVEMENT CORPORATION, ACTING AS THE AGENT OF THE CITY OF ZANESVILLE, OHIO, TO NEGOTIATE A LEASE OF CERTAIN CITY OWNED PROPERTY LOCATED AT 1674 FAIRVIEW ROAD FOR ECONOMIC DEVELOPMENT PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 06-114 passed by Zanesville City Council on October 10, 2006, and as authorized by Chapter 1724 of the Ohio Revised Code, the City designated the Zanesville Community Improvement Corporation as the agency of the City for industrial, economic, civic, commercial, distribution, and research development in the City; and

WHEREAS, the City owns certain real property located at 1674 Fairview Road, which was declared to be surplus property by Ordinance 12-32 and furthermore said Ordinance authorized the proper authority to advertise and lease said property; and

WHEREAS, the City has been approached by a company that desires to lease a portion of said property which will benefit the City finically and will provide economic and commercial development to the Community, and the City desires to encourage economic development and to promote the welfare of the citizens of the City, to stabilize the economy, provide employment, and assist in the development of industrial, commercial, distribution, and research activities to the benefit of the citizens of the City and to provide additional opportunities for their gainful employment; and

WHEREAS, any political subdivision that has designated a community improvement corporation as its agency may authorize such corporation to sell or lease land or interests in land as specified and permitted by the Act; and

WHEREAS, this ordinance is urgently required to allow such development of the Project to go forward, and to provide for the creation of jobs and employment within the City by way of industrial, commercial, distribution, and research activities, and for these reasons this ordinance is determined to be an emergency measure necessary for the preservation of the public peace, health, safety, welfare, and morals of the inhabitants of the City;

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

Section 1. The City hereby determines that the Property is not needed or required by the City for any of its purposes, during the next twenty (20) years.

Section 2. The City hereby authorizes the Zanesville Community Improvement

Ordinance No. 15-43

Corporation, acting as an agent of the City, to lease said property for the purpose of encouraging economic development and to promote the welfare of the citizens of the City, to stabilize the City's economy, provide employment, and assist in the development of industrial, commercial, distribution, and research activities to the benefit of the citizens of the City and to provide additional opportunities for their gainful employment.

Section 3. This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Section 4. 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

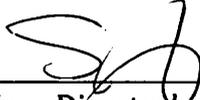
ATTEST: _____
VICKI L. FIGGINS
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2015

JEFF TILTON
MAYOR

This legislation approved as to form:



Law Director's Office

President of City Council
Council Member David Tarbert

ORDINANCE NO. 15-44

AN ORDINANCE AMENDING CHAPTER 111 OF THE CODIFIED ORDINANCES OF THE CITY OF ZANESVILLE

WHEREAS, Chapter 111 of the Codified Ordinances of the City of Zanesville sets forth various provisions of law pertaining to Zanesville City Council; and

WHEREAS, City Council believes that several sections of Chapter 111 of the Codified Ordinances of the City of Zanesville, need to be updated and amended to better provide for the functioning of City Council and the conduct of its meetings.

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

Section 1. Chapter 111 of the Codified Ordinances of the City of Zanesville is hereby amended to read as follows:

**Chapter 111
Council**

111.01 Regular meetings.	111.12 Securing recognition.
111.02 Special meetings.	111.13 Addressing Council.
111.03 Notification of news media.	111.14 Reports and records.
111.04 Meeting time; changes.	111.15 Presentation of business.
111.05 Media notification of changes.	111.16 Deadline for Agenda.
111.06 Attendance.	111.17 Making and Postponing a motion.
111.07 Open meetings.	111.18 Duties of Clerk.
111.08 Posting of Schedule.	111.19 Correspondence.
111.09 Rules of Order.	111.20 Supervisor of Clerk.
111.10 Committee appointment.	111.21 Use of Codified Ordinances.
111.11 Council Committee-as-a-Whole.	111.22 Copies of legislation; fee; posting.

111.01 REGULAR MEETINGS.

(a) All regular City Council meetings shall be on the second and fourth Mondays of each month with exceptions as listed in subsection (b) hereof.

(b) Where a legal holiday is on the same date as a regularly scheduled Council meeting, the meeting shall be postponed to the evening of the first day following the legal holiday.

(c) All regular Council meetings shall be at 7:00 p.m. on the 2nd floor of the City Hall Building, 401 Market Street, in the Council Chambers.

111.02 SPECIAL MEETINGS.

Special meetings may be called by the Clerk of Council upon the written request of the Mayor, President of Council or any two members of Council upon at least twenty-four hours' notice to each member by the Clerk of Council. Any such request shall state the subject to be considered at the meeting, and no other subjects shall be considered.

111.03 NOTIFICATION OF NEWS MEDIA.

The Clerk of Council, after establishing a special meeting, will immediately thereafter notify the local news media of the special meeting date, time, location, and subject and post that information in a public place in City Hall.

111.04 MEETING TIME; CHANGES.

All regular meetings of Council shall begin at 7:00 p.m. unless changed by the President of Council or a majority of members of Council. In the event of a change in the meeting time, all Council members must be notified at least twenty-four hours before the time of the meeting. Notification is to be made by the Clerk of Council.

111.05 MEDIA NOTIFICATION OF CHANGES.

In the event of a change in meeting time, the Clerk of Council will immediately notify the local news media.

111.06 ATTENDANCE.

Council members shall attend all regular Council meetings. Any Council member, who for any reason is unable to attend a meeting of Council, shall notify the Clerk or President of Council in advance with a reason. A motion by Council is needed to be excused. An absence of two months without valid excuse, will follow Ohio law.

111.07 OPEN MEETINGS.

All deliberations of Council shall be public except in those instances exempted by law, pursuant to Ohio R.C. 121.22.

Pursuant to Ohio R.C. 121.22 all public business shall be conducted in public meetings.

111.08 POSTING OF SCHEDULE.

Before each meeting the Clerk of Council shall notify the local news media at least twenty-four hours in advance, and post a schedule stating the time and place of regular meetings on a bulletin board in City Hall.

111.09 RULES OF ORDER.

The rules contained in "Robert's Rules of Order" shall serve as a guide to Council in all cases to which they are applicable, and in which they are not inconsistent with the State Code, statutory form of government or rules contained in this chapter. Any question pertaining to the rules of order will be decided by the President of Council, subject to the right of appeal from the decision of the chair, but the appeal must be duly seconded. In the event the decision of the chair is so appealed and seconded then the chair shall put the following question to Council:

"The decision of the chair has been appealed; shall the decision of chair be sustained?" A roll call vote shall be taken. Aye vote is to support the chair's decision and Nay vote is against the chair's decision.

111.10 COMMITTEE APPOINTMENT.

The President of Council shall appoint standing Committees at the beginning of each term. Each Committee shall investigate and make recommendations on all matters referred to them for consideration. The President of Council or the Chair of a Committee may call Committee meetings. The Clerk of Council will work with members to establish a convenient date, time, and public location for the meetings. Notification of Committee meetings shall be in the same manner as for special meetings of Council.

111.11 COUNCIL COMMITTEE-AS-A-WHOLE.

Should a majority of a Committee feel that the matter placed in their Committee warrants study by Council as a Committee-As-A-Whole, a request signed by the majority of such Committee shall be read by the Clerk of Council. The President of Council shall then place the matter in question in Council Committee-As-A-Whole, and shall serve as chairman of this Committee.

111.12 SECURING RECOGNITION.

Any Council member desiring to speak before Council must secure recognition from the President of Council before speaking. Members must confine themselves to one subject at a

time or to the matter under discussion. All Council members must avoid bringing personalities into their discussion and remain professional, courteous, respectful, and polite, and not be overly loud or boisterous. The President's call to order must be obeyed.

111.13 ADDRESSING COUNCIL.

(a) Zanesville City Council welcomes, values, and appreciates the varied opinions and comments from members of the public. However, to ensure that the meetings are respectful, peaceful, and orderly, it is necessary to establish rules to prevent disruption and allow City business to be accomplished in an efficient and productive manner. Members of the public will be permitted to address Council for the purpose of commenting on legislation being considered by Council and/or for the purpose of commenting regarding City actions or services, which the speaker believes should or should not be taken by Council or issues that should be addressed by Council or the Administration.

(b) Addressing Council shall **not** be utilized for the following purposes:

1. To address matters which are not related to the City of Zanesville or cannot be addressed by City government.
2. To address members of the public or audience regarding any matters, subjects, or issues.
3. To speak on matters involved in litigation or matters otherwise listed as an exception to the Ohio Open Meetings Act (e.g. confidential information and etc). (ORC 121.22).
4. To debate or make personal attacks against members of Council, Elected Officials, City Administrators, City Employees, or other members of the public.
5. To speak in support or opposition of candidates for public office or to announce that a speaker is a candidate for public office.
6. To promote or advertise a business.

(c) Those desiring to address Council must, complete a "Petition to Address City Council" form copies of which shall be available in the Clerk's office and at meetings of Council.

(d) Remarks are Limited to 3 Minutes unless additional time is granted by Council (which shall be granted in 3 minute increments). To extend a speaker's time, a member of Council shall make a motion to waive this rule and extend the speaker's time by 3 minutes, followed by a second of the motion, and a majority vote in favor by Council. This time limit shall not apply to Special Guests, Subject Experts, City Employees, Elected Officials and City Administration who are invited to provide information, reports, or testimony to Council and they are not required to fill out a Petition to Address Council.

(e) All comments must be directed to the Presiding Officer or Council as a whole.

(f) The following General Rules of Decorum shall apply to all individuals addressing Council:

1. Individuals desiring to address Council shall wait to be recognized by the Presiding Officer. After having been recognized, he or she shall approach the podium, state his or her name and address and then proceed to address Council as a whole and not any individual.

2. All comments will be made in a courteous and respectful manner by all parties and not in an overly loud or boisterous manner.
3. No person who addresses Council shall make personal, impolite, disrespectful, hostile, disparaging, slanderous, offensive, threatening, obscene, or profane remarks towards any member of Council, the Administration, any invited guest of Council, or any member of the general public. Speakers shall not conduct themselves in a manner that disrupts or impedes the orderly conduct of the meeting or otherwise constitutes disorderly conduct.
4. The Presiding Officer shall have the sole discretion to determine whether or not a speaker's conduct is violating these Rules of Decorum. If in the Presiding Officer's discretion the rules are being violated, the Presiding Officer may take any action necessary to preserve the due conduct of the meeting, including but not limited to: (1) verbal warnings; (2) denial or termination of speaking privileges; (3) removal from the meeting; (4) banning an individual, with repeated violations, from all Council and Committee meetings for a period of 60 days; and (5) request for law enforcement to remove or arrest the individual (ORC 2917.12). These possible sanctions by the Presiding Officer are not progressive in nature.

(g) In regards to addressing Council for non-legislative items the following shall apply:

1. Citizens are to work with their Council Representative for resolution of issues or to have information presented to Council.
2. If this does not result in resolution and the person would like to address Council themselves, or if the Council Representative feels it would be beneficial for the person to address all of Council, then the Council member may notify the Clerk of the citizen's desire to address Council. The Clerk will obtain the needed information and contact the citizen to confirm information for speaking.
3. Notification must occur by Wednesday at noon, the week prior to the next Council meeting. Any helpful information must be submitted by this deadline, for inclusion in the Council Packet.
4. All submitted items become public records. Therefore, persons submitting items should ensure that personal information (e.g. social security numbers, account numbers, cell numbers, & etc) should not be included on or be blackened out before submission.
5. The Clerk will confirm that person's name, address, phone number, email address, and subject to be discussed, and then include that on the Agenda as a request to address Council.
6. This allows Council time to prepare and to have needed information for the meeting.
7. The request to address Council may be withdrawn at any time prior to speaking by notifying the Clerk.
8. Each speaker will have to complete the "Petition to Address City Council" form.
9. During the Private Petitions and Communications portion of the Agenda, Petitions to Address Council will be read individually by the Clerk of Council, by name, address and subject. The Presiding Officer shall then ask Council for a motion to allow the petitioner to address Council.

10. A motion to speak, appropriately seconded, and majority affirmative vote is needed to be allowed to speak for 3 minutes. Granting of an additional 3 minutes would require an additional motion, second and majority of Council to vote in favor.
11. The Presiding Officer's call to order will be followed along with the Rules of Decorum listed on the Requests to Speak before Council.
12. Speaking before Council is limited to two presentations per meeting, both may be for a Communication, Resolution or Ordinance, but only one may be for a non-legislative item. Any additional concerns or comments on other legislation beyond this limit, can be communicated to, and shared by, one of the citizen's Council Representatives.
13. The above rules also apply to Citizens who want to speak to promote a city event or special cause.

(h) No repetition of remarks or 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.

(i) 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 majority vote.

111.14 REPORTS AND RECORDS.

All minutes, legislation, reports and records of committees shall be preserved among the records of Council. No original record book, paper or official document shall be removed from Council Office without the written consent and justification by the President of Council. The Clerk of Council shall obtain official identification and a receipt whenever any of the above items are taken from the office.

111.15 PRESENTATION OF BUSINESS.

All business presented at Council session, requiring an ordinance or resolution, shall be presented in legal form, to the Clerk of Council. No legislation shall be presented in the same form more than one time in a six month period.

111.16 DEADLINE FOR AGENDA.

All legislation and business requiring final action by Council must be presented to the Clerk of Council by 12:00 noon Wednesday preceding the regularly scheduled Council meeting. The Clerk of Council shall prepare an agenda subject to the approval of the President of Council, for the regular Council meeting to be held the following Monday night. The Clerk shall then forward a copy of the agenda to each Council member, the Mayor, local news media. In the event that business of an emergency nature should be brought to the attention of the President of Council, he may place it on the agenda, by notifying each Council member of the subject and reason for the emergency action. Such notification

should be at least one-half hour before the meeting in question; or the President of Council may present it during the Council meeting and ask for a motion to add an item to the agenda.

111.17 MAKING AND POSTPONING A MOTION.

Prior to making a motion, the Council member must first be recognized by the President to speak. Motions must be clear and be duly seconded, before it is open to discussion and vote. Whenever a motion to postpone is presented to Council, and the motion does not specify a definite date to reconsider, it is the rule of Council that it must be brought up for reconsideration at the next meeting. The only exception to this rule shall apply to postponing a motion to send to Committee for study, and the matter will be reconsidered at the meeting following completion of Committee study.

111.18 DUTIES OF CLERK.

The Clerk of Council shall serve at the pleasure of Council, and the duties of this office shall include the regular duties prescribed by the State Code, duties prescribed by this chapter, duties prescribed by Council during regular session of Council, duties prescribed by Ordinance 81-107, as amended from time to time, and any other duties requested by the President of Council. The Council office shall be open the following hours: Monday through Friday, except Legal Holidays, 8:00 a.m. to 5:00 p.m., with one hour off for lunch.

111.19 CORRESPONDENCE.

The Clerk of Council shall notify the President of Council of all correspondence received by the Clerk as soon as possible. Should the Clerk of Council desire clarification or modification of any of the above duties, she shall submit a written request to the President of Council.

111.20 SUPERVISOR OF CLERK.

The immediate supervisor of the Clerk of Council shall be the President of Council or President pro tempore if designated by the President.

111.21 USE OF CODIFIED ORDINANCES.

Each Council member, upon assuming office, shall receive an up-to-date copy of the Codified Ordinances of the City for use during his/her term of office and sign a receipt for the Clerk of Council or sign a declination if not wanting a copy . This book shall be returned to the Clerk of Council in February of each year for further updating. The Council member shall, in November preceding the end of his/her term, return the book to the Clerk for use by new incoming members of Council. Failure to do so shall result in a one hundred fifty dollar (\$150.00) charge which will be deducted from the Council member's City paycheck.

111.22 COPIES OF LEGISLATION; FEE; POSTING.

(a) The Clerk of the legislative authority shall supply a copy of the complete text of each ordinance or resolution to any person, upon request, for a charge as provided in Section 193.01.

(b) The Clerk shall post a copy of the text of each ordinance or resolution at her office as well as email a copy to John McIntire Library, 220 North Fifth Street, Zanesville, Ohio.

Section 2. 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

**ORDINANCE NO. 15-31
INTRODUCED BY COUNCIL**

**AN ORDINANCE ADOPTING AN UPDATED CITIZENS PARTICIPATION PLAN
REQUIRED FOR CDBG AND HOME FUNDING.**

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended to date, the Ohio Development Services Agency is authorized to provide financial assistance to units of general local government for undertaking and carrying out community development activities; and

WHEREAS, to be eligible for Community Development Block Grants (CDBG) and Home Investment Partnerships (HOME) funding the City of Zanesville must adopt an updated Citizens' Participation Plan every five (5) years as required by 24 CFR 570.486 (3) (6).

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

SECTION ONE: The City of Zanesville's funding-required Citizens Participation Plan is adopted (see attached) and the Community Development Director is hereby authorized to certify that the City of Zanesville will follow said Participation Plan when applying for and implementing projects and programs assisted with funds provided under the housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.486 (3) (6). The Mayor is designated official representative of the City of Zanesville with respect to all matters relating to the application for the Community Development Block Grant assistance authorized by this Ordinance.

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

**CITY OF ZANESVILLE
CITIZEN PARTICIPATION PLAN**

Community Development Block Grant
HOME Investment Partnerships

2015

Jeff Tilton, Mayor

ORDINANCE NO. 15-32
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS
TO THE TRANSPORTATION IMPROVEMENT DISTRICT BOARD
FOR OPERATIONAL EXPENSES

WHEREAS, the Transportation Improvement District Board herein after referred to as TID has facilitated funding to the City for numerous transportation improvement projects which would have otherwise gone unfunded; and

WHEREAS, the TID no longer may use State funds for operational expenses such as the cost of insurance and audit fees; and

WHEREAS, the City of Zanesville and the Board of Commissioners of Muskingum County believe it is in the community's best interest to share the annual operational costs of the TID.

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

SECTION ONE: The TID Board will provide the City with an annual invoice for operating costs, and upon receipt of said invoice the proper city official is authorized to provide operating funds to the Transportation Improvement District Board in an amount up to \$5,000.00 annually. Said funding shall be for each of the years 2015, 2016, & 2017, and be paid from line item 101.7791.53226.

SECTION TWO: This ordinance 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

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

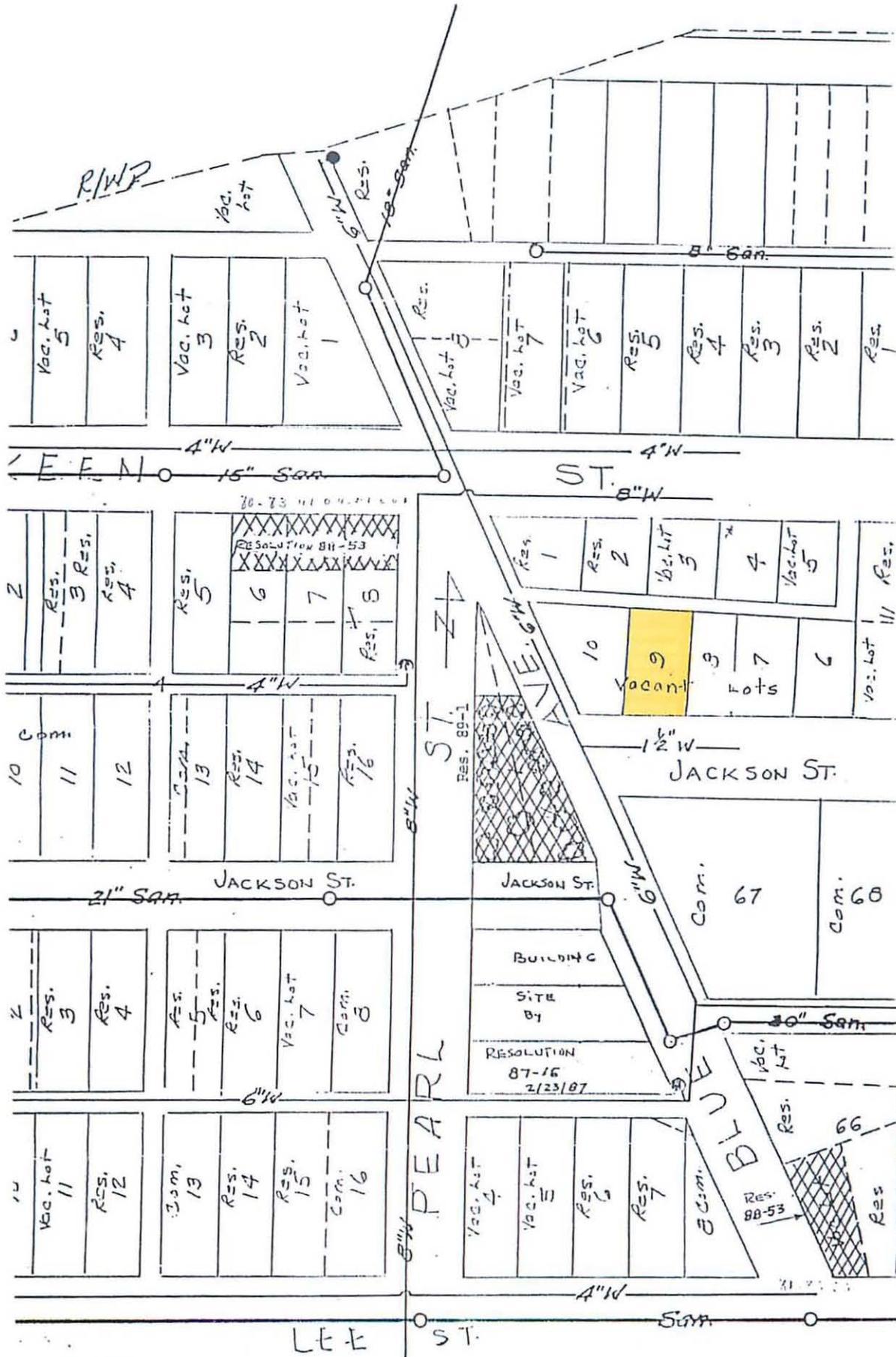
Joanne K. Winland
JOANNE K. WINLAND,
President of Council

APPROVED: April 10, 2000

John F. Fenton
JOHN F. FENTON,
Mayor

[Signature]

* Highlight is lot location.



Department of Public Service
Jay D. Bennett, Director

RECEIVED
FEB 11 2015
CLERK OF COUNCIL

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

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

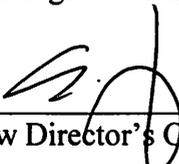
ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2015

This legislation approved as to form:

Jeff Tilton, Mayor



Law Director's Office

MEMO

To: Honorable Members of Council
From: Rhonda Heskett, Budget & Finance Director
Date: February 20, 2015
Re: Ordinance #15-23 Budget

The permanent budget has been presented to you as an emergency. However, we have until April 1st to post the budget so it can actually go three readings.

As far as changes from the temporary budget, the two largest changes were to wages and capital outlay.

The wages and benefits for all of the funds were changed in accordance with the labor agreements we have settled.

The two largest Capital Outlay items added were \$500,000 for paving and 1.3mill for the repairs to Secret.

Other appropriations for equipment purchases and projects are as follows.

Equipment purchases for the Public Service Divisions include: \$100,000 for a mow/trim in Auto Gas, \$12,000 for a zero turn mower at the Airport, \$5,000 for a four wheeler with a snow blade for Parks, and \$40,000 for a recycle truck for Sanitation. We are also looking at the possibility of a lease purchase program for a new vactor truck for Sewer.

Projects in the Public Service Divisions include: \$35,000 for a Pavement Condition Inventory program (PCI) in Auto Gas, \$20,000 for culvert repair at Riverside Park, \$21,000 for a new mausoleum roof and \$17,000 for construction of a cremation vault in the Cemetery Funds, and \$45,000 for a roof repair and \$150,000 for renovation of the "Back-road Pump Station" in the Sewer Funds.

Projects and equipment purchases for the Public Safety Division include: \$33,000 to equip the three new police cruisers and \$42,000 for bullet proof vests in the Police Department, \$6,000 for an inflatable rescue boat, \$72,000 for heart monitors, \$15,000 for PAC Trackers, and \$27,500 for Turn-Out Gear in the Fire Fund.

The Police Department will evaluate the need for new cruisers towards the end of the year, there are funds appropriated in capital outlay if we need them.

The Fire Department has applied for two more AFG Grants, but the awarding of those grants will not happen until mid-year. Those funds are not appropriated for at this time.

As you have time to peruse the budget you may find you have more specific questions. I will be happy to answer those questions at any time.

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

Prepared by
Fred Buck
Director of Public Safety

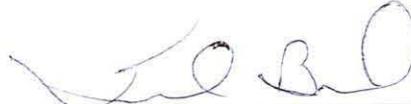
OFFICE OF PUBLIC SAFETY
CITY OF ZANESVILLE, OHIO
DIVISION OF TRAFFIC ENGINEERING

Traffic Order 15-03

March 23, 2015

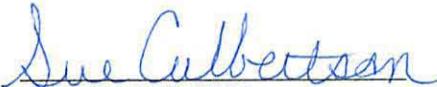
SECTION ONE: Traffic Order 15-03 is hereby to establish No Parking anytime on Colony Park Court on the east side from Eastward Circle to the cul-de-sac.

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



FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
March 6, 2015



SUE CULBERTSON,
Clerk of Council

Date Work Completed

(signed)



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

Prepared by
Fred Buck
Director of Public Safety

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

Traffic Order 15-04

March 23, 2015

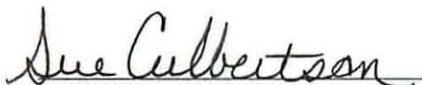
SECTION ONE: Traffic Order 15-04 is hereby established to temporarily close Cypress Alley south to Canal Street.

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



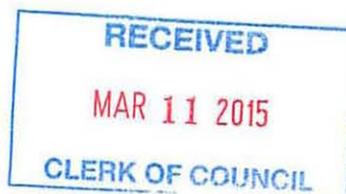
FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
March 12, 2015


SUE CULBERTSON,
Clerk of Council

Date Work Completed

(signed)



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

Prepared by
Fred Buck
Director of Public Safety

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

Traffic Order 15-05

March 23, 2015

SECTION ONE: Traffic Order 94-97 is hereby rescinded which established a loading zone on Market Street From 15' East of Potters Alley proceeding 100' East.

SECTION TWO: Traffic Order 15-05 is hereby to establish 2 hour parking on Market Street on the South side from Potters Alley to 4th Street.

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



FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
March 12, 2015


SUE CULBERTSON,
Clerk of Council

Date Work Completed

(signed)



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