

**City Council meeting
Agenda of business
January 25, 2016**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

1. Communication from Mayor Jeff Tilton – Muskingum County Humane Officer– I am hereby approving the appointment of Ms. Carolyn Hughes to the Muskingum County Humane Officer's position. The City's portion of her salary will remain at \$400/month.
2. Resolution No. 16-07 – Introduced by Council – A Resolution supporting the City of Zanesville's application to Ohio Mid-Eastern Government Association for funding for the replacement of the Putnam Hill Water Tank, and declaring an emergency. (Emergency or First Reading)
3. Resolution No. 16-02 – Introduced by Council – A Resolution authorizing the Clerk of Council to act as the designated representative of the members of Zanesville City Council for purposes of required Public Records training. (Second Reading)

D. Proposed ordinances

4. Ordinance No. 16-08 – Introduced by Council – An Ordinance establishing the wages for unaffiliated employees in the Municipal Service. (First Reading)
5. Ordinance No. 16-09 – Introduced by Council – An Ordinance amending Ordinance No. 00-16, which adopted a Classification Plan for City employees; and amending Ordinance 13-16 (Amended), which established pay, benefits and employment policies for unaffiliated employees. (First Reading)
6. Ordinance No. 16-10 – Introduced by Council – An Ordinance authorizing the proper city official to purchase items for employee recognition. (First Reading)

7. Ordinance No. 16-11 – Introduced by Council – An Ordinance amending Ordinance 13-15 (Amended), which authorized a maximum schedule of positions and declaring an emergency. (Emergency or First Reading)
8. Ordinance No. 16-12 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds for a Humane Officer and declaring an emergency. (Emergency or First Reading)
9. Ordinance No. 16-13 – Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids and enter into a professional contract for the replacement of a boiler at the City Wastewater Treatment Plant. (First Reading)
10. Ordinance No. 16-14 – Introduced by Council – An Ordinance authorizing the proper city official to pay an invoice to HCC for investigation & handling of a claim for water damage from a storm water drain, and declaring an emergency. (Emergency or First Reading)
11. Ordinance No. 16-15 – Introduced by Council – An Ordinance authorizing the City Auditor to pay the invoices of various departments using 2016 money for 2015 invoices and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

12. Ordinance No. 16-04 – Introduced by Council – An Ordinance authorizing advertising for bids and entering into contract(s) for the purchase of highway rock salt and calcium chloride with the lowest and best bidder, or the State of Ohio Purchase Program. (Second Reading)
13. Ordinance No. 15-134 – Introduced by Council – An Ordinance authorizing the Director of Community Development to enter into a Tax Increment Service Payment Agreement with ARS Property Acquisitions that establishes a payment schedule and all associated securities, fees, penalties, and other covenants for the payment in lieu of taxes benefiting the Tax Increment Finance Exemption established in Ordinance 15-100. (Third Reading)
14. Ordinance No. 15-135 – Introduced by Council - An Ordinance authorizing the Director of Community Development to enter into a Developers Agreement with ARS Property Acquisitions for the purpose of constructing public improvements within Tax Increment Finance Exemption established in Ordinance 15-100. (Third Reading)

F. Traffic orders

Traffic Order 16-01

Section One: Traffic Order 16-01 hereby establishes a 35 mile per hour speed zone on Fairview Road from city limit to city limit.

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

Traffic Order 16-02

Section One: Traffic Order 16-02 hereby establishes a 35 mile per hour speed zone on Military Road from west exit of Pfeifer Drive to Northpointe 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

Non-agenda item petitions filed

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio in regard to Self-Assessment (2nd time)

CITY COUNCIL MEETING – MONDAY, JANUARY 11, 2016

The Council of the City of Zanesville met in regular session at 7:00 p.m. on Monday, January 11, 2016 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

The following members of Council answered Roll Call: Mrs. Norman, Ms. Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Gentry, and Mr. Vincent.

APPROVAL OF MINUTES

Ms. Gildow moved to accept the minutes of December 28, 2015 as printed, seconded by Mr. Foreman.

A voice vote was taken and all were in favor. None were opposed. Motion carries. Minutes of December 28, 2015 stand approved.

Mr. Roberts moved to accept the minutes of January 04, 2016 (special meeting) as printed, seconded by Mrs. Norman.

A voice vote was taken and all were in favor. None were opposed. Motion carries. Minutes of January 4, 2016 stand approved.

Mr. Vincent: I would like to let Council know that Councilperson Ann Gildow was sworn in by the Law Director, Mr. Tarbert, since she could not be at the last meeting. We do appreciate that.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Mayor Jeff Tilton –Muskingum County Port Authority –I am hereby recommending the appointment of Mr. Randy Coconis to the Muskingum County Port Authority Board. Randy's term will run from January 1, 2016 through December 31, 2019.

Mr. Wolfe moved to receive and concur with the Mayor, seconded by Mr. Foreman

No discussion. All were in favor. None were opposed.
Motion carries.

Communication from Jay D. Bennett, Public Service Director- City Cemeteries Report - City Cemeteries 4th Quarter & Year End Report for 2015.

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

No discussion. All were in favor. None were opposed.
Motion carries.

Resolution No. 16-02 – Introduced by Council – A Resolution authorizing the Clerk of Council to act as the designated representative of the members of the Zanesville City Council for purposes of required Public Records Training.

Mrs. Osborn moved for first reading, seconded by Mr. Baker.

No discussion. All were in favor. None were opposed.
Motion carries.

PROPOSED ORDINANCES

Ordinance No. 16-03 - Introduced by Council – An Ordinance reauthorizing entering into contract for limestone, and declaring an emergency.

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

No discussion on waiving.
Roll call vote on waiving of the readings.
9 Ayes
0 Nays
Motion carries.

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

No discussion.
Roll call vote for passage.
9 Ayes
0 Nays
Motion carries. Ordinance is passed.

Ordinance No. 16-04 - Introduced by Council – An Ordinance authorizing advertising for bids and entering into contract(s) for the purchase of highway rock salt and calcium chloride with the lowest and best bidder, or the State of Ohio Purchase Program.

Mrs. Gentry moved for first reading, seconded by Mrs. Osborn.

No discussion.
All were in favor. None were opposed.
Motion carries.

Ordinance No. 16-05 - Introduced by Council – An Ordinance re-authorizing the proper city official to administer the Housing Revolving Loan Fund, and declaring an emergency.

Mr. Roberts moved to waive the readings, seconded by Ms. Gildow.

No discussion on waiving.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mrs. Norman moved for passage, seconded by Mrs. Osborn.

No discussion.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 16-06 - Introduced by Council – An Ordinance authorizing the proper city official to enter into a professional contract for providing portable toilets in various city parks, and declaring an emergency.

Mr. Vincent: Move to waive or for first reading.

Mr. Roberts moved to waive the readings, seconded by Ms. Gildow.

Mr. Bennett: I believe this would be re-authorizing. This was previously done by the other Council. Those bids had been opened up last week. So we are waiting to award.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

No discussion.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 15-134 - Introduced by Council – An Ordinance authorizing the Director of Community Development to enter into a Tax Increment Service Payment Agreement with ARS Property Acquisitions that establishes a payment schedule and all associated securities, fees, penalties, and other covenants for the payment in lieu of taxes benefiting the Tax Increment Finance Exemption established in Ordinance 15-100.

Mr. Vincent: We are at third reading.

Mr. Roberts moved to postpone for two weeks, seconded by Mr. Baker.

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

Ordinance No. 15-135 – Introduced by Council – An Ordinance authorizing the Director of Community Development to enter into a Developers Agreement with ARS Property Acquisitions for the purpose of constructing public improvements within Tax Increment Finance Exemption established in Ordinance 15-100.

Mr. Vincent: We are at third reading.

Mr. Roberts moved to postpone for two weeks, seconded by Mr. Baker.

All were in favor. None were opposed.
Motion carries. It will return in two weeks.

TRAFFIC ORDERS

None

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: The Law Director did talk to me. He is required by law to provide an annual report. With that I am sorry I did not get it on the agenda, but we will fit it in here nicely. So, Mr. Tarbert, we will turn it over to you.

Mr. Tarbert: Mr. President and members of Council, the Law Director is required at the beginning of each year to give a report to Council discussing what happened in the office of the Law Director the previous year. Because I am only six business days into that position what I would ask to do is defer that for maybe three, four, or six months. Obviously my door is open and I am available to any of you to answer questions, but it is difficult right now. We are settling in nicely. Things are moving along. I have been over here essentially full time, but for meetings, in and out of this building. So we hit the ground running, but I would ask to defer that report for six months just so I can give you a more detailed report of what is happening in that office. Thank you.

Mr. Vincent: Thank you, Mr. Tarbert. And you will let us know when you are ready to come back.

Mr. Tarbert: I will.

Mr. Vincent: Thank you, sir. Is there anything else from the Administration? Is there anything else from Council? Mr. Buck, I know there is a lot of discussion and I know we have talked a lot and I know you have done a lot of work as far as Northpointe; the concerns at Military and Northpointe with the accidents that have occurred. I know you shared some information on that and you have done some studies and I know additional studies are needed before we can make decisions as far as what is the best route and that if a traffic light there would be feasible and work. We think that is the answer, but I know we need to have answers before decisions can be made.

Mr. Fred Buck: Yes, we wanted to give it at least six months to collect as much data as we can. We tried to do a three month comparison, but it is kind of tough to do three months. We don't have three complete months to do it in because we started out at first to try to make it as painless for everybody, but if you remember putting up signs to warn everybody that we have set up a two week period where we did not ticket anybody. So we have worked as hard as we could trying to make it as painless as possible, but we have gone from nine accidents; injury and property damage accidents for three months from July 1 to October 9 versus October 10, 2015 through January 4, 2016 when I asked for the report; we had zero. I have been told by a lot of people they have gotten tickets. Which I am not sure with the Highway Patrol, I don't know how many they did, but ours we did one stop for speeding and it was a written warning. So you know we are trying to make it as painless for people as we can, but we do need to show what we have done with lowering the accidents. I think we have shown what we were trying to accomplish. We are going to do a traffic study. It will probably be after this six month period is over. So a traffic study to get a warrant for a traffic signal is quite in depth. So we will look at it then, but we wanted to have all of the data we could along with traffic counts and other things too. We know there is a big delay coming off of Military. I think part of that issue is from what we did on SR 146 when making it a continuous right. By not backing up SR 146 we are now backing up Military. Traffic is like running an hour glass, it is going to go somewhere and somebody is going to wait. A lot of people believe if we put a traffic signal in and everybody is going to fly through there. It does stop you. A traffic signal will stop one direction or another, so right now it was 27 seconds and the Mayor said he did it in 30 seconds, this is the difference between 35 and 45 mph. I think with what we have saved with the injury accidents we have had out there, there have been some bad ones. You know we proved that we have lowered them and if everybody can just be patient and give us a chance to get the data together.

Mr. Vincent: Thank you. With that, just to be clear, the difference between traveling Northpointe, the entire distance of Northpointe, at 45 mph versus 35 mph at the new reduced speed is how many seconds?

Fred Buck: Right, what we did, see the entire distance, is it went from Brandywine. It was already 35 mph at Brandywine.

Mr. Vincent: So Brandywine to SR 146.

Fred Buck: I think it is 7,000 feet. It is a mile and a third is what it is.

Mr. Vincent: So it takes an additional?

Mr. Buck: It takes an additional 29 seconds if you do it on paper using the feet per second at miles per hour or driving I did it in 27 seconds and the Mayor did it in 31 seconds. But he is older.

(Laughter broke out)

Mr. Vincent: So, slow down just a little bit. Again I know it wasn't like day for day, but it went from nine accidents there for a similar period after the drop of the speed to zero accidents.

Mr. Buck: Zero. We have had one since then somebody had told me the other day that we had just had an accident out there which that doesn't surprise me. We need the data and we will keep everybody informed on how it is going.

Mr. Vincent: Okay, then the concern you know we put the turning lane on SR 146 which puts constant traffic onto Northpointe, which doesn't give a break for people to pull out of Military. So you solve one problem and create another. Now if we put a light at Military that is going to stop traffic on Northpointe and potentially back it up on SR 146 again. Those people that are doing the constant right turn off of SR 146 then if you fill up those lanes which they are not too far up there, it may delay the traffic on SR 146.

Mr. Buck: With the businesses they have going in out there; there are a lot of businesses looking at that area.

Mr. Bennett: Yes.

Mr. Vincent: I know a considerable time has been put into this. There are no easy answers. To get a light in there, what does it take, a traffic study?

Mr. Buck: We have to do a traffic warrant. We will have to hire an engineering firm to look at it. They will look at any number. I think there is like any number, it seems like every year I look at it there are more warrants: different types, like delays, traffic volume counts, time of day counts, accident accounts, so there is a lot they look at for this.

Mr. Vincent: So that is being worked on then?

Mr. Buck: Oh, yes.

Mr. Vincent: Thank you, Mr. Buck.

Mrs. Osborn: Just clarification, Mr. Buck. The nine accidents, those were specifically at the Military intersection?

Mr. Buck: Yes at Military. Yes, that is all I asked for.

Mrs. Osborn: Alright, thank you.

Mr. Vincent: Two of those I think were injury.

Mr. Buck: Two were injury.

Mr. Vincent: And seven were property?

Mr. Buck: Yes, seven were property damage. It could be a fender bender.

Mr. Vincent: Is there anything else?

Mr. Wolfe: The timeframe for that; you said you would analyze it for six months and then do a traffic study.

Mr. Buck: No, we actually will wait until we get the data back from our sixth month and then we will start looking at what we want to do. We will probably send it to our Board of Controls or discuss it at our staff meeting. There is a number with it and you have to budget.

Mr. Vincent: So some things we do very quickly, but this is not one of them. So the reduction of speed at this point is proving valuable except adding a half a minute to people's travel time.

Mr. Buck: Yes.

Mr. Vincent: I know a lot of people are concerned about that. Is there anything else from Council? Is there anything else from the Administration? Okay, we will move on then to Private Petitions and Communications.

PRIVATE PETITIONS AND COMMUNICATIONS

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio regarding Self-Assessment 2015.

Mr. Jones commented on the seating arrangement with girls on one side and men on the other side. He discussed his self-assessment and stated when he comes here he comes under the threat of incarceration. He still has a law suit to contend with and he stated he is going to win it. The thing he is looking forward to is having a trial by jury. If

he gets that he said he wins. He stated he also survived an assassination attempt, indirect of course, and a chance he could have gotten hurt. Everybody is going to say no, and that was a clerical error. Coincidence on top of coincidence, means design. He is willing to talk to anybody if they want to talk about it. He commented on his 95% attendance at Council meetings, tyranny exposure and Mr. Vincent is an enemy of the Constitution. He had requested the reading of two books so Council had a standard of Civics. And shared the Pledge of Allegiance and Lord's Prayer does not make a citizen or a Christian and he is not a Christian. He spoke on indicators of a tyrant and ordinance 15-44 and the Petition to Address Council was an indication of a tyrant.

Mr. Vincent: Mr. Jones, you have spoke on that (Ord. 15-44) many, many, many times in the past so if you will move on.

Mr. Jones then stated this is part of his self-assessment.

Time ran out for Mr. Jones.

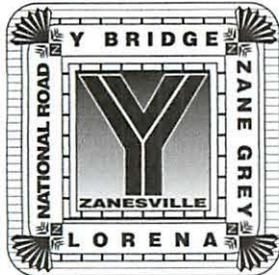
Mr. Vincent: Thank you Mr. Jones. Is there anything else from Council?

Mr. Roberts moved to adjourn around 7:22 p.m. Mrs. Osborn seconded.

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

All were in favor. None were opposed.

Motion carries. The meeting was adjourned.



Council-Mayor Government
Jeff Tilton, Mayor

THE CITY OF
Zanesville

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



MEMORANDUM

TO: *Members of City Council*

FROM: *Mayor Jeff Tilton* JT

DATE: *January 19, 2016*

SUBJECT: *Humane Officer*

Muskingum County Humane Officer

I am hereby approving the appointment of Ms. Carolyn Hughes to the Muskingum County Humane Officer's position. The City's portion of her salary will remain at \$400/month.

Thank you!

JT/blm

Department of Public Services
Jay D. Bennett, Director

RECEIVED
JAN 20 2016
CLERK OF COUNCIL

RESOLUTION NO. 16 - 07
INTRODUCED BY COUNCIL

A RESOLUTION SUPPORTING THE CITY OF ZANESVILLE'S APPLICATION TO OHIO MID-EASTERN GOVERNMENT ASSOCIATION FOR FUNDING FOR THE REPLACEMENT OF THE PUTNAM HILL WATER TANK, AND DECLARING AN EMERGENCY.

WHEREAS, in April 2014, the City of Zanesville submitted a pre-application to the Ohio Mid-Eastern Government Association (OMEGA) expressing its interest to apply for Appalachian Regional Commission (ARC) grant funding for the replacement of the Putnam Hill Water Tank (Zanesville Water Tank Improvements project); and

WHEREAS, the City's pre-application was selected to be forwarded to ARC for funding consideration, subject to success; and

WHEREAS, the Putnam Water Tank is a 750,000 gallon tank, constructed in 1930. The Ohio Environmental Protection Agency's (OEPA) inspection of the City's water facilities in September 2015 downgraded the condition to "excessive deterioration" and required that the tank be replaced or repaired/repainted; and

WHEREAS, the City initiated design services in 2014 for replacement of the tank with a 1.0 million gallon tank and have completed has completed the Permit to-Install process through OEPA; and

WHEREAS, the City of Zanesville must submit an ARC grant application to OMEGA requesting \$250,000.00 for said project by February 10, 2016, thereby necessitating an emergency measure.

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

SECTION ONE: The proper city official is hereby authorized to submit an application to OMEGA for an ARC grant.

SECTION TWO: The City of Zanesville must commit local funds as ARC match in the amount of \$2,144,200 for said project. The match may be in the form of local monies, other grants and/or loans.

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: _____, 2016

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL VINCENT,
President of Council

APPROVED: _____, 2016

THIS LEGISLATION APPROVED AS TO FORM

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE

RESOLUTION. NO. 16-02

A RESOLUTION AUTHORIZING THE CLERK OF COUNCIL TO ACT AS THE DESIGNATED REPRESENTATIVE OF THE MEMBERS OF THE ZANESVILLE CITY COUNCIL FOR PURPOSES OF REQUIRED PUBLIC RECORDS TRAINING.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ZANESVILLE, COUNTY OF MUSKINGUM AND STATE OF OHIO:

SECTION 1: It is hereby declared to be the intent of Zanesville City Council to appoint Susan Culbertson, Clerk of Council, as the representative of the members of Zanesville City Council for purposes of attending and receiving Public Records Training in compliance with ORC 109.43.

SECTION 2: This Resolution shall take effect and be in force from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: _____, 2016

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2016

JEFF TILTON
MAYOR

This legislation approved as to form:


Law Director's Office

Rhonda Heskett,
Budget & Finance Director



ORDINANCE 16-08
INTRODUCED BY COUNCIL

ESTABLISHING WAGES FOR UNAFFILIATED EMPLOYEES IN THE
MUNICIPAL SERVICE.

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

WHEREAS, Ordinance No. 15-36, was the last ordinance to grant a wage increase for unaffiliated employees in the municipal service; and

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

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

SECTION ONE:

(A) The employees in the service of the City who are governed by ordinance #13-16A and compensated in accordance with Schedule A shall, for the year 2016, be given a 3% wage increase their hourly wage shall be paid in accordance with Compensation Schedule A attached hereto as Exhibit #1.

(B) The employees in the service of the City who are governed by ordinance #13-16A and compensated in accordance with Schedule S shall, for the year 2016, be paid at the hourly rate associated with their job classification and shown on Compensation Schedule S attached hereto as Exhibit #2.

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

SECTION TWO: The proper city official shall apply the pay increases granted by this ordinance effective the first day of the first full pay period of January, 2016.

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

PASSED: _____, 2016

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

Ord. 16-08
 CITY OF ZANESVILLE
 COMPENSATION SCHEDULE A
 FY 2016
 EXHIBIT #1
 PAY STEPS

P
A
Y

R
A
N
G
E
S

	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
4	10.98	11.29	11.68	12.02	12.37	12.75	13.12	13.48	13.93	14.35	14.75	15.21	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.85
5	11.68	12.02	12.37	12.75	13.12	13.48	13.93	14.35	14.75	15.21	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.83	20.45	21.06
6	12.37	12.75	13.13	13.48	13.93	14.35	14.75	15.21	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.83	20.45	21.06	21.68	22.33
7	13.13	13.48	13.92	14.35	14.75	15.21	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.71
8	13.92	14.35	14.75	15.22	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.68	24.39	25.12
9	14.75	15.22	15.66	16.13	16.61	17.10	17.63	18.18	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65
10	15.66	16.13	16.61	17.09	17.63	18.18	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65	27.46	28.28
11	16.61	17.09	17.63	18.17	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.99
12	17.63	18.17	18.69	19.27	19.83	20.45	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.97	30.88	31.81
13	18.69	19.27	19.83	20.46	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.97	30.88	31.83	32.76	33.74
14	19.83	20.46	21.06	21.68	22.30	23.02	23.68	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.97	30.88	31.83	32.76	33.74	34.76	35.80
15	21.06	21.68	22.30	23.01	23.68	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.97	30.88	31.83	32.76	33.74	34.76	35.79	36.86	37.97
16	22.30	23.01	23.69	24.39	25.09	25.87	26.65	27.43	28.26	29.12	29.97	30.88	31.83	32.76	33.74	34.76	35.79	36.86	37.98	39.12	40.29

NOTE: Where rounding occurs within the pay ranges or pay steps this schedule will prevail and the hourly rate will be as stated above.

Ordinance 16-08
CITY OF ZANESVILLE
COMPENSATION SCHEDULE B
FY 2016
EXHIBIT #3

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

Ordinance 16-08

CITY OF ZANESVILLE						
S - SCHEDULE WAGES						
FY 2016						
EXHIBIT #2						
		STEP 0		STEP 1		STEP 2
RANGE	CALCULATION	RATE	CALCULATION	RATE	CALCULATION	RATE
S1	S1 2015 Wages x 3%	\$21.23	S1 2014 Wages x 3%	\$22.93	xxx	xxx
S2	S2 2015 Wages x 3%	\$22.51	S2 2015 Wages x 3%	\$24.31	xxx	xxx
S3	S3 2015 Wages x 3%	\$22.24	S3 2015 Wages x 3%	\$24.01	xxx	xxx
S4	S4 2015 Wages x 3%	\$23.35	S4 2015 Wages x 3%	\$25.20	xxx	xxx
S5	S5 2015 Wages x 3%	\$25.78	S5 2015 Wages x 3%	\$27.82	xxx	xxx
S6	S6 2015 Wages x 3%	\$27.33	S6 2015 Wages x 3%	\$29.50	S6 2015 Wages x 3%	\$31.32
S7	S7 2015 Wages x 3%	\$28.97	S7 2015 Wages x 3%	\$31.27	S7 2015 Wages x 3%	\$33.20
S10	S10 2015 Wages x 3%	\$34.36	S10 2015 Wages x 3%	\$37.62	xxx	xxx
S11	S11 2015 Wages x 3%	\$36.41	S11 2015 Wages x 3%	\$39.89	xxx	xxx
S13	xxx	xxx	S13 2015 Wages x 3%	\$43.21	xxx	xxx

Ordinance 16-08

S1=	Water Maintenance Crewleader, Sewer/Drainage Crewleader, Utility Billing Supervisor				
	Traffic Signal Technician II				
S2=	Sewer/Drainage Maintenance Supervisor, Water Maintenance and Meter Supervisor				
S3=	Building Maintenance Supervisor, Refuse Collection Supervisor, Street Maint Supervisor				
S4=	Environmental Coordinator, Wastewater Lab Supervisor				
S5=	Cemetery/Parks Superintendent, Deputy Director/Community Development,				
	Deputy Director/Public Service, Fleet Manager, Income Tax Administrator,				
	Plant Maintenance Mechanic Foreman, Traffic Signal Supervisor				
S6=	Street and Refuse Superintendent, Deputy Wastewater Superintendent				
S7=	Wastewater Superintendent, Water Superintendent				
S10=	Deputy Fire Chief				
S11=	Fire Chief				
S13=	Police Chief				
NOTE: Where rounding occurs within the pay ranges or pay steps this schedule will prevail and the hourly rate will be as stated above.					

Rhonda Heskett,
Budget & Finance Director



ORDINANCE NO. 16-09
INTRODUCED BY COUNCIL

AMENDING ORDINANCE NO. 00-16, WHICH ADOPTED A CLASSIFICATION PLAN FOR CITY EMPLOYEES; 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; and Ordinance No. 13-16 (Amended), which established pay, benefits and employment policies for unaffiliated employees; and

WHEREAS, Ordinance #15-87 authorized the newly created position of Human Resource Manager, at a pay grade 12; and

WHEREAS, It is the opinion of the Civil Service Commission that the requirement of a Bachelor's Degree along with the pay grade of 12 has made the recruitment process unsuccessful; and

WHEREAS, The Commission has recommended the pay grade of the Human Resource Manager should be increased to a 15 in order to make this position competitive to the current job market.

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 changing the position description for the classification title of Human Resource Manager to a pay grade of 15.

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

FROM:	
<u>CLASSIFICATION TITLE</u>	<u>PAY RANGE</u>
Human Resource Manager	12
TO:	
<u>CLASSIFICATION TITLE</u>	<u>PAY RANGE</u>
Human Resource Manager	15

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

PASSED: _____, 2016

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton, Mayor



Law Director's Office

Mayor Jeff Tilton



ORDINANCE NO. 16-10
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PURCHASE ITEMS
FOR EMPLOYEE RECOGNITION

WHEREAS, the City Administration recognizes its work force is a valuable resource, and the employees of the City deserve recognition for their years of dedication as public servants; and

WHEREAS, during the year 2016 thirty-five (35) employees will hit landmark anniversaries of 5, 10, 15, 20, 25, or 30 years of service; and

WHEREAS, the City Administration wishes to recognize those employees for their years of service.

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

SECTION ONE: The proper city official is authorized to expend an amount not to exceed \$600.00 on employee recognition items for the year 2016; said funds will be paid from line item 101-7661-53399.

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

PASSED _____, 2016

ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2016

Jeff Tilton
Mayor

This legislation approved as to form:


Law Director's Office

Rhonda Heskett,
Budget & Finance Director

ORDINANCE NO. 16-11
INTRODUCED BY COUNCIL

AMENDING ORDINANCE NO. 13-15 (AMENDED), WHICH AUTHORIZED A MAXIMUM SCHEDULE OF POSITIONS AND DECLARING AN EMERGENCY

WHEREAS, City Council has previously passed Ordinance No. 13-15 (Amended), which authorized a maximum schedule of positions; and

WHEREAS, the Safety Director has requested an amendment to the maximum schedule of positions for the city jail by adding one Unsworn Corrections Sergeant; and

WHEREAS, currently the hiring process is delayed until a position becomes vacant, therefore the Safety Director has requested to add one Corrections Officer training position to the maximum schedule of positions; and

WHEREAS, the jail staff is currently short five employees thereby creating a hardship on the current staff due to excessive amounts of overtime being worked to cover the absent employees; thereby creating the necessity for this ordinance to be passed as an emergency measure.

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

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

<u>SECTION</u>	<u>CLASSIFICATION</u>	<u>NUMBER AUTHORIZED</u>
250-1191	JAIL:	
	Jail Administrator	1
	Cook II	1
	Corrections Officer	19**
	Senior Corrections Officer (upgrade only)	1 per shift
	Unsworn Corrections Sergeant	2
	**temporarily 20 until next promotion to Corr. Sgt.	

is hereby amended to read:

<u>SECTION</u>	<u>CLASSIFICATION</u>	<u>NUMBER AUTHORIZED</u>
250-1191	JAIL:	
	Jail Administrator	1
	Cook II	1
	Corrections Officer	19**
	Corrections Officer (6 month training)	1
	Senior Corrections Officer (upgrade only)	1 per shift
	Unsworn Corrections Sergeant	3
	**temporarily 22 until next promotion to Corr. Sgt.	

SECTION TWO: 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: _____, 2016

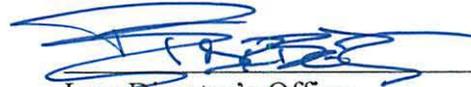
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton, Mayor



Law Director's Office

Margo Moyer, Auditor
Rhonda Heskett, Budget & Finance Director

ORDINANCE NO. 16-12

INTRODUCED BY COUNCIL
AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS FOR A
HUMANE OFFICER AND DECLARING AN EMERGENCY

WHEREAS, Section 1717.06 of the Ohio Revised Code (ORC) authorizes a county humane society to appoint an agent for the purpose of prosecuting any person guilty of an act of cruelty to animals, and the Muskingum County Humane Society has appointed an agent pursuant to the ORC; and

WHEREAS, Section 1717.07 of the ORC authorizes the legislative authority of a municipal corporation to set the monthly salary as it deems just and reasonable for said agent; and

WHEREAS, The attached Memorandum of Understanding (Exhibit A) defines the terms and conditions of the Humane Officer's responsibilities to the City, and the City's responsibility to the Humane Society; and

WHEREAS, The humane society agent has begun performing duties and should be paid in a timely manner, making it necessary for this ordinance to become effective prior to thirty days after passage;

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

SECTION ONE: The proper city official is hereby authorized to execute the attached Memorandum of Understanding (Exhibit A) with the Humane Society.

SECTION TWO: The proper city official is hereby authorized to pay \$400.00 per month, or \$4,800.000 annually to the Muskingum County Humane Society for the salary of the appointed Humane Officer.

SECTION THREE: Pursuant to 1717.07 of the ORC funds shall be paid from the general revenues of the City from line item 101.1035.53299.

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

PASSED _____, 2016

ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter "MOU") is entered into as of the date last signed by the parties hereto by and between City of Zanesville (hereinafter "the City"), a body corporate and politic of the State of Ohio, and the Muskingum County Humane Society (hereinafter "MCHS"), an Ohio corporation not-for-profit that is a county humane society organized under Ohio Revised Code Section 1717.05.

WITNESSETH:

WHEREAS, the parties hereto mutually recognize the importance of investigating and prosecuting any person guilty of an act of cruelty to animals; and,

WHEREAS, one of the objects of MCHS is the inculcation of humane principles and the enforcement of the laws for the prevention of cruelty to animals; and,

WHEREAS, MCHS is authorized to appoint agents for the purpose of prosecuting any person guilty of an act of cruelty to animals; and,

WHEREAS, MCHS has entered into an agreement for an individual to perform the duties of a humane agent pursuant to Ohio Revised Code Section 1717.06; and,

WHEREAS, MCHS has appointed a humane agent and the Muskingum County Probate Court has approved that appointment; and, MCHS desires to assume the responsibility for enforcing the animal cruelty laws and for prosecuting the violators thereof; and,

WHEREAS, the City supports the endeavors of MCHS to enforce the animal cruelty laws; and,

Ordinance 16-12
Exhibit A

WHEREAS, Ohio Revised Code Section 1717.07 provides that the City shall be responsible for the reasonable salary of one humane agent in an amount not less than twenty-five dollars per month; and,

WHEREAS, the City and MCHS have agreed that MCHS will continue the work of enforcing the animal cruelty laws and that the City will be responsible for the payment of a portion of a reasonable salary, divided between Muskingum County and the City, for the work performed by one humane agent.

NOW, THEREFORE, in consideration of the foregoing, and the requirements of the Ohio Revised Code, the City and MCHS do hereby agree to the following:

I. ENFORCEMENT OF OHIO'S ANIMAL CRUELTY LAWS

1. MCHS shall be responsible for contracting with an individual to serve as a humane agent for the purpose of enforcing the animal cruelty laws.
2. MCHS shall provide a copy of any such contract for humane agent services to the City; and, MCHS shall notify the City prior to entering into any such contract.
3. Any humane agent with whom MCHS contracts shall maintain accurate records (including case reports and statistical compilations) of all calls, reports of animal cruelty, investigations, prosecutions, and the care and disposition of any animals seized by the humane agent.
4. The humane agent with whom MCHS contracts shall meet with the City during their last regular meeting during the months of May, and September to update the City about the enforcement activities of the preceding months.

Ordinance 16-12
Exhibit A

II. PAYMENT PROVISIONS

5. The City, pursuant to Ohio Revised Code Section 1717.07, shall pay to MCHS, the amount of Four Hundred Dollars (\$400.00) per each month, for a maximum of Eighteen Thousand Dollars (\$4,800.00) annually, that humane agent services are provided, commencing with the month of January 1, 2016 through December 31, 2016.

6. The City and MCHS understand and agree that any individual with whom MCHS contracts to serve as a humane agent shall not be an employee or agent of the City.

7. The City shall encumber funds annually for the services provided herein. MCHS shall invoice the City within seven calendar days after the last day of each month in which the service of the humane agent has been provided. Invoice shall include date(s) and description of services.

III. DURATION

8. The initial term of this agreement shall be for a period of one (1) year commencing on January 1, 2016 and ending on December 31, 2016, with an option to renew for two (2) additional one (1) year terms.

9. Should either party wish to terminate this agreement, that party will provide written notice of not less than thirty (30) days prior to the date of termination to the other party.

Ordinance 16-12
Exhibit A

IV. NOTICES

10. The parties hereto agree that any notices concerning this Memorandum of Understanding shall be in writing and shall be effective on the earlier of when actually served or within three days of posting by mail to the following:

The City of Zanesville
Attn: David J. Tarbert, City Law Director
401 Market Street, Room 209
Zanesville, Ohio 43701

Muskingum County Humane Society
Attn: Board President
1430 Newark Road
Zanesville, Ohio 43701

V. MISCELLANEOUS

11. **GOVERNING LAW** – The laws of the State of Ohio shall govern this agreement and any performance hereunder; and, venue shall be in Muskingum County.

12. **AMENDMENTS** – Any amendments hereto shall be in writing with the mutual consent of the parties hereto.

13. **PREVIOUS AGREEMENTS** - On the date of execution, this writing constitutes the entire agreement between the parties with respect to all matters herein. There are no promises, terms, conditions, or obligations other than those contained within this agreement. This Memorandum of Understanding shall supersede any previous communications, representations, contracts, or memorandums of understanding, either written or oral, between the parties and specifically replaces any and all previously executed Memorandum of Understanding entered into between the parties.

Ordinance 16-12
Exhibit A

14. SEVERABILITY – If any provision of this Memorandum of Understanding shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions shall not be affected thereby and the remaining provisions shall continue to be valid and enforceable to the fullest extent permitted by law.

15. COPIES – This Memorandum of Understanding shall be executed in duplicate with an original to be retained by each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have signed this Memorandum of Understanding on the dates provided below.

CITY OF ZANESVILLE

Dated: _____

by _____
Mayor Jeff Tilton

MUSKINGUM COUNTY HUMANE SOCIETY, an Ohio corporation not-for-profit that is a county humane society organized under Ohio Revised Code Section 1717.05

Dated: _____

by _____

its _____

APPROVED AS TO FORM:
DAVID J. TARBERT
CITY OF ZANESVILLE LAW DIRECTOR

By: 
David J. Tarbert, City Law Director

Department of Public Service
Jay D. Bennett, Director



ORDINANCE NO. 16-13
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL
TO ADVERTISE FOR BIDS AND ENTER INTO A PROFESSIONAL
CONTRACT FOR THE REPLACEMENT OF A BOILER AT
THE CITY WASTEWATER TREATMENT PLANT**

WHEREAS, the City's Wastewater Treatment Plant has two (2) boilers that are used in the anaerobic digestion process; and

WHEREAS, in the anaerobic digestion process, collected sludge is piped into digesters and with constant mixing and heating, naturally occurring microorganisms break down waste solids; and

WHEREAS, one of the existing boilers is in the process of being rebuilt and the other unit requires replacement; and

WHEREAS, the existing ventilation system within the room that houses the units may require modification, thus the City will need to secure architectural/mechanical assistance for design plans (building permit) prior to construction; and

WHEREAS, it is critical to maintain boilers for heating of the Wastewater Plant digested sludge.

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

SECTION ONE: The proper City official is hereby authorized to advertise for bids and enter into a professional contract for the replacement of one boiler at the Wastewater Treatment Plant.

SECTION TWO: The cost for the project including installation is estimated to be \$335,000.00 and shall be taken from Line Item 604.5456.54499.

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

PASSED: _____, 2016

ATTEST: _____
Susan E. Culbertson,
Clerk of Council

Daniel M. Vincent,
President of Council

APPROVED: _____, 2016

THIS LEGISLATION APPROVED AS TO FORM:

Jeffrey L. Tilton,
Mayor



Law Director's Office

Department of Public Service
Jay D. Bennett, Director

RECEIVED
JAN 20 2016
CLERK OF COUNCIL

ORDINANCE NO. 16-14
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO PAY AN INVOICE TO HCC FOR INVESTIGATION & HANDLING OF A CLAIM FOR WATER DAMAGE FROM A STORM SEWER DRAIN, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville utilizes HCC as the City's high risk insurance agency and has a deductible amount set at \$5,000; and

WHEREAS, in 2014, the former Law Director received a storm water claim exceeding his \$10,000 authority; therefore the claim was turned over to HCC for investigation; and

WHEREAS, as part of the City's insurance policy, HCC can reclaim their cost of investigation claims by invoicing the City; and

WHEREAS, the City's policy declares payment should be made within a 30-day period, thereby creating the need for this ordinance to be passed as an emergency; and

WHEREAS, the invoice should be paid out of the City's Storm Sewer Fund, which requires City Council approval prior to payment.

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 pay the invoice in the amount of \$5,000 from line item 608.5462.53266.

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: _____, 2016

ATTEST: _____
SUE CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2016

JEFF TILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE



Auditor Margo Moyer

ORDINANCE NO. 16- 15
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY THE INVOICES OF VARIOUS DEPARTMENTS USING 2016 MONEY FOR 2015 INVOICES AND DECLARING AN EMERGENCY.

WHEREAS, at the beginning of the year, final bills of 2015 cannot be estimated thus causing various purchase orders that need council approval; and,

WHEREAS, an ordinance is needed at the beginning of each year to approve a list of purchase orders; and,

WHEREAS, an emergency exists so that all vendors can be paid on a timely basis.

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

SECTION ONE: That the City Auditor is hereby authorized to pay the following invoices listed below:

American Electric Power	35,117.93	Sewer
American Electric Power	31,029.47	Street Lighting
American Electric Power	3,142.77	Water

SECTION TWO: 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 or more members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED _____, 2016

ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2016

This legislation approved as to form:

Jeff Tilton
Mayor



Law Director's Office

Jay D. Bennett
Public Service/Community Development Director



ORDINANCE NO. 16- 04
INTRODUCED BY COUNCIL

AUTHORIZING ADVERTISING FOR BIDS
AND ENTERING INTO CONTRACT[S] FOR
THE PURCHASE OF HIGHWAY ROCK SALT
AND CALCIUM CHLORIDE WITH THE
LOWEST AND BEST BIDDER, OR THE
STATE OF OHIO PURCHASE PROGRAM

WHEREAS, it is essential to have on hand highway rock salt and calcium chloride in order to be prepared to keep the streets in a safe condition upon the advent of cold weather.

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

SECTION ONE: That the proper City official be and hereby is authorized to advertise for bids and enter into contracts with the lowest and best bidders, or State of Ohio Purchase Program for the purchase of highway rock salt and calcium chloride for the 2016-2017 winter season.

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

PASSED: _____, 2016

ATTEST: _____

Clerk of Council

President of Council

APPROVED: _____, 2016

Mayor

THIS LEGISLATION APPROVED AS TO FORM



Law Director's Office

ORDINANCE NO. 15-134
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ENTER INTO
A TAX INCREMENT SERVICE PAYMENT AGREEMENT WITH ARS PROPERTY ACQUISITIONS
THAT ESTABLISHES A PAYMENT SCHEDULE AND ALL ASSOCIATED SECURITIES, FEES, PENALTIES
AND OTHER COVENANTS FOR THE PAYMENT IN LIEU OF TAXES BENEFITING THE TAX
INCREMENT FINANCE EXEMPTION ESTABLISHED IN ORDINANCE 15-100.**

WHEREAS, the City of Zanesville passed Ordinance 15-100 which declared the improvement to certain real property (herein referred to as the "TIF") owned by ARS Property Acquisitions (hereinafter referred to as "ARS"), to be a public purpose; established that 100% of the increase in assessed value of the real property of the "TIF" to be exempt from real property taxation for a period of 30 years; provided for service payments in lieu of taxes as obligations tied to the "TIF" for the duration of the 30 year period and authorized the payment of certain public infrastructure improvements that will benefit the "TIF" from the payment in lieu of taxes; and

WHEREAS, the Zanesville Department of Community Development has retained the professional services of Bricker and Eckler LLP to draft a Tax Increment Service Payment Agreement (herein referred to as "The Agreement") that specifies the terms and conditions of the legally binding agreement between "ARS" and the City in respect to the "TIF"; and

WHEREAS, "The Agreement" specifies that "ARS" shall make payments in lieu of taxes as long as the property is exempt from real property taxation; that "ARS" grants the City a first lien on each of the parcels in the "TIF" as security of payment and are tied to the parcels for the duration of the "TIF"; that the payments in lieu of taxes shall be done continuously until the expiration of the "TIF"; that all late payments in lieu of taxes shall include interest in the same fashion as delinquent real property taxes and that the School District shall receive an amount equal to 100% of the real property taxes it would have received but for the "TIF".

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

SECTION ONE: The Director of Community Development is hereby authorized to execute the Tax Increment Service Payment 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: 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

TAX INCREMENT SERVICE PAYMENT AGREEMENT

THIS TAX INCREMENT SERVICE PAYMENT AGREEMENT (the "Agreement") is entered into as of this ___ day of _____, 2015 by and between the City of Zanesville, an Ohio municipal corporation (hereinafter referred to as the "City"), and ARS Property Acquisitions, an Ohio limited liability company (hereinafter referred to as the "Developer"), under the following circumstances:

A. The Developer intends to develop or redevelop a certain parcel of real property located within the boundaries of the City, described in Exhibit A attached hereto and made a part hereof (the "Site") as a commercial restaurant facility (the "Development"). The Development will benefit the City and its residents by creating jobs, enlarging the property tax base, enhancing income tax revenues and stimulating collateral development in the City.

B. Pursuant to Ohio Revised Code Sections 5709.40, .42, and .43 (together with related provisions of the Ohio Revised Code, the "TIF Act") and the TIF Ordinance (as hereinafter defined), the City has, among other actions: (i) established a tax increment financing program with respect to the real property that will be developed and redeveloped on the Site (the "TIF"); (ii) declared 100% of the increase in assessed value of the real property comprising the Site (which increase in assessed value is also hereinafter referred to as the "Improvement" as defined in the TIF Act) following the effective date of the TIF Ordinance to be a public purpose and exempt from real property taxation for the duration of the TIF Exemption; (iii) provided for service payments in lieu of taxes (the "Service Payments") as obligations running with the land for the duration of the TIF Exemption payable with respect to the real property comprising the Site; and (iv) authorized the payment of certain costs of the Public Infrastructure Improvements (as such term is defined in the TIF Act and further specified in the TIF Ordinance) from the Service Payments.

C. The City has authorized this Agreement pursuant to Ordinance No. ___ passed by the City Council on ____.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises herein contained, the sufficiency of which are acknowledged by the parties hereto, the City and the Developer hereby agree as follows:

1. Definitions; Interpretation.

(a) Definitions. In addition to the words and terms defined elsewhere in this Agreement, unless the context or use clearly indicates another meaning or intent:

"Associated Rollback Payments" means "rollback payments" associated with the Service Payments (i.e., those rollback payments that are paid to the City with respect to the Improvements as a result of the TIF Exemption, and that would have been payable to taxing districts with respect to the Improvements had the TIF Exemption not been granted) due under Ohio Revised Code Section 321.24 (relating to Ohio Revised Code Section 319.302), which

ORDINANCE NO. 15- 135
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ENTER INTO
A DEVELOPERS AGREEMENT WITH ARS PROPERTY ACQUISITIONS FOR THE PURPOSE OF
CONSTRUCTING PUBLIC IMPROVEMENTS WITHIN THE TAX INCREMENT FINANCE EXEMPTION
ESTABLISHED IN ORDINANCE 15-100.**

WHEREAS, the City of Zanesville passed Ordinance 15-100 which declared the improvement to certain real property (herein referred to as the "TIF") owned by ARS Property Acquisitions (hereinafter referred to as "ARS") to be a public purpose; established that 100% of the increase in assessed value of the real property of the "TIF" to be exempt from real property taxation for a period of 30 years; provided for service payments in lieu of taxes as obligations tied to the "TIF" for the duration of the 30 year period and authorized the payment of certain public infrastructure improvements that will benefit the "TIF" from the payment in lieu of taxes; and

WHEREAS, the Zanesville Department of Community Development has retained the professional services of Bricker and Eckler LLP to draft a Developer's Agreement that specifies the terms and conditions of the legally binding agreement between "ARS" and the City in respect to the "TIF"; and

WHEREAS, the Developer's Agreement specifies the public improvements are to be constructed by "ARS" and that after completion they shall be dedicated to the City for public use; that the City permits "ARS" to construct improvements within existing rights-of-way and easements controlled by the City; and

WHEREAS, the Developer's Agreement establishes a reimbursement from the service payments in lieu of taxes for the cost of the public improvements and requires "ARS" to provide a certified statement that provides reasonable evidence of the cost of the public improvements.

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

SECTION ONE: the Community Development Director is hereby authorized to execute the Developer's 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: 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

DEVELOPER'S AGREEMENT
ARS Property Acquisitions LLC

THIS DEVELOPER'S AGREEMENT ("Agreement") is between ARS Property Acquisitions LLC, an Ohio limited liability company, with an office located at 1 East 4th Street, Suite 1400, Cincinnati, Ohio 45202, ("Developer") and the City of Zanesville, Ohio ("City"), a municipal corporation organized under the laws of the State of Ohio, with an office located at 401 Market Street, Zanesville, Ohio 43701.

RECITALS

A. Developer has acquired fee title to certain real property situated in the City, a description of which real property is attached hereto as Exhibit A (the "Project Area") and incorporated herein by reference, with each parcel of real property within the Project Area referred to herein as a "Parcel" (whether as presently appearing on county tax duplicates or as subdivided or combined and appearing on future tax duplicates).

B. Developer desires to undertake a development project that will include constructing a new commercial restaurant facility and otherwise improving the Project Area (the "Project").

C. To aid in the development of the Project, City Council for the City has, on September 28, 2015, passed Ordinance No. 15-100 (the "TIF Ordinance"), which TIF Ordinance, among other things: (i) established a tax increment financing program with respect to the real property that will be developed and redeveloped on the Project Area (the "TIF"); (ii) declared 100% of the increase in assessed value of the real property comprising the Project Area following the effective date of the TIF Ordinance to be a public purpose and exempt from real property taxation; (iii) provided for service payments in lieu of taxes (the "Service Payments") as obligations running with the land for the duration of the TIF Exemption payable with respect to the real property comprising the Site; and (iv) authorized the payment of certain public infrastructure improvements that will directly benefit the Project Area from the Service Payments.

D. Developer and the City have entered or will enter into a Tax Increment Service Payment Agreement (the "TIF Agreement") with respect to certain tax increment financing ("TIF") providing for payment of monies earmarked for costs of the certain public infrastructure improvements (the "Developer Improvements") to be undertaken pursuant to this Agreement, which are identified in Exhibit B hereto.

E. The City has authorized this Agreement pursuant to Ordinance No. ____ passed by the City Council on ____.

WHEREFORE, the parties, intending to be legally bound, agree to the following terms and conditions:

1. Contingent Obligations. The obligations of the Developer in this Agreement are contingent on (i) the Developer obtaining all necessary zoning, development plan and/or plat approvals, building permits and other permits required for development of the Project; (ii) the

Prepared by
Fred Buck
Director of Public Safety



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

Traffic Order 16-01

January 25, 2016

SECTION ONE: Traffic Order 16-01 hereby establishes a 35 mile per hour speed zone on Fairview Road from city limit to city limit.

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

FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
January 11, 2016

Date of Council Action:

SUE CULBERTSON,
Clerk of Council

Clerk's signature

Date Work Completed

(signed)

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

Prepared by
Fred Buck
Director of Public Safety



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

Traffic Order 16-02

January 25, 2016

SECTION ONE: Traffic Order 16-02 hereby establishes a 35 mile per hour speed zone on Military Road from west exit of Pfeifer Drive to North Pointe 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", written over a horizontal line.

FRED BUCK,
Director of Public Safety

Date Filed With Clerk:
January 14, 2016

A handwritten signature in black ink, appearing to read "Sue Culbertson", written over a horizontal line.

SUE CULBERTSON,
Clerk of Council

Date Work Completed

(signed)

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

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

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

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

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

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

PETITION TO ADDRESS COUNCIL

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

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

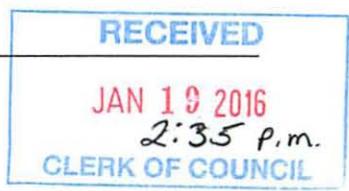
NAME: Eric Jones

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

ADDRESS: 221 Luck Ave

TELEPHONE: (740) 588-1837

EMAIL (OPTIONAL):



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

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

Self Assessment (E)

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

SIGNATURE: Eric Jones

DATE: 1/19/16