

Vehicle Titles. Seller will issue a title or certificate upon removal of the vehicle. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. Seller reserves the right to reclaim and resell all items not removed by the specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are available for review in the bid box at the top of each page of each asset listed on **GovDeals**. Specific Instructions (Payment, Removal, and Special) appearing on the asset page will override certain sections of these Terms and Conditions.

Sales to Employees. Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

ORDINANCE NO. 19 - 94
INTRODUCED BY COUNCIL

AN ORDINANCE ESTABLISHING A "DIG ONCE" POLICY REDUCING UNDERGROUND EXCAVATION FOR COMMUNICATIONS INFRASTRUCTURE WITHIN THE CITY'S RIGHT OF WAYS.

WHEREAS, the City of Zanesville desires to comply with all mandates regarding public utilities as imposed upon it by state and federal law; and

WHEREAS, the City desires to encourage emerging wireless and fiber optic telecommunication facilities in the City of Zanesville; and

WHEREAS, the City of Zanesville has an interest in preserving its streets and roadways for their intended purpose, while minimizing interruptions to the flow of traffic; and

WHEREAS, examination of cost data from construction projects have determined that the incremental cost to install telecommunication conduits is \$2 -\$7 per foot during a public works road or sidewalk project. The cost to install a new conduit as a standalone project is \$25 - \$35 per foot. Typically, the conduit install represents an additional 1-2% of a road construction's project budget; and

WHEREAS, the proposed requirements for excavation or permits and entitlements relative to such projects respond to recent changes in laws concerning regulation of wireless telecommunication facilities and provide mechanisms for the City to maintain an aesthetically pleasing community environment, protect the safety and welfare of Zanesville residents, minimize degradation of the residential character of neighborhoods, streets, and roadways, and require the best available design to eliminate visual impacts while ensuring that adequate public services and facilities are constructed to accommodate the needs of Zanesville residents.

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

SECTION ONE: The purpose of this Ordinance and the following policy requirements for underground communications infrastructure within the public right of way are adopted with the purpose of preserving the health, safety, and welfare of the City's residents and City property by preserving the integrity of the City of Zanesville ("City") streets.

SECTION TWO: The City has an obligation to comply with all applicable state and federal authority pertaining to utilities and telecommunications, and intends for the Ordinance to be interpreted so as to comply with all such authority.

SECTION THREE: The City has an interest in promoting increased connectivity and emerging technology to its City residents and businesses in the historically underserved areas of the City. To that aim, the City shall cause the development of a Connectivity Plan which contains the following elements:

- a) Identification of the underserved areas within the City that do not meet the current F.C.C Broadband definition.
- b) An examination of near term investment into these areas by communication providers that also identifies potential Public/Private Partnerships which could expedite increased connectivity speeds.
- c) Mapping of preferred routes for the installation of communications conduit.

- d) Examination of City-owned structures which could be made available for co-location of communications facilities.
- e) Examination of the costs to install communications conduits for use by providers.

SECTION FOUR: In recognition of the need to provide emerging technology to the historically underserved areas of the City, and in further recognition of the need to minimize public inconvenience and traffic, and to preserve the integrity and lifespan of City streets, the intent of this Ordinance is applicable to all City sponsored construction, reconstruction of:

- a) Street, road, sidewalk, bike path, or other transportation infrastructure construction.
- b) Excavations for the purpose of installing utilities, including but not limited to communications, electrical, gas, water, waste water, storm drainage.
- c) Other excavations, or work on public property in the public right of way, that provide a similar opportunity to install conduit for future use at a low additional cost.

SECTION FIVE: The approvals for such City sponsored projects located in an underserved area of the City identified within Section Three above, shall include a provision for the installation of a public utility infrastructure, such as conduit, tube, duct, or other device designed for enclosing telecommunications wires, fibers, or cables, wherever practical and feasible. Such infrastructure shall be installed in accordance with City regulations, requirements, and specifications, including but not limited to the City of Zanesville Codified Ordinances, as directed by the Director of Public Service or his/her designee.

SECTION SIX: The City Engineer shall work with the providers to establish common standards for the type, size, and number of conduits and associated fixtures to be installed. These shall be at a minimum, a single conduit installed with the following specifications, unless the City Engineer determines otherwise:

- a) A minimum inside diameter of 2 inches.
- b) Made of PVC Schedule 40 material (color orange).
- c) Laid to a depth of not less than 18 inches below grade in concrete sidewalk areas, and not less than 30 inches below finished grade in all other areas when feasible, or the maximum feasible depth otherwise.
- d) When feasible, installed so fiber optic cable maintains a minimum bend ratio of 20 times the cable diameter.
- e) When practicable, furnish with pull tape and an external locate wire no more than 3 inches above conduit.

SECTION SEVEN: When determining if a particular specification is feasible or practicable, the City Engineer will take into account the added cost, the length of the conduit installed (and therefore its potential future value), the impact on the overall project, and other relevant factors.

SECTION EIGHT: Because communications facilities are needed to monitor, manage, and provide security for Public Service, Public Safety, and Economic Development in general, the cost of purchasing, installing, and documenting the conduit may be included in the cost of the overall project.

SECTION NINE: Conduit installed by or on behalf of the City will be owned by the City.

SECTION TEN: A record of all City-owned conduits will be installed and maintained into a geographic information system (GIS) format.

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

PASSED: _____, 2019

ATTEST: _____
SUSAN CULBERTSON,
Clerk of Council

DANIEL M. VINCENT,
President of Council

APPROVED: _____, 2019

**THIS LEGISLATION APPROVED
AS TO FORM**

JEFF TILTON,
Mayor



LAW DIRECTOR'S OFFICE

RECEIVED

JAN 07 2020

*Ways and Means Committee
Ann Gildow, Chair*

CLERK OF COUNCIL

ORDINANCE NO. 20-04
INTRODUCED BY COUNCIL

**AN ORDINANCE REAUTHORIZING ENTERING
INTO A CONTRACT FOR THE PURCHASE OF
LIMESTONE AND DECLARING AN
EMERGENCY**

WHEREAS, the Ohio Revised Code Section 731.48 provides that the legislative authority of a Municipal Corporation shall not enter into a contract which is not to go into full operation during the term for which all members of such legislative authority are elected; and

WHEREAS, the 2018-2019 Zanesville City Council authorized the City to advertise for bids and enter into a contract for the purchase of limestone in Ordinance 19-105, but said contract did not go into full operation during the term of said council; and

WHEREAS, the City advertised for bids and the bid opening occurred on January 6, 2020; and

WHEREAS, it is necessary for the current Zanesville City Council to authorize the City to enter into a contract for the purchase of limestone as an emergency as failure to obtain the limestone in an expedited manner will create an emergency in the usual daily operation of municipal departments thereby presenting a risk to the health, safety and welfare of our citizens.

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

SECTION ONE: The proper city official is hereby authorized to enter into a contract for the purchase of limestone for the City's requirements for the year 2020.

SECTION TWO: This Ordinance shall supersede any conflicting language set forth in Ordinance 19-105.

SECTION THREE: For the reasons stated herein, this Ordinance is hereby declared to be an emergency measure and being 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: _____, 2020

ATTEST:

Susan E. Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

THIS LEGISLATION APPROVED AS TO FORM

Donald L. Mason
Mayor



David J. Tarbert
Law Director's Office

Ann Gildow
Ways and Means Committee

ORDINANCE NO. 20-05
INTRODUCED BY COUNCIL

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

WHEREAS, the City of Zanesville purchased an iPad 5th Generation, Apple iMac and Apple MacBook Pro for Judge Joseph use during his tenure, which will end on 12/31/2019; and

WHEREAS, Judge Joseph has requested to purchase the City issued devices; and

WHEREAS, Judge Joseph received valuations of said used equipment from the Muskingum County I.S. Department (attached hereto as Exhibit A) and said values having been verified by the City's Information Technology supervisor; and

WHEREAS, the City Auditor feels the valuations attached are an appropriate amount to charge for the devices.

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

SECTION ONE: The proper City Official is hereby authorized to dispose of the iPad 5th Generation, Apple iMac and Apple MacBook Pro.

SECTION TWO: The disposal method shall be by selling the property for the amount of \$1,450.00 as quoted in Exhibit A attached hereto.

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

PASSED: _____, 2020


Sue Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald Mason, Mayor



Law Director's Office

Attachment to Ordinance No. 2020-05

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Dan Long
MIS Director

Robert Moore
Systems Administrator

Christian Stone
Desktop Administrator

Greg Hutchinson
Desktop Administrator

Muskingum County I.S. Dept. Valuation of used equipment from Zanesville Municipal Court.

Items For valuation are for the following;

IPad 5th generation, 64GB, 9.7 inch.....	\$150.00
Apple iMac with apple keyboard and magic mouse - Core i5 2.7 GHz - 8 GB - 1 TB - LED 21.5" Mfg. Part#: ME086LL/A.....	\$400.00
Apple MacBook Pro 8GB Ram, 128GB hard drive, Mfg. Part#: MPXQ2LL/A.....	\$900.00

Dan Long, Director of I.S.