

**City Council meeting
Agenda of business
July 27, 2015**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

1. Communication from Jay D. Bennett, Public Service Director-Second Quarter Report of 2015 for the City of Zanesville Cemetery Division from Jeff Johnson, Cemeteries/Parks Superintendent.
2. Resolution No. 15-85 – Introduced by Council – A Resolution supporting the City of Zanesville's application to the National Park Service for technical assistance through their Rivers, Trails, and Conservation Assistance Program, and declaring an emergency. (Emergency or First Reading)
3. Resolution No. 15-86 – Introduced by Council – The following final resolution enacted by the City of Zanesville, hereinafter referred to as the legislative authority or local public agency (LPA), in the matter of the stated described project, and declaring an emergency. (Emergency or First Reading)

D. Proposed ordinances

4. Ordinance No. 15-87 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a classification plan for city employees; amending Ordinance 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. (First Reading)
5. Ordinance No. 15-88 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a contract with Zanesville City Schools and declaring an emergency. (Emergency or First Reading)

6. Ordinance No. 15-89 – Introduced by Council – An Ordinance authorizing the proper city official to execute a Real Estate Lease Agreement with 34 South Fourth Street, LLC for expanded municipal operations and declaring an emergency. (Emergency or First Reading)
7. Ordinance No. 15-90 – Introduced by Council – An Ordinance declaring city property located at 400-402 South Fourth Street as surplus and authorizing the Zanesville Community Improvement Corporation, acting as the agent of the City of Zanesville, Ohio, to negotiate the disposal of certain city owned property for economic development purposes and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

8. Ordinance No. 15-77 – Introduced by Council – An Ordinance authorizing the proper city official to expend funds for building improvements and declaring an emergency. (Second Reading)
9. Ordinance No. 15-78 - Introduced by Council – An Ordinance authorizing the proper city official to establish a Fire Capital Projects Fund. (Second Reading)
10. Ordinance No. 15-81 A - Introduced by Council – An Ordinance allowing a moral claim. (Second Reading)
11. Ordinance No. 15-82 A - Introduced by Council – An Ordinance allowing a moral claim. (Second Reading)
12. Ordinance No. 15-83 - Introduced by Council – An Ordinance authorizing the appropriate official to hire a vendor to digitize court files. (Second Reading)
13. Ordinance No. 15-84 - Introduced by Council – An Ordinance authorizing the proper city official to execute a Development and Real Estate Exchange Agreement and the necessary conveyance documentation to acquire 0.8349 acres, more or less, fee simple interest from 34 South Fourth Street, LLC located adjacent to and north of South Street in exchange for 0.2234 acres, more or less, fee simple interest owned by the City located adjacent to Fourth and South Streets, and declaring an emergency. (Emergency or Second Reading)
14. Ordinance No. 15-72 - Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property. (Third Reading)
15. Ordinance No. 15-44 – Tabled until August 10, 2015.

F. Traffic Orders

Traffic Order Number 15-08

Section One: Traffic Order 15-08 is hereby to establish a No Parking Zone from in front of 439 Indiana Street northeast to 760 Whipple Street and establish a No Parking Zone from in front of 431 Shultz Drive southwest to 359F Shultz Drive.

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

G. Miscellaneous and unfinished business

H. Private petitions and communications

CITY COUNCIL MEETING – MONDAY, JULY 13, 2015

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, July 13, 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, Mrs. Gentry, Mr. Tarbert, Mr. Baker; Mrs. Norman, Mr. Sharrer, and Mr. Vincent.

Mr. Foreman was absent.

Mr. Vincent: We need a motion to excuse Mr. Foreman.

Mr. Roberts moved to excuse Mr. Foreman. It was seconded by Mr. Tarbert.

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

All present were in favor. None were opposed. Motion carries. Mr. Foreman stands excused.

APPROVAL OF MINUTES

Mr. Vincent: Now for approval of the minutes from June 22, 2015.

Mr. Sharrer: I just noticed on page 17 of the minutes, there is a scrivener's error in the spelling of Captain Coury's name. If that could be corrected throughout, other than that they look okay.

Mr. Vincent: Mr. Sharrer is moving to correct the spelling of Captain Coury's name.

Mr. Tarbert seconded the motion.

Mr. Vincent: Is there any discussion? All in favor of that correction signify by saying aye.

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

With the correction, I guess with that, I should receive a motion to approve the minutes.

Mr. Sharrer moved, it was seconded by Mr. Hutcheson to accept the minutes as amended

Mr. Vincent: Are there further corrections or discussion? Okay, all in favor of accepting the minutes as corrected signify by saying aye. Opposed?

All present were in favor. None were opposed.
Motion carries. Minutes stand approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Rhonda Heskett, Budget and Finance Director – Alternative Tax Budget Information and it is for FY 2016.

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

Mr. Vincent: Is there any discussion? Hearing none, all in favor of receiving signify by saying aye. All present were in favor. None opposed.
Motion carries.

PROPOSED ORDINANCES

Ordinance No. 15-77 - Introduced by Council –An Ordinance authorizing the proper city official to expend funds for building improvements and declaring an emergency.

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

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

Ordinance No. 15-78 - Introduced by Council – An Ordinance authorizing the proper city official to establish a Fire Capital Projects Fund.

Mr. Vincent: We are at first reading.

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

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

Ordinance No. 15-79 - Introduced by Council – An Ordinance authorizing the proper city official to apply and accept an Edward Byrne Memorial Justice Assistant Grant in the amount of \$10,211.00.

Ms. Gildow moved for first reading and it was seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion?

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

Mr. Vincent: The motion to waive overrides the first. Is there any discussion on waiving of the readings? Hearing none we will have roll call vote for waiving.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

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

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-80 - Introduced by Council – An Ordinance authorizing the proper city official to enter into a contract with Genesis HealthCare System and declaring an emergency.

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

Mr. Vincent: Is there any discussion on waiving of the readings? With that we will have roll call vote for waiving.

Roll call vote on waiving of the readings.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries.

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

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

Mr. Vincent: Discussion? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-81 - Introduced by Council – An Ordinance allowing a moral claim.

Mr. Hutcheson moved for first reading and it was seconded by Mrs. Gentry.

Mr. Vincent: Is there any discussion?

Mr. Sharrer: Again, I believe it is just a scrivener's error but the first "Whereas" has \$861.22 and in Section One it says \$866.22. If we could just make that be \$861.22 as what was in the actual paperwork that accompanied the Ordinance.

Mr. Vincent: So you would like to make a motion to correct under Section One is \$861.22?

Mr. Sharrer: To \$861.22.

Mr. Baker seconded the motion.

Mr. Vincent: Mrs. Gentry, this is your Ordinance, is that correct?

Mrs. Gentry: Yes.

Mr. Vincent: So a motion from Mr. Sharrer and a second on that by Mr. Baker. Discussion?

Mr. Roberts: Mr. President. Just a quick question. There is a bunch of discussion about the video that was taken; which I don't know who took the video. It wasn't explicitly stated in there. Do we have a copy of that that Council could see?

Mr. Vincent: We made the request for that. So I think we will be able to see it. Yes.

Jay Bennett: Absolutely.

Mr. Roberts: Okay.

Mr. Vincent: So right now we are looking at the amendment under Section One changing that figure to match the figure up at the top in the first "Whereas". Is there any discussion on that? All in favor of the amendment signify by saying aye. Opposed?

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

Mr. Vincent: Now I need a motion for first reading for Ordinance 15-81 as amended.

Mr. Hutcheson moved for first reading as amended and it was seconded by Mr. Tarbert.

Mr. Vincent: Is there any further discussion? Hearing none, all in favor signify by saying aye. Opposed?

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

Ordinance No. 15-82 - Introduced by Council – An Ordinance allowing a moral claim.

Mr. Baker moved for first reading and it was seconded by Mr. Tarbert.

Mr. Vincent: Discussion?

Mr. Baker: Yes, this is rather long so just to summarize briefly this has to do with Ms. Susan Ryan, who is present today. Who owns the house on Canfield Road in my ward. There is a lot next to the property she owns in which there were some overhanging trees. At least one of which, in a bad wind storm last December, knocked over part of a tree or possibly most of or the whole thing onto her shed and at least one of the cars that were in the drive way. She is after remuneration. If you notice there is no amount settled upon yet. She can explain that here in a second and no line item which we will take care of at the next reading.

Mr. Vincent: Is there anything else from Council?

Susan Ryan: May I speak?

Mr. Vincent: With that please, Ma'am, Ma'am, if you will hold on please, I need to follow up. Is there anything else from Council? With that I do have two petitions here. One is from Susan Ryan of 1227 Canfield Road, Zanesville and she is speaking I assume in favor of this? It looks like it is in opposition. Are you Mrs. Ryan?

Susan Ryan: Yes.

Mr. Vincent: With that ma'am go ahead and pull the microphone down please so we can hear you. And then you will have three minutes to speak. At that time if your time does expire or if Council wants to add additional time to that they can make a motion, but at this point you have three minutes to share.

Susan Ryan: I am here to get my Cavalier fixed. Which I, ah, \$2,000 and I keep the car and I would like a shed which I will tear this old one down for \$3,000. Like Mr. Baker said there was a big wind storm on the 24th of December and the City did come up and remove the trees off the cars and the shed. The tree is on City property. My husband

had trouble with the trees before in the years I lived there. I had an older car of my son's that a trees fell on, before I put the shed there, and the City paid for the car. That is what I am asking for. I have documents on the shed which would be \$3,803.40. The Chevy Cavalier, to have it, the blue book is \$2,680.00. I have the paperwork and I also have pictures of the damage. And that is all.

Mr. Vincent: Okay, thank you.

Mr. Baker: What was the shed amount did you say?

Susan Ryan: On the estimate was \$3,803.40.

Mr. Baker: So the total that you would like is \$6,480.

Susan Ryan: No, \$5,000. I keep the car and I will have the shed removed.

Mr. Baker: \$3,800 for the shed

Susan Ryan: That is what Home Depot letter

Mr. Baker: Okay, and \$2,680 for the Cavalier? Am I adding this right? Yeah, that is \$6,480.

Mr. Hillis: She is willing to settle for \$5,000.

Susan Ryan: I am willing to settle for \$2,000 for the car. I keep the car and I will have it repaired and the shed \$3,000 and I will have it removed.

Mr. Baker: Okay, I see what you are saying. Okay, very good. You say that this has happened how many times before? Once?

Susan Ryan: It happened once before. It was when my son was in high school which would have been probably twenty odd years ago. A tree fell on the same part of the property. There was another tree. Which I have a document picture from 99 where there were trees there and one of them fell on his car and smashed the top of it and the City paid for it. I didn't have no problems with it; I didn't have to come down here. The same part of a different tree had fell down.

Mr. Baker: There are a lot of trees overhanging that fenced in area, right?

Susan Ryan: Yes, further down, yes.

Mr. Baker: That could have happened too. So that is an ongoing problem?

Susan Ryan: Yes. The mosquitos are terrible up there. But I complained about it, but it just nothing ever comes of it. The rubbish that is down in the hollow. They came up one time and cleaned a few things out and that was all. They never come back.

Mr. Vincent: Thank you, Ms. Ryan. I also have a petition here from Tracy Robinson also of 1227 Canfield Road, here in Zanesville, Oh, I assume.

Susan Ryan: That is my son. He will be the one tearing the shed down and getting rid of it.

Mr. Vincent: Is he here tonight?

Susan Ryan: Yes.

Mr. Vincent: Okay. Did you want to speak sir?

Tracy Robinson: No, I am fine. She got it all and it sounded good to me.

Mr. Vincent: Okay. Thank you. We are done ma'am. Thank you. You may have a seat.

Susan Ryan: Did you need any of this paperwork?

Mr. Vincent: Yes, if you want to give it to Ms. Heskett right here. Do you need that back ma'am?

Susan Ryan: Pardon?

Mr. Vincent: Do you need those back?

Susan Ryan: I think he's got all of the copies.

Mr. Baker: I think the copies are in the packet.

Jay Bennett: The copies are in the packet. I think so.

Mr. Vincent: All of the same stuff that is there then?

Jay Bennett: It looks like it.

Mr. Vincent: So we are good then. We don't need those ma'am. Ma'am, thank you. Ma'am if you could have a seat so we can continue with the meeting then.

Susan Ryan: Thank you.

Mr. Vincent: Okay, we are at first reading. Is there any further discussion?

Mr. Baker: Scott, would it be okay to put the amount in tonight as an amendment and then the line item next time? Is there any problem with that?

Rhonda Heskett: Mr. Baker, I have the line item if you want to include it.

Mr. Baker: You do have the line item? I would like to propose an amendment to this filling in the blanks where ever that is, I have too many papers up here.

Mr. Vincent: Section One.

Mr. Baker: Where is it?

Mr. Vincent: Section One is the dollar amount first and then the line item.

Mr. Baker: \$5,000 and whatever the line item is. Which is?

Rhonda Heskett: 202-6951-53408.

Mr. Vincent: Again, just to make sure 202.6951.53408.

Rhonda Heskett: Yes.

Mr. Vincent: So Mr. Baker, is that you motion then?

Mr. Baker: Yes.

Mr. Vincent: For those two items: the \$5,000 and the 202.6951.53408. A motion is made by Mr. Baker for that and also a second then by Mr. Tarbert. Is there discussion on the amendment? Hearing none, all in favor of that amendment signify by saying aye.

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

Mr. Vincent: Now I need a motion for first reading for 15-82 as amended.

Mr. Tarbert moved for first reading and it was seconded by Mr. Baker.

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

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

Mr. Vincent: Mrs. Ryan, first reading tonight, it will come back again for second reading. Basically are all for or against for the first two readings it doesn't matter. It is still coming back as far as three readings, but we do it as kind of a way to get a feel for where

people stand on it. The only vote that will really matter will be the third reading then and how Council votes at that time. Thank you.

Ordinance No. 15-83 - Introduced by Council – An Ordinance authorizing the appropriate official to hire a vendor to digitize court files.

Mr. Vincent: We are at first reading.

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

Mr. Vincent: Is there any discussion? No questions from Council? With that, you (Vicki Kirk) only wanted to speak if there were questions. Correct?

Vicky Kirk: Yes. I just didn't know if there was any information that was needed.

Mr. Vincent: Vicky Kirk here from the Courts. She always presents us with wonderful information. Is there anything from Council? Okay. We are at first reading so all in favor of first reading signify by saying aye. Any opposed?

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

Ordinance No. 15-84 – Introduced by Council – An Ordinance authorizing the proper city official to execute a development and real estate exchange agreement and the necessary conveyance documentation to acquire 0.8349 acres, more or less, fee simple interest from 34 South Fourth Street, LLC located adjacent to and North of South Street in exchange for 0.2234 acres, more or less, fee simple interest owned by the City located adjacent to Fourth and South Streets, and declaring an emergency.

Mr. Vincent: A motion to waive or for first reading.

Mr. Tarbert: I move to table this for two weeks, please.

Mr. Sharrer: I second.

Mr. Vincent: All in favor of tabling signify by saying aye. Any opposed?

All present were in favor. None were opposed.
Motion carries. It is tabled for two weeks.

ORDINANCES FOR ACTION

Ordinance No. 15-72 – Introduced by Council – An Ordinance authorizing the proper city official to dispose of surplus property. (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. Any opposed?

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

Ordinance No. 15-62 – Introduced by Council - Authorizing the issuance of notes in the amount of not to exceed \$2,500,000 in anticipation of the issuance of bonds for the purpose of acquiring, constructing, reconstructing, renovating, repairing, and otherwise improving municipal facilities, particularly Secrest Auditorium and the City Jail, acquiring land and interests in land necessary for the foregoing, equipping, furnishing and equipping the same, and landscaping and improving the sites thereof, and declaring an emergency. (Third Reading)

Mr. Vincent: We are at third reading.

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-64 – Introduced by Council - An Ordinance authorizing the proper city official to enter into a contract for the lease of a Vactor Sewer Cleaner for the department of Public Service Sewer Division through State Purchase Agreement. (Third Reading)

Mr. Vincent: We are at third reading.

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

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. (Third Reading)

Mr. Vincent: We are at third reading.

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

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Absent Mr. Foreman

Motion carries. Ordinance is passed.

Ordinance No. 15-44 – Introduced by Council – An Ordinance amending Chapter 111 of the Codified Ordinances of the City of Zanesville. (Third Reading)

Mr. Vincent: We are at third reading.

Mr. Sharrer moved to table this Ordinance until August 10, 2015. It was seconded by Mr. Tarbert.

Mr. Vincent: All in favor of tabling until August 10, 2015 signify by saying aye. Any opposed?

All present were in favor. None were opposed.
Motion carries. It is tabled until August 10, 2015.

Mr. Vincent: Those submitting petitions, Council wants something tabled and voted upon, it is not discussed then. It will be back on August 10, 2015.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: Is there anything from the Administration?

Mayor Tilton: Yes, Mr. President, in the last few weeks we have had several phone calls about pot holes, the paving, and the mowing. With the potholes and the paving we can't do anything with those as they are not making hot mix at this time. With the mowing, we put all hands on deck today and are trying to catch up even though with the rain we have had several days of rain and we can't keep up, but right now we are trying to catch

up, with the good days we have. So those people that call you, please have them call my office and we will explain what is going on.

Mr. Vincent: Thank you. Is there anything?

Mr. Bennett: Just to add on to what the Mayor is talking about as well is striping. We have had conversations about we are behind on striping because the temperatures have not been conducive to painting. The weather has not been conducive, so all of these factors have influenced Public Services over the last several weeks. So we are ready to go when the weather cooperates.

Mr. Vincent: Hopefully soon.

Jay Bennett: Yes.

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

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Vincent: With that, I do have two petitioners here under Private Petitions and Communications which is next. First is Mr. David Rogers, 1104 Benjamin Avenue, Zanesville, Ohio regarding "Lt. Rice's actions before the last meeting, 6-22-2015 and other depending on time".

Mr. David Rogers: Before I get to Lt. Rice I will give Council Members the case number. Rogers vs. City of Zanesville Case Number 215-CV-02-441. And claiming first and fourth amendment rights violations on that and the paperwork is on line.

Lt. Rice prior to the meeting on the last meeting asked to search my bag. He singled me out. By singling me out that is no more than police harassment. That falls under a 1982 decision out of California. A 1983 Civil Rights Act, which I once read to an officer in 1991 and was arrested. And for some reason the courts tape transcript didn't, the tape recorder didn't work, so I wasn't able to get a transcript off of that case. But he had really no right to search my bag unless he was going to search everybody else's bags. Going through the contract the complaints that were made against the officers, there are no supporting documents. That I was supposed to sign out of a contract, paperwork procedure was not followed. But any business that had employees like Zanesville and Muskingum County or has law enforcement would fire them. No wonder Zanesville was ranked five worst cities in Ohio. I guess if the feds tried real hard they might be able to get Lutz and Haddox on the RICO Act (Racketeer Influenced and Corrupt Organizations Act) or something. But that pretty much covers it. It was an unlawful search. I was singled out. Your metal detector, if you want to use it, belongs down stairs; one door in and one door out. Two people running, one at the door with the metal detector and the other one upstairs and in and out of Council Chambers if you want to have an officer

here. Because more or less that is nothing but, an eye-sore back there. Both of them. I think I am just about up with my three minutes. Thank you.

Mr. Vincent: Your time is up. I have a petition from Mr. Eric Jones, 221 Luck Avenue, Zanesville, OH regarding Initiative Petition.

Mr. Roberts: I think Fred wanted to speak.

Mr. Eric Jones: Hello everybody.

Mr. Vincent: I'm sorry. Just a moment, please. Do you want to speak?

Fred Buck: It will be okay. Let him speak. I will speak after the meeting.

Mr. Vincent: Alright, thank you, please go ahead.

Mr. Eric Jones: Hello everybody. I normally start out with the same statement. I will start out again with the same one. We do not have a democracy in Zanesville, Ohio we have a tyranny of the majority. I am sure you guys get tired of that. I am kind of getting tired of saying it myself. So I thought I would change tactics. I will adapt here real quick. What I am going to do, I am going to do an Initiative Petition. The title of the Initiative Petition is an Ordinance restoring democracy to the City of Zanesville. The body says whereas the citizens of the City of Zanesville desire democratic autonomy. Now therefore, be it ordained by the Council of the City of Zanesville, Ohio, that a commission be chosen to frame a Charter with Roberts Rules of Order as its parliamentary authority for the City of Zanesville, Ohio. Now, of course, I didn't get a lawyer to do all of that. I got a template from the Secretary of State. I modified it a little bit. It'll come down to that and I think I am close enough and what I will be doing is in effect educating the City of Zanesville about democracy. You know, one at a time. I think I can get two people to sign the petition. I need four hundred forty-four signatures of registered voters. I figured that shouldn't be too hard. I mean three a day for 100 days or so, one hundred or so days and we are good to go. In the interim while I am doing it, again, I get to hopefully create an organization out of all of this; one that should have been created probably thirty years ago, maybe fifty years ago. I think it will work. I think in showing the people in Zanesville, you know, a question I felt I would be getting is what is the difference between a tyranny and a democracy as it applies to me? Alright. A number of you asked me that question. Under a tyranny I am a subject. Under democracy I am a citizen. Under tyranny Mr. Buck with the police department is reinforcing a tyranny. It is the force behind a tyranny. Under a tyranny saying the Pledge of Allegiance is a little kind of shaky. Under a tyranny the twenty year plan will again reinforce that tyranny. That is because Mr. Bennett told me to read some books that he said was going to be homework on the twenty year plan. I actually went out and read some books on it. The twenty year plan has a lot to do with the politics of the government. You will reinforce whatever the politics are. I don't want to go past my three minutes. I have been smacked a little. That is okay too. Thank you very much.

Mr. Vincent: Ten seconds. Alright. Is there anything else?

Mr. Roberts: I have a question. Scott, any person stepping foot into this building is subject to search? Is that correct? Or is this not the same as other county buildings.

Scott Hillis: I don't know if we have that posted on the doors or not. I would defer to what is on each door.

Mr. Roberts: Okay.

Mr. Vincent: Is there anything else from Council?

Mr. Sharrer moved to adjourn and Mr. Hutcheson seconded the motion.

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

All present were in favor. None were opposed.

Motion carries.

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

The meeting adjourned about 7:33 p.m.



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

RECEIVED

JUL 16 2015

CLERK OF COUNCIL

Department of Public Service

Jay D. Bennett, DIRECTOR

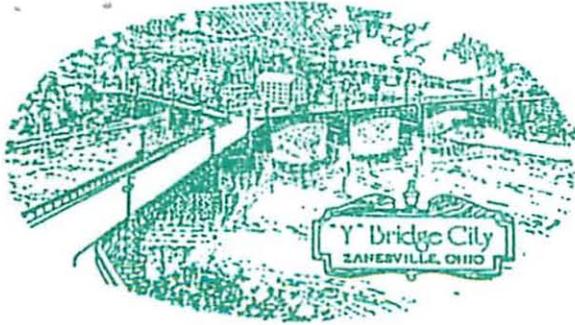
MEMO

TO: Honorable Members of Council
FROM: Jay D. Bennett, Public Service Director 
DATE: July 14, 2015
RE: City Cemeteries 2nd Quarter Report (2015)
CC:

In accordance with Ohio Revised Code, please find attached the 2nd Quarter Report of 2015 for the City of Zanesville Cemetery Division from Jeff Johnson, Cemeteries/Parks Superintendent.

JDB/bc

Attachment



City of Zanesville

JEFF JOHNSON

SUPERINTENDENT, CEMETERIES & PARK MAINTENANCE

401 Market St., Zanesville OH 43701

740-455-0637

Cemetery Division

2015 2nd Quarter Report

	Interments	Lot Sales	Transfers
April	9	5	0
May	8	2	0
June	4	8	0
Total	21	15	0

	Cemetery Operating	Cemetery Development	Cemetery Endowment
April	13,454.56	1,460.70	327.20
May	4,290.40	1,060.00	602.80
June	6,542.40	4,493.25	499.25
Total	\$24,287.36	\$7,013.95	\$1,429.25

Total: \$32,730.56

Department of Public Services
Jay D. Bennett, Director

RECEIVED
JUL 22 2015
CLERK OF COUNCIL

RESOLUTION NO. 15 - 85
INTRODUCED BY COUNCIL

A RESOLUTION SUPPORTING THE CITY OF ZANESVILLE'S APPLICATION TO THE NATIONAL PARK SERVICE FOR TECHNICAL ASSISTANCE THROUGH THEIR RIVERS, TRAILS, AND CONSERVATION ASSISTANCE PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the United States National Park Services (NPS) is soliciting applications for the Rivers, Trails, and Conservation Assistance Program (RTCAP), under which technical assistance is made available to local jurisdictions looking to design trails and improve access to rivers, protect special places, and create recreational opportunities; and

WHEREAS, the program solicits applications from all eligible applicants, which includes local governments like the City of Zanesville; and

WHEREAS, the City of Zanesville is submitting a Rivers, Trails, and Conservation Assistance Program application for master planning and preparation of a corridor feasibility study for a trail extension from Putnam Landing Park, south to the City limits; and

WHEREAS, the application deadline established by NPS is August 1, 2015, therefore creating an emergency measure.

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

SECTION ONE: The City Council of the City of Zanesville authorizes and supports the submission of a Rivers, Trails, and Conservation Assistance Program application for the Putnam Connection Trail Project.

SECTION TWO: The Public Service Director is authorized to enter into any required agreements for participation and implementation of the Rivers, Trails, and Conservation Assistance Program.

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

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL VINCENT,
President of Council

APPROVED: _____, 2015

JEFF TILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM

LAW DIRECTOR'S OFFICE

City of Zanesville Bike Trail Proposed Extension



Legend

- I-70
- Roads
- Parks
- Existing Trail
- Proposed Trail



0 1,750 3,500
Feet

THE CITY OF
Zanesville



(Ordinance No. 13-105)



PID No. 92981

Project No. _____ (2015)

FINAL RESOLUTION NO. 15 - 86

THE FOLLOWING FINAL RESOLUTION ENACTED BY THE CITY OF
 ZANESVILLE, HEREINAFTER REFERRED TO AS THE LEGISLATIVE
 AUTHORITY OR LOCAL PUBLIC AGENCY (LPA), IN THE MATTER OF
 THE STATED DESCRIBED PROJECT, AND DECLARING AN
 EMERGENCY.

WHEREAS, on the 23rd day of December, 2013, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of resurfacing and related work on U.S. 22 and U.S. 22D, lying within the City of Zanesville; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration U.S. Department of Transportation.

In view of the fact that the LPA's share of the project is now estimated in the amount of and - - - - 00/100 Dollars, (\$302,584.00) less Ohio Public Works Commission in the amount of Three Hundred Two Thousand Five Hundred Eighty Four and - - - - 00/100 Dollars, (\$302,584.00) leaving a balance of Zero and - - - - 00/100 Dollars, (\$0.00), therefore the City will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost sand expense for improving the above-described highway and has transmitted copies of same to this legislative authority; and

WHEREAS, this legislative authority desires the Director of Transportation to proceed with the aforesaid highway improvement; and

WHEREAS, due to an August 21, 2015 deadline submittal and receiving notification on July 17 of this need, this ordinance should be considered an emergency.

NOW, THEREFORE, be it resolved:

- I. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- II. That the LPA enter into a contract with the State, and that **Public Service Director** be, and is hereby authorized, to execute said contract for improving the described project.
- III. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.
- IV. For the reasons stated in the preamble hereto, this Final Resolution is declared to be an emergency measure. Provided it receives the affirmative vote of six (6) or more members of City Council, this Final Resolution shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2____.

ODOT Project No. _____ PID No. **92981**
(2015)

C O N T R A C T
(Chapter 5521, Ohio Revised Code)

This contract is made by and between the State of Ohio, Department of Transportation, acting through its director (hereinafter referred to as the "STATE"), 1980 West Broad Street, Columbus, Ohio 43223, and the City of Zanesville, (hereinafter referred to as the Legislative Authority or Local Public Agency (LPA).

WITNESSTH:

WHEREAS, Chapter 5521 of the Ohio Revised Code provides that the legislative authority may cooperate with the STATE in a highway project made by and under the supervision of the Director of Transportation; and

WHEREAS, through the enactment of preliminary legislation, the LPA and the STATE have agreed to cooperate in the highway project described below; and

WHEREAS, in accordance with the final legislation, the LPA hereby enters into this contract with the STATE to provide for payment (if applicable) of the agreed portion of the cost of the highway project and any additional obligations for the highway project described below.

NOW, THEREFORE, in consideration of the premises and the performances of mutual covenants hereinafter set forth, it is agreed by parties hereto as follows:

SECTION I: **RECITALS**

The foregoing recitals are hereby incorporated as a material part of this contract.

SECTION II: **PURPOSE**

The purpose of this contract is to set forth requirements associated with the highway project described below (hereinafter referred to as the "PROJECT") and to establish the responsibilities for the administration of the PROJECT by the LPA and the STATE.

SECTION III: **LEGAL REFERENCES**

This contract is established pursuant to Chapter 5521 of the Ohio Revised Code.

SECTION IV: SCOPE OF WORK

The work to be performed under this contract shall consist of the following:

The project consists of resurfacing and related work on U.S. 22 and U.S. 22D, lying within the City of Zanesville; and

SECTION V: FINANCIAL PARTICIPATION

1. The STATE agrees to provide the necessary funds as enumerated in this section and allowed by law for the financing of this project.
2. The STATE may allocate the money contributed (if applicable) by the LPA in whatever manner it deems necessary in financing the cost of construction, right-of-way, engineering, and incidental expenses, notwithstanding the percentage basis of contribution by the LPA.
3. The total cost and expenses for the project are only an estimate and the total cost and expenses may be adjusted by the STATE. If any adjustments are required, payment of additional funds shall correspond with the percentages of actual costs when said actual costs are determined, and as requested, by the Director of Transportation.
4. In view of the fact that the LPA's share of the project is now estimated in the amount of Three Hundred Two Thousand Five Hundred Eighty Four and - - - 00/100 Dollars, (\$302,584.00) less Ohio Public Works Commission in the amount of in the amount Three Hundred Two Thousand Five Hundred Eighty Four and - - - 00/100 Dollars, (\$302,584.00) leaving a balance of Zero and - - - 00/100 Dollars, (\$0.00) in the amount of Zero and - - - 00/100 Dollars (\$0.00), therefore, the City will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined.
5. The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration U.S. Department of Transportation.
6. The LPA agrees to assume and bear One Hundred Percent (100%) of the cost of any construction items required by the LPA on the entire project, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.
7. The LPA agrees that change orders and extra work contracts required fulfilling the construction contracts shall be processed as needed. The STATE shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION VI: RIGHT-OF-WAY AND UTILITIES

1. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
2. The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual, including that:
 - A. Arrangements have been or will be made with all utilities where facilities are affected by the described PROJECT, that the utilities have agreed to make all necessary removals and/or relocations to clear any construction called for by the plans of this PROJECT, and that the utilities have agreed to make the necessary removals and/or relocations after notification by the LPA or STATE.
 - B. The LPA shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.
 - C. The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the PROJECT and that the utility removals and/or relocations shall be approved by the STATE and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

SECTION VII: ADDITIONAL PROJECT OBLIGATIONS

1. The STATE shall initiate the competitive bid letting process and award the PROJECT in accordance with ODOT's policies and procedures.
2. The LPA agrees:
 - A. To keep said highway open to traffic at all times;

- B. To maintain for the PROJECT in accordance with the provisions of the statutes relating thereto, including, but not limited to, Title 23, U.S.C., Section 116;
- C. To make ample financial and other provisions for such maintenance of the PROJECT after its completion;
- D. To maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the STATE and hold said right-of-way inviolate for public highway purposes;
- E. To place and maintain all traffic control devices conforming to the Ohio Manual on Uniform Traffic Control Devices on the project in compliance with the provisions of Section 4511.11 of the Ohio Revised Code;
- F. To regulate parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

SECTION VIII: DISPUTES

In the event that any disputes arise between the STATE and LPA concerning interruption of or performance pursuant to this contract, such disputes shall be resolved solely and finally by the Director of Transportation.

SECTION IX: NOTICE

Notice under this contract shall be directed as follows

City of Zanesville
401 Market Street, City Hall
Zanesville, Ohio
43701

Ohio Department of Transportation
Office of Estimating
1980 West Broad Street, 1st Floor
Columbus, Ohio 43223

SECTION X: FEDERAL REQUIREMENTS

1. In carrying out this contract, LPA shall not discriminate against any employee or applicant for employment because of race, religion, color; sex, national origin, disability, or age. LPA will ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin, disability, or age. Such action shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment Advertising; Layoff or Termination; Rates of Pay or other forms of Compensation, and Selection for Training including Apprenticeship.

2. To the extent necessary under Ohio law, LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. LPA will, in all solicitations or advertisements for employees placed by or on behalf of LPA, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, national origin, disability, or age. If applicable, the LPA shall incorporate the foregoing requirements of this paragraph in all of its contracts for any of the work prescribed herein (other than subcontracts for standard commercial supplies or raw material) and will require all of its subcontractors for any part of such work to incorporate such requirements in all subcontracts for such work.
3. LPA agrees to fully comply with Title VI of the Civil Rights Act of 1964, 42 USC Sec. 2000. LPA shall not discriminate on the basis of race, color, or national origin in its programs or activities. The Director of Transportation may monitor the Contractor's compliance with Title VI.

SECTION XI: GENERAL PROVISIONS

1. This contract constitutes the entire contract between the parties. All prior discussions and understandings between the parties are superseded by this contract.
2. Neither this contract nor any rights, duties or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
3. Any change to the provisions of this contract must be made in a written amendment executed by both parties.
4. This contract and any claims arising out of this contract shall be governed by the laws of the State of Ohio. Any provision of this contract prohibited by the law of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this contract or the performance thereunder shall be brought only in the courts of Ohio, and the LPA hereby irrevocably consents to such jurisdiction. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this contract or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Muskingum County, Ohio.
5. All financial obligations of the State of Ohio, as provided in this contract, are subject to the provisions of Section 126.07 of the Ohio Revised Code. The financial obligations of the State of Ohio shall not be valid and enforceable unless funds are appropriated by the Ohio General Assembly and encumbered by the STATE. Additionally, it is understood that this financial obligation of the LPA shall not be valid and enforceable unless funds are appropriated by the LPA's legislative body.

PID No. 92981 – Contract

- 6. This contract shall be deemed to have been substantially performed only when fully performed according to its terms and conditions and any modification thereof.
- 7. LPA agrees that it is currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the Ohio Revised Code.

SECTION XI: SIGNATURES

Any person executing this contract in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this contract on such principal behalf.

IN WITNESS THEREOF, the parties hereto have caused this contract to be duly executed in duplicate.

SEAL
(If Applicable)

**OHIO DEPARTMENT OF
TRANSPORTATION**

**LOCAL PUBLIC AGENCY
City of Zanesville**

Director of Transportation

Public Service Director

Date

Date

Approved:
Mike Dewine
Attorney General

By: _____
Stephen H. Johnson
Chief, Transportation

Date: _____

Budget & Finance Director
Rhonda Heskett

**ORDINANCE NO. 15-87
INTRODUCED BY COUNCIL**

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

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

WHEREAS, the Budget & Finance Director requested an amendment to the Classification Plan by creating the position of Human Resource Manager, and the Civil Service Commission July 22, 2015 approved and recommended said position; and

WHEREAS, the Utility Billing Department currently has two (2) full-time Utility Billing Clerk I positions and two (2) part-time Utility Billing Clerk I positions and there is a need to move one (1) part-time position to a full-time position; and

WHEREAS, it is necessary to amend the maximum strength ordinance, and the unaffiliated pay and benefits ordinance for the newly created position as well as the Utility Billing Clerk I change.

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

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

SECTION TWO: The specified section of Section One of Ordinance No. 13-15 (Amended), shall be amended to read:

<u>SECTION</u>	<u>CLASSIFICATION:</u>	<u>NUMBER AUTHORIZED</u>
101-7861	PERSONNEL: Human Resource Manager	1
603-5470,-5471,5472	WATER: Utilities Billing Clerk I (full-time) Utilities Billing Clerk I (Part-time)	3 1

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

<u>CLASSIFICATION TITLE</u>	<u>PAY RANGE</u>
Human Resource Manager	12

SECTION FOUR: 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

Ordinance 15-87
THE CITY OF*Zanesville*401 Market Street • Zanesville, Ohio 43701
Phone (740) 455-0601, ext. 148 • Fax (740) 455-0675
E-mail: civser@coz.org

Civil Service Commission



Council-Mayor Government

TO: Rhonda Heskett
Budget & Finance Director

FROM: Civil Service Commission

DATE: July 22, 2015

SUBJECT: HR Manager

Attached is the new job description which was developed for the proposed position of HR Manager for the City of Zanesville.

Job Description: The newly developed description is structured to reflect the duties and responsibilities of an HR Manager for the City of Zanesville.

Point Factor Analysis: A point factor analysis for the proposed position was conducted to determine the appropriate compensation level in consideration of the City's pay structure.

Following an evaluation of the factors and requirements as stated in the City's Position Point Factor Manual, the new position of HR Manager was point factored at 430 points which translates to **pay range 12**. **After discussion with the Commission, determination was made to place the position at Pay Range 12 with option to bring a qualified candidate in at one step below mid-range .**

The Commission studied the above mentioned material and motion was made by quorum to approve the same on July 22, 2015. Please proceed with obtaining Council's approval placing the position on the Maximum Strength Ordinance and approving the pay scale. Please provide the Civil Service Office with a copy of the Ordinance going to Council.

Please feel free to contact the Civil Service Office if you are in need of additional information on this matter.

Keith A. Wyatt, Chairman
Civil Service Commission

POSITION DESCRIPTION

City of Zanesville

CLASSIFICATION TITLE:	Human Resource Manager
------------------------------	-------------------------------

FLSA STATUS/TYPE	Non-exempt	EMPLOYMENT STATUS	Full-time
CIVIL SERVICE STATUS	Classified	REPORTS TO	Budget & Finance Director
BARGAINING UNIT	None	PAY GRADE	12
DEPARTMENT	Budget & Finance	CLASS SERIES NUMBER	

POSITION QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each primary duty and responsibility satisfactorily. The qualifications listed below are representative of the minimum knowledge, skill, and/or abilities required.

1. A Bachelor's degree with major study in personnel administration, public administration, or a closely related field.
2. Three (3) to Five (5) years of increasingly responsible Human Resources Management experience across all HR disciplines, including public sector experience.
3. Thorough knowledge of principles and practices of human resources administration; applicable federal, state and local laws, Worker's Compensation procedures; unemployment compensation; PERRP requirements; PERS & OP&F Retirement System; employee insurance benefits, and Ohio collective bargaining rules and processes.
4. Demonstrated ability to develop principles and practices of leadership, team building, and conflict resolution.
5. Proven ability to work effectively with department supervisors in resolving organizational issues and with employees in dealing with job-related problems.
6. Experience with Civil Service Rules, Collective Bargaining Agreements, and implementing personnel policies and procedures not in conflict with Civil Service Rules or Chapter 124 of the Ohio Revised Code.
7. Ability to analyze problems and identify alternative solutions, project consequences of proposed actions, and implement recommendations in support of goals.
8. Excellent teamwork, organizational, and problem solving skills.
9. Strong effective communicator in writing, business presentations and interpersonal communications.

LICENSURE OR CERTIFICATION REQUIREMENTS

PHR and/or SPHR certification will be considered but is not required

DISTINGUISHING JOB CHARACTERISTICS

Under general direction from the Budget & Finance Director and with the cooperation of other Directors, plans, organizes, and directs all Human Resources functions including labor relations, risk management and organizational development activities and programs; communicates and coordinates with the Civil Service Employment Coordinator to ensure that all Civil Service rules and practices are followed.

This position is responsible for directing all Human Resources functions not inconsistent with the Civil Service Commissions rules and regulations as set forth in the Ohio Revised Code, the Ohio Administrative Code and the Ordinances of the City of Zanesville, including employee relations, labor negotiations, representing management at disciplinary hearings and arbitrations, worker's compensation, safety, staff development and organizational development, and health and life insurance benefits.

ESSENTIAL DUTIES AND RESPONSIBILITIES

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

1. Guides and manages the overall provision of the Human Resources services, policies, and programs for the entire City not in conflict with Chapter 124 of the Ohio Revised Code.
2. Works with Directors to develop workplace strategy to include training, development, performance planning, management and improvement coordinating efforts as needed with Civil Service Employment Office.
3. Oversees employee safety, welfare, wellness and health programs, and assists employees with health insurance issues.
4. Provides support to the City representative in Workers' Compensation matters.
5. Coordinates with external employment and temporary staffing agencies, when permitted by law.
6. Coordinates with other department heads and City Administration regarding Human Resource Department programs and activities and provides support to the City Law Director with regard to litigation and other legal matters involving City employees.
7. Provides assistance to departments and City Administration in assessing managerial, supervisory and employee performance, training needs and skill development.
8. Provides support to the City's management representative for arbitrations and disciplinary hearings; and investigates allegations of sexual harassment, employment discrimination, policy violations or other prohibited practices and makes recommendations for action other than those designated to Civil Service Commission.
9. Advises department heads and supervisors in employee relations matters including progressive discipline, preparation for disciplinary hearings and arbitrations, and MOU interpretations under collective bargaining.
10. Assists departments in organizational development and work force planning efforts and, supports team building processes within and across departments.
11. Develops and administers the Human Resources Office budget including the forecast of funds needed for staffing, equipment, materials and supplies; monitors expenditures, and oversees all contracts for Human Resource Department services.
12. Represents the department to outside groups and organizations as necessary; participates in outside professional groups and committees as necessary to ensure career development.
13. Manages all records generated by or received by the office in compliance with all state and federal mandates and local rules.
14. Ensures changes in employment laws and policies are effectively communicated to all City employees.
15. Serve as a resource for all team members by being available and accessible to discuss all human resources related issues.

OTHER DUTIES AND RESPONSIBILITIES

None

SCOPE OF SUPERVISION

None

EQUIPMENT OPERATED

General office equipment

CONTACTS WITH OTHERS

City employees, elected officials, news media, and vendors.

CONFIDENTIAL DATA

All sensitive and confidential information not required to be public record under Ohio Open Records Law.

WORKING CONDITIONS

Normal office working conditions, with occasional exposure to varying conditions when visiting other properties.

USUAL PHYSICAL DEMANDS

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

While performing the duties of this job, the employee regularly exhibits digital dexterity when entering data into computer and other tasks. The employee frequently sits for extended periods of time, and occasionally stands and walks. Vision demands include close, relatively detailed vision, with the ability to adjust focus when reading a computer screen

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of: Human resource principles and practice; management principles; standard office procedures; state and federal employment laws and regulations; Ohio Civil Service Laws; requirements and procedures; Department of Administrative Services rules; PERRP requirements; Ohio collective bargaining rules and processes; Worker's Compensation procedures; unemployment compensation.

Ability to: Develop and maintain good working relationships with employees, Elected Officials, department heads, job contacts and general public and media; apply human resource principles to practical work situations; answer sensitive inquiries; maintain confidentiality of confidential and sensitive subject matter.

Skill in: Verbal and written communication; writing policy; conflict resolution; operating general office equipment; application of job software including word processing and spreadsheets.

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

MANAGEMENT APPROVAL

_____ / /
Department Head Date

EMPLOYEE UNDERSTANDING AND AGREEMENT

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

_____ / /
Employee Date

Public Safety Director
Police Chief

ORDINANCE NO. 15-88
INTROUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO AN AGREEMENT
WITH ZANESVILLE CITY SCHOOLS AND DECLARING AN EMERGENCY.

WHEREAS, the Zanesville City Schools desires to have a School Resource Officer assigned to their schools to increase safety of students and deter criminal activity in the schools; and

WHEREAS, the City desires to increase student safety and deter criminal activity however due to current staffing levels, it would be necessary to hire an additional police officer to cover this position at an increased cost; and

WHEREAS, the Zanesville City Schools is willing to pay the benefitted amount for this officer for the school year of 2015 – 2016, and the City is willing to assign a school resources officer to the Zanesville City Schools and the parties desire to enter into the agreement attached hereto as Exhibit A; and

WHEREAS, because the school year will begin on August 25, 2015, and to preserve safety and peace, this ordinance should become effective prior to thirty days after passage and should be considered an emergency measure.

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

SECTION ONE: The proper city official is hereby authorized to enter into a contract with the Zanesville City Schools to provide a police officer for the school year of 2015 – 2016 and to receive \$64,742.40 and deposit such money into the appropriate fund.

SECTION TWO: For 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

SCHOOL RESOURCE OFFICER AGREEMENT

THIS SCHOOL RESOURCE OFFICER AGREEMENT is made and entered into on this ____ day of _____, 2015 (hereinafter the "Effective Date"), by and between The Zanesville City Schools (hereinafter "The Schools"), and the City of Zanesville, Ohio, (hereinafter "City"), an Ohio municipal corporation. The "City" and "The Schools" may hereinafter be referred to individually as a "Party", or collectively as the "Parties".

WHEREAS, "The Schools" operate elementary, middle and high schools in the City of Zanesville; and

WHEREAS, the "City" operates a police department within the City of Zanesville; and

WHEREAS, "The Schools" desire to have a police officer assigned to their premises to increase safety and deter criminal behavior; and

WHEREAS, the "City" believes that assigning an officer to the schools would increase student safety and deter crime.

NOW THEREFORE, in consideration of the foregoing, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual promises contained herein, the Parties agree to the following:

1. The "City" will designate one police officer as a School Resource Officer and assign said officer to work in the Zanesville City Schools on all school days during the 2015-2016 school year.

2. "The Schools" will pay the sum of Sixty-Four Thousand Seven Hundred Forty-Two Dollars and Forty Cents (\$64,742.40) to the "City" during the 2015-2016 school year to help offset the costs involved.

3. The parties acknowledge that the School Resource Officer may be unavailable on certain occasions due to sick or vacation time and in the event of a serious event may be ordered to leave the school post to aid law enforcement.

4. The parties acknowledge that this agreement has been reviewed and authorized by both Zanesville City Council and The Zanesville City School Board.

The Parties have hereunto subscribed their names on the day and year first aforesaid.

THE CITY OF ZANESVILLE

THE ZANESVILLE CITY SCHOOLS

Name: _____ Name: _____
Public Safety Director Superintendent

Name: _____ Name: _____
Police Chief Director of Operations

Date: _____ Date: _____

Approved to Form:

City of Zanesville Law Director:

Name:  _____ Date: 7/22/15

ORDINANCE NO. 15- 89
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO EXECUTE A REAL ESTATE LEASE AGREEMENT WITH 34 SOUTH FOURTH STREET, LLC FOR EXPANDED MUNICIPAL OPERATIONS AND DECLARING AN EMERGENCY.

WHEREAS, The City of Zanesville is the owner of real property consisting of approximately 0.2234 acres of land, known as Muskingum County Auditor's Tax Property Identification Numbers 81-66-02-07-000; 81-66-02-08-000 and 81-66-02-09-000 that is principally used as offices, evidence and records storage; and

WHEREAS, The Safety Department is in need to expand these stated municipal operations; and

WHEREAS, 34 South Fourth Street, LLC (hereinafter "34 South") is the owner of certain real property known as Muskingum County Auditor's Tax Parcel Identification Numbers 81-65-02-09-000 that is directly across the street from the City's currently owned property, and is suitable to serve as a replacement for the stated City purposes; and

WHEREAS, the City and "34 South" have agreed on a lease as outlined by the terms and conditions contained within the attached Lease Agreement; and

WHEREAS, The Zanesville City Council recognizes that it is imperative to enter into the Lease Agreement as soon as is possible for the preservation of public peace and safety, so this ordinance should be declared as an emergency measure.

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

SECTION ONE: The Appropriate City Official is hereby authorized to execute the Real Estate Lease Agreement in substantially the same form as the one attached hereto as Exhibit A, with changes not inconsistent with this Ordinance or adverse to the City, and to execute all legal documents necessary to carry out the purpose of this Ordinance, which shall be approved by the Law Director.

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

LEASE AGREEMENT

THIS LEASE is granted this ____ day of _____, 2015, by and between 34 South Fourth Street., LLC, (hereinafter referred to as “**LESSOR**”), with a mailing address of P.O. Box 1265 Zanesville, OH 43702-1265, and The City of Zanesville, Ohio (hereinafter referred to as “**LESSEE**”), with a mailing address of 401 Market St., Zanesville, OH 43701, for the lease of the real property described on Exhibit A attached hereto and being a portion of the building located at or near 34 South Fourth St., Zanesville, OH 43701 (hereinafter referred to as “**LEASED PREMISES**”).

1. **TERM OF LEASE.** To have and to hold the said **LEASED PREMISES**, unto the **LESSEE**, for a term commencing on the date of execution of this lease agreement and terminating ninety (90) days after, subject, however, to the rentals, conditions and provisions hereinafter set forth. Following the expiration of the term the **LEASE** may continue on a month to month basis until terminated by either party in accordance with Ohio law.

2. **QUIET ENJOYMENT.** **LESSOR** covenants that it is the owner of the premises hereby leased, and that the **LESSEE**, upon paying the rent and performing the covenants on its part to be performed, as hereinafter contained, shall and may peaceably and quietly use, hold, and enjoy the **LEASED PREMISES** during the term of this Lease or any renewal thereof.

3. **TAXES.** **LESSOR** will pay the real estate taxes assessed against the **LEASED PREMISES** as and when the same become due and payable.

4. **UTILITIES.** **LESSOR** will pay all charges and expenses incurred in connection with the use of the **LEASED PREMISES** for water, heat, gas, electricity and sewer service.

5. **OCCUPANCY.** **LESSEE** will take occupancy of the **LEASED PREMISES** on the date of execution of this lease agreement.

6. **RENT.** The rent for the **LEASED PREMISES** shall be One Dollar (\$1.00) per month. The rent is payable commencing on the date of possession and, thereafter, on the first day of each month. All installments of rent shall be payable at **LESSOR'S** address as set forth above, or at such other place or places as **LESSOR** shall, from time to time, designate in writing addressed to **LESSEE** and mailed to it by certified mail, return receipt requested.

7. **MAINTENANCE.** **LESSOR** will maintain the structure of the **LEASED PREMISES** in good order and repair.

8. **WASTE.** **LESSEE** will not commit or permit waste in or upon the **LEASED PREMISES**, and at the expiration or termination of this Lease, **LESSEE** will redeliver the **LEASED PREMISES** to **LESSOR** in the same condition as originally provided to **LESSEE**, subject, however, to ordinary wear and tear.

9. **INDEMNIFICATION.** LESSEE shall be fully responsible for LESSEE'S personal property stored at the LEASED PREMISES, except for any damage to said property caused by the negligence of LESSOR.

10. **USE OF PREMISES.** LESSEE, at its own cost and expense, shall observe and comply with all present and future laws, rules, ordinances and regulations of all applicable federal, state, county and city governments and of any other governmental agency or authority with respect to its use and occupancy of the LEASED PREMISES.

11. **DEFAULT BY LESSEE.** In the event that the LESSEE should default in the payment of rent reserved herein, as and when the same shall become due and payable as herein provided, or in the event that the LESSEE becomes bankrupt, insolvent, or makes an assignment for the benefit of creditors, or in the event that LESSEE defaults in the performance of any of its other obligations hereunder, then LESSOR may, at its election, treat this Lease as forfeited, and re-enter and repossess the LEASED PREMISES without notice or demand therefore other than as is hereinafter in this paragraph provided. Any waiver of any default hereunder shall not be construed to be a waiver of the rights of LESSOR in the event of a subsequent or other default. Re-entry and repossession by LESSOR shall not prejudice any remedies which LESSOR may otherwise have under appropriate state laws for the recovery of the arrears of rent or for damages for the breach of this Lease and/or for future rents.

12. **IMPROVEMENTS TO LEASED PREMISES.** Any improvements made to the LEASED PREMISES by the LESSEE shall be at the sole expense of LESSEE and only with written consent of LESSOR and shall become and be a part of the real estate, and the same shall not be removed therefrom by the LESSEE without the LESSOR'S written consent.

13. **PROPERTY INSURANCE.** LESSEE will insure their personal property located in or on said LEASED PREMISES. LESSEE will obtain liability insurance covering the LEASED PREMISES and will provide proof of insurance to LESSOR.

14. **DAMAGE OR DESTRUCTION.** In the event the LEASED PREMISES shall be damaged or destroyed in whole or in part by fire or other cause during the original term or any renewal hereof, it shall be optional with LESSOR as to whether or not it shall repair or restore the LEASED PREMISES. In the event LESSOR does not repair or restore said premises following such damage or destruction, then this Lease shall terminate as of the date of such destruction, and all rentals reserved beyond such date shall abate entirely.

15. **EMINENT DOMAIN.** In the event the LEASED PREMISES, or any part thereof, shall be taken in condemnation proceedings or by exercise of any right of eminent domain, LESSOR shall be entitled to collect from any condemner the entire award that may be made in any such proceeding, subject to any right of the LESSEE to collect from the condemner for the unexpired portion of this Lease.

16. **ASSIGNING AND SUBLETTING.** LESSEE agrees not to assign or sublease the LEASED PREMISES without the written consent of LESSOR.

17. **MODIFICATION OF LEASE.** No modification of this Lease shall be binding unless made in writing and executed in due form by the respective parties hereto.

18. **ENTRY AND INSPECTION.** LESSEE shall permit LESSOR or LESSOR'S agents to enter the LEASED PREMISES at reasonable times for the purposes of inspecting the condition of the LEASED PREMISES or for showing the LEASED PREMISES to prospective tenants, purchasers or mortgagees.

19. **ENVIRONMENTAL LAWS.** During the lease term, LESSEE shall comply with all applicable federal, state, and local laws, regulations, administrative rulings, orders, ordinances pertaining to the protection of the environment, including, but not limited to those regulating the handling and disposal of waste materials. Further, during the term of this Lease, neither LESSEE nor any agent or party acting at the direction or with the consent of LESSEE shall treat, store, or dispose of any hazardous substance on or from the Premises.

20. **NOTICES.** Any notice to be given to LESSEE hereunder may be given by U.S. mail, addressed to LESSEE at the address set forth above and such notice shall be deemed to have been given to LESSOR hereunder in the same manner and to the same effect when addressed to LESSOR at the address set forth above.

21. **BINDING EFFECT.** The covenants and agreements herein contained shall extend to and be binding upon the parties hereto, their successors and assigns.

22. **SUCCESSORS AND ASSIGNS.** The terms, covenants and provisions of this Lease shall extend to and shall be binding upon the respective successors, assigns, personal representatives, and heirs of LESSOR and LESSEE.

IN WITNESS WHEREOF, LESSOR and LESSEE have properly executed this instrument by signing their names hereto, and all by authority duly given.

LESSOR:

34 SOUTH FOURTH STREET, LLC

By: _____

Title: _____

Witness

Witness

LESSEE:

CITY OF ZANESVILLE

By: _____

Title: _____

Witness

Witness

[Print](#) | [Back](#)

Exhibit B

Muskingum County GIS



Notes

ORDINANCE NO. 15-90
INTRODUCED BY COUNCIL

AN ORDINANCE DECLARING CITY PROPERTY LOCATED AT 400-402 SOUTH FOURTH STREET AS SURPLUS AND AUTHORIZING THE ZANESVILLE COMMUNITY IMPROVEMENT CORPORATION, ACTING AS THE AGENT OF THE CITY OF ZANESVILLE, OHIO, TO NEGOTIATE THE DISPOSAL OF CERTAIN CITY OWNED PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES AND DECLARING AN EMERGENCY

WHEREAS, the City of Zanesville is the owner of real property consisting of approximately 0.2234 acres of land and addressed as 400-402 South Fourth Street, as shown as Exhibit A; and

WHEREAS, the City's Safety Department has outgrown the existing space of the property for its office space, evidence and records storage needs; and

WHEREAS, the City Council through the approval of Ordinance No. 15-89 has authorized the lease of another building space for the stated Safety Department activities, thus rendering the subject property as surplus to the City's needs; and

WHEREAS, the City desires that said property be disposed of sold which will benefit the City financially 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, The Zanesville City Council recognizes that it is imperative to dispose of the property as soon as is possible so this ordinance should be declared as an emergency measure.

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

SECTION ONE: The City of Zanesville real property consisting of approximately 0.2234 acres of land, known as Muskingum County Auditor's Tax Property Identification Numbers 81-66-02-07-000; 81-66-02-08-000 and 81-66-02-09-000, as shown as Exhibit A, is hereby declared as surplus and is no longer needed for a municipal purpose.

SECTION TWO: The City hereby authorizes the Zanesville Community Improvement Corporation, acting as an agent of the City, to negotiate the disposal of 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 THREE: 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 FOUR: 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

[Print](#) | [Back](#)

Exhibit A

Muskingum County GIS



Notes

Margo Moyer, Auditor
Rhonda Heskett, Budget & Finance

ORDINANCE NO. 15-77
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO EXPEND FUNDS FOR
BUILDING IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, the Zanesville Fire Department owns property at 1674 Fairview Road which will be leased on a long term basis; and

WHEREAS, the lessee has requested certain land and building improvements to be made; and

WHEREAS, those improvements must be made prior to the lessee taking occupancy of the building thereby creating the need for this ordinance to be passed as an emergency; and

WHEREAS, cost estimates for those improvements are \$150,000 for materials, supplies, and in house labor; and

WHEREAS, the City's General Fund will pay for the cost of the improvements with the expectation that those costs will be reimbursed over a ten year period.

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

SECTION ONE: The proper city official is authorized to expend approximately \$150,000.00, from line item 101.7951.53434, for materials, supplies, and in house labor to complete the land and building improvements at 1674 Fairview Road.

SECTION TWO: The final cost of the project will be amortized over 10 years and annual payments will be made from the Fire Capital Projects Fund #275 to the City's General Fund on January 1st of each year until the reimbursement is paid in full.

SECTION THREE: 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: _____
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

Margo Moyer, Auditor
Rhonda Heskett, Budget & Finance

ORDINANCE NO. 15-78
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO ESTABLISH A
FIRE CAPITAL PROJECTS FUND

WHEREAS, the Zanesville Fire Department owns property at 1674 Fairview Road, which was originally purchased through the Fire Operating Fund; and

WHEREAS, the property will be leased on a long term basis and Administration wishes the proceeds from the rental of the property to benefit the Fire Department by setting aside funds for current and future capital needs.

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

SECTION ONE: The proper city official is authorized to establish the Fire Capital Projects Fund #275. Revenues to this fund shall be derived from rental payments from the lease of the property located at 1674 Fairview Rd. Expenditures shall be for the purchase, repair, or upgrading of safety equipment, vehicles, buildings and/or furniture and fixtures, land acquisition, and building construction for the Zanesville Fire Department.

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

Sandy Gentry
City Councilwoman

RECEIVED
JUL 17 2015
CLERK OF COUNCIL

ORDINANCE 15- 81 Amended
INTRODUCED BY COUNCIL

AN ORDINANCE ALLOWING A MORAL CLAIM

WHEREAS, Nathan Williams presented a legal claim in the amount of Eight Hundred Sixty-One Dollars and Twenty-Two Cents (\$861.22) against the City of Zanesville; and,

WHEREAS, said claim was reviewed by the Law Director, Scott T. Hillis, who determined that the City of Zanesville was not legally liable for said claim; and

WHEREAS, the basis of said claim is set forth in Exhibit A; and,

WHEREAS, Law Director, Scott T. Hillis, advised the claimant that although the City of Zanesville had no legal liability, he had a right to present a moral claim to City Council; and

WHEREAS, City Council has reviewed the claim and determined that said claim should be paid as a moral claim.

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

SECTION ONE: The proper City Official is hereby authorized to pay \$861.22 to Nathan Williams and said monies shall be taken from line item _____.

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

CITY OF ZANESVILLE

OFFICE OF THE LAW DIRECTOR

401 Market Street, Room 209 • Zanesville, Ohio 43701

740-455-0601 or 740-455-3350 • Fax 740-455-3360

SCOTT T. HILLIS
LAW DIRECTOR

SUSAN E. SMALL
EMILY STRANG TARBERT
ASSISTANT LAW DIRECTORS

April 16, 2015

Nathan Williams
312 Stewart Street
Zanesville, Ohio 43701

RE: **Claim No.: 15-10**

Dear Mr. Williams:

I have completed my review of the claim you filed against the City of Zanesville as a result of damage to your automobile, which occurred on February 17, 2015. It is one of my duties as Law Director to review such claims and advise the City as to whether or not legal liability exists against the City. Prior to the mid 1980's, Governmental Entities were generally immune from all liability. In 1985, the Ohio Legislature enacted new laws which still granted Governmental Entities immunity in most all instances, but did provide some liability in a few limited situations.

Unfortunately, the claim that you filed does not fall within one of the areas of liability created under Chapter 2744 of the Ohio Revised Code. Therefore, your claim has been denied.

You do have the right to file a "moral claim" with the Zanesville City Council. A moral claim differs from a legal claim in that the City Council may decide that although the City is not legally liable for the claim, an ethical or moral reason exists to pay the claim. If you would like to file such a claim, you may contact your City Council person. If you are not sure who your Council Representative is you may contact Sue Culbertson, Clerk of Council, at 740-455-0601, ext. 149.

Very truly yours,



Scott T. Hillis
Law Director

STH:ab

Mark Baker
City Councilman

RECEIVED
JUL 15 2015
CLERK OF COUNCIL

ORDINANCE 15-82 Amended
INTRODUCED BY COUNCIL

AN ORDINANCE ALLOWING A MORAL CLAIM

WHEREAS, Susan Ryan presented a legal claim against the City of Zanesville; and,

WHEREAS, said claim was reviewed by the Law Director, Scott T. Hillis, and Marie Koll, Claims Adjustor with HCC Public Risk Claim Service, Inc., who determined that the City of Zanesville was not legally liable for said claim; and

WHEREAS, the basis of said claim is set forth in Exhibit A; and,

WHEREAS, Law Director, Scott T. Hillis, advised the claimant that although the City of Zanesville had no legal liability, she had a right to present a moral claim to City Council; and

WHEREAS, City Council has reviewed the claim and determined that said claim should be paid as a moral claim.

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

SECTION ONE: The proper City Official is hereby authorized to pay \$5,000.00 to Susan Ryan and said monies shall be taken from line item 202-6951-53408.

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

CITY OF ZANESVILLE

OFFICE OF THE LAW DIRECTOR

401 Market Street, Room 209 • Zanesville, Ohio 43701

740-455-0601 or 740-455-3350 • Fax 740-455-3360

SCOTT T. HILLIS
LAW DIRECTOR

SUSAN E. SMALL
EMILY STRANG TARBERT
ASSISTANT LAW DIRECTORS

April 30, 2015

Susan Ryan
1227 Canfield Road
Zanesville, Ohio 43701

RE: *Claim No.:* 14-32

Dear Ms. Ryan:

I have completed my review of the claim you filed against the City of Zanesville as a result of property damage you sustained on December 24, 2014 when you alleged that an uprooted tree fell onto your vehicle and shed located at 1227 Cannfield Road, Zanesville, Ohio. It is one of my duties as Law Director to review such claims and advise the City as to whether or not legal liability exists against the City. Prior to the mid 1980's, Governmental Entities were generally immune from all liability. In 1985, the Ohio Legislature enacted new laws which still granted Governmental Entities immunity in most all instances, but did provide some liability in a few limited situations.

Unfortunately, the claim that you filed does not fall within one of the areas of liability created under Chapter 2744 of the Ohio Revised Code. Therefore, your claim has been denied. See a copy of a letter from HCC Public Risk Claim Service, Inc., dated January 22, 2015.

You do have the right to file a "moral claim" with the Zanesville City Council. A moral claim differs from a legal claim in that the City Council may decide that although the City is not legally liable for the claim, an ethical or moral reason exists to pay the claim. If you would like to file such a claim, you may contact your City Council person. If you are not sure who you Council Representative is you may contact Sue Culbertson, Clerk of Council, at 455-0601, ext. 149.

Very truly yours,



Scott T. Hillis
Law Director

STH:ab

Zanesville Municipal Court
William D. Joseph, Judge

ORDINANCE NO. 15-83
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL TO HIRE A VENDOR
TO DIGITIZE COURT FILES

WHEREAS, The Zanesville Municipal Court desires to have it's files digitized and after having requested bids from three companies has determined that the lowest and best bid was that of Scan Works, LLC., for \$79,689.00; and

WHEREAS, The Zanesville Municipal Court applied for a grant from the Ohio Supreme Court to receive as much financial assistance as possible for funding the project but was unfortunately not selected to receive grant funds for said project; and

WHEREAS, The Zanesville Municipal Court has sufficient funds in its Special Projects account to fund the project; and

WHEREAS, the digitization project would be an appropriate and permissible project for the use of Special Project funds and therefore the Court desires to proceed with the project utilizing said funds.

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

SECTION ONE: The appropriate Official of the Zanesville Municipal Court is hereby authorized to hire Scan Works, LLC. to perform the digitization of the Court files, and to pay for said project utilizing funds from Budget Line No.812-7721-53399.

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

ORDINANCE NO. 15- 84
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO EXECUTE A DEVELOPMENT AND REAL ESTATE EXCHANGE AGREEMENT AND THE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE 0.8349 ACRES, MORE OR LESS, FEE SIMPLE INTEREST FROM 34 SOUTH FOURTH STREET, LLC LOCATED ADJACENT TO AND NORTH OF SOUTH STREET IN EXCHANGE FOR 0.2234 ACRES, MORE OR LESS, FEE SIMPLE INTEREST OWNED BY THE CITY LOCATED ADJACENT TO FOURTH AND SOUTH STREETS, AND DECLARING AN EMERGENCY.

WHEREAS, Dutro, Ford, Lincoln, Nissan, LLC (hereinafter "Dutro") is finalizing construction of an economic development project in downtown Zanesville which has involved the acquisition of several properties and the demolition and construction of multiple structures upon it's property; and

WHEREAS, As part of its project, "Dutro" desires to acquire certain real property owned by the City of Zanesville consisting of approximately 0.2234 acres of land, known as Muskingum County Auditor's Tax Property Identification Numbers 81-66-02-07-000; 81-66-02-08-000 and 81-66-02-09-000 (the "City Exchange Property") immediately adjacent to their development site, which currently is utilized as an office building, for the use in part by the City's Safety Department for offices, evidence and records storage; and

WHEREAS, 34 South Fourth Street, LLC (hereinafter "34 South") is the owner of certain real property consisting of approximately 0.8349 acres of land, known as Muskingum County Auditor's Tax Parcel Identification Numbers 81-65-02-09-000; 81-65-02-10-000 and 81-65-02-11-000 (the "34 South Exchange Property") that is directly across the street from the City's currently owned property, and is suitable to serve as a replacement for the "City Exchange Property"; and

WHEREAS, the City, "Dutro", and "34 South" have agreed on a proposal whereby in order that "Dutro" can obtain the property it needs to complete its economic development project and whereby the City can obtain suitable property to replace the property it already owns adjacent to the "Dutro" project, the City will transfer the "City Exchange Property" to "34 South", and "34 South" will transfer the "34 South Exchange Property" to the City as outlined by the terms in the attached Real Estate Exchange Agreement; and

WHEREAS, the Parties acknowledge that City requires additional parking and a replacement facility for its Safety Department needs that is substantially larger than the one currently being used and located on the City Exchange Parcels, as well as the fact that the appraised value of the "34 South Exchange Property" is significantly greater than the value of the "City Exchange Property"; and

WHEREAS, as there is a need to construct certain improvements upon the "34 South Exchange Property" in order to provide for a swift relocation of City facilities, thus expediting the economic investment into downtown Zanesville, The Zanesville City Council recognizes that it is imperative to enter into the Real Estate Exchange Agreement as soon as is possible so this ordinance should be declared as an emergency measure.

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

SECTION ONE: The Appropriate City Official is hereby authorized to execute the Development and Real Estate Exchange Agreement in substantially the same form as the one attached hereto as Exhibit A, with changes not inconsistent with this Ordinance or adverse to the City, and to execute all legal documents necessary to carry out the purpose of this Ordinance, which shall be approved by the Law Director.

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.

Ordinance 15-84

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

DEVELOPMENT AND LAND EXCHANGE AGREEMENT

THIS DEVELOPMENT AND LAND EXCHANGE AGREEMENT is made and entered into on this ___ day of _____, 2015 (hereinafter the "Effective Date"), by and between 34 South Fourth Street, LLC (hereinafter "LLC"), an Ohio Limited Liability Company whose mailing address is 34 South Fourth Street, Zanesville, Ohio 43701 and the City of Zanesville, Ohio, (hereinafter "City"), an Ohio municipal corporation whose mailing address is 401 Market Street, Zanesville, Ohio 43701. The "City" and "LLC" may hereinafter be referred to individually as a "Party", or collectively as the "Parties".

WHEREAS, the "City" is the owner of certain real properties consisting of approximately 0.2234 acres of land, known as Muskingum County Auditor's Tax Property Identification Numbers 81-66-02-07-000; 81-66-02-08-000 and 81-66-02-09-000 (hereinafter the "City Exchange Property") as depicted on Exhibit "A"; and

WHEREAS, the "LLC" is the owner of certain real property consisting of approximately 0.8349 acres of land, known as Muskingum County Auditor's Tax Parcel Identification Numbers 81-65-02-09-000; 81-65-02-10-000 and 81-65-02-11-000 (hereinafter the "LLC Exchange Property"), as depicted on Exhibit "B"; and

WHEREAS, the "LLC" desires to obtain the "City Exchange Property" for use in an economic development project currently being constructed in downtown Zanesville, by Dutro, Ford, Lincoln, Nissan, LLC, (hereinafter "Dutro") with whom it is associated; and

WHEREAS, the "City" desires to obtain the "LLC Exchange Property" for purposes of its public safety department including space for record and evidence storage, offices for evidence technicians and increased parking spaces for the Zanesville Public Safety Center; and

WHEREAS, the Parties each acknowledge that the "LLC Exchange Property" has a higher appraised value than the "City Exchange Property" and that the LLC Exchange Property has a number of parking spots in excess of the current needs of the "City" which are however needed by "Dutro"; and

WHEREAS, the parties acknowledge that in order for the "City Exchange Property" to be utilized by "Dutro" in its economic development project as depicted in Exhibit "C" hereto, it will be necessary to obtain various permits and approvals from City Boards; and

WHEREAS, the parties acknowledge that in order for the "City" to utilize the "LLC Exchange Property" as needed, the "LLC" will need to perform certain improvements upon the property; and

WHEREAS the parties desire by this agreement to set forth the rights, responsibilities, obligations, conditions, terms and requirements of each party necessary to effectuate the exchange of the respective Exchange Properties owned by each.

Rhonda Heskett,
Budget & Finance Director

RECEIVED
JUN 18 2015
CLERK OF COUNCIL

ORDINANCE NO. 15-72
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO
DISPOSE OF SURPLUS PROPERTY

WHEREAS, ordinance #14-71 established a policy for the disposal of property the City deems to be surplus; and

WHEREAS, the Public Service and Public Safety Departments have identified items no longer needed for the usual daily operations of the City; and

WHEREAS, some items are deemed to be of value in excess of \$1,000.00, therefore requiring Council's approval for disposal.

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

SECTION ONE: The proper City Official is hereby authorized to dispose of the surplus property listed on Exhibit A attached hereto, by the procedures established in the City's Surplus Property Disposal Policy adopted January 1, 2015.

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

PASSED: _____, 2015

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

Ordinance #15-72 Exhibit A

**CITY OF ZANESVILLE SURPLUS PROPERTY
JUNE 2015**

RECEIVED

JUN 18 2015

CLERK OF COUNCIL

PUBLIC SERVICE:

1. Vactron Wagon
2. 400-horsepower motor – 1987 model AND (R) Peerless 3 stage turbine pump (L) Gould 3 stage turbine pump
3. 10-hp ROOTS air blower AND 10-hp ROOTS air blower AND control panel for air blower
4. Benshaw 4200 KG breaker
5. YASKAWA-variable frequency drives (2 of these)
6. Burch Biowave Multi Energy Source Oven (BBM-450kW) continuous microwave (components inclusive)
7. 1997 Vactor Truck
8. 1989 GMC 3500 truck w/utility body, 1GDHR34K8KJ507503
9. 1995 Chevrolet 3500 pickup, 1GCHK34K8SE196141
10. 1996 GMC 2500 pickup, 1GTFC24K35Z562448
11. Old Reading bed off #130 w/bumper, M#HD132ABDW, S#B335219
12. 1984 Ford Backhoe/Loader, C731343
13. 1998 Ford F-150 pickup, 1FTZF1722WNA91061
14. 50 Foot long aluminum boat dock with gangway

PUBLIC SAFETY:

15. 2000 Pontiac Sunfire, 1G2JB1248Y7376943
16. 2000 Saturn, 1G8ZH5280YZ116669
17. 1998 Ford Contour, 1FAFP6637WK304620
18. 1996 Chrysler SLI, 4C3AU52NITE382998
19. 2001 Lincoln Navigator, 5LMFU28R91LJ12561
20. 1998 Dodge Caravan, 2B4GP2436WR765476
21. 1998 Dodge Durango, 1B4HS28Y8WJ158351
22. 2001 Ford pickup, 1FTRX18L31NB98035
23. 1998 Dodge Caravan, 2B4FP253XWR828704
24. 2000 Mitsubishi Eclipse, 4A3AE35G31E001819
25. 1996 Ford Crown Victoria, 2FALP71W6TX191603
26. 1996 GMC 3500HD flatbed, 1GDKC34F8TJ509876
27. 1996 GMC Sierra ton pickup, 1GTEC14WXTZ511331
28. 2005 Ford Crown Victoria, 2FAFP71W55X116665
29. 2009 Ford Crown Victoria, 2FAHP71V29X110568
30. 2009 Ford Crown Victoria, 2FAHP71V49X110569
31. 2003 Ford Crown Victoria, 2FAFP71W63X141121

Prepared by
Fred Buck
Director of Public Safety

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



Traffic Order 15-08

July 27, 2015

SECTION ONE: Traffic Order 15-08 is hereby to establish a No Parking Zone from in front of 439 Indiana Street northeast to 760 Whipple Street and establish a No Parking Zone from in front of 431 Shultz Drive southwest to 359F Shultz Drive.

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

A handwritten signature in black ink, appearing to read "Fred Buck".

FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
July 21, 2015

A handwritten signature in blue ink, appearing to read "Sue Culbertson".

SUE CULBERTSON,
Clerk of Council

Date Work Completed

(signed)

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