

Department of Public Service
Jay D. Bennett, Director



ORDINANCE NO. 15-65
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO A PROFESSIONAL CONTRACT WITH URS CORPORATION – OHIO FOR THE PRELIMINARY DESIGN OF THE R-8/R-9/R-10/R-11 COMBINED SEWER PROJECT.

WHEREAS, URS Corporation – Ohio was selected through the O.R.C. request for qualifications process to provide engineering design and plant operations assistance for the city’s combined sewer separation program; and

WHEREAS, the third project to be addressed is the R-8/R-9/R-10/R-11 Combined Sewer area as shown in attachment “A”; and

WHEREAS, the administration would like to proceed with the preliminary design as detailed in attachment “A” under a Lump Sum Work Authorization No. 082113.

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 URS, Corporation – Ohio for preliminary design of the R-8/R-9/R-10/R-11 Combined Sewer Separation Project.

SECTION TWO: The cost for the preliminary design is estimated to be \$96,000.00 and shall come from line item 613.5453.53225.

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

PASSED: _____, 2015

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

THIS LEGISLATION APPROVED AS TO FORM

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE



Lump Sum Work Authorization No. 082113
Attachment A
City of Zanesville, Ohio
R8, R9, R10 and R11 CSO Basin Sewer Separation
Preliminary Design Phase
Services to be provided by URS Corporation - Ohio

BACKGROUND

The City of Zanesville ("City" or "Client") is currently in the process of implementing its Long Term Control Plan (LTCP) which was prepared in May 2007 and approved in June 2008, and recommends sewer separation to eliminate combined sewer overflows (CSOs). The LTCP is being implemented to maintain compliance with the City's current National Pollutant Discharge Elimination System (NPDES) permit, Part I, C – Schedule of Compliance. The LTCP outlines twenty (20) CSO basins for sewer separation, and the City was previously granted a two-year schedule extension for implementation. The current NPDES permit requires a permit to install (if required for new sanitary) to be obtained for Cycle 2 CSO basins R2, R4, R5, R7, R8, R9, R10 and R11 by September 1, 2015 and construction complete by December 1, 2017.

The LTCP recommended CSO elimination alternative includes separation of the existing combined sewer system through construction of new sanitary sewers, and elimination of any public storm water from the sanitary system. Private property footer drain disconnection is currently not part of the sewer separation alternative. In January of 2014, the City submitted an application requesting to modify their LTCP language so that construction of new storm sewers may be evaluated as a solution to handle increased wet weather flow. The City has identified sewer separation through construction of new storm sewers as an acceptable alternative when it is more cost-effective than construction of sanitary sewers. Cycle 2 CSO basins which remain to be separated include R8, R9, R10 and R11, and the City would like to proceed with the preliminary design phase these basins. It is the City's desire to complete construction of these basins prior to the December 1, 2017 deadline.

The preliminary design phase for the R8, R9, R10 and R11 sewer separation project shall include an analysis of the existing combined sewer system through closed-circuit television (CCTV) inspection and field investigations, and recommendation of a sewer separation alternative. The goal of the project includes sewer separation in order to eliminate public storm water sources from entering the new "sanitary only" system, so that the existing combined sewer overflows (Regulators R8, R9, R10 and R11) can be eliminated.

CSO basins R8, R9, R10 and R11 are located in the southern part of the City, and are bounded by the Muskingum River to the east and a railroad to the west. The area consists mainly of dense residential development that is located close to the streets, and also includes commercial, institutional and industrial buildings.



SCOPE OF SERVICES

Phase 1 – Preliminary Design

- a. Obtain and review the following available information associated with the R8, R9, R10 and R11 project area:
 - Record drawings and/or atlas maps for the existing sewer system
 - Utility research
 - Site development plans for commercial/industrial/institutional facilities
 - GIS data and layers
 - Aerial mapping and GIS layers from Muskingum County
 - Floodplain and river stage data
 - Service lateral inspection/tap card information
 - Regulator and outfall information
 - Previous reports or studies associated with the project area or sewer system
 - Customer complaints
- b. Conduct interviews with City staff to obtain historical information about the sewer system in the study area and to gather other pertinent information.
- c. Utilize record drawings, atlas maps, site development plans, Muskingum County GIS layers, and existing City GIS layers to prepare a GIS database for the project area.
- d. Conduct a kick-off meeting with the City staff, progress meetings, and an alternative review meeting during the preliminary design phase. Take minutes to summarize the general discussion and decisions made at each meeting. These minutes will be distributed to all project team members. It is anticipated that this will include four (4) meetings during the preliminary design phase of this project.
- e. The City will perform CCTV services of the existing combined sewers in the R8, R9, R10 and R11 project area. It was estimated from maps within the Combined Sewer Operational Plan that the project area includes approximately 9,600 lineal feet of sewer (size 8" through 48") and manholes. It is anticipated that the CCTV activities will be performed within twenty-five (25) consecutive working days from Notice to Proceed. The CCTV crew shall prepare a video log for each sewer system segment to include service connection locations, noted deficiencies, condition assessment and defect coding in PACP standard format. The CCTV crew shall pan and zoom the camera towards each lateral or connection and attempt to document whether the connection is active. URS shall provide one (1) full-time field technician during performance of the CCTV activities. Each day is assumed to be 8 hours. It is anticipated that the CCTV activities will include twenty-five (25) working days to document the storm and sanitary sources connected to the combined sewers and perform manhole and catch basin inspections as outlined in Item (f) below. Not included in the CCTV activities are any dye testing or internal plumbing inspections of private property to determine if taps are active.
- f. URS shall perform an inspection of all manholes and catch basins within the R8, R9, R10 and R11 project area (it is estimated that approximately 50 manholes and 40 catch basins are in the project area). It is budgeted that the manhole and catch basins will be inspected by the same field technician supervising the CCTV and will occur

during the same 25 day time frame. The inspection will include photographs, condition assessments, and observed deficiencies, and will be coded in MACP standard format. An inspection form shall be completed for each structure in the project area. This inspection is a top-side inspection only and does not include a confined space entry.

- g. URS shall perform a condition assessment of the existing combined sewer system by reviewing the CCTV logs and manhole and catch basin inspections to identify rehabilitation recommendations for conversion of the existing system during sewer separation. The rehabilitation recommendations will be dependent upon whether the existing combined sewer system is to be converted to sanitary sewers or storm sewers.
- h. Based on the information gathered during the CCTV activities, and manhole and catch basin inspections, URS shall recommend an alternative for sewer separation in the R8, R9, R10 and R11 project area. Recommendation shall be based on the evaluation of separation with new sanitary, new storm or a combination of both.

In the event that new storm sewers are recommended for sewer separation, the following items shall be performed:

- Develop a description, schematic layout, and estimate of project cost.
- Re-route commercial/industrial/institutional private storm sewer connections to the new storm sewer.
- Identify disconnection and re-routing of existing catch basins, curb inlets, and storm manholes to the new storm sewer.
- Recommend system rehabilitation based on the condition assessment of existing combined sewers.
- Perform hydraulic analysis to determine if existing combined sewers are appropriately sized for conversion to sanitary sewers, and if low velocities/deposition of solids may be a concern.
- Perform sizing of the proposed new storm sewers to meet the appropriate City design standards.

In the event that new sanitary sewers are recommended for sewer separation, the following items shall be included:

- Develop a description, schematic layout, and estimate of project cost.
- Recommend system rehabilitation based on the condition assessment of existing combined sewers.
- Perform hydraulic analysis to determine if existing combined sewers are appropriately sized for conversion to storm sewers.
- Perform sizing of the proposed new sanitary sewers to convey the required design flows.
- The deliverable to the City at the end of the preliminary design phase will be a Preliminary Design Report. One draft copy will be provided to the City for review and comment. Two paper copies and one electronic copy of the final report will be made to the City after incorporating comments. In general the report will contain;
 - Background,
 - Scope of Services,



- Existing Conditions,
 - CCTV reports,
 - Manhole and Catch Basin Inspection Reports,
 - Alternative Analysis,
 - Recommendations,
 - and tables and figures as necessary.
- i. Coordinate and update the OEPA on the recommended solution for R8, R9, R10 and R11 sewer separation. This may include attending up to one meeting with OEPA and/or providing information that replaces portions of R8, R9, R10 and R11 in the approved LTCP.

CLIENT RESPONSIBILITIES

- The Client shall perform cleaning and root cutting in the main sewers in the project area, including jet truck, operations staff, water, disposal of debris, flow control/bypass pumping, and traffic control as necessary for CCTV inspection.
- The Client shall provide assistance to URS in locating manhole and catch basin structures; and provide traffic control during all field activities.
- The Client shall designate a representative authorized to act in its behalf with respect to general engineering services requested of URS. All direction and authorization shall be by or through such representative.
- The Client shall furnish URS all available information, reports, studies, testing results, design and survey data, operating records, existing plans, easements, and other data pertinent to the Project, and such shall be furnished at the Client's expense.
- If the Client deems that auditing, legal, accounting, and insurance counseling services may be necessary for the Project, such services shall be furnished by the Client.
- The Client shall furnish any required information and services, review all submitted documents, and render decisions pertaining thereto as expeditiously as necessary for the orderly progress of the Work, and so as not to delay the work of URS.
- The Client shall negotiate and acquire all land and easements required for construction of the Project.
- The Client shall provide URS access to enter upon public and private land as required for the performance of the Work.

ADDITIONAL SERVICES

For additional services not included in the above Scope of Services, the Client and URS shall negotiate a scope and fee prior to commencement of Work. Such services shall consist of providing any other services not included in this proposal or not customarily furnished in accordance with generally accepted engineering practices. The following is a list of additional services which may be provided on this project:

- Easement preparation.
- Provision of water source for field activities.
- Private property evaluations to include internal inspections, lateral launch/tracing, and dye testing to identify active/inactive taps throughout the project area.
- Field surveys to locate existing utilities and prepare a project base map.
- Final engineering design and construction plan preparation.
- Geotechnical services.
- Bidding and Construction services.
- Construction loan application technical assistance.

PROJECT SCHEDULE

URS will perform the Scope of Services above in a timely manner. The services listed in the Scope of Services section above shall be completed within six (6) months upon approval of this Work Authorization and contingent upon timely input by others.

PAYMENT

For services provided under this Agreement, URS shall be paid as follows:

Compensation for the stated Scope of Services shall be a stipulated sum of Ninety-Six Thousand Dollars (\$96,000.00).

The above fees are based on services being provided during the schedule outlined in this Work Authorization. Should the services be provided beyond the anticipated scheduled timeframes, then equitable adjustments to the personnel rates and engineering fees may be required. This proposal is conditioned upon the negotiation of mutually acceptable contract terms.

A monthly invoice for services rendered shall be made as the Work progresses. Payment for services shall be made within thirty (30) days of the date of the invoice. Interest shall be paid at the State-permitted rate for all payments made 45 days after date of the invoice.



ORDINANCE NO. 15- 66
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ADVERTISE FOR BIDS, AWARD AND ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REMEDIATION OF CONTAMINANTS AT THE CITY PROPERTY LOCATED AT 1084 CENTRAL AVENUE.

WHEREAS, through the unpermitted release of petroleum product from the City's fueling station located at 1084 Central Avenue, the City was required by the State Fire Marshall's Office to remediate impacts; and

WHEREAS, City Council previously approved an agreement with ARCADIS, Inc. for professional services in relation to development of the site's Remedial Action Plan, which has been approved by BUSTR on February 17, 2015; and

WHEREAS, ARCADIS, Inc. was authorized by Ordinance 15-41 to prepare bid document and excavation oversight of the project; and

WHEREAS, the Remediation Project will provide for a "no further action" determination for the site; and

WHEREAS, the cost of this project based on engineering, inspection, advertising and miscellaneous expenses is estimated to be \$327,730 and will initially be paid by the City with a reimbursable amount of \$293,575 anticipated from PUSTRCB; and

WHEREAS, this ordinance should be passed as an emergency measure in order to start the project by late summer when the groundwater table is at its lowest point on the site.

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

SECTION ONE: The proper city official is hereby authorized to advertise for bids, award and enter into contract with the lowest and best bidder and expend funds in the estimated amount of \$327,730 for the remediation of the contaminants at 1084 Central Avenue.

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



ORDINANCE NO. 15- 67
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO USE ECONOMIC DEVELOPMENT REVOLVING LOAN FUNDS FOR THE ZANESVILLE CIVIC LEAGUE GYM FLOOR REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

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, the City of Zanesville previously awarded \$44,070 of its 2014 CDBG Allocation Grant to the Zanesville Civic League for replacement of the gym floor with the understanding that the sponsor would attempt to secure remaining funds necessary to complete the project. The Zanesville Civic League has been unable to secure these additional funds; and

WHEREAS, the City of Zanesville has unused funds available to complete the project in their Revolving Loan Fund Account; and

WHEREAS, the City of Zanesville has requested a Fund Waiver of the Revolving Loan fund to the State of Ohio Development Services Agency to utilize the CDBG Revolving Loan Funds on this eligible project as an Area Wide benefit; and

WHEREAS, it is desirable and in the public interest that the City of Zanesville undertake and carry out community development activities and make available the allocated and eligible funds for said undertakings; and

WHEREAS, the City Council has knowledge of the proposed uses of such funds and recognizes the conditions that are imposed in the undertaking and carrying out of Community Development Program activity; and

WHEREAS, staff requests the Ordinance be considered as an emergency measure since the project is designed and if bid within the next two weeks, would provide opportunity to construct the improvement during a period when the Center is not as heavily used by community members and Center youth programs.

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

SECTION ONE: The Community Development Director is authorized to enter into a contract with the Ohio Development Services Agency and to expend up to \$13,000 of Economic Development RLF funds to carry out all activities set forth in the Revolving Loan Fund Waiver Request.

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

**STATE OF OHIO
OHIO DEVELOPMENT SERVICES AGENCY
OFFICE OF COMMUNITY DEVELOPMENT
CDBG REVOLVING LOAN FUND WAIVER APPROVAL**

DATE: June 2, 2015

CDBG GRANTEE: City of Zanesville

PROJECT LOCATION: Zanesville Civic League Gym

PROJECT TYPE: City of Zanesville CDBG Economic Development RLF funds will be used for the Zanesville Civic League gym floor replacement activity.

NATIONAL OBJECTIVE: Area Wide Benefit

ELIGIBLE ACTIVITY: Neighborhood Facilities/Community Centers

AMOUNT OF REQUEST: \$13,000

SOURCE OF FUNDS: ED CDBG RLF

The city must transfer and appropriate the RLF funds by resolution to this activity and submit a copy to OCD. The city is reminded that it must follow all applicable CDBG rules and regulations pertaining to the program for which the waiver is given during the project time period, including environmental review, proper procurement procedures, and payment of federal prevailing wage rates.



Mary Richards Oakley
Section Supervisor, Economic and Appalachian Development
Office of Community Development



Date



Council-Mayor Government
Jeff Tilton, Mayor

The City of Zanesville

401 Market Street, Zanesville, Ohio 43701

Phone: (740) 455-0601 x101

Email: jay.bennett@coz.org



Department of Public Service

Jay D. Bennett, DIRECTOR

MEMO

TO: City Council Members
FROM: Jay D. Bennett, Public Service Director
DATE: June 4, 2015
RE: Ordinances 15-68, 15-69, and 15-70
CC: Jeff Tilton, Mayor

Ordinances 15-68, 15-69, and 15-70 have been written as emergency legislations. However, I have scheduled a public hearing before the City Council meeting on June 22, 2015, to discuss these three grant applications. Therefore, I am requesting first reading only on the June 8, 2015 meeting.

Thank you for your consideration.

JDB/bc



ORDINANCE NO. 15- 68
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT CRITICAL INFRASTRUCTURE PROGRAM FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville wishes to participate in, and receive financial assistance under, the 2015 CDBG Community Development Program provided through the State of Ohio, Ohio Development Services Agency, Office of Community Development (OCD); and

WHEREAS, the City is eligible for \$300,000 under the 2015 Critical Infrastructure Grant Program; and

WHEREAS, the City has identified the investment area for said funds to be the Sharon Avenue/Marietta Street Resurfacing and Sidewalk Improvement; and

WHEREAS, the applications for CDBG assistance is due to the State of Ohio no later than June 26, 2015 and thus will need to be expedited through the legislative process.

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

SECTION ONE: 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: The Community Development Director is authorized to:

a) Prepare and file all documents necessary to make application to the Ohio Development Services Agency for an award of Community Development Block Grant assistance through the Fiscal Year 2015 Community Development Critical Infrastructure Grant Program;

b) Certify that the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds awarded pursuant to the application as required by 24 CFR 570.496(a);

c) Enter into such contracts with, and provide such certifications to, the Ohio Development Services Agency as may be appropriate to assure that Title I funds awarded pursuant to allowance of the application are received and expended in full compliance with all requirements of the Housing & Community Development Act of 1974 and applicable Federal and State regulations; and,

d) Carry out and expend funds for all programs and activities set forth in the Community Development Block Grant application in conformity with program guidelines and applicable regulations.

SECTION THREE: For the reasons stated in the preamble hereto, this Ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, this Ordinance shall take effect and be in force immediately upon its passage and approval of

the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2015

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

THIS LEGISLATION APPROVED AS TO FORM

JEFF TILTON,
Mayor


LAW DIRECTOR'S OFFICE



ORDINANCE NO. 15- 69
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT CRITICAL INFRASTRUCTURE PROGRAM FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville wishes to participate in, and receive financial assistance under, the 2015 CDBG Community Development Program provided through the State of Ohio, Ohio Development Services Agency, Office of Community Development (OCD); and

WHEREAS, the City is eligible for \$300,000 under the 2015 Critical Infrastructure Grant Program; and

WHEREAS, the City has identified the investment area for said funds to be the downtown sidewalk improvement project located on the north side of South Street between 4th & 6th Streets; and

WHEREAS, the applications for CDBG assistance is due to the State of Ohio no later than June 26, 2015 and thus will need to be expedited through the legislative process.

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

SECTION ONE: 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: The Community Development Director is authorized to:

a) Prepare and file all documents necessary to make application to the Ohio Development Services Agency for an award of Community Development Block Grant assistance through the Fiscal Year 2015 Community Development Critical Infrastructure Grant Program;

b) Certify that the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds awarded pursuant to the application as required by 24 CFR 570.496(a);

c) Enter into such contracts with, and provide such certifications to, the Ohio Development Services Agency as may be appropriate to assure that Title I funds awarded pursuant to allowance of the application are received and expended in full compliance with all requirements of the Housing & Community Development Act of 1974 and applicable Federal and State regulations; and,

d) Carry out and expend funds for all programs and activities set forth in the Community Development Block Grant application in conformity with program guidelines and applicable regulations.

SECTION THREE: For the reasons stated in the preamble hereto, this Ordinance is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, this Ordinance shall take effect and be in force immediately upon its passage and approval of

the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2015

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2015

THIS LEGISLATION APPROVED AS TO FORM

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE



**ORDINANCE NO. 15-70
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT NEIGHBORHOOD REVITALIZATION PROGRAM FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville wishes to participate in, and receive financial assistance under, the 2015 CDBG Community Development Program provided through the State of Ohio, Ohio Development Services Agency, Office of Community Development (OCD); and

WHEREAS, the City is eligible for \$300,000 under the 2015 Neighborhood Revitalization Grant Program; and

WHEREAS, the City has identified the investment area for said funds to be the greater Ridge Avenue/Brighton Blvd. neighborhoods; and

WHEREAS, the applications for CDBG assistance is due to the State of Ohio no later than June 26, 2015 and thus will need to be expedited through the legislative process.

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

SECTION ONE: 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: The Community Development Director is authorized to:

a) Prepare and file all documents necessary to make application to the Ohio Development Services Agency for an award of Community Development Block Grant assistance through the Fiscal Year 2015 Community Development Neighborhood Revitalization Grant Program;

b) Certify that the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds awarded pursuant to the application as required by 24 CFR 570.496(a);

c) Enter into such contracts with, and provide such certifications to, the Ohio Development Services Agency as may be appropriate to assure that Title I funds awarded pursuant to allowance of the application are received and expended in full compliance with all

requirements of the Housing & Community Development Act of 1974 and applicable Federal and State regulations; and,

d) Carry out and expend funds for all programs and activities set forth in the Community Development Block Grant application in conformity with program guidelines and applicable regulations.

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
FORM

THIS LEGISLATION APPROVED AS TO

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE



**ORDINANCE NO. 15-60
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT ALLOCATION PROGRAM FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, Small Cities Community Development Block Grant funds have been made available by Congressional appropriations to achieve stated objectives of Title I of the Housing & Community Development Act of 1974; and,

WHEREAS, The City desires to participate in the FY 2015 Community Development Allocation Program to undertake and carry out eligible Community Development Activities that are not affordable without Small Cities Community Development Block Grant assistance;

WHEREAS, the City of Zanesville wishes to participate in, and receive financial assistance under, the 2015 CDBG Community Development Allocation Program provided through the State of Ohio, Ohio Development Services Agency, Office of Community Development (OCD); and

WHEREAS, the City is eligible for \$105,000 under the 2015 Community Development Allocation Program; and

WHEREAS, two (2) applications for CDBG assistance were submitted to the City by the advertised deadline, and after Citizen Advisory Committee review and input, and staff's assessment, the City will undertake two activities:

\$32,000 will be used to replace the ACCEL roof.

\$15,000 will be used to purchase turn out gear for the Zanesville Fire Department.

\$37,000 will be used for Emergency Housing Repairs in the southwest area of the City.

The remaining funds (\$21,000) will be used for the required Fair Housing Program and Administration.

WHEREAS, the applications for CDBG assistance is due to the State of Ohio no later than June 26, 2015 and thus will need to be expedited through the legislative process.

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

SECTION ONE: 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: The Mayor is authorized to:

a) Prepare and file all documents necessary to make application to the Ohio Development Services Agency for an award of Community Development Block Grant assistance through the Fiscal Year 2015 Community Development Allocation Program;

b) Certify that the City will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds awarded pursuant to the application as required by 24 CFR 570.496(a);

c) Enter into such contracts with, and provide such certifications to, the Ohio Development Services Agency as may be appropriate to assure that Title I funds awarded pursuant to allowance of the application are received and expended in full compliance with all requirements of the Housing & Community Development Act of 1974 and applicable Federal and State regulations; and,

d) Carry out and expend funds for all programs and activities set forth in the Community Development Block Grant application in conformity with program guidelines and applicable regulations.

SECTION THREE:

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

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.
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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.

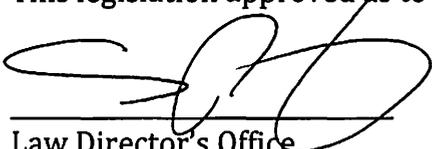
PASSED: _____, 2015

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