

**City Council Meeting
Agenda of Business
February 27, 2023**

The Lord's Prayer

Pledge of Allegiance to the Flag

A. Roll Call

B. Approval of Meeting Minutes Dated February 13, 2023

C. Communications, Reports, and Resolutions

1. **Policy Communication from Doug Merry, Safety Director** – The Policy and Procedures herein are promulgated by the Director of Public Safety for the administration of the Alarm Monitoring Ordinance and to provide Police and Fire service protection, (see Chapter 758, Codified Ordinance of the City of Zanesville).

D. Proposed Ordinances

1. **Ordinance No. 2023-22** – Introduced by Council – An Ordinance approving and accepting the new national opioid settlements and declaring an emergency. (Emergency or First Reading)

E. Ordinances for Action

1. **Ordinance No. 2023-15** – Introduced by Council – An Ordinance authorizing the proper city officials to waive fees, provide services, and negotiate sponsorship levels for the American Made Country Music Festival. (Second Reading)
2. **Ordinance No. 2023-16** – Introduced by Council – An Ordinance authorizing the proper city official to increase the salaries of the city of Zanesville Elected Officials. (Second Reading)
3. **Ordinance No. 2023-19** – Introduced by Council – An Ordinance authorizing the Public Service Director to dispose of two metal structures which are obsolete and unfit for municipal purposes in accordance with ORC 721.15. (Second Reading)
4. **Ordinance No. 2023-20** – Introduced by Council – An Ordinance authorizing a maximum schedule of positions for the City of Zanesville's workforce. (Second Reading)

F. Traffic Orders

No Traffic Orders were filed for this meeting.

G. Miscellaneous and Unfinished Business

None

H. Private Petitions and Communications

No Non-agenda item petitions were filed.

The next regular meeting is scheduled for March 13, 2023.

This meeting is open to the public who may attend in person or attend by phone or Internet using the information below.

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ZANESVILLE CITY COUNCIL MEETING – MONDAY, FEBRUARY 13, 2023

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, February 13, 2023 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.

Mr. Vincent: May I have roll call, please?

The following members of Council answered roll call: Mr. Sharrer, Mr. Baker, Mr. Wolfe, Mr. Ware, Miss Bradshaw, Mr. Pettit, Mrs. Osborn, Mr. Foreman, Mr. Roberts, and Mr. Vincent.

APPROVAL OF MINUTES

Mr. Vincent: Okay, moving on now to the minutes from January 23, 2023. What is Council's pleasurer?

Mr. Roberts moved to approve the minutes of January 23, 2023 as written. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion? Hearing none, all in favor of approval of the minutes signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: Motion carries. The minutes stand approved.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Mr. Vincent: Moving now on to Communications, Reports, and Resolutions, which we have none.

PROPOSED ORDINANCES

Mr. Vincent: So we will move on to our Proposed Ordinances. Our first this evening is 2023-11.

Ordinance No. 2023-11 – Introduced by Council – An Ordinance authorizing the proper city official to execute a contract change order for the Francis Street Ditch Improvements Project and declaring an emergency.

Mr. Vincent: Request to waive?

Mr. Sharrer moved to waive the readings. It was seconded by Mrs. Osborn.

Mr. Vincent: Is there any discussion of waiving?

Mr. Roberts: Mr. President?

Mr. Vincent: Mr. Roberts.

Mr. Roberts: This legislation came before the Public Service Committee tonight, and it was recommended by that committee to pass as an emergency.

Mr. Vincent: Thank you, sir. Any other discussion? Let's have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Miss Bradshaw moved for passage. It was seconded by Mr. Pettit.

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

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed. Moving now to Ordinance 2023-12.

Ordinance No. 2023-12 – Introduced by Council – An Ordinance authorizing the City Auditor to pay the invoices of various departments using 2023 money for 2022 invoices and declaring an emergency.

Mr. Vincent: Request to get these waived and paid?

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

Mr. Vincent: Is there any discussion of waiving? Hearing none, we will have roll call vote for waiving of the readings.

ZANESVILLE CITY COUNCIL MEETING MONDAY, FEBRUARY 13, 2023

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Mr. Pettit moved for passage. It was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion? We like to get people paid so they provide us with good service. Let's have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed. Moving now to Ordinance 2023-13.

Ordinance No. 2023-13 – Introduced by Council – An Ordinance authorizing the expenditure of American Rescue Plan Act funding for the purposes of aiding the revitalization of Gant Youth Baseball Stadium.

Mr. Sharrer moved to waive the readings. It was seconded by Mr. Ware.

Mr. Vincent: Is there any discussion of waiving? Is there a time issue with this, Mr. Schley?

Matt Schley: No, but it would allow us to move forward with the project a little bit faster.

Mr. Vincent: Okay, all right. Any other discussion of waiving? Okay, we will have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Mr. Sharrer moved for passage. It was seconded by Mr. Roberts.

Mr. Vincent: Is there any discussion?

Mr. Baker: Mr. President?

Mr. Vincent: Mr. Baker.

Mr. Baker: Matt (Schley), exactly what is the list of things that this is going to entail?

Matt Schley: I am going to defer to Mr. Brown for that. I do know it involves lighting at the stadium.

Mayor Mason: I can give them more detail.

Scott Brown: Please do.

Mr. Vincent: Thank you, Mayor.

Mayor Mason: As you know, we have been working for two years or so to upgrade the Gant Baseball Field. We've been moving forward with new lighting designs so that we can, we're going to pull the lights in a little bit, get basically the required lumens on the field, the candle power. Then we're going to ultimately try to use the, I'll call it the back right, for girls softball. We have enough room there. To the left field side, a co-ed soccer field for adults. I joke about this because adult soccer fields are actually smaller than regulation high school soccer fields for a reason.

Mr. Sharrer: Somebody was smart. (*Laughter in the room.*)

Mayor Mason: But this will fund the lights, a control panel. We've already put up the new barrier to protect cars from balls going into the parking lot. I mean, the best parking lot was along Licking River Road, and you couldn't use it because I know personally, I've had one windshield replaced on my car when my son parked there. So this will be entirely for lights, and is there any of this for restrooms?

Matt Schley: No, this was just lights.

Mayor Mason: But I'd say 9 out of 10 events there are really county events that bring people into the city. If you go to any of the games, I encourage everybody, especially on like Sundays, you're going to see Maysville, Philo, Tri-Valley, New Lex; a lot of schools from outside are playing there. It's a great field. We were heading in this direction and everything was going well. Then all of a sudden the Treasury came out saying it can't go towards stadiums. Well, they were talking about pro stadiums. So we had to make it clear. Matt did the due diligence, made the phone calls, and said basically as long as you call it a youth stadium, not professional, that it's okay. So that's why we're passing the ordinance that makes this clear that we're not playing professional baseball there anytime soon.

Mr. Vincent: Okay, thank you Mayor. Anything else from Council? I know we've looked at this for many years. Mr. Sharrer can probably relate how long it's been.

Mr. Sharrer: I know I've worked on it for four years, and there were others that worked on it prior to me. So it's been going on for several, well it started with Mayor Zwelling's administration. So it's been going on for quite a while.

Mr. Vincent: Thank you, Mr. Sharrer. Anything else from Council? Yes, Mr. Sharrer.

Mr. Sharrer: I just wanted to publicly thank the administration, the Mayor, Matt, and Scott for working on this and getting it done. I mean, when I saw this pop up on our agenda, I was beyond excited and started making phone calls immediately and revving up people. So, thank you very much guys.

Mayor Mason: I just want you to know Matt was very diligent. It's hard to get a good response back from any federal agency, but we were able to get one that satisfactory.

Mr. Vincent: Okay, thank you Mr. Sharrer, and thank you everyone for your involvement. Anything else from Council? Let's have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed. Moving now to Ordinance 2023-14.

Ordinance No. 2023-14 – Introduced by Council – An Ordinance authorizing the expenditure of American Rescue Plan Act funding for the purposes of aiding impacted industries within the Downtown Arts and Culture Overlay.

Mr. Vincent: We're at first reading.

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

Mr. Vincent: Is there any discussion of waiving? Hearing none, we will have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Miss Bradshaw moved for passage. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Mr. President?

Mr. Vincent: Mr. Roberts.

Mr. Roberts: Much like what everybody was just talking about with Gant Stadium lights. This conversation has been ongoing for probably the last four or five years. We as a city had been looking at ways that we can responsibly let downtown business owners know that we're appreciative of the investments that they're making. With the influx of monies from the American Rescue Plan, it gave us an outlet that we could easily do that through. These are proposed to be reimbursable grants, so it's for projects that have already been completed, and it's basically just a thank you for people making investment in downtown.

Mr. Vincent: Okay, thank you, Mr. Roberts. Anything else from Council or administration on this? Okay, we will have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed. Moving now to Ordinance 2023-15.

Ordinance No. 2023-15 – Introduced by Council – An Ordinance authorizing the proper city officials to waive fees, provide services, and negotiate sponsorship levels for the American Made Country Music Festival.

Mr. Vincent: We're at first reading.

Miss Bradshaw moved for first reading. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion? Mayor, do you have an idea on cost on this, what we're maybe looking at? I know there's some variables here that we probably don't know at this point.

Mayor Mason: We have not put together cost. I want you to know exactly what we're thinking. So, this event is conservatively projected to have 5,000 to 7,000 people coming into our city. I believe for many of those people, this will be their first time to Zanesville. And we want to make sure we leave the most positive impression of our town we can. So we're going to be allocating resources to this general area anyway just to help clean it up and make sure everything is operational, everything literally from traffic lights to additional signage to giving people directions and how to get back to the freeway or how to find the facility. Obviously, at times like this, I know the promoters are hiring their own security. They're putting in their own restrooms, port-a-lets and things like that. They're hiring, I believe a total of 18 police officers over a two-day period, is it?

Matt Schley: Four-day period.

Mayor Mason: Four-day period. So, they're taking care of some of their things. But just to give us a leeway of, again, doing additional street cleaning in the area and whatever we can to make sure their first impression of Zanesville is a great impression. We just felt safe if we passed an ordinance just so everybody knows that we really want to bring businesses into our town like this, bringing people into our town. I know that when I've gone to the Secret for some of our shows, I think one was the Travis Tritt, I was surprised. I would ask people, where are you from? You would find a lot of people from Reynoldsburg and Pataskala, up to Canton, and over past Cambridge, all coming here. I think this is going to be really big. When you bring Hank Williams Jr. into Zanesville, you're going to have, I think thousands of people who probably always wanted to see him. This is the closest they're ever going to get to him. And again, we realize we'll have probably at least \$30,000 in admissions tax coming in off the ticket sales, and so we're like sort of reinvesting that back into the area.

Mr. Vincent: So this is a multi-four-day event?

Mayor Mason: Well, it's really all day Saturday, but they're going to be allowed to set up camping on Thursday night and then Friday camping, and I don't know, food trucks, and then hopefully leaving by Sunday. But they're responsible for their own trash and all that. It's just that I know we'll be doing, look you can't bring 7,000 people in and not assume there's going to be trash or something outside of the fairgrounds.

Mr. Vincent: Okay, thank you, Mayor. Anything else from Council?

Mrs. Osborn: Mr. President?

Mr. President: Mrs. Osborn.

Mrs. Osborn: The Commemoration, is that the previous weekend?

Mayor Mason: Yes, it is.

Mrs. Osborn: Okay.

Mayor Mason: This is going to be, and by the way, there's going to be three downtown shows in the month of June. So this is going to be a great June.

Mrs. Osborn: Well, get it cleaned up.

Mr. Vincent: Hopefully the weather will cooperate. Anything else from Council or administration? Okay, we're at first reading, so all in favor of first reading signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: Motion carries. Returns to our next meeting for second reading. We now move to Ordinance 2023-16.

Ordinance No. 2023-16 – Introduced by Council – An Ordinance authorizing the proper city official to increase the salaries of the City of Zanesville Elected Officials.

Mr. Vincent: We're at first reading.

Mr. Roberts moved for first reading. It was seconded by Mr. Sharrer.

Mr. Vincent: Is there any discussion? Mr. Haddox, did you want to share something here, give your background on this?

Mr. Haddox: Yes, so I guess this is kind of my baby a little bit. The reason for the 12 percent is that's kind of a baseline of what we've negotiated with our unions over the last four years, so to be fair to our elected officials, we wanted to extend the same offer. Union members and unaffiliated members have gotten anywhere from a 10 to a 16 percent raise over the last four years through contract negotiations. We thought 12 percent was fair for elected officials. It fell within that scale, and we wanted to be consistent throughout the city.

Mr. Vincent: Okay, thank you, Mr. Haddox. Questions from Council? Okay, with that, I think 10 percent was kind of a base.

Mr. Haddox: Ten percent was the minimum that anyone got and 16 percent being the most. We were conservative and stayed on that lower core tile to be fair.

Mr. Vincent: And the two percent is to keep it up for the next two years because raises cannot occur during a term, correct?

Mr. Haddox: Correct.

Mr. Vincent: And I know that Council is two-year terms. Everyone else, Mayor, Law Director, Treasurer, and Auditor, are four-year terms. I know in the past we kind of got stuck in getting caught up and had some pretty big jumps. Okay, anything else? So, we're at first reading, so all in favor of first reading signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor, except Mr. Pettit who voted nay.

Mr. Vincent: Returns to our next meeting for second reading. We now move on to Ordinance 2023-17.

Ordinance No. 2023-17 – Introduced by Council – An Ordinance authorizing the proper city official to enter into an agreement with Zanesville City Schools.

Mr. Vincent: Okay, we are at first reading.

Mrs. Osborn moved for first reading. It was seconded by Mr. Pettit.

Mr. Vincent: I guess I do have a question here as far as waiving it. This contract actually covers from January 3rd, which we're already into February now, so should this be waived to get this wrapped up?

Scott Brown: Is this Doug's ordinance?

Doug Merry: Is this for the schools?

Mr. Vincent: This is the school resource officers.

Kade Haddox: Yes, that would be great. This is just a routine ordinance for the second half of the school year.

Mrs. Osborn moved to waive the readings. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion of waiving? Like I said, the officers are there, Mr. Merry?

Doug Merry: Yes.

Mr. Vincent: Okay, and this just makes it official.

Doug Merry: This is for the SRO's.

Mr. Vincent: Okay. Let's have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

8 Ayes

0 Nays

1 Abstain (Mr. Foreman)

Mr. Vincent: Motion to waive carries. With that, I need a motion for passage.

Mrs. Osborn moved for passage. It was seconded by Mr. Pettit.

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

Roll call vote for passage.

8 Ayes

0 Nays

1 Abstain (Mr. Foreman)

Mr. Vincent: Motion carries. Ordinance is passed. Now moving on to Ordinance 2023-18.

Ordinance No. 2023-18 – Introduced by Council – An Ordinance authorizing the Public Service Director to advertise for bids and enter into a contract with the lowest and best bidder for the design and construction of the Airport Beacon and Runway REILs Project.

Mr. Roberts moved for first reading. It was seconded by Mr. Baker.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Mr. President?

Mr. Vincent: Mr. Roberts.

Mr. Roberts: I would make a motion to amend section two in the following manner:

- At funding, the addition of a comma after funding;
- Striking **and 10%** and the addition of **5% CARES Act funding comma**;
- Add **5% city funding period**.

Mr. Sharrer: Second.

Mr. Vincent: A motion from Mr. Roberts and seconded by Mr. Sharrer. And that is for a comma after funding, striking **and 10%**, adding in **5% CARES Act funding** (which is already there), **and 5% city funding**. Any questions? With that, all in favor of the amendment signify by saying aye. Those opposed nay. Motion carries. So we're now at Ordinance 2023-18 As Amended.

Mr. Roberts moved to waive the readings. It was seconded by Mrs. Osborn.

Mr. Vincent: Is there any discussion of waiving? Hearing none, let's have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Miss Bradshaw moved for passage. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion?

Mr. Roberts: Mr. President?

Mr. Vincent: Mr. Roberts.

Mr. Roberts: This was discussed, and that amendment was recommended, as well as the waiving, at the Public Service Committee earlier.

Mr. Vincent: Thank you, sir. It's nice we keep investing in our airport.

Mr. Roberts: With other people's money.

Mr. Vincent: Yes, lots of federal help. They must like us. Let's have roll call vote for passage.

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed. We now move on to Ordinance 2023-19.

Ordinance No. 2023-19 – Introduced by Council – An Ordinance authorizing the Public Service Director to dispose of two metal structures which are obsolete and unfit for municipal purposes in accordance with ORC 721.15.

Mr. Vincent: We're at first reading.

Mrs. Osborn moved for first reading. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion?

Mr. Wolfe: Mr. President?

Mr. Vincent: Yes, Mr. Wolfe.

Mr. Wolfe: Just curious. What are these structures?

Scott Brown: Sure, so at the Wilkes Property, or White's Chevrolet property, whichever you remember it to be in the past, there are two metal buildings there. They kind of look like a lean-to, for a lack of a better term. One is in the very, very back that sets behind the now Goodwill, and then there's another metal structure that has a triangle roof that

sets out in front. Those are the two structures that we will auction off. If the public is interested in them, somebody will bid, and then they can take them. If we have no bidders, then we will just dispose of them as scrap metal.

Mr. Vincent: Okay, thank you, Mr. Brown. Does that answer your question (to Mr. Wolfe)?

Mr. Wolfe: Yes, sir.

Mr. Vincent: The one that the building is out front is the one that has like the office underneath the back end of it, so it's out front. A lot of steel beams in there. And then one is clear around in the back. It's a pretty good size.

Mr. Wolfe: Thank you.

Mr. Vincent: Anything else from Council? So, we're at first reading, so all in favor of first reading signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: Motion carries. Returns to our next meeting for second reading. We now move on to 2023-20.

Ordinance No. 2023-20 – Introduced by Council – An Ordinance authorizing a maximum schedule of positions for the City of Zanesville's workforce.

Mr. Vincent: We're at first reading.

Mr. Pettit moved for first reading. It was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion? Mayor, do I turn to you for this to explain a little more on these positions?

Mayor Mason: I'll let Matt discuss details of the two positions.

Mr. Vincent: Okay, thank you Mayor. Mr. Schley, if you could.

Matt Schley: So, what we are proposing is adding a single Associate Planner position and a single Redevelopment Administrator to the Community Development Department. These are both entry-level positions, but they serve critical roles in a lot of projects that Council sees Community Development doing; everything from grant writing to plan reviews to doing the comprehensive plan. What we have found is that we have a lot of work, and quite frankly, we need a little bit more capacity to be able to complete some of the projects that are coming down the pipe over the next 3, 5, 10 years. So, instead of going and adding a supervisor role or something along those lines, we went ahead

and decided we'd bring in two more entry-level people and give some new people an opportunity to work in city government, to be honest with you.

Mr. Vincent: Okay, thank you Mr. Schley. And then just to clarify on here, the maximum strength, the Associate Planner goes from 2 to 3, adding in another position. And then Redevelopment Administrator was at 2 and now goes to 3?

Matt Schley: Yes.

Mr. Vincent: Okay. I think your department has proven itself quite nicely, as far as the work output and grants received, and is to be applauded.

Mayor Mason: And Mr. President, two of the employees in positions now are less than fulltime due to medical reasons. And that's projected to be for quite some time. So, even though a position looks filled, it's not filled at 40 hours a week.

Mr. Vincent: Okay, thank you, Mayor.

Matt Schley: That's a good point. We're basically, we have 1-1/2 Redevelopment Administrators and 1-1/2 Associate Planners.

Mr. Vincent: Okay, so with these two additions you're going to double the number of grants you've been receiving then? (*Laughter in the room.*)

Matt Schley: We will do our best.

Mr. Vincent: Good to set high goals. Anything else from Council? We are at first reading, so all in favor of first reading signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: Motion carries. Returns to our next meeting for second reading. We move now to Ordinance 2023-21.

Ordinance No. 2023-21 – Introduced by Council – An Ordinance authorizing the Public Service Director to advertise for bids and enter into a contract for the installation of two Reading service bodies for the Water Division, as well as dump bodies for the Street Division, Airport Division and Sewer Division.

Mr. Vincent: We're at first reading, but there's a request to waive, I believe?

Mr. Roberts moved to waive the readings. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion of waiving?

Mr. Roberts: Mr. President?

Mr. Vincent: Mr. Roberts.

Mr. Roberts: It was recommended by the Public Service Committee earlier tonight to waive the readings on this to expedite bidding.

Mr. Vincent: Thank you, Mr. Roberts. Anything else from Council? Do we have these truck frames and cabs? Are they in or are they coming?

Scott Brown: We do not have possession of the chassis yet.

Mr. Vincent: Okay, but waiving is going to get it closer to when they arrive to get it all put together?

Scott Brown: Yes.

Mr. Vincent: All right, thank you Mr. Brown. Let's have roll call vote for waiving of the readings.

Roll call vote for waiving of the readings.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion to waive carries. Now I need a motion for passage.

Miss Bradshaw moved for passage. It was seconded by Mr. Pettit.

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

Roll call vote for passage.

9 Ayes

0 Nays

0 Absent

Mr. Vincent: Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Mr. Vincent: We are now at Ordinances for Action, which we have none because we cleared the slate three weeks ago.

TRAFFIC ORDERS

Mr. Vincent: So we now move onto Traffic Orders. Our first traffic order is 2023-01.

Traffic Order 2023-01

Section One: Traffic Order 18-06 is hereby rescinded from No Parking on the east and west side of Mt. Auburn starting at Roosevelt and extending south 542 feet.

Section Two: There is hereby established a No Parking Anytime Zone on the east side of Mt. Auburn Street from Roosevelt to the dead end.

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

Mr. Vincent: Motion to receive?

Miss Bradshaw moved to receive Traffic Order 2023-01. It was seconded by Mr. Pettit.

Mr. Vincent: Is there any discussion? Mr. Merry, can you refresh? I know there were some issues up there with parking and getting out and snow.

Doug Merry: Right, Mr. Felix works in the wintertime down at the fairgrounds. He has trouble getting out in the wintertime when he has to park in the alley. Simply due to logistics, they don't get to the alleys before they get to the streets. There was a concern whether trucks, firetrucks, and ambulances could get through that street if there were people parked there. And we actually took two firetrucks up, parked them side-by-side with no problem. We spoke with Ike from the Street Department. He says they use the smaller trucks on those side streets anyway. He said they perfectly easily could get through there.

Mr. Vincent: So the original thing was no parking both sides was for access of emergency vehicles?

Doug Merry: Correct, but we found that he could park in front of his house with no problem.

Mr. Vincent: Okay, so you've talked with the neighbors then, and everything is good?

Doug Merry: We didn't discuss with anybody else. Did anybody else contact you (to Mayor Mason)?

Don Mason: No. I just want to say Mr. Felix, when I talked with him, is very gentlemanly, very well organized, had a very reasonable request. Because it was either us clear his alley or just keep clearing the street and let him park out front. I thought the latter was the most sensible thing to do.

Mr. Vincent: Okay. I know there were some issues up at the top turning around in people's driveways, and I thought there was some connection there too about parking, where we ended up with no parking on both sides of the street. But I just don't recall what that was.

Mayor Mason: There's a very nice house, actually a couple of very nice houses at the end of the street, which would be to the south side.

Mr. Vincent: Okay. Anything else from Council? The motion and second to receive, so all in favor of receiving signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: Motion carries, stands received. We're now moving on to our second traffic order this evening, Traffic Order 23-02.

Traffic Order 2023-02

Section One: There is hereby established a No Parking Anytime Zone on the west side of Armco Avenue from Tileston Avenue north to Norwood Blvd.

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

Mr. Vincent: Motion to receive?

Mr. Roberts moved to receive Traffic Order 2023-02. It was seconded by Miss Bradshaw.

Mr. Vincent: Is there any discussion? Driving through last night again, just looking at that, I don't think you can park both sides. I don't even know if you could get a car through there, let alone a firetruck.

Doug Merry: It's very narrow.

Mr. Vincent: I assume it was just weaving through and by luck that you could get through I would assume. Anything from Council? All in favor of receiving, signify by saying aye. Those opposed nay.

A voice vote was taken with all being in favor. None were opposed.

Mr. Vincent: The motion carries, stands received.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: So we'll move on to Miscellaneous and Unfinished Business. We'll turn to the Mayor first.

Mayor Mason: I was going to talk about the upcoming June 24th event, which I've already covered the American Made Music Festival, so thank you very much.

Mr. Vincent: The Commemoration and the Summer Concert Series.

Mayor Mason: Let me say this, on March 30th, we're going to have a concert at the Secret. One of the things we're going to announce is the Summer Series. Up until now, I mean, it's a secret, so I can't tell you guys.

Mr. Vincent: Okay, leave us in suspense. That's good.

Matt Schley: David's reviewing the contract currently for the concert on March 30th. We had hoped to have it in time today, but we didn't get the contract until today. So, sorry. I'll send an email when David says it's happening and good to go.

Mr. Vincent: I like the Mayor's version, keep people in suspense. So, looking forward to it. But we have to make sure things are legal and set. Thank you everyone, appreciate it. Anything else from the administration or from Council?

PRIVATE PETITIONS AND COMMUNICATIONS

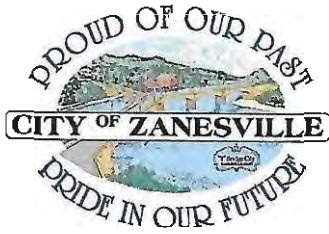
Mr. Vincent: We now move on to Private Petitions and Communications, which we have none.

Mr. Roberts moved to adjourn. It was seconded by Mrs. Osborn. A voice vote was taken with all being in favor of adjournment. None were opposed. The meeting ended about 7:29 p.m.

Mr. Vincent: Motion carries. We stand adjourned. Thank you everyone and have a good evening.

Billie Corns
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council



City of Zanesville Office of Public Safety 401 Market Street, Zanesville, Ohio

43701 (Phone) 740-617-4914

Email: doug.merry@coz.org

Date: 02/22/2023

To: City Council

From: Douglas Merry

Subject: Alarm Policy and Procedure

The Zanesville Police Department has been working under the same False Alarm policy since 1981. It was brought to my attention that it was very out dated as to what the City charges for consistent responses to false alarms in the City. The registration did not change but the charges for multiple responses to the same location was brought up to date.

This is being done to push alarm holders to fix problems with their alarms. It is dangerous to run emergency vehicles to these false calls as well as it ties up the Police Officers and Fire equipment while on these calls. In 2022 we responded to over 800 false alarms. This will hopefully eventually cut down on the false calls. This will save time and money to the City over time and save wear and tear on millions of dollars' worth of equipment that responds to each one of those calls. We ask that this policy be accepted for the Zanesville Police and Fire Departments as required by City Ordinance 149.01 attached.

Thank You

Douglas J. Merry

Douglas J. Merry

Public Safety Director

149.01 ADMINISTRATIVE RULES: FILING, EFFECTIVE DATE, RECORDS.

(a) Unless another method of adopting rules is required by law, any rule, regulation or formal written policies authorized, permitted or required by ordinance, statute or other law, to be promulgated by any City Department, official, board or commission shall be filed in the office of the Clerk of Council.

(b) The Clerk of Council shall maintain a record of the filing of all such rules, regulations and written policies; shall present all such rules, regulations and written policies to Council at its next regular meeting for which the agenda deadline has not passed at the time they were filed with the Clerk; and shall maintain an official record of all rules, regulations and written policies currently in effect in the City.

(c) Any such rule, regulation or written policy shall take effect on the day following the regular Council meeting at which it is presented to Council and ordained at such later date as may be set forth in the rule, regulation or written policy; except that if Council by a majority vote of its members adopts a resolution disapproving such rule, regulation or written policy, it shall not go into effect.

(d) Any rule, regulation or written policy which has been adopted by any City department, official, board or commission prior to the effective date of this section shall be filed with the Clerk of Council within thirty days of the effective date of this section.
(Ord. 85-48. Passed 4-22-85.)

ZANESVILLE POLICE DEPARTMENT

ALARM POLICY AND PROCEDURES

RECEIVED

EFFECTIVE DATE: 01/01/2023

FEB 13 2023

ISSUED BY: Doug Merry, Zanesville City Safety Director

CLERK OF COUNCIL

.....

The Policy and Procedures herein are promulgated by the Director of Public Safety for the administration of the Alarm Monitoring Ordinance and to provide Police and Fire service protection, (see Chapter 758, Codified Ordinance of the City of Zanesville).

SECTION ONE: DEFINITIONS

The following words, terms, and phrases, when used in this document, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Alarm dispatch request means a notification to a law enforcement agency that an alarm, either manual or automatic, has been activated at a particular alarm site.

Alarm installation company means a person in the business of selling, providing, maintaining, servicing, repairing, altering, replacing, moving, or installing an alarm system in an alarm site. This definition shall also include individuals or firms that install and service the alarm systems that will be used in their private or proprietary facilities. However, this does not include persons doing installation or repair work where such work is performed without compensation of any kind (i.e., do-it-yourselfers).

Alarm Registrant means the person or business which has or is applying for an *Alarm Permit* for or as the *Permit Holder*. *Alarm Registrant* and *Permit Holder*, for most situations, will be the same entity.

Alarm Registration Form means the form completed by the *Alarm Registrant* or *Permit Holder* for an *Alarm Permit*.

Alarm permit means authorization granted by the Chief of Police to an alarm user to operate an alarm system.

Alarm site means a single fixed premise or location served by an alarm system or systems. Each unit, if served by a separate alarm system in a multi-unit building or complex, shall be considered a separate alarm site.

Alarm system means a device or series of devices, including, but not limited to, hardwired systems and systems interconnected with a radio frequency method such as cellular or private radio signals, which emit or transmit a remote or local audible, visual or electronic signal indicating an alarm condition and intended to summon law enforcement response, including local alarm systems.

Alarm system does not include the following:

1. An alarm installed in a vehicle or on someone's person unless the vehicle or the personal alarm is permanently located at a site; or
2. An alarm designed to alert only the inhabitants of the premises.

Alarm user means any person who has contracted for monitoring, repair, installation, or maintenance service from an alarm installation company or monitoring company for an alarm system or who owns or operates an alarm system that is not monitored, maintained, or repaired under contract.

Alarm permit fee means the fee structure as determined and outlined herein, which includes new permits and renewals.

Appeal process means the process that a permit holder that is aggrieved by a decision must make by filing a formal request in writing to the Safety Director requesting a change in, or confirmation of, that decision made regarding an alarm issue.

Arming station means a device that allows control of an alarm system.

Automatic voice dialer/automatic alarm notification means any electrical, electronic, mechanical, or other device capable of being programmed to send a prerecorded voice message, when activated, over a telephone line, radio or other communication system to law enforcement.

Burglar alarm notification means the notification intended to summon police, which is initiated or triggered manually or by an alarm system designed to respond to a stimulus characteristic of unauthorized intrusion.

Cancellation means that prior to the law enforcement or fire department response and arrival to the scene, the Alarm Dispatch is terminated by the Alarm User or Alarm monitoring company cancelling the Alarm Dispatch with the Zanesville Police Department or Zanesville Fire Department in the event there is no actual alarm alert situation taking place that requires a law enforcement agency or fire department response.

Certificate of compliance means a written certification from an alarm installation company stating that the alarm system has been inspected and repaired (if necessary) and/or additional training has been conducted by the alarm installation company or law enforcement agency.

Chief means the Chief of police or designated representative and in some circumstances can mean Fire Chief.

City means the City of Zanesville.

Mayor means the duly elected Mayor of the city or his designated representative.

Duress alarm means a silent alarm system signal generated by the entry of a designated code into an arming station in order to signal that the alarm user is being forced to turn off the system and requires law enforcement response.

Emergency Contact Person means one of the persons from a list of *Emergency Contact Person(s)* as is required by the *Permit Holder* to have on record with the Zanesville Police Department or the Fire Department as is appropriate for the purpose of contacting in case of an Alarm notification and the need for an Alarm Dispatch. The *Emergency Contact Person(s)* is chosen by the *Permit Holder* for emergency contact with the purpose of verifying the Alarm call; contact with the Alarm Dispatch personnel through the City of Zanesville Police Dispatch System; contacting key holders or being a key holder; going to the Alarm Site to verify or turn off any Alarms; or meet with Officers in regard to any Alarms that are dispatched.

False alarm notification means an *alarm dispatch request* to a law enforcement or fire department agency when the law enforcement or fire department agency completes a response within 30 minutes of the *alarm dispatch request*, and the responding law enforcement officer or fire department finds from an inspection of the interior and/or exterior of the alarm site no evidence of a criminal offense; attempted criminal offense or fire-hazard situation.

Hearing appeal officer means the Director of Public Safety or his designee.

Holdup/robbery alarm means a silent alarm signal generated by the manual activation of a device intended to signal a robbery in progress or immediately after it has occurred.

Law enforcement authority means the Chief of Police.

License means a license issued by the state department of public safety private security bureau to an alarm installation company and monitoring company to sell, install, monitor, repair, or replace alarm systems.

Local alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of the structure.

Monitoring means the process by which a monitoring company receives signals from an alarm system and relays an *alarm dispatch request* to the municipality for the purpose of summoning law enforcement and/or fire department to the alarm site.

Monitoring company means a person in the business of providing monitoring services.

Offense means operating an alarm system without a valid permit, which shall include a revoked permit or noncompliance where a duty is imposed in this document.

Panic alarm means an audible alarm generated by the deliberate activation of a panic device.

Permit holder means the person designated in the application responsible for responding to alarms and giving access to the site and for proper maintenance and operation of the alarm system and payment of fees.

Person means an individual, corporation, partnership, association, organization, or any legal entity.

Responder means an individual capable of reaching the alarm site within 30 minutes and having access to the alarm site, the code to the alarm system, and the authority to approve repairs to the alarm system. This person may be the same person as the *Emergency Contact Person*.

Revocation means that the *Safety Director* or his designee may at any time revoke, terminate, cancel, or refuse any permit issued or requested to be issued by any *Permit Holder* or *Monitoring Company* for any reason determined by the *Safety Director*.

Safety Director means the person designated by the Mayor of the City of Zanesville to represent the safety forces of said city as required by Ohio Revised Code 737.01.

Verify means an attempt by the monitoring company or its representative to contact the alarm site and/or alarm user by telephone, whether or not actual contact with the person is made, to determine whether an alarm signal is valid before requesting law enforcement dispatch following the alarm verification and notification procedure.

**SECTION TWO:
PERMIT REQUIRED; APPLICATION; TRANSFERABILITY;
FALSE STATEMENTS**

- (a) A person commits an offense if he operates, or causes to be operated, an alarm system without a valid alarm permit issued by the Safety Director or his designee.
- (b) Any person without an existing valid permit for an alarm system on the effective date of this document must apply for a permit within 30 days of the effective date of this document.
- (c) All existing permits will expire on the anniversary date of issuance. Any person with an existing permitted alarm system must complete an application form and remit the required administrative fee within 30 days following the anniversary date the permit was issued or, if such date is unknown, within 30 days following notification by the city.
- (d) Upon receipt of the required administrative fee and completed application form, the Safety Director or his designee shall issue a permit except as otherwise provided herein.

A completed permit application must contain the following information and be complete, true, and accurate in its entirety:

1. The name, address, and telephone number of the permit holder who will be responsible for the proper maintenance and operation of the alarm system and payment of fees assessed under this document;
2. The classification of the alarm site as either residential or commercial, including whether the alarm site is an apartment or suite, and if so, the building number, the suite or apartment number;
3. The purpose of each alarm system located at the alarm site, i.e., burglary, robbery, panic/duress;
4. The name and telephone number of the alarm system monitoring company that has agreed to receive calls for the permitted alarm system, if applicable;
5. Except as otherwise provided herein, at least three names and telephone numbers of *Emergency Contact Persons* (responders) that are able to respond to the alarm premises within 30 minutes of the Alarm call with a key or means of access to the location if needed by law enforcement or fire department;

6. Other information required by the Safety Director that is necessary for the enforcement of this document.
- (e) An alarm permit is non-transferable; however, the individual designated to respond to an alarm (*Emergency Contact Person*) may be changed. A permit holder shall inform the Safety Director, or his designee, in writing, of any changes that alter information listed on the permit application within two business days from the change. No fee will be assessed for such changes.
- (f) All application fees owed by an applicant must be paid before a permit may be issued.
- (g) No permit fee shall be required for any person age 65 or older at the time of such application.
- (h) Pursuant to state law, no permit shall be required for city, state, county, independent school districts, and federal government entities.
- (i) Any false statement or misrepresentation of a material fact made by an applicant or person for the purpose of obtaining an alarm permit or renewal, or while making a change thereto, shall be sufficient cause for refusal to grant a permit, suspension of a permit or revocation of a permit by the police department.

**SECTION THREE:
AUTHORIZATION OF OTHER TYPES OF ALARMS;
AUTHORITY TO PRESCRIBE ADDITIONAL REGULATIONS**

- (a) A person shall not install or maintain an alarm system except to elicit responses to burglaries, robberies, or panic/duress situations unless specifically authorized by the Safety Director.
- (b) If innovations in alarm systems or other types of alarm devices adversely affect the city's emergency services, the Safety Director may promulgate other rules and regulations to protect the city's emergency service.

**SECTION FOUR:
PERMIT FEE**

A nonrefundable permit fee, as determined from time to time by the Safety Director for residential and commercial permits, is required to issue a permit. Permits issued will expire on the last day of the month of expiration. The permit holder is responsible for renewing the permit within 30 days of the permit's expiration date. The alarm permit fee is located in Section Twenty (b). of this Policy and Procedure and is incorporated herein.

**SECTION FIVE:
PENALTIES RELATED TO FALSE ALARMS AND NONCOMPLIANCE**

- (a) If within the preceding 12-month period, eight or more false burglar alarm notifications are emitted from an alarm site, the Chief may revoke the permit of the alarm site (see Section 11 herein).

- (b) The Chief shall assess the permit holder a fee for each false alarm notification emitted from the alarm site. The Safety Director shall determine the fee for each false alarm from time to time, as set out in Section Twenty (b) of this Policy and Procedure.
- (c) A permit holder shall pay a fee assessed under this Section within 30 days after receipt of notice of assessment or pay a penalty fee as determined from time to time by Safety Director.
- (d) The permit holder will be exempt from any fee charged by Section Twenty (b) of this Policy and Procedure for a false alarm notification that is later shown to have been, in the Chief's sole determination, justified or which was due to a natural or manmade catastrophe or other situation specifically exempted by the Chief.
- (e) The alarm company shall pay a fee as determined from time to time by Safety Director in Section 20(b) of this Policy and Procedure for providing the wrong permit information to the responding agency.
- (f) An alarm user shall pay a fee as determined from time to time by Safety Director for failure to provide a responder (*Emergency Contact Person*) within 30 minutes when requested by law enforcement authority or fire personnel authority.
- (g) If cancellation occurs before law enforcement or fire department arrives at the scene, this is not a false alarm for the purposes of this Policy.
- (h) If law enforcement or fire department take longer than 30 minutes to respond to the alarm dispatch request, this is not a false alarm for the purposes of this Policy.

**SECTION SIX:
ALARM SYSTEM OPERATION AND MAINTENANCE**

A permit holder shall:

- (1) Maintain the premises containing an alarm system in a manner that ensures proper operation of the alarm system;
- (2) Maintain the alarm system in a manner that will minimize false alarm notifications;
- (3) Respond, or designate a representative (*Emergency Contact Person*) to respond, within 30 minutes after requested by the city to repair or inactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises;
- (4) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report;
- (5) Notify the police department and fire department before activation of an alarm for maintenance purposes; and
- (6) Adjust the mechanism, or cause the mechanism to be adjusted, so that an alarm signal will sound no longer than 15 minutes after being activated.

**SECTION SEVEN:
REPORTING OF ALARM THROUGH RELAYING INTERMEDIARY**

A permit holder shall not report an alarm signal through a relaying intermediary that does not meet the requirements of this Policy and Procedure, and any rules and regulations promulgated by the Safety Director, or is not licensed by the Ohio Private Investigation and Securities Commission and PISGS (Private Investigator Security Guard Services), or is not the owner of the property.

**SECTION EIGHT:
MONITORING PROCEDURES**

Any alarm company engaged in the business of monitoring alarm systems in the city shall:

- (1) Report alarm signals only using telephone numbers designated by the Chief;
- (2) Before requesting police response and fire response to an alarm signal, verify every alarm signal, except a duress, robbery, or panic alarm activation, by a telephone call to the alarm site and *Emergency Contact Person*;
- (3) When reporting an alarm notification to the city, provide the alarm permit number and address of the alarm site from which the alarm notification originated, as well as attempted contacts made with all Emergency Contact Persons.

**SECTION NINE:
DUTIES OF AN ALARM COMPANY**

- (a) On the installation or activation of an alarm system, an alarm systems company shall distribute to the occupant of the alarm system location information summarizing:
 1. The applicable law relating to false alarms, including the potential for penalties and revocation or suspension of a permit;
 2. How to prevent false alarms; and
 3. How to operate the alarm system.
- (b) An alarm system company shall notify the *Chief* of an installation or activation of an alarm system no later than the 30th day after the date of the installation or activation. In addition, the alarm systems company shall provide the municipality with the following:
 1. The alarm systems company name;
 2. The alarm systems company license number;
 3. The name of the occupant of the alarm system location;
 4. The address of the alarm system location; and

5. The date of installation or activation.

(c) An alarm systems company commits an offense if the company violates subsection (a) or (b).

**SECTION TEN:
ALARM RESET**

A permit holder of an alarm system that utilizes a local alarm shall adjust the mechanism or cause the mechanism to be adjusted so that, upon activation, the local alarm will not transmit another alarm signal without first being manually reset.

**SECTION ELEVEN:
GROUNDS FOR DENIAL OF PERMIT OR REVOCATION**

(a) Grounds for denial of a permit.

1. The Safety Director or his designee shall not issue a permit to the applicant if one or more of the following conditions are present:
 - a. The applicant fails to provide all of the information requested on the application or submits an incomplete application;
 - b. The applicant gives false, misleading, or untrue information of material fact on the application;
 - c. The operation, as proposed by the applicant, would not comply with all applicable laws, including, but not limited to, this Policy or the city building, zoning, or health codes; or
 - d. The applicant has failed to pay any fee assessed pursuant to this document that is due and owing.
2. Denial of an alarm system permit shall be effected by written denial, setting forth the grounds for rejection and sent certified mail, return receipt requested.

(b) Grounds for revocation of a permit.

1. The Safety Director or his designee may revoke an alarm permit if he determines that:
 - a. The permit holder, or his designated agent, has given false, misleading, or untrue information of material fact in any record or report required by this document;
 - b. The permit holder fails to maintain the alarm system in accordance with the requirements of this Policy;

- c. The operation of the alarm system by the permit holder has demonstrated a history of unreliability, as outlined in subsection (c) of this Section; or
 - d. There have been eight or more false alarms during the preceding 12-month period.
 - e. Failure to pay permit fees and/or permit late fees in a timely manner;
2. A person commits an offense if he operates an alarm system during the period in which the alarm permit has been revoked.
 3. Safety Director may revoke a permit at any time upon his determination with a written 30-day notice by certified mail to the permit holder. Upon Revocation, all fees shall become due and payable immediately. Any fees unpaid in a timely manner will be subject to legal process.

(c) Grounds for nonrenewal of a permit.

1. The alarm system has a history of unreliability, and the applicant has failed to make alterations or corrections to the system to reasonably assure abatement of false alarms.

Any alarm system generating eight or more false alarm notifications within a preceding 12-month period shall be presumed unreliable, and the alarm permit has been revoked or suspended after the city provides 30 days' written notice to the permit holder.

2. A person commits an offense if he operates an alarm system during the period in which his alarm permit has not been renewed.
3. Any prior Revocation shall be taken into consideration before issuing any further permits to a Permit Holder. The Safety Director or his designee shall decide whether to withhold permit renewal.

(d) Alarm Dispatch without Alarm Permit

1. All Alarm Dispatch events with or without an Alarm Permit shall refer to Section Twenty: Violations; Penalties, regarding any fees which may become due and payable.

2. Revocation, cancellation or denial of an Alarm Permit or the Failure to apply for an Alarm Permit in the City of Zanesville shall not preclude or hamper in any way the law enforcement or fire department response to an Alarm Dispatch.

**SECTION TWELVE:
REINSTATEMENT OF A PERMIT**

(a) A person whose alarm permit has been revoked may have the permit reinstated if the person:

1. Submits an updated application and pays a permit reinstatement fee as determined from time to time by the Safety Director in accordance with this document; and

2. Presents evidence the problem with the alarm system has been corrected.
- (b) A permit that has been reinstated shall expire on the same date it was originally set to expire.
 - (c) Reinstatement of a permit shall be at the sole discretion of the Safety Director.

**SECTION THIRTEEN:
APPEAL FROM PENALTY FEE, DENIAL, OR REVOCATION OF A PERMIT**

- (a) Any applicant, permit holder, alarm installation company, or monitoring company aggrieved by the decision to assess a penalty fee by the Safety Director or his designee may appeal the decision to the Safety Director or his designee by filing with the Safety Department secretary a written request for a hearing, setting forth the reasons for the appeal within ten days after the Safety Director or designee renders the decision. The filing of a request for an appeal hearing with the Safety Department's secretary stays the action of the Safety Director in assessing a penalty fee until the hearing officer makes a final decision. If a request for an appeal hearing is not made within the ten-day period, the action of the Safety Director is final.

If the Safety Director or his designee refuses to issue or revokes a permit, he shall send to the applicant or permit holder by certified mail return receipt requested, written notice of his action, and a statement of the right to an appeal. The applicant or permit holder may appeal the decision of the Safety Director to the Safety Director by filing with the Safety Department's secretary a written request for a hearing, setting forth the reasons for the appeal, within ten days after receipt or the notice from the Chief of police. The filing of a request for an appeal hearing stays an action of the Safety Director in revoking a permit until the hearing appeal officer makes a final decision. If a request for an appeal hearing is not made within the ten-day period, the action of the Safety Director is final.

**SECTION FOURTEEN:
NOTIFICATION**

The alarm user shall be notified in writing by certified mail or other legal process service when the alarm permit will be revoked. The notification shall include the following:

- (1) All reasons determined by the Safety Director or his designee in the determination to Revoke the permit.
- (2) All reasons to Revoke the permit relating to the eighth false alarm, excluding duress, holdup, and panic alarms; and
- (3) A description of the appeal procedure available to the alarm user.

**SECTION FIFTEEN:
INDIRECT ALARM REPORTING**

A person who is engaged in the business of relaying alarm notifications to the city shall:

- (1) Communicate alarm notifications to the city in a manner and form determined by the Safety Director;
- (2) Provide a local or toll-free call-back telephone number when requested by the police and fire department;
- (3) Contact a representative of the alarm site when requested by the police department or fire department; and
- (4) Comply with all other requirements of this document and any rules and regulations promulgated by the Safety Director

**SECTION SIXTEEN:
DIRECT ALARM REPORTING**

An alarm system other than an alarm system in a local, state, or federal governmental entity or in a financial institution, which transmits automatic alarm notifications directly to the police department or fire department, shall be prohibited.

**SECTION SEVENTEEN:
ALARM SYSTEM OPERATING INSTRUCTIONS**

A permit holder shall maintain at each alarm site a complete set of written operating instructions for each alarm system. These instructions must not include special codes, combinations, or passwords.

**SECTION EIGHTEEN:
ALARM RECORDS**

- (a) The communication employee receiving the alarm notification shall cause to be recorded such information as necessary to permit the Chief to maintain records, including, but not limited to, the following information:
 1. Identification of the permit holder;
 2. The alarm permit number;
 3. Identification of the alarm site;
 4. The communication received time, dispatch time, and personnel arrival time;
 5. The date of occurrence;
 6. The disposition of the alarm call;
 7. The name of the permit holder's representative on premises, if any; and
 8. Changes to or contact with any Emergency Contact Persons.

- (b) The responding law enforcement and/or fire department personnel shall prepare and submit appropriate reports concerning any events that contributed to the alarm notification as determined by the investigation.

**SECTION NINETEEN:
SYSTEM PERFORMANCE REVIEWS AND APPEALS**

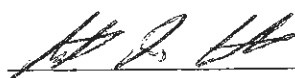
- (a) If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation, the Chief may require a conference with an alarm permit holder to review the circumstances of each alarm notification before consideration of penalties.
- (b) If there is the belief that an alarm is the result of circumstances beyond the reasonable control of the permit holder, the permit holder or the permit holder's representative may request a conference with the Chief.
- (c) If the Safety Director determines that an alarm is the result of circumstances within the reasonable control of the permit holder, the permit holder or the permit holder's representative may appeal his decision as set out in the appeal process in Section Thirteen

**SECTION TWENTY:
VIOLATIONS; PENALTY**

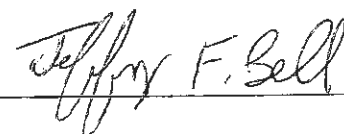
- (a) An alarm company, an alarm permit holder, or a person in control of an alarm system commits an offense if he violates any provision of this document that imposes upon him a duty or responsibility.
- (b) A person who violates a provision of this document is guilty of a separate offense for each year or portion of a year in which the violation is committed or continues, and each offense is punishable by a fine not to exceed \$200.00 as follows:
 - 1. For the first offense: \$50.00;
 - 2. For the second through eighth offense: \$100.00; and
 - 3. For each subsequent offense: \$200.00.
- (c) In addition to prohibiting or requiring certain conduct of individuals, this document intends to hold a corporation, partnership, or other association criminally responsible for acts or omissions performed by an agent acting on behalf of the corporation, partnership, or other association, and within the scope of employment. A person or business utilizing an alarm system shall maintain at each alarm site a complete set of written operating instructions for each alarm system. These instructions must not include special codes, combinations, or passwords.
- (d) The above Section (b) only applies to alarm companies, alarm permit holders, or persons in control of an alarm who have a valid permit. If any of the above are operating a system and do not have a valid permit, they shall be fined \$200.00 per offense.

**SECTION TWENTY-ONE:
GOVERNMENTAL IMMUNITY**

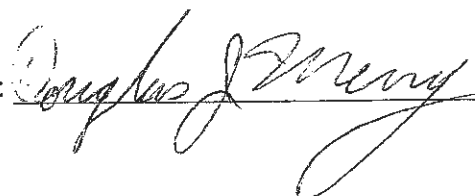
The issuance of an alarm permit and/or the provisions outlined in this document are not intended to, nor do they create a contract, duty, or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to an alarm notification is hereby disclaimed, and governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user acknowledges that law enforcement response and/or fire department response may be influenced by factors such as the availability of police units, fire units, priority of calls, weather conditions, traffic conditions, emergency conditions, and staffing levels.

Chief of Police: 

Date: 2-6-2023

Fire Chief: 

Date: 2/6/2023

Safety Director: 

Date: 2/6/2023

David Tarbert
City Law Director

Ordinance No.: 2023 - 22

**AN ORDINANCE APPROVING AND ACCEPTING THE NEW
NATIONAL OPIOID SETTLEMENTS AND DECLARING AN
EMERGENCY**

WHEREAS, the City of Zanesville is potentially eligible to receive payments from the New National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart; and

WHEREAS, the settlement resources will be used for eligible expenses that address healthcare needs stemming from the opioid crisis, in accordance with the OneOhio memorandum of understanding related to OneOhio Abatement Strategies including Community Recovery, Statewide Innovation & Recovery, and Sustainability, and Auditor of State Bulletin No. 2022-003; and

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

Section 1 That the Law Director is authorized to execute settlement documents so the City may participate in the New National Opioid Settlements with Teva, Allergan, CVS, Walgreens, and Walmart with such funds to be spent on eligible expenses pursuant to the OneOhio memorandum of understanding related to OneOhio Abatement Strategies including Community Recovery, Statewide Innovation & Recovery, and Sustainability.

Section 2 That the Director of Finance is hereby authorized to accept annual settlement payments and deposit them into Opioid Settlement Fund 356.

Section 3 That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Section 1 and 2 hereof.

Section 4 That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall be effective immediately. The reason for the emergency is the immediate need to accept the funding and comply with the guidance established by the Auditor of State to address the opioid crisis in this community.

Ordinance No.: 2023 - 22

PASSED: _____, 2023

Billie Corns
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2023

This legislation approved as to form:

Donald L. Mason, Mayor

Law Director's Office

Don Mason
Mayor

**ORDINANCE NO. 2023 - 15
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIALS TO WAIVE FEES, PROVIDE SERVICES, AND NEGOTIATE SPONSORSHIP LEVELS FOR THE AMERICAN MADE COUNTRY MUSIC FESTIVAL

WHEREAS, Dusty Guitar has announced that the American Made Country Music Festival is scheduled to take place on June 24th, 2023; and

WHEREAS, The City of Zanesville anticipates that this event will draw between 5,000 and 7,000 visitors to the City; and

WHEREAS, The scope and nature of this event will require additional public services beyond the scope of what is considered the normal use of the property; and

WHEREAS, The City of Zanesville recognizes that the economic impact of this event will be beneficial to the residents of the City; and

WHEREAS, The City is anticipated to collect \$30,000 from the Special Event Tax as outlined in Chapter 183 of the City of Zanesville Codified Ordinances; and

WHEREAS, The City desires to partner with and aid in the successful implementation of this event.

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

SECTION ONE: The Proper City Official(s) and City Department(s) are hereby authorized to waive any and all fees associated with increased services for this event. Services that are provided to Dusty Guitar are subject to staffing levels and shall not detract from the overall public health, safety, and wellbeing of the residents of the City.

SECTION TWO: The Proper City Official(s) are hereby authorized to negotiate the level of sponsorship the City will receive for providing services to this event. At a minimum, this shall include marketing materials and inclusion on the sponsorship list.

SECTION THREE: Dusty Guitar shall not be exempt from the Admissions Tax as outlined in Chapter 183 of the City of Zanesville Codified Ordinances. This tax shall be collected pursuant to Chapter 183.04 of the Codified Ordinances.

SECTION FOUR: This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that

ORDINANCE NO. 2023 - 15

all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

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

PASSED: _____, 2023

Billie Corns
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2023

This legislation approved as to form:

Donald Mason, Mayor

Law Director's Office

Ways & Means Committee
Rob Sharrer, Chair

ORDINANCE NO. 2023 – 16
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO INCREASE THE SALARIES
OF THE CITY OF ZANESVILLE ELECTED OFFICIALS

WHEREAS, newly elected officials of the City will be seated January 1, 2024; and

WHEREAS, recommended salaries for the City's Elected Officials for the period January 1, 2024 through December 31, 2027 are listed below.

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

SECTION ONE: The proper city official is authorized to increase the City's Elected Officials' wages January 1, 2024 in accordance with the schedule below:

Position	Current Salary 2023	January 2024 Thru December 2027
City Auditor	\$ 58,025.24	\$ 64,988.27
City Treasurer	\$ 58,025.24	\$ 64,988.27
Council Members	\$ 10,431.20	\$ 11,682.94
Council President	\$ 11,683.10	\$ 13,085.07
Law Director	\$ 65,995.02	\$ 73,914.42
Mayor	\$ 77,371.06	\$ 86,655.59

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

PASSED _____, 2023

ATTEST: _____
Billie Corns
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2023

This legislation approved as to form:

Donald L. Mason

Law Director's Office

Department of Public Service
Scott Brown, Director

**ORDINANCE NO. 2023 - 19
INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE PUBLIC SERVICE DIRECTOR TO DISPOSE OF
TWO METAL STRUCTURES WHICH ARE OBSOLETE AND UNFIT FOR MUNICIPAL
PURPOSES IN ACCORDANCE WITH ORC 721.15**

WHEREAS, §721.15 of the Ohio Revised Code authorizes the Public Service Director to sell property unneeded, obsolete or unfit for municipal purposes valued at over \$1,000 by competitive bid; and

WHEREAS, the City has identified two metal structures, owned by the City, that are unfit for municipal use (the “Structures”); and

WHEREAS, the Structures are located on West Main Street in the City of Zanesville, on Parcel Number 83-28-02-01-000; and

WHEREAS, the Structures have an estimated combined value of greater than \$1,000; and

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

SECTION ONE: The Public Service Director is hereby authorized to dispose of the Structures, after proper advertising and competitive bid, pursuant to the provisions of R.C. §721.15.

SECTION TWO: It shall be made clear in the bid documents that this sale is for the Structures only and to include removal costs by the successful bidder, but shall not include any real property.

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

PASSED: _____, 2023

ATTEST: _____
Billie Corns,
Clerk of Council

Daniel M. Vincent,
President of Council

APPROVED: _____, 2023

This legislation approved as to form:

Donald L. Mason, Mayor

Law Directors Office

Mayor
Donald L. Mason

ORDINANCE 2023 - 20
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING A MAXIMUM SCHEDULE OF POSITIONS FOR THE
CITY OF ZANESVILLE'S WORKFORCE

WHEREAS, Ordinance #2022-131 (as amended) presently governs authorized workforce positions for the various City offices and departments; and

WHEREAS, a periodic update of the Maximum Strength Ordinance is necessary to incorporate changes made necessary by the operational needs of the City; and

WHEREAS, the City would not be permitted to pay its employees without Council amending the authorized workforce positions.

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

SECTION ONE: The following maximum schedule of positions for the various city offices and departments, effective with the passage of this ordinance, be and hereby is authorized. Each of the following sections, numbered 101-1021, etc., is hereby declared to be a separate and distinct section for the purposes of this ordinance.

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
101-1121	PUBLIC SAFETY:	
	Parking Enforcement Officer (Seasonal)	1
	Public Safety Director	1
101-3281	PARKS:	
	Crew Supervisor (Recreation)	1
	Crew Supervisor (Recreation) (upgrade only)	1
	Maintenance Worker	4
	Maintenance Worker (Seasonal)	7
	Maintenance Worker Trainee	1

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
101-4381	BUILDING & CODE ENFORCEMENT:	
	Administrative Secretary to the Safety Director	1
	Building Inspector	1
	City Architect	1
	Code Enforcement Officer/Building Inspector	1
	Code Enforcement Officer	2
	Code Enforcement Officer/ Weed, Litter and Property Preservation Manager	1
	Weed and Litter Control Laborer	1
	Crew Supervisor (Seasonal)	2
	Maintenance Worker (Seasonal)	6
101-7661	MAYOR:	
	Executive Secretary	1
	On-Call Administrative Assistant (on-call)	2
101-7681	AUDITOR:	
	Accounting Specialist	1
	Auditing Specialist	1
	Deputy Auditor	1
101-7682	TREASURER:	
	Deputy Income Tax Administrator	1
	Deputy Treasurer	1
	Income Tax Administrator	1
	Income Tax Auditor/Investigations	1
	Income Tax Clerk II	2
	Income Tax Clerk III	1
	Payroll Manager full-time	1
101-7691	LEGAL DEPARTMENT:	
	Assistant Law Directors (80% of wages paid by City):	
	Civil	1
	Prosecutions	1
	Paralegal (70% of wages paid by City)	1
	Victim/Witness Coordinator (100% paid by City)	1
101-7705,-7791	PUBLIC SERVICE ADMINISTRATION:	
	Administrative Secretary to Public Service Director	1
	City Engineer	1
	Assistant City Engineer	1
	Deputy Director/Public Service	1
	Engineering Technician	1
	GIS Specialist	1
	Public Service Director	1

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
101-7712	CITY COUNCIL: Clerk of Council	1
101-7721	MUNICIPAL COURT: Court Bailiff (60% of wages paid by City) Deputy Court Bailiff Deputy Court Clerk Municipal Court Clerk (60% of wages paid by City) Municipal Court Bookkeeper (part-time)	1 1 3 1 1
101-7771	CIVIL SERVICE COMMISSION: Civil Service Employment Coordinator	1
101-7781	CITY HALL: Custodial or Maintenance Worker	1
101-7782	CITY MAINTENANCE: City Maintenance Supervisor General Service Worker HVAC Technician/Plumber	1 3 1
101-1021	CITY TRAFFIC Traffic Signal Supervisor/Programmer Traffic Signal Crew Leader Traffic Signal Technician I Master Electrician	1 1 2 1
101-7861	HUMAN RESOURCE DEPARTMENT: Human Resource Manager	1
101-7862	IT DEPARTMENT: Information Technology Administrator IT Network Engineer IT Technician	1 1 1
101-7863	BUDGET & FINANCE: Budget & Finance Director	1
101-7864	PURCHASING: Purchasing Coordinator	1

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
201-1111 to 201-1115	POLICE:	
	Communications Operator	11
	General Police Secretary	2
	Custodial or Maintenance Worker	1
	Police Captain	2
	Police Chief	1
	Police Lieutenant	3
	Police Officer	49
	Police Officer (6-month training, Max 13 pay periods)	2
	Police Records Clerk	4
	Police Sergeant	4
	Secretary to Police Chief	1
	Property Room & Impound Clerk	1
	202-6541,-6571,-6651,-6991	STREETS:
Maintenance Worker		8
Maintenance Worker (Seasonal)		7
Maintenance Worker Trainee		1
Secretary to the Street and Refuse Superintendent		1
Sign Painter		2
Sign Painter (upgrade only)		1
Street Maintenance Supervisor		1
Street and Refuse Superintendent		1
Vehicle Operator		5
Vehicle Operator (upgrade only)		2
250-1191	JAIL:	
	Assistant Jail Administrator	1
	Corrections Officer	23
	Corrections Officer (6 month training)	1
	Jail Administrator	1
Senior Corrections Officer (upgrade only)	1 per shift	
260-1161	PROBATION:	
	Chief Probation Officer	1
	Secretary to Probation Officer	1

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
270-1041	FIRE:	
	Assistant Fire Chief (56 hr.)	3
	Assistant Fire Chief (40 hr.)	1
	Fire Chief	1
	Fire Fighter	42
	Fire Fighter (6-month training, Max 13 pay periods)	2
	Fire Fighter/EMT – Basic (Upgrade Position)	2
	Fire Fighter/EMT – Intermediate (Upgrade Position)	2
	Fire Fighter – Paramedic (Upgrade Position)	2
	Fire Lieutenant	9
	Fire Lieutenant/EMT – Basic (upgrade Position)	2
	Fire Lieutenant/EMT – Intermediate (Upgrade Position)	2
	Fire Lieutenant – Paramedic (Upgrade Position)	2
	Secretary to the Fire Chief	1
304-4361	COMMUNITY DEVELOPMENT:	
	Administrative Secretary to CD Director	1
	Associate Planner	3
	Community Development Director	1
	Fair Housing Coordinator (Upgrade Position)	1
	Planning & Zoning Administrator	1
	Redevelopment Administrator	3
601-6611	AIRPORT:	
	Airport Attendant	1
	Airport Manager (part-time)	1
	Maintenance Worker (Seasonal)	1
	Maintenance Worker Trainee	1
602-2171	CEMETERY:	
	Cemetery & Parks Superintendent	1
	Maintenance Worker	2
	Maintenance Worker (Seasonal)	6
	Maintenance Worker Trainee	1
	Secretary to Parks & Cemeteries Superintendent	1
	Vehicle Operator	1
	Vehicle Operator (upgrade only)	1

SECTION

NUMBER OF
CLASSIFICATIONS
BY DIVISION

603-5470,-5471,-5472,-5473 **WATER:**

Maintenance Worker	10
Maintenance Worker (Seasonal)	3
Maintenance Worker Trainee	1
Plant Maintenance Mechanic	1
Public Service Auditor	1
Secretary to the Water Superintendent	1
Utilities Billing Clerk I	3
Utilities Billing Clerk I (Part-Time)	1
Utilities Billing Clerk II	1
Utilities Billing Clerk III	1
Utilities Billing Supervisor	1
Vehicle Operator	6
Vehicle Operator (upgrade only)	6
Water Lab Analyst	1
Water Crew Leader	2
Water Supervisor	1
Water Plant Operator	4
Lead Water Plant Operator	1
Water Superintendent	1

604-5451,-5452

SEWER:

Deputy Wastewater Superintendent	1
Environmental Coordinator	1
Industrial Wastewater Technician I	1
Industrial Wastewater Technician I (upgrade position)	1
Industrial Wastewater Technician II	1
Industrial Wastewater Technician II (upgrade position)	1
Maintenance Worker	5
Maintenance Worker (Seasonal)	5
Maintenance Worker Trainee	1
Plant Maintenance Mechanic	4
Plant Maintenance Mechanic (upgrade position)	4
Plant Maintenance Mechanic Foreman	1

<u>SECTION</u>		<u>NUMBER OF CLASSIFICATIONS BY DIVISION</u>
604-5451,-5452	SEWER CON'T:	
	Secretary to the Wastewater Superintendent	1
	Sewer /Drainage Maintenance Crew Leader	1
	Sewer/Drainage Maintenance Supervisor	1
	Sewer/Drainage Technician	1
	Vehicle Operator	4
	Vehicle Operator (upgrade position)	2
	Wastewater Field Technician	1
	Wastewater Field Technician (upgrade position)	1
	Wastewater Laboratory Analyst	1
	Wastewater Laboratory Supervisor	1
	Wastewater Plant Operator	5
	Lead Wastewater Plant Operator	1
	Wastewater Superintendent	1
608-5462	STORM SEWER:	
	Storm Water Program Manager	1
620-3261	SECRET AUDITORIUM:	
	Maintenance Worker (Seasonal)	1
	Secret Auditorium and Entertainment Director	1
	Administrative Assistant to Auditorium Manager	1
	Marketing and Events Coordinator (part-time)	1
	Stage Technician	15
	Technical Director	1
	Stage Hand/Custodian	30
650-5481	REFUSE:	
	Litter/Recycling Coordinator (upgrade only)	1
	Maintenance Worker (Seasonal)	4
	Maintenance Worker Trainee	1
	Refuse Collection Crew Leader	5
	Refuse Collection Crew Leader (upgrade only)	4
	Refuse Collection Supervisor	1
	Refuse Collector	10

SECTION

NUMBER OF CLASSIFICATIONS BY DIVISION

700-7631

VEHICLE AND EQUIPMENT MAINTENANCE:

Fleet Manager	1
Maintenance Garage Coordinator	1
Maintenance Worker (Seasonal)	2
Maintenance Worker Trainee	1
Vehicle Mechanic	4
Vehicle Mechanic (upgrade only)	1
Vehicle Service Worker	1

SECTION TWO: Ordinance #2021-131 (as amended) and any other ordinances or resolutions or any part of an ordinance or resolution inconsistent herewith is hereby repealed.

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

PASSED: _____, 2023

Billie Corns,
Clerk of Council

Daniel M. Vincent,
President of Council

APPROVED: _____, 2023

This legislation approved as to form:

Donald L. Mason,
Mayor

Law Director's Office