

**City Council meeting  
Agenda of business  
October 24, 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 Jay Bennett, Public Service Director – Cemetery Division 2016 3<sup>rd</sup> Quarter Report.
2. Resolution No. 16 100 – Introduced by Council – A Resolution in support of the Zanesville-Muskingum County Health Department's efforts addressing the use of tobacco in our community, as herein provided. (Third Reading)

**D. Proposed ordinances**

3. Ordinance No. 16-110 – Introduced by Council - An Ordinance adopting the City of Zanesville Comprehensive Plan, as herein provided. (First Reading)
4. Ordinance No. 16-111 – Introduced by Council – An Ordinance declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments. (First Reading)
5. Ordinance No. 16-112 – Introduced by Council – An Ordinance authorizing an amendment to the City's Housing Policy and Procedures Manual increasing the maximum dollar limit for Home Repair Projects and declaring an emergency. (Emergency or First Reading)

6. Ordinance No. 16-113 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a service agreement for voice over internet protocol services and declaring an emergency (Emergency or First Reading)
7. Ordinance No. 16-114 – Introduced by Council – An Ordinance authorizing the proper city official to enter into a purchase agreement for Enterprise Resource Planning Software, conversion, installation, training, and maintenance. (First Reading)
8. Ordinance No. 16-115 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to the Zanesville-Muskingum County Port Authority for organizational, promotional, and operational expenses during the year 2017. (First Reading)
9. Ordinance No. 16-116 – Introduced by Council – An Ordinance authorizing the proper city official to provide funds to South East Area Transit for the year 2017. (First Reading)
10. Ordinance No. 16-117 – Introduced by Council – An Ordinance authorizing the proper city official to purchase items for employee recognition. (First Reading)

**E. Ordinances for action**

**F. Traffic Orders**

**Traffic Order 16-05**

**Section One:** Traffic Order 16-05 hereby is closing Potter's Alley from Elberon Ave. north to the interstate to establish parking area.

**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, OH 43701 speaking on 3 Large M's DIGing—A bigger picture.

CITY COUNCIL MEETING – TUESDAY, OCTOBER 11, 2016

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

Mr. Roberts 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, Miss Bradshaw, Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Foreman, Mr. Roberts, Mr. Baker, Mrs. Gentry, and Mr. Roberts.

Mayor Tilton is on vacation so Mr. Vincent is the Acting Mayor. Mr. Roberts is President Pro-Tempe.

**APPROVAL OF MINUTES**

Mrs. Osborn moved to accept the minutes as printed, seconded by Mr. Wolfe.  
Motion carries.

**COMMUNICATIONS, REPORTS, AND RESOLUTIONS**

Communication from Public Service Director Jay Bennett- Changes being made to the City of Zanesville Department of Public Service Utilities Billing & Water Division Rules & Regulations.

Mr. Wolfe moved to receive, seconded by Ms. Gildow.

Mr. Roberts: Is there any discussion?

Mr. Bennett: I informed members at the Public Service Committee earlier tonight. Thanks to the Finance Office, the Treasurer's Office, and the Utility Billing staff. They sent me a lot of information the last couple of days on credit card payments, the number of accounts, whether payments were made in person, on the web, or via telephone. On page 22, Section 10-4, I will be modifying that to read a \$1.50 cents credit card convenience charge fee will be added for all non-face-to-face transactions.

Mr. Roberts: Just to clarify that, Mr. Bennett, we discussed in the Public Service Committee that would include all telephone transactions, as well as those done on the internet. Are there any questions on that? If not we have a motion, all of those in favor. A voice vote was taken with all in favor. None were opposed.  
Motion carries.

Communication from Mayor Jeff Tilton - Board Appointment-Mayor Tilton is hereby recommending the appoint of Jeffrey Jalbrzikowski to serve as a member of the Design

Review Board to fill an un-expired term held by Heather Sands ending December 31, 2018.

Ms. Gildow moved to receive and concur, seconded by Miss Bradshaw.

Mr. Roberts: Is there any discussion? Hearing none, all in favor of receiving and concurring with the Mayor signify by saying aye. All were in favor. None were opposed. Motion carries.

Resolution No. 16-100 Introduced by Council – A Resolution in support of the Zanesville-Muskingum County Health Department's efforts addressing the use of tobacco in our community, as herein provided.

Mr. Foreman moved for second reading, seconded by Mr. Baker.

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

Motion carries.

Mrs. Osborn: I move that we add to the Agenda under 6A Ordinance No. 16-109.

A motion has been made to add Ordinance 16-109 which is to allow an encroachment in an alley as Item 6A. Do we have a second?

Mr. Wolfe seconded.

Mr. Roberts: Is there any discussion on the addition? All of those in favor say aye.

A voice vote was taken with all being in favor. None were opposed. Motion carries. The Ordinance is added as item 6A to the agenda.

## **PROPOSED ORDINANCES**

Ordinance No. 16-106 - Introduced by Council – An Ordinance authorizing the issuance of bonds in the amount of not to exceed \$745,000 for the purpose of advance refunding bonds issued in 2010 for the purpose of repairing and improving the State Street Bridge, constructing, improving and otherwise enhancing Sixth Street; authorizing a competitive or negotiated sale of the bonds; authorizing a bond purchase agreement appropriate for the sale of the bonds in the event of a negotiated sale; authorizing an escrow agreement in connection with the bonds; authorizing an official statement in connection with the sale of the bonds; authorizing the purchase of a municipal bond insurance policy, if desired, in connection therewith; and declaring an emergency.

Ms. Gildow moved to waive the readings and it was seconded by Mrs. Norman.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Mr. Roberts: The motion to waive is approved. I now need a motion for passage.

Mr. Wolfe moved for passage, seconded by Mr. Foreman.

Mr. Roberts: Is there any discussion on the legislation? In that case, we did have a few people here to talk to us from the Ohio Public Finance, but with this being an emergency we don't have comment, correct?

David Tarbert said we could have comment.

Mr. Roberts: Okay, we can. I would like to introduce Eric Prall and Joseph Robertson from the division of Ohio Public Finance with Ross Sinclair and Associates, LLC. They are here to discuss some of the wonderful workings of these bonds. Can I get a motion from Council to waive the rules of speaking?

Mr. Baker moved, seconded by Mr. Foreman. A voice vote was taken with all in favor. None were opposed. Motion carries.

Mr. Prall: I can address each of these separately. To start with I believe you mentioned the refunding Ordinance first. This is a potential refunding if the market cooperates. This being if the interest rates stay where we like them to refinance the callable bonds outstanding for the 2010 bond issue. This simply allows the City to proceed with that if the market permits. You are paying over 4% and the current market is somewhere between 2% and 3%. If there are sufficient savings the City would be able to move forward to save on the debt service on these bonds.

On the new money, as we would call it, which would be the initial proceeds used for the Auditorium and the City Jail. We issued a bond anticipation note; a short term financing mechanism last year on December 30, 2015. It matures December 30, 2016. This Ordinance permits the City to move forward with long term financing to take advantage of low interest rates right now in the market. It will also lock those in to have permanent financing in place and it would be a current refunding of the bond anticipation note issued in 2015. I would be more than happy to address any questions that you might have on either of these bonds.

Mr. Wolfe: At the front it has \$910,000 is the principal remaining, but the renewal is for \$745,000. Is that to allow for current year principal payment? Is that the difference?

Mr. Prall: The \$910,000 is the amount outstanding, but all of that is not callable. Your call feature is in 2019. So we are unable per the original issuance to refinance the early bonds from now until 2019. So that is the differential amount in the principal amount.

Mr. Wolfe: Thank you.

Ms. Gildow: If the market cooperates and this is refinanced do you have an estimate on the amount of savings to the City?

Mr. Prall: Sure. We used a benchmark of present value for percentage savings which is about 3%. Yours is currently 5% or 6%. To quantify that in dollars it is around \$40,000 in gross net service savings. That would be annualized for the life to 2029 so the City would save a few thousand a year and the gross amount is \$40,000ish. Again it is subject to the market, but the City would only move forward if it made sense. If the savings isn't there; if the market moved and the interest rates increased, then we would do nothing with this. It is just allowing if the opportunity is available when we price the debt.

Mr. Roberts: What was the date that we are going back for these?

Mr. Prall: In the next couple of months so we have to close prior to December 30<sup>th</sup> as that is the maturity of the bond anticipation note. So between now and then and I would say it would be likely to be November or early December.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 16-107 - Introduced by Council – An Ordinance authorizing the issuance of bonds in the amount of not to exceed \$2,750,000 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; landscaping and improving the sites thereof; retiring notes previously issued for such purpose; authorizing a competitive or negotiated sale of the bonds; authorizing a bond purchase agreement appropriate for the sale of the bonds in the event of a negotiated sale; authorizing an official statement in connection with the sale of the bonds; authorizing the purchase of a municipal bond insurance policy, if desired, in connection therewith; and declaring an emergency.

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

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

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

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 16-108 - Introduced by Council – An Ordinance enacted by the City of Zanesville of Muskingum County, Ohio and authorizing the Mayor to act as the contractual agent for bridge inspection program services, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development.

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

Mr. Roberts: Is there any discussion on waiving of the readings? With that I will pass along the Public Service Committee met earlier tonight and recommended to waive and pass this tonight. With that we will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Item 6A Ordinance No. 16-109 - Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

Mr. Roberts: A motion for first reading.

Mrs. Norman moved for first reading and seconded by Miss Bradshaw.

Mr. Roberts: Is there any discussion? I will go ahead and report from the Public Service Committee meeting. This was presented and the issue that has come before us is the property is currently trying to close. The mortgage survey turned up there is an encroachment of shed on a foundation in a City alley. That has postponed the closing indefinitely until they can get this remediated.

Ms. Gildow: I was just wondering how we change it from first reading to waive the readings if possible.

Mr. Roberts: You can waive the readings at any point if you were so inclined. Mr. Bennett, is there anything else you would like to add?

Mr. Bennett: I received a call from Mid-Ohio Title, the closing agent representing the parties, and this was discovered during their processes. What I promised them is this is not unusual for our department to come across encroachments of varying types and degrees. What staff could do was prepare an ordinance. We had, by the time she called and we got to it, missed the deadline for filing ahead of this. The only thing I said is luckily we had a Public Service Committee meeting so we could take it there, prepare, have discussion, and let the committee recommend. From our standpoint, the utilities are not an issue so it will not interfere with our operation to maintain the alley or to access anything that we would need to access should you permit the slight encroachment.

Mr. Roberts: Mr. Tarbert, if someone were inclined to waive the readings do we need to rescind the first motion prior to?

Ms. Gildow: Wasn't it the committee's recommendation to waive the readings?

Mr. Tarbert: Was it a motion for a first reading?

Mr. Roberts: It was a motion for first reading.

Mr. Tarbert: The motion to waive will supersede the motion of first reading.

Mr. Roberts: That is what I thought. I just wanted to make sure that was right. Yes, Ann, I am sorry you are right. There was a recommendation from the Public Service Committee to waive the readings and pass it tonight.

Ms. Gildow: So I would like to make a motion to waive the readings.

It was seconded by Mr. Foreman.

Mr. Roberts: 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.

9 Ayes

0 Nays

Motion carries.

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

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

Mr. Roberts: Is there any discussion?

Mr. Wolfe: I would like to point out that in the committee they did discuss that the encroachment has been there for quite some time. It is not something newly erected so we are just trying to solve the problem to let them close on the property.

Mr. Roberts: I believe they said the age was fifty years. Thank you, Mr. Wolfe. Is there anything else from Council? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

## **ORDINANCES FOR ACTION**

Ordinance No. 16-104 - Introduced by Council – An Ordinance to vacate a 38' portion of Beech Alley North of Damon Alley, located in the block between 3rd St. and 2nd St. in the City of Zanesville, Ohio as herein provided.

Ms. Gildow moved to waive the readings and it was seconded by Miss Bradshaw.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

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

Mr. Roberts: Is there any discussion?

Mr. Wolfe: I thought there was a better solution that came up at one of the meetings.

Mr. Roberts: Yes, there is and part of getting to that better solution is us, I am not trying to sway anyone's vote or do anything, but part of getting to that point is defeating this legislation. So we now have the readings waived so it won't be coming back to us and we now have it on the floor and however anybody votes.

Mr. Wolfe said that solution I believe was in accordance with both parties. In other words options were discussed.

Mr. Roberts: Outside the purview of this legislation, yes I believe the intent is to bring it before Traffic Committee and to create a traffic order in that alley allowing them, for lack of a better term, to barricade, a perpetual barricade permit, until we can assess the entire area and see what alleys need closed in that area instead of just a 38' strip.

Mr. Wolfe: Okay, thank you.

Mr. Roberts: Is everybody clear on all of that? Is there any other discussion on this? Hearing none, we will have roll call vote for passage.

Roll call vote for passage.

0 Ayes

9 Nays

Motion is defeated. Ordinance failed.

Ordinance No. 16-93 – Introduced by Council – An Ordinance authorizing and directing appropriation of properties necessary for the purpose of making, constructing, and utilizing a water tower and necessary lines, constituting a "Public Use" under R.C. §163.01(H)(2) and further authorized by R.C. §719.01(M).

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

Mr. Roberts: Is there any discussion? Hearing none, we will have roll call for third reading and passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 16-95 - Introduced by Council – An Ordinance authorizing the proper city official to apply for grant funding from the FAA for FY 2017 projects and accept funding, if awarded.

Mrs. Osborn moved for third reading and passage, seconded by Ms. Gildow.

Mr. Roberts: Is there any discussion? Hearing no discussion, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Motion carries. Ordinance is passed.

Ordinance No. 16-97 - Introduced by Council – An Ordinance allowing a moral claim.

Ms. Gildow moved for third reading, seconded by Mrs. Gentry.

Mr. Roberts: Is there any discussion? I brought the moral claim so I guess I can explain. Mrs. Lukich is claiming that she was impacted negatively by the City due to a water main break on Maple Avenue, which I think we heard from Mr. Orofino a few weeks back, about the same water break. I will leave it at Council's pleasure so what exactly or if anything she would be paid in damages. She has a few things in there that I don't think were actual necessities for the cleanup. If anybody were to actually look at it I think the actual cost of cleanup would be \$200 with \$140 for the cleanup of the initial water and she had another bill for \$60 to unclog the drain from debris she said flowed into her basement. There was discussion on this at the Public Service Committee meeting earlier tonight. Just so that everybody understands these moral claims. Usually we look at them as far as if the City has done something morally wrong or has done some adverse action to cause harm to someone or their property. So take that into consideration and I will entertain anything from Council. If there is no discussion, we will have roll call vote.

There is no need to amend.

Mrs. Norman asked if there was any recommendation.

Mr. Roberts: There was no recommendation coming out of committee. If anyone were to want to actually approve this I would suggest amending the dollar amount to \$200 in the first whereas at the \$553.05 by amending that to \$200 and under section one amending it to \$200 if anybody is of that mind.

Motion by Mr. Baker to amend the amount of this Ordinance in the two sections mentioned above to \$200. It was seconded by Miss Bradshaw.

A voice vote was taken with all in favor. Mr. Foreman abstained. None were opposed.

Mr. Roberts: We now stand at 16-97 as amended. Is there any discussion?

Mr. Baker: I think that would be more equitable than the amount that is listed there no matter how anybody votes on it whether up or down. That at least seems more reasonable and that is why I moved for that.

Mr. Roberts: That was my assentation, too, of the whole situation. Is there any other discussion on this legislation?

A motion to pass as amended was made by Mr. Baker and seconded by Miss Bradshaw.

Mr. Roberts: If no further discussion, we will have roll call vote for passage.

Roll call vote for passage.

2 Ayes Mrs. Norman and Miss Bradshaw

6 Nays Ms. Gildow, Mrs. Osborn, Mr. Wolfe, Mr. Roberts, Mr. Baker, and Mrs. Gentry.

1 Abstention Mr. Foreman

Motion fails. Ordinance is defeated.

Ordinance No. 16-75 Amended - Introduced by Council – An Ordinance authorizing the proper city official to advertise for bids for Management Services for Gant Park Municipal Stadium Complex.

Ms. Gildow moved for third reading and passage, seconded by Mrs. Gentry.

Mr. Roberts: Is there any discussion? We have a recommendation finally from Public Service to pass this tonight and get this out to bid. Is there any other discussion on this? I want to thank Ms. Gildow for all of her work she did on this and Mr. Bennett as well.

Ms. Gildow: Similarly, I have a comment that it was a collaborative effort and there was some time and energy put in to making sure our specs were the best they could be for the City and all involved. I would just like to echo the thank you.

Mr. Roberts: Is there any other discussion? We will have roll call vote for passage.

Roll call vote for passage.

8 Ayes

0 Nays

0 Absent

1 Abstention Mr. Wolfe

Motion carries. Ordinance is passed.

## **TRAFFIC ORDERS**

None

## **MISCELLANEOUS AND UNFINISHED BUSINESS**

Mr. Bennett: Last Tuesday at the McIntire Public Library we hosted an event for discussion about downtown, sustainable downtown efforts, and increasing broadband. I wanted to say thank you to Blair Tom and the library staff for hosting. They were outstanding. Also, thank you to the Councilmembers for those who were able to attend. We appreciated your attendance. Your input was invaluable. Then to thank our volunteers that spoke on the panel round table. We had some really fascinating subjects and great ideas, I thought. So thank you to those volunteers as well.

Last, but not least, is the grant opening of the Dog Park at Riverside. It will be Sunday, October 23 from 1:00 p.m. until 3:00 p.m. It will be Dog-O-Ween. Bring your dog and your best and its best costume. The committee has been working hard. There will be prizes: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> place. Mr. Bennett plans to attend. The Mayor will be opening and celebrating. We will have different vendors there to offer services at no charge. There will be discussions about what is next. This is the opening. Certainly there are other investments that are going to happen in the facility: Benches, agility, water fountains, and those types of things are still being planned. So, come join us for the initial opening. We look forward to seeing you.

## **PRIVATE PETITIONS AND COMMUNICATIONS**

### **Non-agenda item petitions filed**

Mr. Eric Jones, 221 Luck Avenue, Zanesville, Ohio 43701 speaking on Mental Picture = MMM's "Digging" for buried treasurer G+ Good faith.

Mr. Eric Jones: It is good to see you again. Let me recap. The D on the Dig part of that is going to be for good faith. It is actually for fair play, fairness and good faith. For a quick recap the first M is for Majority for the quality of the members. The second one is the Majority decision and third one is minority rights. Then on the DIG part it is right of discussion, right of information, fairness and good faith. Now, we are 0 for 5. The same thing about good faith as it sort of went out the window. If you don't get it from the first five men, okay, we are acting in good faith. You are not. I can ask the residents of Zanesville and I could ask you. You don't read your citizenship when becoming an elected official. So what is your citizenship worth? You might want to ask yourself that. We are in interesting times, folks. I mean seriously. You know what the times are. The Constitution itself is in danger. Look at this election coming up. As elected officials I am going to ask, what is your oath worth? You took an oath to support the Constitution. I don't know if you took it seriously or not. I am hoping you did. If you did, you would at least know what the Constitution says. You would know what the Declaration of Independence says. I tried to get you to read the Federalist Papers and I could add to that the Anti-Federalist Papers. Great reading, folks. It is absolutely outstanding

reading. You learn a lot. Then I also want to have you read Roberts Rules of Order. Where we are at right now, being under the Ohio Revised Code, takes you to tyranny. If you don't believe me, read 15-44 which says in effect: The President of Council has sole discretion for procedure. Sole discretion by definition is tyranny. This is not just about me being fancy or being tricky or anything else. In a Democracy you don't want somebody having sole discretion. You in effect have given up on Democracy once you accept tyranny. I think we have gone to the point where most cities in Ohio have gone; to the Ohio Revised Code. In effect, we have embraced tyranny in the state of Ohio. Thank you very much.

Mr. Roberts: Is there anything else for the good of the order? If not, I will entertain motion to adjourn.

Mrs. Osborn moved to adjourn. It was seconded by Mr. Wolfe. A voice vote was taken with all in favor. None were opposed. The motion carried. The meeting was adjourned at 7:35 p.m.

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Andrew Roberts  
President Pro-Tempe of Council

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Susan Culbertson  
Clerk of Council



Council-Mayor Government  
Jeff Tilton, Mayor

THE CITY OF  
*Zanesville*

401 Market Street • Zanesville, Ohio 43701  
Phone (740) 455-0650 • Fax (740) 455-0676  
E-mail : [engineering@coz.org](mailto:engineering@coz.org)

DEPARTMENT OF PUBLIC SERVICE  
JAY BENNETT, DIR. OF PUBLIC SERVICES

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## *MEMORANDUM*

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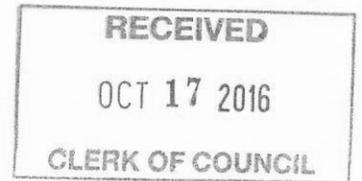
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**TO:** Members of City Council

**FROM:** Jay Bennett, Director of Public Services

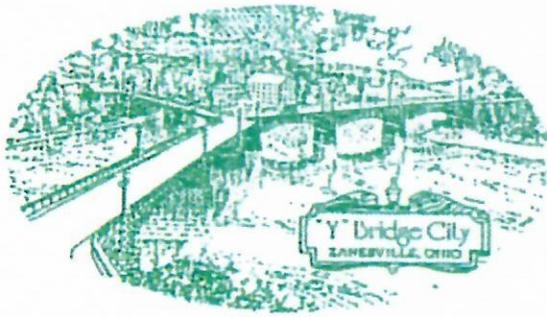
**DATE:** Monday, October 17, 2016

**RE:** Cemetery Division 2016 3<sup>rd</sup> Quarter Report



To the Members of Council,

Please find attached the 2016 3<sup>rd</sup> Quarter Report for the Cemetery Division.  
As always, if you have any questions, please feel free to contact me. Thank you.



# City of Zanesville

**JEFF JOHNSON**

**SUPERINTENDENT, CEMETERIES & PARK MAINTENANCE**

401 Market St., Zanesville OH 43701

740-455-0637

## Cemetery Division

2016 3rd Quarter Report

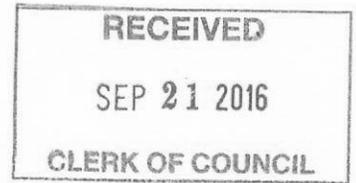
	Interments	Lot Sales	Transfers
July	7	2	1
August	8	6	0
September	6	5	0
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<b>Total</b>	<b>21</b>	<b>13</b>	<b>1</b>

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	Cemetery Operating	Cemetery Development	Cemetery Endowment
July	5,290.94	1,467.00	163.00
August	6,033.40	5,310.00	590.00
September	3,251.80	3,973.15	441.46
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<b>Total</b>	<b>\$14,576.14</b>	<b>\$10,750.15</b>	<b>\$1,194.46</b>

**Total:           \$26,520.75**

Community Development Committee  
Mark Baker, Chair



RESOLUTION NO. 16-100  
INTRODUCED BY COUNCIL

A RESOLUTION IN SUPPORT OF THE ZANESVILLE-MUSKINGUM COUNTY HEALTH DEPARTMENT'S EFFORTS ADDRESSING THE USE OF TOBACCO IN OUR COMMUNITY, AS HEREIN PROVIDED

**WHEREAS**, the Zanesville-Muskingum County Health Department is a strong community partner in several City initiatives involving the health and wellness of Zanesville residents; and

**WHEREAS**, ZMCHD has submitted a grant proposal to the Ohio Department of Health to address tobacco use in our community, specifically the populations served by Zanesville City Schools and West Muskingum Schools, with an emphasis on preventing the initiation of tobacco use by teens and reducing exposure to secondhand smoke; and

**WHEREAS**, if awarded the grant, ZMCHD would use this funding to help them provide a more comprehensive approach to reducing the high rate of tobacco use that is exhibited in Appalachian communities; and

**WHEREAS**, the Health Department has asked the City to support their application for the grant.

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

**SECTION ONE:** The City of Zanesville supports the Zanesville-Muskingum County Health Department's grant application and efforts to address and prevent tobacco use in our community.

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

**PASSED:** \_\_\_\_\_, 2016.

**ATTEST:** \_\_\_\_\_  
SUSAN CULBERTSON  
CLERK OF COUNCIL

\_\_\_\_\_  
DANIEL M. VINCENT  
PRESIDENT OF COUNCIL

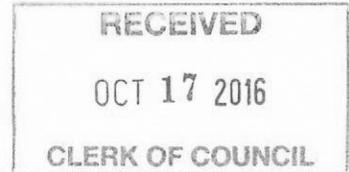
APPROVED: \_\_\_\_\_, 2016

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

THIS LEGISLATION APPROVED  
AS TO FORM

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

Community Development Committee  
Mark Baker, Chair



**ORDINANCE NO. 16- 110**  
**INTRODUCED BY COUNCIL**

AN ORDINANCE ADOPTING THE CITY OF ZANESVILLE COMPREHENSIVE PLAN, AS HEREIN PROVIDED

**WHEREAS**, chapter 1109.01 of the City’s Codified Ordinances defines a Comprehensive Plan as “the officially adopted plan for the physical development, conservation and redevelopment of the City”; and

**WHEREAS**, chapter 1101.01 of the City’s Codified Ordinances lists one of the purposes of Part Eleven of the Code is, “to further the implementation of the objectives of the adopted Comprehensive Plan for the City”; and

**WHEREAS**, multiple sections of Part Eleven of the Codified Ordinances refers to the Comprehensive Plan as a decision making tool for City staff and Boards/Commissions for variances, zoning map amendments, Planned Unit Developments, and subdivision of land; and

**WHEREAS**, the City of Zanesville has never had an officially adopted Comprehensive Plan to meet the aforementioned requirements and recognizing so, City Council tasked City administration with the creation of a Comprehensive Plan in Resolution 14-58; and

**WHEREAS**, the Administration and City Council recognize a Comprehensive Plan will serve as a planning aid to all departments, committees, and boards that make decisions concerning the cities growth and development; and

**WHEREAS**, a Comprehensive Plan Committee of individuals with a wide range of backgrounds and experiences was formed with input from City Council and the Mayor, and worked for a period of two years assisting City staff with creating goals and policies; and

**WHEREAS**, the draft of the Comprehensive Plan has been made available for public comment at various forums, including four public open houses, the City’s website, the John McIntire Library, Colony Square Mall, and multiple Planning Commission meetings, including a public hearing before Planning Commission on August 16, 2016; and

**WHEREAS**, the Comprehensive Plan has been reviewed by the Planning Commission and recommended to City Council for adoption.

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

SECTION ONE: The City Council of the City of Zanesville hereby adopts the Comprehensive Plan.

SECTION TWO: This Ordinance shall take effect upon the approval of the Mayor and 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**

Introduced by Public Service Committee  
Andy Roberts, Chair

**ORDINANCE NO. 16-111**  
**INTRODUCED BY COUNCIL**

**AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENT TO BE EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESIGNATING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; AND ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS.**

**WHEREAS**, Sections 5709.40 through 5709.43 of the Ohio Revised Code (“**ORC**”) authorize municipalities to identify parcels to be improved and to declare to be a public purpose any infrastructure improvements made that are necessary for the development of such parcels, exempting any improvements to such parcels from real property taxation for established time periods and percentages, with such mechanism commonly referred to as tax increment financing (“**TIF**”) and;

**WHEREAS**, the City of Zanesville, Ohio (the “**City**”) desires to use the authority granted pursuant to such sections of the ORC to establish a TIF exemption in an area located within the territorial boundaries of the City and consisting of one or more separate parcels of real property (as depicted and described in Exhibit A attached hereto and incorporated herein by this reference, the “**TIF Site**”); and

**WHEREAS**, the development of commercial properties in the City will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and providing revenue for the City to undertake public infrastructure improvements; and

**WHEREAS**, by providing public infrastructure improvements, as that term is defined in ORC §5709.40(A)(7) (as more fully described in Exhibit B attached hereto and incorporated herein by this reference, the “**Public Infrastructure Improvements**”), the City may facilitate the development of commercial properties for the benefit of the TIF Site, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements; and

**WHEREAS**, the aforementioned sections of the Ohio Revised Code provide for the use of TIF to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Developer, as defined below, or the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service on, and administrative and any other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (the “**Debt Service**”); and

## Ordinance 16-111

**WHEREAS**, the aforementioned ORC sections provide that this City Council ("**City Council**") may, among other things, (a) declare the improvement to real property located in the City to be a public purpose, thereby exempting such improvement from real property taxation for a period of time, (b) specify public infrastructure improvements to be made to directly benefit those parcels, (c) require the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

**WHEREAS**, ZF Accomodation Company, LLC and any related entity formed for the specific purpose of developing said TIF Site (collectively, the "**Developer**") desires to construct on the real property commercial retail space (the "**Project**") and further desires to collaborate with the City to ensure ease of traffic ingress and egress to its real property throughout the term of the TIF Exemption, defined below; and

**WHEREAS**, in connection with the construction of the Project, the City and the Developer desire to execute an agreement providing for the construction of the Project and for the financing of certain Public Improvements, as defined below and in the Developer's Agreement (the "**Developer's Agreement**"); and

**WHEREAS**, the City is desirous of improving traffic congestion including installing traffic signalization, making aesthetic improvements to the streetscape, easing pedestrian access, and increasing safety along the North Pointe Drive corridor as it exists particularly at the Richey Road intersection, Muskingum County, Ohio; and

**WHEREAS**, the City desires to grant a one hundred percent (100%) exemption from real property taxation for a period of thirty (30) years (the "**TIF Exemption**") for each improvement to the TIF Site (as defined herein, the "**Improvement**"); and

**WHEREAS**, the City has determined that it is necessary and appropriate and in the best interests of the City to require the Developer, as current owner, and future owners of the parcels included in the TIF Site and their successors and assigns (collectively, with their successors and assigns, as owners of the TIF Site, the "**Owners**") to make service payments in lieu of taxes (the "**Service Payments**") with respect to the Improvement pursuant to ORC §5709.42; and

**WHEREAS**, in furtherance of such requirement for payment, the City and the Developer desire to execute a tax increment service payment agreement (the "**TIF Agreement**") whereby the Owners commit to make service payments in amounts equal to the property tax amounts that would have been payable had the TIF not been created; and

**WHEREAS**, the City has delivered notice of the proposed TIF Exemption to the Boards of Education of the West Muskingum Local School District and the Mid-East Career and Technology Centers, in accordance with ORC §5709.40(D)(2), and the City ratifies and affirms the delivery of such.

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

**SECTION 1. Authorization of TIF Exemption.** Pursuant to and in accordance with the provisions of ORC §§5709.40 through 5709.43, the City hereby finds and determines that one hundred percent (100%) of the increase in assessed value of each parcel comprising the TIF Site (the "**Exempted Property**") subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "**Improvement**," as defined in ORC §5709.40(A)(4)) is declared to be a public purpose, and shall be exempt from real property taxation (the "**TIF Exemption**") for a period commencing with the tax year in which the Exempted Property first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance (the "**Commencement Date**") and ending on the thirtieth (30th) anniversary of such Commencement Date or the date the Public Infrastructure Improvements are paid in full, whichever occurs first, all in accordance with the requirements of ORC §§5709.40 and 5709.42 (the "**Exemption Period**"). After the TIF Exemption becomes effective, such TIF Exemption shall apply with respect to any parcel when the Improvement to such parcel is made and an exemption therefor is claimed in the manner provided for hereinabove.

**SECTION 2. Payment of Service Payments.** As provided in ORC §5709.42, but only after the TIF Exemption is effective, the Owner of a parcel comprising Exempted Property shall be required to, and shall make, service payments in lieu of taxes with respect to the Improvement allocable thereto to the County Treasurer on or before the final due dates for payment of real property taxes. Each service payment in lieu of taxes shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against such parcel as if it were not exempt from taxation pursuant to Section 1 hereof. If any reduction in the levies otherwise applicable to such parcel is made by the County budget commission under ORC §5705.31, the amount of the service payment in lieu of taxes shall be calculated as if the reduction in levies had not been made. Any late payments of service payments in lieu of taxes shall be subject to penalty and bear interest at the then current rate established under ORC §§323.121(B)(1) and 5703.47 or any successor provisions thereto, as the same may be amended from time to time, or any successor provisions thereto (the "**Penalties and Interest**"). Each Owner shall make any other payments in respect of such parcel which are received by the County Treasurer in connection with any reduction required by ORC §319.302, as the same may be amended from time to time, or any successor provisions thereto (the "**Property Tax Rollback Payments**," together with the service payments in lieu of taxes and the "Penalties and Interest," are collectively referred to herein as the "**Service Payments**"). The Service Payments shall be allocated and distributed in accordance with Section 3 hereof.

The Mayor and City Auditor, or either of them individually, may execute on behalf of the City one or more TIF Agreements between the City and Owners providing for the payment and collection of the Service Payments, which agreement shall be in such form as is acceptable to such officials, approved by the Director of Law, and not substantially inconsistent with the terms of this Ordinance.

**SECTION 3. Creation of TIF Fund; Application of Service Payments.** The City hereby establishes, pursuant to and in accordance with the provisions of ORC §5709.43, within the City Treasury a municipal public improvement tax increment equivalent fund (the "**Tax Increment Fund**"), which may, at the option of the City Auditor, be established as an account within an existing

## Ordinance 16-111

tax increment equivalent fund of the City, into which shall be deposited the Service Payments made in respect of the Improvements which are distributed to the City by the County Treasurer in accordance with this Ordinance. Such Fund may be combined with other funds created by ordinances of this Council authorizing other such projects.

Money in the Tax Increment Fund shall be used to finance the Public Infrastructure Improvements, and shall, to the extent provided in further ordinances of this Council, be pledged to the payment of debt service on any bonds, notes or other obligations issued to finance such Public Infrastructure Improvements as well as any reimbursement payments to the Developer for reimbursement of any costs of the Public Infrastructure Improvements. The Tax Increment Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. Those Service Payments received by the City with respect to the Exempted Property, shall be used solely for the purposes authorized in ORC §§5709.40 through 5709.43, including, but not limited to, paying any costs of the Public Infrastructure Improvements. For purposes of this Ordinance, "costs" of the Public Infrastructure Improvements payable from the Tax Increment Fund shall also include the items of "costs of permanent improvements" set forth in ORC §133.15(B), and incurred with respect to the Public Infrastructure Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, and Debt Service on, and any Administrative or other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

The Tax Increment Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the Tax Increment Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City's General Fund, all in accordance with ORC §5709.43(D).

**SECTION 4. Public Infrastructure Improvements.** The City hereby designates the Public Infrastructure Improvements described in Exhibit B attached hereto as "public infrastructure improvements" (as such term is defined in ORC §5709.40(A)(7)) made, to be made, or in the process of being made, and that, once made, will directly benefit the TIF Site.

**SECTION 5. Compensation to School Districts.** Pursuant to ORC §§5709.40, 5709.42, 5709.43 and 5709.82, the Mayor and City Auditor are hereby authorized and directed to execute one or more school compensation agreements under the Project whereby the City shall cause the County Treasurer to distribute a portion of the Service Payments to the Boards of Education of the West Muskingum Local School District and the Mid-East Career and Technology Centers in amounts equal to fifty percent (50%) of the real property taxes that each district would have received, but for the TIF Exemption.

**SECTION 6. Application for Real Property Tax Exemption and Remission.** The City further hereby authorizes and directs the President of the City Council, the Mayor, the City Auditor, or other appropriate officers of the City, to sign and execute all documents and make such arrangements as are necessary and proper for collection of said Service Payments from the Owners of real property located in the TIF Site, which are to be deposited into the Tax Increment Fund.

## Ordinance 16-111

**SECTION 7. Further Authorizations.** The City further hereby authorizes and directs the President of the City Council, the Mayor, the City Auditor, or other appropriate officers of the City, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the City, which shall be established conclusively by their signatures thereon, and to prepare and sign all instruments and to take all other actions as may be necessary and appropriate to implement this Ordinance.

**SECTION 8. Non-Discriminatory Hiring Policy.** In accordance with ORC §5709.832, the City hereby determines that no employer located in the TIF Site shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin or ancestry.

**SECTION 9. Notices.** The City hereby finds and determines that notice of this proposed Ordinance has been delivered to all affected school districts, including the West Muskingum Local School District and the Mid-East Career and Technology Centers, in accordance with ORC §§ 5709.40(D)(2), 5709.83 and 5715.27, and hereby ratifies the giving of that notice.

Pursuant to ORC §5709.40(I), the City Auditor is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio within fifteen (15) days after its adoption. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the City Auditor or other authorized officer of this City shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under ORC §5709.40(I).

**SECTION 10. Tax Incentive Review Council.** The City acknowledges that it has created the City Tax Incentive Review Council (the "TIRC") with the membership of the TIRC constituted in accordance with ORC §5709.85. The TIRC shall, in accordance with ORC §5709.85, review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before the TIRC, all in accordance with ORC §5709.85.

**SECTION 11. Open Meetings.** The City finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the adoption of this Ordinance were taken in an open meeting of this City Council, and that all deliberations of this City Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law, including ORC §121.22.

**SECTION 12. Effective Date.** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Ordinance 16-111

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



# Ordinance 16-111

## EXHIBIT B

### Public Infrastructure Improvements

The Public Infrastructure Improvements generally consist of construction of improvements adjacent to and within the right-of-way and ingress and egress access points to the TIF Site along North Pointe Drive, Muskingum County, Ohio, including construction of improvements to the respective roadway in the immediate vicinity of said TIF Site.

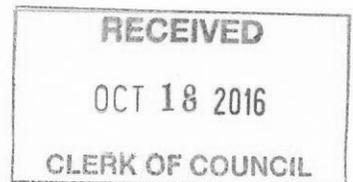
Construction, as used herein, includes construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges, pedestrian facilities (i.e., sidewalks, bike paths, pedestrian crossings), medians and viaducts accessible to and serving the public, providing lighting systems, signalization and traffic controls, and all other appurtenances thereto.

Construction of the Public Infrastructure Improvements may also include:

- Construction or installation of streetscapes and landscape improvements including trees, tree grates, signage, curbs, hydrants, sidewalks, street and sidewalk lighting, trash receptacles, benches, burial of overhead utility lines and related improvements, together with all appurtenances thereto; ☐
- Demolition and/or environmental remediation required for such public infrastructure improvements; ☐
- Purchase or otherwise acquire real estate or interests in real estate, including rights of way and easements, necessary to accomplish the foregoing improvements; ☐
- Professional fees, including architectural, design, traffic planning studies, engineering, contract administration, and legal costs; ☐
- All inspection fees and other governmental fees related to the foregoing; and ☐
- Any other costs for the aforesaid Public Infrastructure Improvements as permitted by ☐law. ☐

Public Infrastructure Improvements described herein may from time-to-time be constructed or caused to be constructed by the Developer, the City, or a combination thereof, in which case either or both parties may be reimbursed from Service Payments under this Ordinance according to their relative proportion of costs borne to construct the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described herein are determined to be “public infrastructure improvements” as set forth in ORC §5709.40(A)(7) and will directly benefit the Exempted Property comprising the TIF Site as defined in Exhibit A. The Public Infrastructure Improvements shall also include any other future improvements as may be designated by City Council to directly benefit the Exempted Property. ☐



ORDINANCE NO. 16- 112  
INTRODUCED BY COUNCIL

**AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CITY'S HOUSING POLICY AND PROCEDURES MANUAL INCREASING THE MAXIMUM DOLLAR LIMIT FOR HOME REPAIR PROJECTS AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Zanesville has a Housing Policy and Procedures Manual that governs the implementation of the City's Housing grants; and

WHEREAS, within this document, the maximum dollar amount allowed per Home Repair project within the City is set at \$8,000; and

WHEREAS, the City and County partners administering the Housing grants have determined that increasing the maximum project limit above \$8,000 would create an opportunity to fund projects that require more substantive investment to home systems; and

WHEREAS, having an increased maximum project limit will assist with the selection and completion of Home Repair projects by grant deadlines by opening the door to projects that would have been over the limit otherwise, and

WHEREAS, this Policy and Procedures Manual was last updated in 2008 and is in need of revisions; and

WHEREAS, the State of Ohio allows Home Repair projects costs up to a maximum of \$12,000; and

WHEREAS, Home Repair projects for the City's 2015 Allocation grant must be completed by December 31, 2016, thus requiring this amendment to be expedited through the legislative process.

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

SECTION ONE: The City of Zanesville's Housing Policy and Procedures, Chapter X: "Activity Specific Elements", sub-section "Home Repair", Part C "Limits of Assistance" reads:

"Minimum & Maximum Limits: There is no minimum amount of assistance, and the maximum will be \$8,000. This maximum level of assistance is the absolute maximum and will never be exceeded under provisions of this Program, unless given permission by OHCP. The average amount of assistance per unit is anticipated to be approximately \$6,700. These limitations were chosen because they have proven to be effective in previous CHIP grants to assist in meeting the outcomes projected."

*Shall be amended to read:*

**“Minimum & Maximum Limits:** There is no minimum amount of assistance, and the maximum will be \$12,000. This maximum level of assistance is the absolute maximum and will never be exceeded under provisions of this Program, unless given permission by OHCP. The average amount of assistance per unit is anticipated to be approximately \$8,000. These limitations were chosen because the average project cost has increased over previous CHIP grants and will assist in meeting the outcomes projected.”

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

PASSED: \_\_\_\_\_, 2016

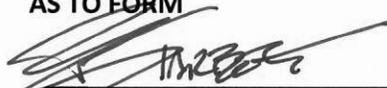
ATTEST: \_\_\_\_\_  
SUSAN CULBERTSON,  
Clerk of Council

\_\_\_\_\_  
DANIEL M. VINCENT,  
President of Council

APPROVED: \_\_\_\_\_, 2016

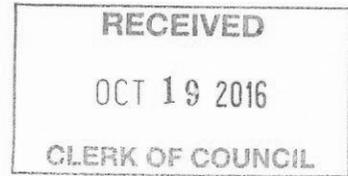
\_\_\_\_\_  
JEFF TILTON,  
Mayor

**THIS LEGISLATION APPROVED  
AS TO FORM**



**LAW DIRECTOR'S OFFICE**

Ways and Means Committee  
Ann Gildow, Chair



ORDINANCE NO. 16-113  
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO A  
SERVICE AGREEMENT FOR VOICE OVER INTERNET PROTOCOL SERVICES AND  
DECLARING AN EMERGENCY

WHEREAS, The City is currently operating 10 separate phone systems using traditional analog phone lines; and

WHEREAS, the City's IT Manager has found a solution to integrate the entire City into one phone service platform and realize a cost savings at the same time; and

WHEREAS, by moving the City to a Voice Over Internet Protocol (VoIP) hosted solution rather than a traditional analog phone line system, as City locations are phased into the new platform, the City has the potential of saving approximately \$39,600.00 over a three year period; and

WHEREAS, the City's current phone service agreement has expired, and it is imperative to negotiate an acceptable phase in and phase out contract with our current service provider as well as negotiate the same timeline with the new service provider, thereby creating the need for this ordinance to be passed as an emergency.

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

SECTION ONE: The proper city official is hereby authorized to enter into a three year service agreement with Nextiva to provide a VoIP solution for the City of Zanesville's phone service.

SECTION TWO: The monthly cost for services will be \$2,527.00. Approximately \$177.00 per month will be charged to Water, \$278.00 will be charged to Sewer, and \$25.00 will be charged to Sanitation.

SECTION THREE: For the reasons stated above, 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

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

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

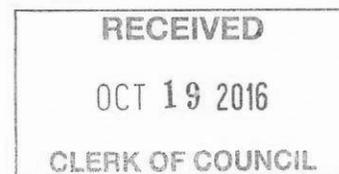
APPROVED: \_\_\_\_\_, 2016

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

This legislation approved as to form:

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

Ways and Means Committee  
Ann Gildow, Chair



ORDINANCE NO. 16-114  
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO A  
PURCHASE AGREEMENT FOR ENTERPRISE RESOURCE PLANNING SOFTWARE,  
CONVERSION, INSTALLATION, TRAINING, AND MAINTENANCE

WHEREAS, The City is currently using software that was purchased in 1996 and is no longer fulfilling the City's needs; and

WHEREAS, on June 1, 2015 the City's IT Manager started a collaboration with other city personnel to analyze the City's current and future software needs; and

WHEREAS, it was recognized that processes and procedures could be more accurate, timely, and systematically functional by using an Enterprise Resource Planning Software; and

WHEREAS, after considering functionality and price between several different software providers, it was determined the best fit for the City of Zanesville would be Tyler Technologies.

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

SECTION ONE: The proper city official is hereby authorized to enter into a purchase agreement with Tyler Technologies for the purchase of an Enterprise Resource Planning Software Program.

SECTION TWO: The cost of the software, conversion, installation, training, and maintenance is estimated to be \$290,327.00 and will be paid over a three year period. The first payment of \$72,582.00 will be due upon signing of the purchase agreement. The second payment of \$145,164.00 will be due in 2017, when the software is loaded onto the City's server. The third and final payment of \$72,581.00 will be due in 2018 after the City goes live. The approximate cost to the City's Enterprise Funds will be \$45,138.00 each for Water and Sewer, and \$22,569.00 for Sanitation Fund.

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

PASSED \_\_\_\_\_, 2016

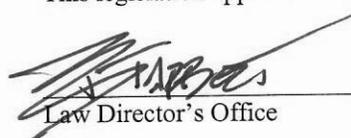
ATTEST: \_\_\_\_\_  
Susan Culbertson  
Clerk Of Council

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

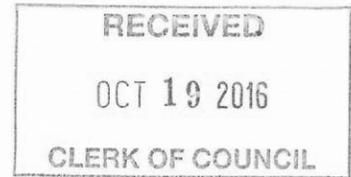
APPROVED: \_\_\_\_\_, 2016

This legislation approved as to form:

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

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

ORDINANCE NO. 16-115  
INTRODUCED BY COUNCIL



AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS  
TO THE ZANESVILLE-MUSKINGUM COUNTY PORT AUTHORITY  
FOR ORGANIZATIONAL, PROMOTIONAL, AND OPERATIONAL  
EXPENSES DURING THE YEAR 2017

WHEREAS, the City of Zanesville and the Board of Commissioners of Muskingum County did enter into an agreement for the creation of the Zanesville-Muskingum County Port Authority (Port Authority) on November 2, 1987; and

WHEREAS, the City of Zanesville and the Board of Commissioners of Muskingum County are mutually desirous to expand the economic development activities of the Port Authority as set forth in section 4582.201 through 4582.99 of the Ohio Revised Code; and

WHEREAS, in order to expand its economic development activities; the Port Authority will incur organizational, promotional, and operational expenses throughout the year.

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

SECTION ONE: The proper city official is authorized to provide funds to the Zanesville-Muskingum County Port Authority for the period January 1, 2017 through December 31, 2017. Said funding shall be in the amount of \$100,000.00, to be paid in eleven monthly installments of \$8,333.00 and one monthly payment of \$8,337.00 from account 101.7951.53297.

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

This legislation approved as to form:

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

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

Ann Gildow, Ways and Means Chair  
Rhonda Heskett, Budget & Finance Dir.

RECEIVED  
OCT 19 2016  
CLERK OF COUNCIL

ORDINANCE NO. 16-116  
INTRODUCED BY COUNCIL

AUTHORIZING THE PROPER CITY OFFICIAL TO PROVIDE FUNDS  
TO SOUTH EAST AREA TRANSIT FOR THE YEAR 2017

WHEREAS, South East Area Transit (SEAT) operates public transit facilities and services within the City of Zanesville; and

WHEREAS, the funding provided to South East Area Transit is necessary for their daily operations; and

WHEREAS, the City feels financially supporting public transit services is in the best interest of the citizens of Zanesville.

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

SECTION ONE: The proper city official is authorized to provide local funding to South East Area Transit for the year 2017. Said funding shall be in the amount of \$80,000.00, to be paid in equal installments in March, June, September, and December from account number 101.7951.53405.

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

PASSED \_\_\_\_\_, 2016

ATTEST:

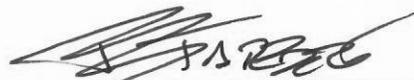
\_\_\_\_\_  
Susan Culbertson  
Clerk Of Council

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

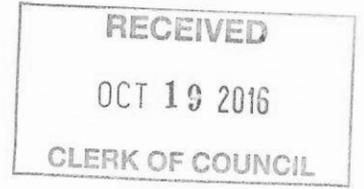
APPROVED: \_\_\_\_\_, 2016

This legislation approved as to form:

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

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

Ways and Means Committee  
Ann Gildow, Chair



ORDINANCE NO. 16-117  
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 2017 sixty-eight (68) employees will hit landmark anniversaries of 5, 10, 15, 20, 25, or 30 years of service; and

WHEREAS, during the year 2017 the City may have employees retire from their career with the City; and

WHEREAS, the City Administration feel it is important to recognize those employees for their years of service and dedication.

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 \$1,700.00 on employee recognition items for the year 2017; 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.

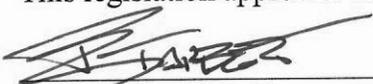
PASSED \_\_\_\_\_, 2016

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

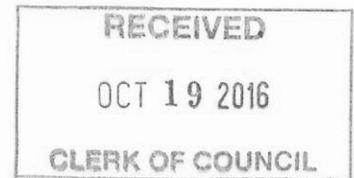
\_\_\_\_\_  
Daniel M. Vincent  
President Of Council

APPROVED: \_\_\_\_\_, 2016

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

This legislation approved as to form:  
  
\_\_\_\_\_  
Law Director's Office

Prepared by  
Fred Buck  
Director of Public Safety



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

Traffic Order 16-05

October 24, 2016

SECTION ONE: Traffic Order 16-05 hereby is closing Potter's Alley from Elberon Ave north to the interstate to establish parking area.

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:  
October 19, 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

PETITION TO ADDRESS COUNCIL

NAME: Eric Jones

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

ADDRESS: 221 Luck Ave

TELEPHONE: (740) 588-1837

EMAIL (OPTIONAL): \_\_\_\_\_

RESOLUTION/ORDINANCE #: \_\_\_\_\_  
\_\_\_\_\_ FOR OR \_\_\_\_\_ AGAINST

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

3 Large M's Digging — A bigger Picture  
\_\_\_\_\_  
\_\_\_\_\_

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.

Eric Jones  
SIGNATURE

10/18/16  
DATE

RECEIVED  
OCT 18 2016 3:30pm  
CLERK OF COUNCIL