

**City Council meeting
Agenda of business
January 27, 2020**

The Lord's Prayer

Pledge of Allegiance to the flag

Item
no.

A. Roll call

B. Approval of minutes

C. Communications, reports, and resolutions

1. Communication from Mayor Donald Mason-Downtown Design Review Board- Mayor Mason is hereby recommending the reappointment of Mark Baker to the Downtown Design Review Board. Mr. Baker's term will expire December 31, 2021.
2. Communication from Mayor Donald Mason- Zanesville Community Improvement Corporation-Mayor Mason is hereby recommending the reappointment of Susan Jones, Andrew Roberts, Gretchen Sayre, and Daniel Vincent to the Zanesville Community Improvement Corporation Board of Directors. The terms for Ms. Jones, Mr. Roberts and Ms. Sayre will expire December 31, 2022. Mr. Vincent's term will expire December 31, 2021.
3. Communication from Mayor Donald Mason-Shade Tree Commission – Mayor Mason is hereby recommending the reappointment of Robert Boehle and Don Dal Ponte to the Shade Tree Commission. Mr. Boehle's term will expire October 4, 2021. Mr. Dal Ponte's term will expire January 28, 2022.
4. Communication from Mayor Donald Mason-Zanesville Planning Commission and Board of Zoning Appeals – Mayor Mason is hereby recommending the appointment of Mandy Jennings to the Planning Commission to complete the unexpired term of Vincent Russo. Ms. Jennings' term will expire December 31, 2020.

Further, Mayor Mason is hereby recommending the appointment of Mandy Jennings, as a member of the Planning Commission, to serve on the Board of Zoning Appeals replacing Vincent Russo. Ms. Jennings' term will expire December 31, 2020.

5. Communication from Mayor Donald Mason-Historic Preservation Board – Mayor Mason is hereby recommending the appointment of Michael Bullock and the reappointment of Ann Gildow to the Historic Preservation Board. Mr. Bullock’s term will expire January 27, 2025. Ms. Gildow’s term will expire December 31, 2021.
6. Communication from Scott Brown, Interim Public Service Director -2019 Municipal Airport’s 4th Quarter Report.
7. Communication from Scott Brown, Interim Public Service Director -2019 Municipal Airport’s Year-End Report.
8. Resolution No. 20-03 – Introduced by Council – A Resolution authorizing the sale, by internet auction during calendar year 2020, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired. (Second Reading)
- 9.

D. Proposed ordinances

10. Ordinance No. 2020-08 – Introduced by Council – An Ordinance enacted by the City of Zanesville of Muskingum County, Ohio for cleaning of the bridge carrying SR 555 over the Muskingum River in the City of Zanesville. (First Reading)
11. Ordinance No. 2020-09- – Introduced by Council – An Ordinance establishing rates of pay and benefits for Seasonal Employees and Employees engaged in stage and technical support at Secrest Auditorium. (First Reading)
12. Ordinance No. 2020-10 – Introduced by Council – An Ordinance repealing Ordinance No. 19-140, and authorizing the Proper City Official to submit an application for a 2020 Certified Local Government Program Grant and declaring an emergency. (Emergency or First Reading)
13. Ordinance No. 2020-11 – Introduced by Council – An Ordinance authorizing the Community Development Director to execute an agreement with the Muskingum Soil and Water Conservation District. (First Reading)
14. Ordinance No. 2020-12 – Introduced by Council – An Ordinance authorizing the Community Development Director to execute a Gift Agreement with the Muskingum County Farm Bureau. (First Reading)
15. Ordinance No. 2020-13 – Introduced by Council – An Ordinance authorizing the Proper City Official to enter into an amended Historic Property Investment Agreement in connection with the Zane-Zenith Downtown Redevelopment District. (First Reading)

16. Ordinance No. 2020-14 – Introduced by Council – An Ordinance authorizing the City to enter into Energy Savings Contracts with ABM Technical Solutions, LLC. (First Reading)

17. Ordinance No. 2020-15 – Introduced by Council – An Ordinance authorizing the City to enter into a Tax-Exempt Municipal Lease for the funding of Energy Conservation Measures in the city provided by ABM Technical Solutions, LLC. (First Reading)

18. Ordinance No. 2020-16 - Introduced by Council – An Ordinance authorizing the City Auditor to pay the invoices of various departments using 2020 money for 2019 invoices and declaring an emergency. (Emergency or First Reading)

E. Ordinances for action

19. Ordinance No. 20-05 – Introduced by Council – An Ordinance authorizing the proper City Official to dispose of City property. (Second Reading)

F. Traffic orders

None were filed for this meeting.

G. Miscellaneous and unfinished business

H. Private petitions and communications

Non-agenda item petitions filed

Mr. Joe Temple, 533 Merrick Ave, Zanesville, Ohio speaking about City Code people.

Public Hearing

A Public Hearing was held at 6:05 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request by the City of Zanesville to amend the City of Zanesville's Comprehensive Implementation Index. All testimony for and against will be heard.

Present at this hearing were Nicolette Pizzuto and Andrew B. Campbell of WHIZ-TV; Tom Robertson, Zanesville Times Recorder reporter; Matthew Schley, Planning and Zoning Administrator; William Arnett, Community Development Director; Councilmembers Sandy Gentry, Todd E. Ware, Jan Bradshaw, Ann Gildow; Joey Osborn, J. Rob Sharrer, Steven Foreman, and Mark Baker; Council President Daniel Vincent; and Clerk of Council Susan Culbertson.

Mr. Vincent: Good evening everyone. I would like to call our first public hearing to order and I will turn it over to Matthew Schley.

Matthew Schley: Thank you, Mr. Vincent, for having me today and the rest of Council. This is for Ordinance 19-148 which is for the Comprehensive Plan Implementation Index update. The Comprehensive Plan Implementation Index is a road map to goals and places the City wants to be in the next ten years. Part of getting there involves looking at what the goals are and then seeing if we have obtained those goals. How we have obtained those goals and then where we are lacking and when we would believe we will obtain those goals? During the November 19th, 2019 meeting of the Planning Commission a copy of the Implementation Index with numerous updates was presented to the Planning Commission. Those updates came from Public Safety, Public Service, Community Development, and various City departments where the Comprehensive Plan fits and where we follow it. Those updates were given to the Planning Commission members and they transmitted it to Council with a recommendation of approval. Then this was heard at the Community Development Committee in December where it was presented and it was also transmitted to Council with a recommendation for approval. The big thing is this shows where the City has done well and where the City hasn't done quite as well, but gives us steps on where and when we are going to get there. Are there any questions?

Mr. Vincent: Are there any questions from Council? Is there anything else?

Matthew Schley said not with this one.

Mr. Vincent: With that, Council has that information in front of them and has probably read through and reviewed what has happened.

Matthew Schley: It is a fairly large document.

Mr. Vincent: Do we have anyone here to speak for this? Is there anyone to speak against it?

No one came forward for either option.

Mr. Vincent: This is the last call for anyone to speak on anything related to this. Okay, no other comments, so with that we will call this Public Hearing to a close at 6:07. Our next one will start at 6:15 p.m.

Public Hearing

A Public Hearing was held at 6:15 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request to rezone Auditor's parcel numbers 84-18-06-02-000 and 84-18-06-01-000 and amend and revise the zoning map and make permanent zoning in the City of Zanesville, Ohio from I-1 Industrial to C-2 Community and Regional Commercial. All testimony for and against will be heard.

Present at this hearing were Nicolette Pizzuto and Andrew B. Campbell of WHIZ-TV; Tom Robertson, Zanesville Times Recorder reporter; Matthew Schley, Planning and Zoning Administrator; William Arnett, Community Development Director; Councilmembers Sandy Gentry, Todd E. Ware, Jan Bradshaw, Ann Gildow; Joey Osborn, J. Rob Sharrer, Steven Foreman, and Mark Baker; Council President Daniel Vincent; and Clerk of Council Susan Culbertson.

Mr. Vincent: It is time for the second of four public hearings this evening. With that, I will turn this over to Mr. Schley.

Matthew Schley: We will start with a quick map of the area to kind of explain what is going on. As you can see here is the railroad and then here is the station here. Over here we have C-2 Community Commercial and then across the street we have I-1 Industrial. Here is the problem. In the center there are actually three retail establishments that opened up and want to continue operating. The way our zoning code works is we don't allow for retail in an industrial zone. Down here we also have the property owner wanting to open offices and have different types of businesses in there as well; so it made sense to rezone both of these properties. We have C-2 across the way. We have C-2 to the north. We have industrial back here. If you keep going it actually turns into C-2 going north on Linden Avenue. There is really just this little pocket of industrial. The big piece here is it goes with the trend of development along Linden Avenue. Along the Linden Avenue corridor it is predominately retail and office space. There is not much industrial. At one time that building housed an exterminator, I believe it housed a woodworking office, so at one time what was being done there worked. Today it doesn't. This works with our Comprehensive Plan which is EDG1. The City will use its land use and regulatory authority to provide a framework necessary for living wage jobs and the provision of vibrant retail offerings for our residents. This type of use, right now I know what is there; now is The Treasurer Barn which is like a thrift store type retail offering. There is a hair salon that is going in there now and then I know they want to have a homeopathic remedy store in there as well. I believe they have one more retail space that has yet to be determined. All of those are allowed in C-2 Community Commercial. Essentially, the current uses are not compatible and rezoning

this property would make them compatible and allow that to become a vibrant shopping center for years to come.

Mr. Vincent: Without this change they would have to close.

Mr. Schley: Absolutely.

Mr. Vincent: With that, by history, I can go back 33 years. Maybe some of you can go back further than that; but, I know 33 years ago those have been I think back to when The Advertiser was in the one building. So there has been retail there more than three decades. Bud's Auto Parts was mentioned.

Matthew Schley: To be honest Councilmembers, we zone things for the future so it is very possible that when the zoning map in this area was created the thought was the railroad or another industrial site would eventually kind of clean slate there and create some industrial uses. That hasn't happened. So that is kind of where we are at now. So most likely it has been retail off and on for the last thirty years.

Mr. Vincent: Are there any questions or comments from Council? Okay, is there anyone here to speak for this? Is there anyone here to speak against?

No one came forward to speak for or against this item.

Mr. Vincent: The last call, is there anything else? If there is nothing else, we will call this second hearing to a close at 6:20. The next hearing will start at 6:25 p.m. Thank you.

Public Hearing

A Public Hearing was held at 6:25 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request to rezone fifty-three lots from the current zoning district of either RS-4 Medium-High-Density Single-Family Residential District, RS-5 High-Density Single-Family Residential District or C-2 Community and Regional Commercial to C-4 Highway Commercial by amending and revising the zoning map and make permanent zoning in the City of Zanesville, Ohio. All testimony for and against will be heard.

Present at this hearing were Nicolette Pizzuto and Andrew B. Campbell of WHIZ-TV; Tom Robertson, Zanesville Times Recorder reporter; Lanny Gross, concerned citizen; Matthew Schley, Planning and Zoning Administrator; William Arnett, Community Development Director; Councilmembers Sandy Gentry, Todd E. Ware, Jan Bradshaw, Ann Gildow; Joey Osborn, J. Rob Sharrer, Steven Foreman, and Mark Baker; Council President Daniel Vincent; and Clerk of Council Susan Culbertson.

Mr. Vincent: We will call the third of four public hearings to order. I will turn this over the Mr. Schley.

Matthew Schley: Thank you, Mr. Vincent. I will start with a quick overview map of the area that we are looking to rezone. On the map, there are 53 lots. There are several in this area with large X's on them. This indicates the lots are vacant. If I remember correctly, there are about 17 vacant lots total. This is a very large rezoning project and it is actually probably one of the largest ones that has been done in the City in many years. Part of the reason we are looking at rezoning this area is to increase economic viability for Linden Avenue and Adair Avenue as well. As you can see there are 23,183 vehicles that come from Underwood down to Adair and then they split off onto Linden with 8,400 to the north, 7,500 vehicles to the south, and 16,000 continue on to Maple Avenue. That makes this the second highest traffic area in the City of Zanesville, second only to Maple Avenue. Part of the reason this request came forward is because we had numerous requests from developers that wanted to develop this corner and basically all four corners and this square here. There has been some interest in other lots and some in the middle. That hasn't been gauged as thoroughly as on the corners.

As you can see, one more thing, this is actually already C-4 Highway Commercial. This is considered spot zoning. This rezoning request would remove that instance of spot zoning. So, staff contacted all property owners within 200 feet of all the properties were notified by mail in October 2019 and we receive zero negative comments and received 17 positive comments. This was heard in the November Planning Commission meeting. The Planning Commission voted to transmit this to Council with the recommendation of approval. This was heard at the December Community Development Committee meeting where it was also voted to transmit to Council with a recommendation of approval. We haven't actually received any negative feedback on this. We have received all positive from different individuals who are stake holders and own property in that area.

In terms of compatibility of existing uses and zoning environments there are a small number of existing residential structures and some limited commercial activity in the corridor. There are a few people who have opened offices there. That technically is in a residential district and it is not okay, but they are there. This change will not affect those residences or businesses at all. What will happen, is those businesses or residences will become; what is called legal non-conforming. The legal non-conforming structures will be allowed to remain as such so long as used in that manner. So, if somebody owns a house there and they decide they want to keep it residential, they can live there for the next three, four, or five hundred years if it is still standing. They can sell, fix it up, or keep it going and it is still allowed to be there. It is a legal property. We call those legal non-conforming.

Now, it is consistent with two comprehensive plans. The first one is EDG-1. This is something that we will see a lot when we do these re-zonings from residential to commercial or to a different commercial classification or office classification. That is, the City will use its Land Use and Regulatory authorities to provide the framework necessary for living wage jobs and provisions of private retail offerings. Essentially, this area is either; you are not allowed to have any commercial activity so there is no vibrant retail offerings or jobs there at all; or what you can offer is a very limited in scope. C-2 is

a very limited scope of a commercial district. You couldn't open a gas station, no restaurants that serve alcohol in a C-2, so that is something that, just as an example, wouldn't be allowed to be there. The second one is ADP-2.9 and that insures the regulations encourage the commercial uses to cluster and intensify focal points along major arterial streets.

Per the traffic counts we have at just this intersection; this would constitute a clustering along a major arterial street. As far as the public interest, numerous individuals have expressed interest in this request. I think seventeen people came forward saying we really like this idea and we want you to run with this. We believe that would be an overall benefit to the community and it would ultimately further the public interest and not the interest of just one private individual. It is important by trend of development. Staff has seen an increase in number of two allowable uses. Essentially, we have had people who have wanted to open small restaurants, boutiques, shopping centers, professional office space, gas and service stations, all on that stretch. Specifically, mostly focused on the Linden Avenue corridor, but some smaller ones up towards Maple Avenue. The reason being is there is a topographical problem on the southern side of Adair where the topography is so steep it could be difficult to develop any commercial offerings there in the immediate future. It would take considerable development.

The other thing to look at is residential new construction in those residential areas because we felt it was important to say; well, when we are looking at trend of development are there residential uses there. The answer was no. Over the last ten years we have not even issued a zoning permit on any of those properties for residential uses. So, with that being said, the Planning Commission did transmit this to Council with the recommendation of approval. The Community Development Committee did review this and they did recommend it for approval as well. Are there any questions?

Mr. Vincent: Thank you, sir. Will you go back to the slide with the map? The X's are vacant lots?

Matthew Schley: Yes.

Mr. Vincent: The homes that remain on the south side on the upper part of Adair, are those vacant?

Matthew Schley: It was unclear. I believe two of them are rentals or owner occupied. I am not entirely certain. When I went up and knocked on the door of the house in this area, no one was there to answer the door. There is one house here that is owner occupied. There is one house here that is vacant. There are houses over here that are owner occupied as well.

Mr. Vincent: The lot depth on the south side of Adair and on the upper side of Adair, how deep is that lot?

Matthew Schley: Between 50 and 60 feet which is actually larger than a number of lots on Maple Avenue. To put it in perspective, it is larger than the Picnic Pizza lot and Vince Russo's lot for Russo's Pizza would be comparable to this lot.

Mr. Vincent: There would not be room to put a gas station in there?

Matthew Schley: No, there is not enough room for a gas station. What you would probably see here would be a small shopping center or a small retail establishment or something like a small Dollar store I suppose. I guess that might be too big. You would be looking at a small store or advanced retail offerings. So something like a hardware store.

Mr. Vincent: The topography makes it difficult to get any building of width in that section.

Matthew Schley: The topography dips here and then it gradually increases in elevation the further you go. It would take considerable backfilling and doing some different things to the land to even make it buildable, but it does level out at this point and down further. So, this section here and all up here is developable and most of this section here would be developable in the future.

Mr. Vincent: That first X, to the southwest, behind Webb Financial, is that their vacant lot?

Matthew Schley: Yes, well, no. They do not own that lot.

Mr. Vincent: Right behind that is the alleyway and it is a dead end alley, correct?

Matthew Schley: Yes, sir.

Mr. Vincent: Is there possibly a right-of-way that goes through or not?

Matthew Schley: The right of way goes just this way here and ends. The right of way ends as well.

Mr. Sharrer: I was just going to ask about the ingress and egress. To put anything commercial in there, is the only ingress and egress through that alley behind Webb Financial and then going down?

Matthew Schley: At this time, yes, but remember there isn't any development there or any proposed development. Whenever any proposed development comes in we take a look at the entire property. So, for example, we all know Menard's is coming to the City of Zanesville. Chip Saunders and the engineering department determine where those curb cuts can go and how access to the property is obtained. Also in the Zoning department we also look at that as well. It would depend on the type of development, the amount of traffic that is needed, but it is not anticipated that this alley would be the main access point. What would most likely happen would be a cross access agreement

with numerous properties where they would actually access the property from a built road on that site.

Mr. Vincent: On that side or the front side?

Matthew Schley: Depending on where we grant a curb cut there is actually an alley here as well. Again, without seeing a development plan I couldn't say whether or not it would be on this side or that side. This is a right in and right out access. So I would highly doubt it would be on that section.

Mr. Vincent: I am hearing concerns tonight about that area and the Abbey Place residents.

Matthew Schley: Abbey Place is to the south.

Mr. Vincent: The homes abut up to the rear. With that can you go over just briefly the screening that would be required? I know we have changed to make it better screening and more distance which is going to cut into that shallow lot of 50-60 foot.

Matthew Schley: I believe it is a five-foot (corrected later to new code requirement of 10 foot) buffer zone along any residentially used property that abuts commercial. If you are talking specifically here, the best example I can say is there is a five-foot buffer zone and we would require a six foot tall 100 percent opacity barrier, which is essentially a privacy fence. That is at minimum. When we look at these developments a lot of times we run into things that are conditional uses and things of that nature. Most likely they would be required to do something a little different and something extra to assure the two houses would not be negatively impacted.

Mr. Vincent: Okay, are there any questions from Council?

Mrs. Osborn: Matt, can you talk about, I know you talked about the alley right behind it, but what about the alley that runs parallel. That one gets a lot of traffic already and it is fairly unsafe. I won't let my child ride her bike on that alley because people cut through and speed. So, I mean how does that play into the plan for ingress and egress?

Matthew Schley: Well, it shouldn't necessarily impact that at all, because any development that would happen here has an ingress and egress point here. It would be on that property; so therefore, they wouldn't go any further than the alley. They wouldn't have any reason to use it. Arguable they could potentially go to the south and cut out Abbey Place that way. There are other things that we can do from an engineering standpoint or a zoning standpoint that would limit access to the south whether that would be an alley vacation or something like. For a development, it would be my assumption; and again without seeing an actual plan for development, but my assumption would be that most traffic would right in here and right out.

Mr. Vincent: Are there any question from Council? Sir, you were here to speak for or against or just here to find information? You are welcome to speak. Is there anyone to speak for this?

Mr. Lanny Gross: I would speak for it actually. My name is Lanny Gross and I am basically here. (He referred to the north side of Adair by CVS Pharmacy) I am on the north side of Adair and saw years ago how heavily trafficked that was and I bought that property and made it our home because I figured it would make a good investment at some point. Now when we bought that house there was a gas station on that corner. That is where CVS is now. So the Family Dollar is right behind that and my house is three doors down. So, I was hoping for years that someone would want to develop that part of it. The south side as you have been talking about would be a lot more difficult to develop, but my side would not. It is a lot more level ground and could be developed fairly easily. So with the two rentals between me and CVS; I know the one rental there the owner was telling me he was looking to sell the property anyway and it is currently not being used. The other one had renters in it, but I was hoping for years that someone would rezone that. I know there was light commercial zone, but it is limited on what can be done in that area with a light commercial. So, I was hoping it would get changed and I am all for that change and hopefully someone will want to develop that and it will wind up being a good investment after all.

Mr. Vincent: Thank you, sir. I appreciate that. Is there anyone else here to speak for this? Is there anyone here to speak against? Is there anything else from Council?

No additional speakers came forward to speak for or against this item.

Mr. Vincent: With no other speakers we will call this hearing to a close about 6:40 p.m. and we will move on to our fourth and final hearing. We are a few minutes late and my apologies.

Public Hearing

A Public Hearing was scheduled for 6:35 p.m. on Monday, January 13, 2020 in Zanesville City Council Chambers, 401 Market Street, Zanesville, OH to hear a request by the City of Zanesville to amend the Chapter 1115 of the City of Zanesville's Planning and Zoning Code. All testimony for and against will be heard.

Present at this hearing were Nicolette Pizzuto and Andrew B. Campbell of WHIZ-TV; Tom Robertson, Zanesville Times Recorder reporter; Matthew Schley, Planning and Zoning Administrator; William Arnett, Community Development Director; Councilmembers Sandy Gentry, Todd E. Ware, Jan Bradshaw, Ann Gildow; Joey Osborn, J. Rob Sharrer, Steven Foreman, and Mark Baker; Council President Daniel Vincent; Howard Cornell, city employee; and Clerk of Council Susan Culbertson.

Matthew Schley: Thank you for having me and sorry we ran over on time, but this should be a little bit simpler. Essentially, what we are looking at is Use Variances. So, out code currently allows for what we call area variances. Area variances are a change

to the code for one specific property that would say we require a 30-foot set back in an office district. A variance would reduce that potentially down to 20 foot under the right conditions. What this does is it allows for a use variance and a use variance allows for specific uses on legal non-conforming lots and without changing the zoning. The lots are limited to specific uses that are almost undevelopable in their current state. It allows for more specified development. So, here is a great example: Menards. A few months ago we went through this process to rezone a parcel for Menards. Menards wanted to go from an RM-1 multi-family residential to a C-4 to allow for a detention pond. If we had use variances in our code, we would have been able to do that without having to worry about all the other stuff that could happen in a C-4 lot. If Menards decides they don't put a detention pond there, there is nothing holding them to that. What this would do, is we could allow for a detention pond on this lot and this lot alone. It can't be anything else. That is what it is going to be.

Essentially use variances do not change the existing zoning standards of the district or the entire lot. So, if you are saying you want to open up a McDonalds and you need a use variance to do that in a C-2 or along those lines, they still have to abide by all the standards. They would just be allowed to have it right there; one specified thing. Use variances are common throughout the state of Ohio. Most specifically, or the most intense one I found, was Warren Heights. They have a very long list of criteria for a use variance. Our criteria, just to put the big ones into play are basically the property can't be put to any economically viable or appropriate use without, under any appropriate uses in the zoning district. Take a legal non-conforming property that has since lost its legal non-conforming status. If a property is not in use for two years consecutively it loses its legal-non-conforming status. Therefore, you could think of a commercial building in a residential district, zoned residential, and vacant for three or four years and somebody comes in and wants to do something commercial there. They can't because it lost its status of legal non-conforming. Under this they would be allowed.

The other big thing is that the applicant's predicament cannot feasibly be resolved by some other method other than a variance. In the Menards example, there was no other way, other than potentially rezoning the property, but that again wasn't an ideal situation. It opens the door for a lot of other developments to go in there adjacent to residential properties, that we wouldn't want to happen.

Lastly, that the granted variance does not adversely affect the community character, public health, safety, or general welfare. That is the standard line, but it is important that we look at that in all of our permits. How is it going to fit in the general community? That is what I have for you.

Mr. Vincent: Thank you. Are there any questions from Council? Is there anyone here to speak for this? Is there anyone to speak against?

No one came forward to speak for or against this item.

ZANESVILLE CITY COUNCIL MEETING MONDAY, JANUARY 13, 2020

Mr. Vincent: The last chance. I guess I do have one thing to say. Mr. Schley, you do a wonderful job. We appreciate it.

Mr. Schley: Thank you.

Mr. Vincent: You keep it simple, you keep it clear, you cover the points, and I do appreciate it. Thank you for your time. We will call this public hearing to a close about 6:45 p.m.

ZANESVILLE CITY COUNCIL MEETING – MONDAY, JANUARY 13, 2020

The Zanesville City Council met in regular session at 7:00 p.m. on Monday, January 13, 2020 in the City Council Chambers, 401 Market Street, Zanesville, Ohio.

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

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

APPROVAL OF MINUTES

Mr. Sharrer moved to accept the minutes of the Special meeting on January 02, 2020 as printed, seconded by Mrs. Osborn.

Motion carried.

COMMUNICATIONS, REPORTS, AND RESOLUTIONS

Communication from Mayor Mason-Zanesville-Muskingum County Port Authority Board Appointment – Mayor Mason hereby recommends the reappointment of Randy Coconis to the Zanesville-Muskingum County Port Authority Board. Mr. Coconis' term will expire December 31, 2023.

Mr. Roberts moved to receive and concur, seconded by Miss Bradshaw. All present were in favor of receiving and concurring. No one was opposed. Motion carries.

Communication from Mayor Mason- Muskingum County Land Reutilization Corporation Board Appointment – Mayor Mason hereby recommends the appointment of Ann Gildow to the Muskingum County Land Reutilization Corporation. Ms. Gildow will replace Tim Smith. Ms. Gildow's term will expire December 31, 2021.

Miss Bradshaw moved to receive and concur, seconded by Mrs. Osborn.

All present were in favor except Mr. Roberts who abstained. None were opposed.
Motion carries.

Communication from Scott Brown, Interim Director of Public Services-City of Zanesville Cemetery Division-2019 4th Quarter Report.

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

All present were in favor. None were opposed.
Motion carries. Communication is received.

Communication from Scott Brown, Interim Director of Public Services-City of Zanesville Cemetery Division-2019 Year End Report.

Miss Bradshaw moved to receive, seconded by Mrs. Gentry.

All present were in favor. None were opposed.
Motion carries. Communication is received.

Resolution No. 2020-03 - Introduced by Council-A Resolution authorizing the sale, by internet auction during calendar year 2020, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.
Miss Bradshaw moved for first reading, seconded by Ms. Gildow.

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

PROPOSED ORDINANCES

Mr. Sharrer: I would like to move to add to our agenda under Proposed Ordinances as items 8A and 8B Ordinance Number 2020-06 and as 8B then 2020-07.

Mr. Roberts seconded the motion.

Mr. Vincent: Is there any discussion? We will have a little more description at the time. So, all in favor of these additions signify by saying aye. Opposed nay.

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

Ordinance No. 19-94 – An Ordinance establishing a “Dig Once” Policy reducing underground excavation for communications infrastructure within the City’s Right of Ways.

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

Mr. Vincent: Is there any discussion on waiving?

Mr. Roberts: It was discussed at Public Service Committee earlier tonight that we waive the readings and defeat this legislation.

Mr. Vincent: Thank you, Mr. Roberts. Is there any other discussion on waiving? Okay, we will have roll call vote to waive the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

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

Mr. Vincent: Is there any discussion? Hearing none, I do have two speakers, but I do not think they are here this evening. I have filled out petitions from B.J. Smith from AT&T Ohio and Barrett Tamasovich. He is not here also. Is there anything else from Council? We will have roll call vote.

Roll call vote for passage.

0 Ayes

9 Nays

Motion is defeated. Ordinance is defeated.

Ordinance No. 2020-04 – Introduced by Council – An Ordinance reauthorizing entering into a contract for the purchase of limestone and declaring an emergency.

Mr. Sharrer moved to waive and it was seconded by Mr. Baker.

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Ms. Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? This is pretty routine so we do this every year.

Mr. Sharrer: Every year.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-05 – Introduced by Council – An Ordinance authorizing the proper City Official to dispose of City property.

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

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

All were in favor. None were opposed.

Motion carries.

Ordinance No. 2020-06 – Introduced by Council – An Ordinance authorizing the proper City official to enter into a five-year lease with options for renewal or extension for the leasing of land for farming at Zanesville Municipal Airport.

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

Mr. Vincent: Is there any discussion on waiving? With that Council did pass this and this is a new year and a new Council, so this has come back before us and it was already passed in 2019. We will have roll call vote for waiving of the readings.

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion?

Mr. Sharrer: Just for the public and anyone with concerns as you mentioned this did come before us. It was passed by the previous Council of 2019 and that is why we discussed this in the previous Public Service Committee meeting earlier tonight. Both of these Ordinances, just so there is no concern as to us adding legislation and passing it the same night. It is basically, we are redoing what we already did in 2019.

Mr. Vincent: Mr. Tarbert, I would like to turn to you to see if there is a little piece you can add as to why the new Council has to do this and explain it.

Mr. Tarbert: It is a provision in the Ohio Revised Code, I think it is 731.48 that says that Council of one term cannot enact legislation that does not become fully operational

within that same term. So, you had your 2018-2019 Council authorize the signature of a contract, but that contract didn't get signed in 2019 for whatever reason. So, now we have a 2020 Council. That previous Council can't bind this Council. So, we had this issue on probably two, three, or four things this year. I don't know why, but that old Council authorized a few things that didn't get done before the end of the year, so we just have to reauthorize it with this Council.

Mr. Vincent: Okay, thank you. That is excellent, just what I wanted.

Mr. Tarbert: Glad I could help.

Mr. Vincent: Is there anything else from Council?

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 2020-07 – Introduced by Council – An Ordinance authorizing the proper City official to enter into a contract for the City of Zanesville's Solid Waste Disposal needs.

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

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Baker.

Mr. Vincent: Is there any discussion? This is all routine every five years, leasing land at the Municipal Airport.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

ORDINANCES FOR ACTION

Ordinance No. 19-141 – Introduced by Council – An Ordinance authorizing the expenditure of funds related to the Lock #10 Canal Trail Project.

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

Mr. Vincent: To get back on track we had a mistake on this one that we had the wrong preamble read one time and we voted on it so we brought it back. So, to get this back on track time wise, I would like to request to Council if they would like to waive this.

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

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

Roll call vote on waiving of the readings.

9 Ayes

0 Nays

Motion carries.

Miss Bradshaw moved for passage, seconded by Mr. Foreman.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-140 – Introduced by Council - An Ordinance authorizing the proper City official to submit an application for a 2020 Certified Local Government Program Grant.

Mr. Baker moved for third reading and passage, seconded by Miss Bradshaw.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-143 – Introduced by Council – An Ordinance amending Chapter 924.11(e) of the City of Zanesville's Codified Ordinances regarding special charges and assessments.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-144 – Introduced by Council – An Ordinance authorizing an encroachment of a City right-of-way.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-145 – Introduced by Council – An Ordinance amending Chapter 1115 of the City of Zanesville's Codified Ordinances, regarding variances.

Mr. Sharrer moved for third reading and passage, seconded by Mr. Baker.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-146 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-147 – Introduced by Council – An Ordinance to amend and revise the Zoning Map and make permanent zoning in the City of Zanesville, Ohio as herein provided.

Mr. Baker moved for third reading and passage, seconded by Miss Bradshaw.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-148 – Introduced by Council – An Ordinance amending the City of Zanesville’s Comprehensive Plan Implementation Index.

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

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

Ordinance No. 19-149 – Introduced by Council – An Ordinance authorizing an agreement with Muskingum County and the Zanesville-Muskingum County Port Authority related to infrastructure improvements within the Zanesville-Washington Joint Economic Development District.

Mr. Baker moved for third reading and passage, seconded by Mrs. Osborn.

Roll call vote for passage.

9 Ayes

0 Nays

Motion carries. Ordinance is passed.

TRAFFIC ORDERS

No traffic Orders were filed for this meeting.

MISCELLANEOUS AND UNFINISHED BUSINESS

Mr. Vincent: We will turn to the Mayor first to see if there is anything he would like to share with us.

Mayor Mason: I will just say it has been good working here, for now thirteen days. I appreciate the cooperation and the good relationships with all the heads and the elected officials such as Dave, Andrew Body, and David Wolfe and everybody and of course the entire staff. It is going well.

Mr. Vincent: Is there anything else from the administration? Law Director’s office?

Mr. Tarbert: Nothing, thank you.

Mr. Vincent: Okay. So, we have no private communications or communications.

PRIVATE PETITIONS AND COMMUNICATIONS

No Non-agenda item petitions were filed for this meeting.

ZANESVILLE CITY COUNCIL MEETING MONDAY, JANUARY 13, 2020

Mrs. Osborn moved to adjourn. Mr. Sharrer seconded the motion. A voice vote was taken with all being in favor. None were opposed. Motion carries.

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

Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Zanesville City Council



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

401 Market Street
Zanesville, Ohio 43701
Phone (740) 617-4908
Fax (740) 455-0744
E-mail: don@coz.org

RECEIVED

JAN 22 2020

CLERK OF COUNCIL

MEMORANDUM

TO: *Members of City Council*

FROM: *Mayor Don Mason*

DATE: *January 21, 2020*

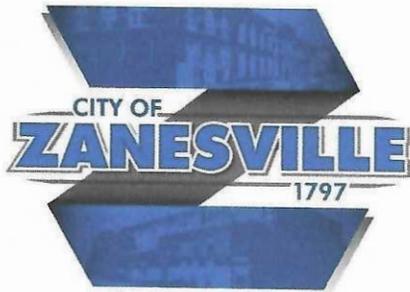
SUBJECT: *Board Appointment*

Downtown Design Review Board

I am recommending the reappointment of Mark Baker to the Downtown Design Review Board. Mr. Baker's term will expire December 31, 2021.

Thank you!

DM/pke



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

401 Market Street
Zanesville, Ohio 43701
Phone (740) 617-4908
Fax (740) 455-0744
E-mail: don@coz.org

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JAN 22 2020

CLERK OF COUNCIL

MEMORANDUM

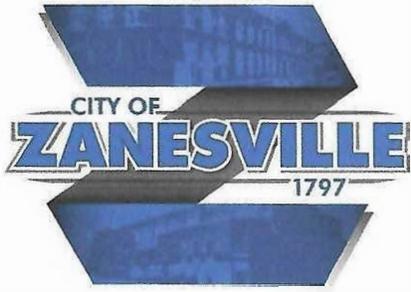
TO: *Members of City Council*
FROM: *Mayor Don Mason*
DATE: *January 21, 2020*
SUBJECT: *Board Appointment*

Zanesville Community Improvement Corporation

I am hereby recommending the reappointment of Susan Jones, Andrew Roberts, Gretchen Sayre and Daniel Vincent to the Zanesville Community Improvement Corporation Board of Directors. The terms for Ms. Jones, Mr. Roberts and Ms. Sayre will expire December 31, 2022. Mr. Vincent's term will expire December 31, 2021.

Thank you!

DM/pke



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

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RECEIVED

JAN 22 2020

CLERK OF COUNCIL

MEMORANDUM

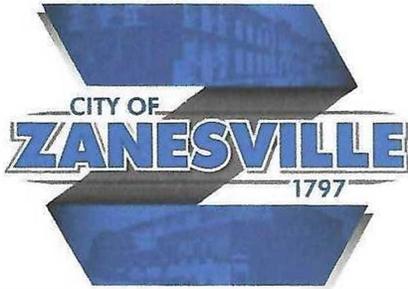
TO: *Members of City Council*
FROM: *Mayor Don Mason*
DATE: *January 21, 2020*
SUBJECT: *Board Appointment*

Shade Tree Commission

I am hereby recommending the reappointment of Robert Boehle and Don Dal Ponte to the Shade Tree Commission. Mr. Boehle's term will expire October 4, 2021. Mr. Dal Ponte's term will expire January 28, 2022.

Thank you!

DM/pke



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

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E-mail: don@coz.org

RECEIVED

JAN 27 2020

CLERK OF COUNCIL

MEMORANDUM

TO: *Members of City Council*
FROM: *Mayor Don Mason*
DATE: *January 21, 2020*
SUBJECT: *Board Appointment*

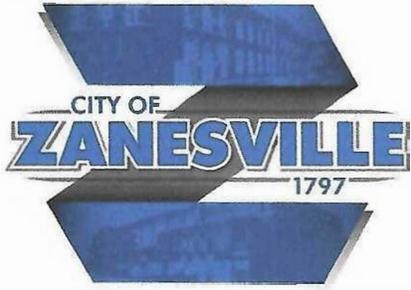
Zanesville Planning Commission & Board of Zoning Appeals

I am hereby recommending the appointment of Mandy Jennings to the Planning Commission to complete the unexpired term of Vincent Russo. Ms. Jennings' term will expire December 31, 2020.

Further, I am hereby recommending the appointment of Mandy Jennings, as a member of the Planning Commission, to serve on the Board of Zoning Appeals replacing Vincent Russo. Ms. Jennings' term will expire December 31, 2020.

Thank you!

DM/pke



Council-Mayor Government
Donald L. Mason, Mayor

THE CITY OF
Zanesville

401 Market Street
Zanesville, Ohio 43701
Phone (740) 617-4908
Fax (740) 455-0744
E-mail: don@coz.org

RECEIVED

JAN 22 2020

CLERK OF COUNCIL

MEMORANDUM

TO: *Members of City Council*

FROM: *Mayor Don Mason* 

DATE: *January 21, 2020*

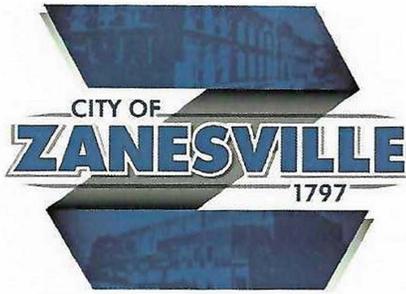
SUBJECT: *Board Appointment*

Historic Preservation Board

I am hereby recommending the appointment of Michael Bullock and the reappointment of Ann Gildow to the Historic Preservation Board. Mr. Bullock's term will expire January 27, 2025. Ms. Gildow's term will expire December 31, 2021.

Thank you!

DM/pke



The City of Zanesville

401 Market Street, Zanesville, Ohio 43701

Phone: (740) 617-4910

Email: scott.brown@coz.org

Council-Mayor Government

Donald Mason, Mayor

Department of Public Service

Scott Brown, Interim Director

MEMORANDUM

TO: Members of City Council

FROM: Scott Brown, Interim Director of Public Services

DATE: January 22, 2020

RE: City of Zanesville: Municipal Airport
2019 4th Quarter Report

To the Members of Council,

Please find attached the 2019 4th Quarter Report for the Municipal Airport. As always, if you have any questions, please feel free to contact me. Thank you.

SB/am

ZANESVILLE MUNICIPAL AIRPORT

QUARTERLY REPORT

October 1, 2019 – December 31, 2019

FUEL SALES:

JET A 57,235

AVGAS 4,745

CHARTER FLIGHTS:

66 TOTAL IN 2018

79 TOTAL IN 2019

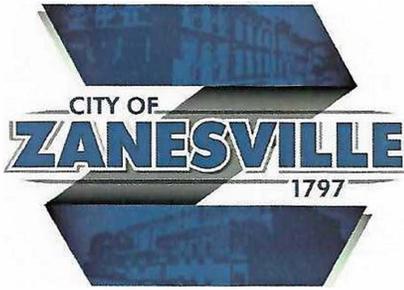
FUEL SALES THIS QUARTER ARE UP ABOUT 60% COMPARED TO THE SAME PERIOD IN 2018.

CHARTER FLIGHTS INCREASED NEARLY 20% COMPARED TO LAST YEAR.

NO OVERTIME THIS QUARTER.

IN OCTOBER THE FINAL WALK THROUGH INSPECTION WAS DONE ON THE CROSSWIND LIGHTING PROJECT.

ALSO IN OCTOBER, A MASTER PLAN KICK-OFF MEETING WAS HELD. THIS 20 YEAR PLAN SHOULD BE FINISHED BY THE END OF 2020.



The City of Zanesville

401 Market Street, Zanesville, Ohio 43701

Phone: (740) 617-4910

Email: scott.brown@coz.org

Council-Mayor Government
Donald Mason, Mayor

Department of Public Service
Scott Brown, Interim Director

MEMORANDUM

TO: Members of City Council

FROM: Scott Brown, Interim Director of Public Services

DATE: January 22, 2020

RE: City of Zanesville: Municipal Airport
2019 Annual Report

To the Members of Council,

Please find attached the 2019 Annual Report for the Municipal Airport. As always, if you have any questions, please feel free to contact me. Thank you.

SB/am

ZANESVILLE MUNICIPAL AIRPORT

ANNUAL REPORT 2019

GAS AND OIL REVENUE FOR THE YEAR IS \$2,528.67. TOTAL OVERTIME FOR 2019 WAS \$860.38. TOTAL FUEL SALES FOR THE YEAR ARE UP BY 20% AS COMPARED TO 2018.

CHARTER FLIGHTS THIS YEAR TOTALED 275, ABOUT THE SAME AS LAST YEAR.

IN MARCH, BIDS WERE OPENED FOR THE RUNWAY 16/34 LIGHTING PROJECT. APPALACHIAN FOOTHILLS CONSTRUCTION INC. SUBMITTED THE LOWEST BID OF \$329,415.00.

IN APRIL BIDS WERE OPENED FOR THE NEW ELECTRICAL VAULT. LOW BIDDER FOR THIS PROJECT WAS THE J. RANCK CO.

IN JULY A PRECONSTRUCTION MEETING WAS HELD FOR THE RUNWAY 16/34 LIGHTING PROJECT. CONSTRUCTION STARTED IN MID AUGUST AND WAS COMPLETED IN ABOUT A MONTH.

ON THE LAST WEEKEND OF SEPTEMBER, THE LOCAL E.A.A. CHAPTER HELD THEIR ANNUAL FLY-IN, CAR SHOW AND MID-EAST OHIO MODEL ENGINEERING EXPO. ONCE AGAIN THE EVENT WAS A GREAT SUCCESS.

IN OCTOBER, A FINAL WALK THROUGH INSPECTION WAS DONE ON THE RUNWAY 16/34 LIGHTING PROJECT.

ALSO IN OCTOBER, A MASTER PLAN KICK-OFF MEETING WAS HELD. THIS 20 YEAR PLAN SHOULD BE COMPLETED BY THE END OF 2020, AND THEN SUBMITTED TO THE F.A.A. FOR APPROVAL.

**Ways and Means Committee
Ann Gildow, Chair**

**RESOLUTION #20-03
INTRODUCED BY COUNCIL**

**A RESOLUTION AUTHORIZING THE SALE, BY INTERNET AUCTION
DURING CALENDAR YEAR 2020, OF CITY OWNED PERSONAL
PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE OR WHICH IS
OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED**

WHEREAS, pursuant to R.C. 721.15(D), Council for the City of Zanesville may adopt, during each calendar year, a resolution expressing its intent to sell municipally owned property, regardless of the property's value, by internet auction.

WHEREAS, the City will follow the online sales terms and conditions as set forth by gov.deals, and attached hereto as Exhibit A.

WHEREAS, Council for the City of Zanesville wants to use GovDeals, Inc., at www.gov.deals.com, as the City's contracted representative to conduct auctions on its behalf for all property.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ZANESVILLE, COUNTY OF MUSKINGUM, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section One: During calendar year 2020, city owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, may be sold at internet auction.

Section Two: All internet auction sales shall be conducted under the authority and direction of the Mayor or his designee(s).

Section Three: All internet auction sales shall be conducted by GovDeals.com internet auction service, 5907 Carmichael Place, Montgomery, AL 36117, phone (800) 613-0156.

Section Four: All internet auction sales shall be conducted pursuant to the rules and regulations promulgated and in effect for GovDeals.com.

Section Five: For each internet auction sale, bidding shall remain open for not less than ten (10) days, including Saturdays, Sundays and legal holidays.

Section Six: The City of Zanesville shall publish, in a newspaper of general circulation within the City, or as provided in R.C. 7.16, notice of its intent to sell all unneeded, obsolete, or unfit municipal personal property by internet auction. This notice shall include a summary of the information provided herein and shall be published twice. The second notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice. A similar notice also shall be posted continually throughout the calendar year in a conspicuous place in the office of the Clerk of Council. The notice also shall be posted continually throughout the calendar year on the City's web site.

Resolution No. 2020-03

Section Seven: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

Section Eight: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Zanesville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section Nine: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED _____, 2020

ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald L. Mason
Mayor



Law Director's Office

City of Zanesville

Zanesville, Ohio

Online Sales - Terms and Conditions

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale "AS IS, WHERE IS." City of Zanesville (Seller) makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. **Please note upon removal of the property, all sales are final.**

Personal and Property Risk. Persons attending during exhibition, sale, or removal of goods assume all risks of damage of or loss to person and property and specifically release the Seller and GovDeals from liability therefore.

Consideration of Bid. Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed at any time until the Seller has received payment in full for the assets and Buyer has removed the assets from the Seller's premises in their entirety.

Buyer's Certificate. If applicable, successful bidders will receive a Buyer's Certificate by email from GovDeals as their notice of award.

Buyer's Premium & Additional Fees. If a Buyer's Premium and/or Additional Fees are shown on the auction page Bid Box, then that amount (expressed as a percentage of the final selling price or a specified amount) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the close of the auction. Please refer to the payment instructions listed on the auction page for complete payment terms and methods. Please refer to the Bid Box for all fees and taxes that may be associated with the auction.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting Seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed. Buyers must provide any applicable tax exempt documents to Seller within 24 hours of the auction closing and before payment is made.

Removal. All assets must be removed within **ten (10) business days** from the time and date of the close of the auction. Purchases will be released only upon receipt of payment as specified. Successful buyers are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will Seller assume responsibility for packing, loading or shipping. See instructions on each auction page for complete removal details. A daily storage fee of \$25.00 may be charged for any item not removed within the ten (10) business days allowed and stated on the Buyer's Certificate.

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.

**AN ORDINANCE ENACTED BY THE CITY OF ZANESVILLE OF
MUSKINGUM COUNTY, OHIO FOR CLEANING OF THE BRIDGE
CARRYING SR 555 OVER THE MUSKINGUM RIVER IN THE CITY
OF ZANESVILLE.**

CONSENT LEGISLATION

Ordinance/Resolution #	<u>2020 - 08</u>
PID No.	<u>101428</u>
County/Route/Section	<u>D05-BC-FY 2021</u>

The following is Ordinance 2020-08 enacted by the City of Zanesville of Muskingum
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated
described project.

SECTION I – Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

Project to perform bridge cleaning of the abutments, bearings, seats, back walls, piers, scuppers, and expansion joints on SFN 6006280 carrying SR 555 over the Muskingum River, residing halfway in the City of Zanesville. This work will be performed as part of PID 101428, D05-BC-FY 2021.

WHEREAS, said portion of described project is within the Zanesville City Council area of responsibility.

NOW THEREFORE, be it ordained by the City of Zanesville of Muskingum County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

ODOT shall assume and bear 100% of the necessary costs of the State’s highway improvement project. In the event that the LPA requests certain features of appurtenances be included within the State’s highway improvement project’s design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State’s project, the LPA shall contribute 100% of the cost of those items.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodations, relocations and reimbursement will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI – Authority to Sign

The Director of Public Service of said City of Zanesville is hereby empowered on behalf of the
(Contractual Agent) (LPA)
City of Zanesville to enter into agreements with the Director of Transportation necessary to
(LPA)
complete the above-described project.

Passed: _____, 2020.
(Date)

Attested: _____
(Clerk)

(Officer of LPA – title)

Attested: _____
(Title)

(President of Council)

Following appropriate legislative action, Ordinance 2020-08 shall take effect and
be in force after the earliest period allowed by law. Ordinance/Resolution

Approved:

This legislation approved as to form:

Donald Mason
Mayor



Law Director's Office

CERTIFICATE OF COPY
STATE OF OHIO

City of Zanesville of Muskingum County, Ohio
(LPA)

I, Susan Culbertson, as Clerk of the City of Zanesville of Muskingum County, Ohio, do hereby
(LPA)

certify that the foregoing is a true and correct copy of Ordinance 2020-08 adopted by the legislative
(Ordinance/Resolution)

Authority of the said City of Zanesville on the _____ day of _____, 2020.
(LPA)

That the publication of such Ordinance 2020-08 has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such Ordinance 2020-08 have been taken;
(Ordinance/Resolution)

and that such Ordinance 2020-08 and certificate of publication thereof are of record in
(Ordinance/Resolution)

Volume _____, Page _____.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this

_____ day of _____, 2020.

(Clerk)

(SEAL IF APPLICABLE)

City of Zanesville of Muskingum County, Ohio.
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Zanesville of Muskingum County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

Ann Gildow,
Ways and Means Chair

ORDINANCE NO. 2020-09
INTRODUCED BY COUNCIL

ESTABLISHING RATES OF PAY AND BENEFITS FOR SEASONAL EMPLOYEES AND
EMPLOYEES ENGAGED IN STAGE AND TECHNICAL SUPPORT AT SECREST
AUDITORIUM

WHEREAS, Ordinance No. 11-25 currently governs pay and benefit policies as they apply to seasonal maintenance workers and seasonal crew leaders employed by the City of Zanesville; and

WHEREAS, Ordinance No. 13-104 currently governs pay and benefit policies as they apply to stage and technical support employees of the City of Zanesville; and

WHEREAS, in an effort to attract a larger pool of eligible employees for the positions mentioned above, the City desires to increase the current pay rates.

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

SECTION ONE: Applicability of Ordinance

This ordinance shall apply to individuals hired as Seasonal Maintenance Workers, Seasonal Crew Leaders, Trainee Stage Hands, Stage Technicians, and Technical Directors.

SECTION TWO: Overtime Compensation

Employees governed by this ordinance shall receive pay at time and a half for any hours over forty hours worked in a week.

SECTION THREE: Leave Time

No vacation leave, sick leave, or compensatory time shall be accrued by the employees governed by this ordinance. Such employees shall receive no paid holidays and, if required to work on a holiday, shall be paid their normal wage.

SECTION FOUR: Allocation of Pay Ranges to Positions

For each class of positions there is hereby established the pay range shown in this section.

CLASSIFICATION TITLE	PAY RANGE
Seasonal Maintenance Worker	7777A
Seasonal Crew Leader	7777D
Trainee Stage Hand	7777J
Stage Technician	7777K
Technical Director	7777L

Ordinance No. 2020-09

SECTION FIVE: Pay Ranges

For each pay range there is hereby established the hourly rates of pay shown in this section.

PAY RANGE	HOURLY RATE	
7777A	Current Minimum Wage Rate	Plus \$1.50 per hour
7777D	Current Minimum Wage Rate	Plus \$3.00 per hour
7777J	Current Minimum Wage Rate	Plus \$1.50 per hour
7777K	Current Minimum Wage Rate	Plus \$2.00 per hour
7777L	Current Minimum Wage Rate	Plus \$3.00 per hour

In cases where the City hires employees governed by this ordinance, whose pay and benefits will be reimbursed to the City by an outside agency, the pay rates of such employees may be different from the pay rates established above and shall be determined by agreement between the City and the outside agency.

SECTION SIX: Inconsistent Ordinances Repealed

Ordinance No. 11-25 and No. 13-104 and all other ordinances or resolutions or any part of an ordinance or resolution inconsistent herewith are hereby repealed.

SECTION SEVEN: Savings Clause

If any clause, section, or part of this ordinance is found to be unconstitutional, illegal, or invalid, such finding shall affect only such clause, section, or part and shall not affect any of the remaining provisions. It is hereby declared to be the intention of City Council that this ordinance would have been adopted had such unconstitutional, illegal, or invalid clause, section, or part not been included.

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

PASSED _____, 2020

ATTEST: _____
Susan Culbertson
Clerk Of Council

Daniel M. Vincent
President Of Council

APPROVED: _____, 2020

This legislation approved as to form:

Donald L. Mason
Mayor



Law Director's Office

Community Development Committee
Mark Baker, Chair

ORDINANCE NO. 2020 -10

AN ORDINANCE REPEALING ORDINANCE NO. 19-140, AND AUTHORIZING THE PROPER CITY OFFICIAL TO SUBMIT AN APPLICATION FOR A 2020 CERTIFIED LOCAL GOVERNMENT PROGRAM GRANT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Zanesville is a Certified Local Government (CLG) and is therefore eligible to submit an application to the Ohio History Connection for a Certified Local Government (CLG) Program Grant; and

WHEREAS, The City of Zanesville approved Ordinance No. 19-140 authoring the proper city official to submit an application for a 2020 CLG Grant; and

WHEREAS, the 2020 CLG Grant submission deadline is February 10, 2020, but Ordinance No. 19-140 will not be effective until February 13, 2020; and

WHEREAS, the City of Zanesville desires to support community improvement initiatives, which will be realized through submission of a successful grant application; and

WHEREAS, if the CLG Grant is not submitted, then initiatives funded by the grant would not be available and improvements could be delayed thereby creating a possible risk to the health, safety and welfare of the public;

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

SECTION ONE: Ordinance No. 19-140 is repealed.

SECTION TWO: The Community Development Director is hereby authorized to submit a grant application to the Ohio History Connection for the 2020 Certified Local Government Grant Program for an update to the Putnam Historic District preservation plan, and if awarded, execute all necessary grant documents on behalf of the City.

SECTION THREE: For the reasons stated herein, this ordinance is declared to be an emergency measure provided it receives the affirmative vote of six (6) or more members of City Council, this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2020. THIS LEGISLATION APPROVED AS TO FORM

DONALD L. MASON
MAYOR



LAW DIRECTOR'S OFFICE

Community Development Committee
Mark Baker, Chair

**ORDINANCE NO. 2020-11
INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE COMMUNITY
DEVELOPMENT DIRECTOR TO EXECUTE AN
AGREEMENT WITH THE MUSKINGUM SOIL AND
WATER CONSERVATION DISTRICT.**

WHEREAS, the City of Zanesville and Muskingum Soil and Water Conservation District (MSWCD) partner on a variety of initiatives, an example being the public education effort regarding storm water quality; and

WHEREAS, the MSWCD sponsors the local Urban Greens Program (UGP), which provides public education and access to fresh food through the development of urban gardens in the City of Zanesville; and

WHEREAS, this effort achieves the goal laid out within the City of Zanesville's Comprehensive Plan to support development of urban agriculture within the city; and

WHEREAS, MSWCD receives funding for the Urban Greens Program from a variety of sources, one of which is the Muskingum County Farm Bureau; and

WHEREAS, MSWCD has requested the City of Zanesville to be a pass-through for the Farm Bureau donation, which would enable the State of Ohio to match those funds, effectively doubling the donation.

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

SECTION ONE: The Community Development Director is hereby authorized to execute an agreement, in substantially the same form as attached "Exhibit A", with the Muskingum Soil and Water Conservation District for the MSWCD Urban Greens Program.

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

PASSED: _____, 2020.

ATTEST:

SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

Ordinance No. 2020-11

APPROVED: _____, 2020 **THIS LEGISLATION APPROVED AS TO FORM**

DONALD L. MASON,
MAYOR



LAW DIRECTOR'S OFFICE

**Agreement between the
Muskingum Soil and Water Conservation District
and the
City of Zanesville
for the
MSWCD Urban Greens Program**

This agreement is made on the _____ day of _____, 20__ between the City of Zanesville (hereinafter referred to as the “City”) and the Muskingum Soil and Water Conservation District (hereinafter referred to as the “District”).

PURPOSE: The City has identified the need to provide access to healthy food resources for all residents through opportunities for urban agriculture activities such as community gardens, school gardens, home gardens, and urban farms (City of Zanesville Comprehensive Plan, page 89). The District has established the Urban Greens program to support the growth of sustainable urban agriculture and community gardens in Muskingum County by working together with other agencies and organizations to provide education and technical assistance to residents, agencies, organizations, and businesses.

THEREFORE, the City and District agrees as follows:

A. The District agrees to:

1. Provide educational opportunities to schools, groups, and the general public regarding urban agriculture, including gardening, healthy eating, food preparation and storage, etc. Activities may include in-class presentations as well as hands-on clinics or programs.
2. Continue working with Zanesville City Schools on current urban agriculture projects and to assist with the development of new projects.
3. Identify and train volunteers to assist with the community gardens and “Farm to School” garden site(s).
4. Continue working with the Summer Lunch Program to incorporate fresh produce at the “Farm to School” garden site(s).
5. Continue working with partner agencies to provide hands-on learning opportunities for summer youth programs.
6. Continue to provide urban agriculture technical assistance and support by performing soil tests, site reviews and designs, etc.
7. Work with the City and other organizations to provide public community garden sites so that residents and families can establish their own garden plots.

8. Goals and objectives of the program:
 - To support the growth of urban agriculture and community gardens in the City of Zanesville and surrounding Muskingum County.
 - Grow 250 pounds of produce for the Summer Lunch Program at the Farm to School garden sites(s).
 - Engage school-age children in programming by offering classroom presentations and hands-on learning opportunities in the garden.
 - Engage the adult residents and families of the City in urban agriculture by providing community garden sties and educational opportunities in urban agriculture.]
 - Provide technical support and assistance as needed for urban agriculture.
9. The District shall submit an invoice on an annual basis (amount to be determined annually) by March 1, with the invoice to be paid by the City by April 15th each year.

B. The City agrees to:

1. Accept funds from the Muskingum County Farm Bureau Dinner on the farm event, in support of the District's Urban Greens program. The amount will be determined annually by the Muskingum County Farm Bureau and the fund in their entirety will be contributed to the District for the purpose of employing a part-time (intermittent) Urban Agriculture Technician who will oversee the Urban Greens program. Funds will also be permitted to be used for providing said employee training, transportation, supplies, and necessary materials to carry out the goals of the program.
2. Make a payment of said funds, identified above in Section B-1, to the District, by April 15th of each year.
3. Support the Urban greens program by working with the District to identify and encourage the use of public lands for urban agriculture activities, establish regulations and zoning that support urban agriculture, and by considering grants and other funding sources to support the development of urban agriculture sites and programming.

C. It is mutually agreed:

1. Each party to this Agreement intends to carry out all of its respective commitments and obligations under the terms of this Agreement. However, each party to this Agreement is subject to appropriation and/or other authorization for funding in order to fulfill such commitments and obligations. If either party is denied funding, or if it becomes fiscally impossible for it to fulfill its obligations, such party may terminate this Agreement upon sixty (60) days written notice to the other pursuant to item C (8) of this Agreement.
2. This Agreement will remain in effect for one year from the effective day hereof. It may be renewed after a review of the Agreement provisions by both parties and subject to availability of funds for this purpose.
3. This Agreement may be amended at any time as agreed to by the parties hereto.

Attachment to Ordinance No. 2020-11

4. As a condition of this joint Agreement, the District and the City assure and certify that each is in compliance with and will comply in the course of the Agreement with all applicable laws, regulations and other generally applicable requirements, including those set out in 7 CFR 3015 which hereby are incorporated in this Agreement by reference.
5. All activities under this Agreement will be in compliance with the Drug-free Workplace Act of 1988 (Public Law 100-690, title V, Subtitle D).
6. Activities conducted under this Agreement will be in compliance with the nondiscrimination provisions as contained in titles VI and VII of the Civil Rights Act of 198 (Public Law 100-259) and other nondiscrimination statutes, namely Section 504 of the Rehabilitation Act of 1973, and in accordance with the regulations of the Secretary of Agriculture (UCFR-15, Subparts A and B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied benefit of, or be otherwise subjected to discrimination under any program or activity receiving Federal Financial Assistance from the U. S. Department of Agriculture or any agency thereof.
7. Discrimination of programs or services on the basis of race, color, national origin, sex, religion, age, disability, retaliation, political beliefs, sexual orientations, marital or family status, or genetic information is prohibited.
8. Either party can terminate this Agreement by providing a 60-day notice to the other party and final payment is made accordingly.

MUSKINGUM SOIL AND WATER
CONSERVATION DISTRICT

CITY OF ZANESVILLE

Rebecca Vansickle
MSWCD Board Chairperson

William Arnett
Community Development Director

Date

Date

Community Development Committee
Mark Baker, Chair

**ORDINANCE NO. 2020-12
INTRODUCED BY COUNCIL**

**AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT
DIRECTOR TO EXECUTE A GIFT AGREEMENT WITH THE
MUSKINGUM COUNTY FARM BUREAU.**

WHEREAS, Ordinance 18-141 authorized the City of Zanesville to execute an agreement with the Muskingum Soil and Water Conservation District (MSWCD) for the Urban Greens Program (UGP), which provides public education and access to fresh food through the development of urban gardens in the City of Zanesville; and

WHEREAS, MSWCD receives funding for the Urban Greens Program from a variety of sources, one of which is the Muskingum County Farm Bureau; and

WHEREAS, the Farm Bureau has requested the City of Zanesville execute a Gift Agreement in order to pass-through the Farm Bureau donation to MSWCD; and

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

SECTION ONE: The Community Development Director is hereby authorized to execute a gift agreement with the Muskingum County Farm Bureau for the MSWCD Urban Greens Program, attached as "Exhibit A".

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

PASSED: _____, 2020.

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2020

Donald L. Mason,
Mayor

**THIS LEGISLATION APPROVED
AS TO FORM**



LAW DIRECTOR'S OFFICE

**Attachment to Ordinance 2020-12
Gift Agreement**

This Gift Agreement is made effective as of the ____ day of _____, 2020 between the Muskingum County Farm Bureau (the "Donor") and the City of Zanesville (the "City").

1. Donor agrees to donate to the City a portion of the funds it raises from its 2019 Muskingum County Farm Bureau Dinner on the Farm event, to be used by the City in support of the Muskingum Soil and Water Conservation District's (the "District's") Urban Greens program. The District created the Urban Greens program to support the growth of sustainable urban agriculture and community gardens in Muskingum County by working together with other agencies and organizations to provide education and technical assistance to residents, agencies, organizations, and businesses. The amount donated shall be determined by the Donor in its sole discretion.

2. The City agrees to contribute all funds received from the Donor to the District for the purpose of employing a part-time (intermittent) Urban Agriculture Technician who will oversee the Urban Greens program. Funds will also be permitted to be used for providing said employee training, transportation, supplies, and necessary materials to carry out the goals of the program.

MUSKINGUM COUNTY FARM BUREAU

CITY OF ZANESVILLE

ERIC REED,
MUSKINGUM COUNTY FARM BUREAU PRESIDENT

WILLIAM ARNETT,
COMMUNITY DEVELOPMENT DIRECTOR

DATE

DATE

ANDREA KACKLEY,
MUSKINGUM COUNTY FARM BUREAU
ORGANIZATION DIRECTOR

DATE

**ORDINANCE NO. 2020-13
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO AN AMENDED HISTORIC PROPERTY INVESTMENT AGREEMENT IN CONNECTION WITH THE ZANE-ZENITH DOWNTOWN REDEVELOPMENT DISTRICT

WHEREAS, Zanesville City Council previously authorized Ordinance 17-117, which Ordinance certified the property located at 11 North 4th Street, Zanesville, Parcel Number 81-64-03-18-000, as a locally designated historic property (the "Historic Property" or "Zane-Zenith Building");

WHEREAS, Zanesville City Council previously authorized Ordinance 18-92 that engaged the authority granted to the City of Zanesville ("the City") pursuant to Ohio Revised Code ("ORC") Sections 5709.45 through 5709.47 to establish a Downtown Redevelopment District (the "Zane-Zenith DRD") in an area located in Downtown Zanesville and encompassing a 9.65 acre area enclosed by a continuous boundary in which a historic building will be rehabilitated;

WHEREAS, Ordinance 18-93, previously approved by the Zanesville City Council, authorized the proper city official to enter in to a Historic Property Investment Agreement with the Zane-Zenith Company for rehabilitation of the Historic Property;

WHEREAS, Exhibit C of the Historic Property Investment Agreement outlined the planned rehabilitation of the Zane-Zenith Building;

WHEREAS, the Historic Property Owner now desires to increase its investment in rehabilitation of the Historic Property to include changes to the building's façade.

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

- SECTION 1:** The Proper City Official of the City of Zanesville is hereby authorized to enter into the Amended Historic Property Investment Agreement contained in Exhibit A, by and between the City of Zanesville and the Zane-Zenith Company.
- SECTION 2:** The Amended Historic Property Investment Agreement shall be in effect throughout the duration of the Zane-Zenith DRD.
- SECTION 3:** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2020

ATTEST: _____
SUSAN CULBERTSON
CLERK OF COUNCIL

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

APPROVED: _____, 2020

Donald L. Mason,
Mayor

THIS LEGISLATION APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Zanesville at the Council Meeting held on the ____ day in the month of _____, 2020, and that I am a duly authorized to execute this certificate.

Signature

Susan Culbertson, Clerk of Council

Exhibit A

Historic Property Investment Agreement
Between Zane-Zenith Company and City of Zanesville

Ordinance No. 18-93

Community Development Committee
Mark Baker, Chair

**ORDINANCE NO. 18-93
INTRODUCED BY COUNCIL**

AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIAL TO ENTER INTO A HISTORIC PROPERTY INVESTMENT AGREEMENT IN CONNECTION WITH THE ZANE-ZENITH DOWNTOWN REDEVELOPMENT DISTRICT

WHEREAS, Zanesville City Council previously authorized Ordinance 17-117, which Ordinance certified the property located at 11 North 4th Street, Zanesville, Parcel Number 81-64-03-18-000, as a locally designated historic property (the "Historic Property" or "Zane-Zenith Building");

WHEREAS, Ordinance 18-92 engages the authority granted to the City of Zanesville ("the City") pursuant to Ohio Revised Code ("ORC") Sections 5709.45 through 5709.47 to establish a Downtown Redevelopment District (the "Zane-Zenith DRD") in an area located in Downtown Zanesville and encompassing a 9.65 acre area enclosed by a continuous boundary in which a historic building will be rehabilitated;

WHEREAS, pursuant to ORC Section 5709.45, which states that a DRD must contain at least one historic property which is being, or will be, rehabilitated, the Zane-Zenith Building has been designated by the City as the Historic Property of the Zane-Zenith DRD which shall undergo rehabilitation, thereby necessitating that the owner of the Historic Property (the "Historic Property Owner") make investment into the rehabilitation of the property;

WHEREAS, the City and Historic Property Owner both desire that the Historic Property Owner makes an investment into the rehabilitation of Zane-Zenith Building so as to preserve its historically significant features and fulfill the Ohio state requirements for establishing a DRD, as established in ORC Sections 5709.45 through 5709.47; and

WHEREAS, this Ordinance authorizes the proper City Official to enter into a Historic Property Investment Agreement with the Historic Property Owner, in substantially the same form as the Agreement contained in Exhibit A, which sets forth the terms for the rehabilitation of the Historic Property, and further certifies that the Historic Property Owner shall make an investment into the rehabilitation of the Zane-Zenith Building, and shall receive compensation for qualified rehabilitation expenditures from the Zane-Zenith DRD fund (the "DRD Fund") in accordance with ORC Section 5709.47, the terms set forth in the Historic Property Investment Agreement, and the Zane-Zenith DRD Economic Development Plan.

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

- SECTION 1:** The Proper City Official of the City of Zanesville is hereby authorized to enter into the Historic Property Investment Agreement contained in Exhibit A, by and between the City of Zanesville and the Zane-Zenith Company.
- SECTION 2:** The Historic Property Investment Agreement shall be in effect throughout the duration of the Zane-Zenith DRD.
- SECTION 3:** This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: September 24, 2018

ATTEST: Susan Culbertson

SUSAN CULBERTSON
CLERK OF COUNCIL

Daniel M. Vincent

DANIEL M. VINCENT
PRESIDENT OF COUNCIL

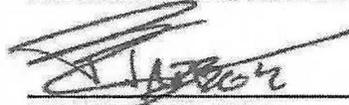
Ordinance No. 18-93

APPROVED: September 25, 2018



JEFF HILTON,
Mayor

THIS LEGISLATION APPROVED AS TO FORM



LAW DIRECTOR'S OFFICE

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Zanesville at the Council Meeting held on the 24 day in the month of September, 2018, and that I am a duly authorized to execute this certificate.



Signature
Sue Culbertson, Clerk of Council

Exhibit A

Historic Property Investment Agreement
Between Zane-Zenith Company and City of Zanesville

Historic Property Investment Agreement
Between
Zane-Zenith Company and City of Zanesville.

THIS AGREEMENT is entered into effective the 26 day of October, 2018 by and between the Zane-Zenith Company (herein called the "Historic Property Owner"), and the City of Zanesville (herein called the "City").

WHEREAS, the Historic Property Owner owns certain real property (herein called the "Subject Property" or "Historic Property") located at 11 North 4th Street, Zanesville, Muskingum County, Ohio, Parcel Number 81-64-03-18-000, which Subject Property was certified by the City as a locally designated historic property in Ordinance 17-117;

WHEREAS, Ordinance 18-92 engages the authority granted to the City pursuant to Ohio Revised Code ("ORC") Sections 5709.45 through 5709.47 to establish a Downtown Redevelopment District (a "DRD"), entitled the Zane-Zenith DRD, in an area located within the territorial boundaries of the City and encompassing a 9.65 acre area enclosed by a continuous boundary in which a historic building will be rehabilitated (as depicted in the map contained in Exhibit A attached hereto and incorporated by this reference, the "DRD Area");

WHEREAS, pursuant to ORC Section 5709.45, which states that a DRD must contain at least one historic property which is being, or will be, rehabilitated, the Subject Property has been designated by the City as the Historic Property of the Zane-Zenith DRD which shall undergo rehabilitation, thereby necessitating that the Historic Property Owner make investment into the rehabilitation of the Subject Property;

WHEREAS, in accordance with ORC Sections 5709.46 and 5709.47, the Zane-Zenith DRD Economic Development Plan (attached hereto as Exhibit B) specifies that the service payments derived from the Zane-Zenith DRD (the "Service Payments") shall form a municipal downtown redevelopment district fund (the "DRD Fund"), and provides that up to twenty percent (20%) of the DRD Fund may be allocated the Historic Building Owner to support Historic Property rehabilitation; and

WHEREAS, this Agreement shall be in effect throughout the duration of the Zane-Zenith DRD, that being a period commencing with the 2019 tax year (the "Commencement Date") and ending on the tenth (10th) anniversary of such Commencement Date, or on the date when the improvements cease to be a public purpose, whichever occurs first (the "DRD Exemption Period").

NOW, THEREFORE, it is agreed between the parties hereto that:

I. HISTORIC BUILDING REHABILITATION

A. Standards for the Rehabilitation of Historic Buildings

This Agreement shall ensure investment into the rehabilitation of the Subject Property in accordance with the requirements set forth in the Ohio Revised Code (ORC), and the definitions contained therein, as follows:

1. ORC Section 5709.45 defines a "Downtown Redevelopment District" as an area not more than ten acres enclosed by a continuous boundary in which at least one historic building is being, or will be, rehabilitated.

Attachment to Ordinance No. 2020-13

2. ORC Section 149.311 defines a “Historic building” means a building, including its structural components, that is located in the state of Ohio, and that is either individually listed on the national register of historic places under 16 U.S.C. 470a, located in a registered historic district, and certified by the state historic preservation officer as being of historic significance to the district, or is individually listed as an historic landmark designated by a local government certified under 16 U.S.C. 470a (c).
3. ORC Section 149.311 defines “Rehabilitation” as the process of repairing or altering an historic building or buildings, making possible an efficient use while preserving those portions and features of the building and its site and environment that are significant to its historic, architectural, and cultural values.
4. ORC 149.311 provides that “Qualified Rehabilitation Expenditures” means expenditures paid or incurred by an owner or qualified lessee of an historic building to rehabilitate the building. Qualified Rehabilitation Expenditures include architectural or engineering fees paid or incurred in connection with the rehabilitation, and expenses incurred in the preparation of nomination forms for listing on the national register of historic places. Qualified Rehabilitation Expenditures do not include any of the following expenses:
 - (a) The cost of acquiring, expanding, or enlarging an historic building;
 - (b) Expenditures attributable to work done to facilities related to the building, such as parking lots, sidewalks, and landscaping; and
 - (c) New building construction costs.

B. City of Zanesville’s Procedures for Reviewing Proposed Alterations

When planning Rehabilitation activities at the Subject Property, the Historic Property Owner shall adhere to the City’s Codified Ordinance Chapter 1167, referred to as the City of Zanesville Downtown Design and Exterior Maintenance Code, which was established to preserve and enhance the economic vitality and viability of downtown Zanesville. This Code encourages the establishment of an open dialogue between the Downtown Design Review Board and the developer of the Subject Property during the planning stages of any proposed project which would alter, demolish, or otherwise change any portion of the Subject Property. The Historic Property Owner shall further adhere to Codified Ordinance Chapter 1175 when proposing new construction on any portion of the Subject Property.

In accordance with the approval process provided in Chapter 1113 of the City’s Codified Ordinances, the Historic Property Owner shall apply for Downtown Design Review Board approval for any proposed alteration or demolition to the Subject Property by first filing an application with the City of Zanesville’s Planning and Zoning Administrator. Attached to the application shall be such drawings, plans, renderings, documents and other information consistent with the approval process provided in Chapter 1113.

C. Rehabilitation of the Historic Property; Payment to Historic Property Owner

The Historic Property Owner hereby agrees to make an investment into the Rehabilitation of the Subject Property making possible an efficient use while preserving those portions and features of the Subject

Attachment to Ordinance No. 2020-13

Property that are significant to its historic, architectural, and cultural values. A description of the Rehabilitation activities associated with the Subject Property is attached as Exhibit C.

The Zane-Zenith DRD Economic Development Plan provides that the first twenty percent (20%) of all monies on deposit in the DRD Fund shall be reserved for Rehabilitation of the Historic Property. The Historic Property Owner may be reimbursed solely for Qualified Rehabilitation Expenditures, as defined in ORC Section 149.311 and Section One of this Agreement.

Upon the City's review of the Qualified Rehabilitation Expenses incurred by the Historic Property Owner in connection with Historic Property Rehabilitation, it may provide the Historic Property Owner with compensation from the DRD Fund in accordance with the terms set forth in the Zane-Zenith DRD Economic Development Plan and this Agreement.

II. THE DRD FUND

Through Ordinance 18-92, the City establishes, pursuant to and in accordance with the provisions of ORC Section 5709.47, within the City Treasury a DRD Fund, into which fund shall be deposited the Service Payments distributed to the City by the County Treasurer. Those Service Payments received by the City with respect to the Zane-Zenith DRD Area shall be used solely for the purposes authorized in ORC Section 5709.45 (E) and the Zane-Zenith DRD Economic Development Plan. The DRD Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. The DRD Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the DRD Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City's General Fund, all in accordance with Ohio Revised Code Section 5709.47.

A. DRD Operating Committee

The City has created the Zane-Zenith DRD Operating Committee (the "DRD Operating Committee") for the duration of the DRD Exemption Period. The membership of the DRD Operating Committee is comprised of the Mayor of the City of Zanesville (or his/her appointee), a member of Zanesville City Council (or its appointee), the Community Development Director (or his/her appointee), and at least one business or property owner from the Zane-Zenith DRD area. The DRD Operating Committee shall review annually all exemptions from taxation resulting from the declarations set forth in Ordinance 18-92 and provide an annual report to City Council which describes and makes recommendations related to the effectiveness of the Zane-Zenith DRD.

If determined to be necessary and appropriate, the DRD Operating Committee may jointly execute on behalf of the City one or more Service Payment Agreements between the City and DRD area property owners providing for the payment and collection of the Service Payments, which agreement shall be in such form as is acceptable to such officials, approved by the Director of Law, and not substantially inconsistent with the terms of Ordinance 18-92.

B. DRD Fund and Dispersal of Funds

As described in the Zane-Zenith DRD Economic Development Plan contained in Exhibit B, the City shall allocate the DRD Fund within six project categories (the "DRD Fund Project Categories"), which are classified as follows:

Zane-Zenith DRD Fund Project Categories	Percentage of DRD Fund Allocated
Grants to Historic Property Owner for the rehabilitation of the Subject Property	20%
Grants or loans to property owners for the renovation/rehabilitation of other historic properties within DRD	16%
Loans to property owners for renovation of non-historic properties within DRD	16%
Contributions to the Zanesville Downtown Association	16%
Streetscape Improvements	16%
Building façade Improvements	16%

The City shall allocate the DRD Fund solely based upon the DRD Fund Project Categories provided in Section B of this Agreement. The Zane-Zenith DRD Economic Development Plan additionally states that the DRD Fund must be expended by the City in the following manner:

1. Until the DRD Fund balance reaches \$50,000, no more than twenty percent of the yearly revenue may be expended, and eighty percent of yearly fund income must be retained in the DRD Fund.
2. The first twenty percent of the DRD Fund balance shall be reserved for the Rehabilitation of the Subject Property.
3. The remaining DRD Fund balance shall be equally (16%) distributed among the five remaining DRD Fund Project Categories.
4. The maximum allowable expenditure for any one DRD Fund Project Category is sixteen percent of the DRD Fund balance, with the exception of the Subject Property Rehabilitation, in which the maximum is twenty percent.

C. Forecasting DRD Program Revenue

As described in Section 2 of this Agreement, the DRD Fund will be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City.

The Financial Plan contained in the Zane-Zenith DRD Economic Development Plan estimates that, using a conservative estimate of 1% growth of assessed value each year, the Zane-Zenith DRD will produce approximately \$8,892 from Service Payments during year one, and produce \$9,822 in year ten. Over ten years, the Zane-Zenith DRD is expected to produce \$102,000 in DRD program revenue.

III. NOTICES

Notices required by this Agreement shall be made in writing and delivered via mail (postage prepaid), commercial courier, or personal delivery or sent by facsimile or other electronic means (provided that receipt is confirmed). Any notice delivered or sent as aforesaid shall be effective on the date of delivery or sending. All notices and other written communications under this Agreement shall be addressed to the individuals in the capacities indicated below, unless otherwise modified by subsequent written notice.

Communication and details concerning this Agreement shall be directed to the following contract representatives:

Historic Property Owner

City of Zanesville

Zane-Zenith Company

The City of Zanesville

11 North 4th Street
Zanesville, OH 43701
Phone# (740) 454-8585

401 Market Street
Zanesville, OH 43701
Phone# (740) 617-4910
Jay.bennett@coz.org

IV. **EXHIBITS**

The following Exhibits are attached to this Agreement:

- (i) Exhibit A: Map of the Zane-Zenith DRD
- (ii) Exhibit B: Zane-Zenith DRD Economic Development Plan
- (iii) Exhibit C: Description of Rehabilitation Activities

V. **MISCELLANEOUS**

A. **Governing Law**

This Agreement shall be governed by the laws of the State of Ohio as to all matters, including but not limited to matters of validity, construction, effect and performance.

B. **Forum and Venue**

All actions regarding this Agreement shall be brought exclusively in a court of competent subject matter jurisdiction in Muskingum County, Ohio, and the parties agree that venue in such courts is appropriate.

C. **Entire Agreement**

This Agreement and its exhibits and any documents referred to herein constitute the complete understanding of the parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the parties with respect to the subject matter hereof.

D. **Severability**

Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this Agreement.

E. **Amendments or Modifications**

Either party may at any time during the term of this Agreement request amendments or modifications. Requests for amendment or modification of this Agreement shall be in writing and shall specify the requested changes and the justification of such changes. The parties shall review the request for modification in terms of the regulations and goals relating to the Historic Property and Zane-Zenith DRD. Should the parties consent to modification of the Agreement, then an amendment shall be drawn, approved, and executed in the same manner as the original agreement.

F. Pronouns

The use of any gender pronoun shall be deemed to include all the other genders, and the use of any singular noun or verb shall be deemed to include the plural, and vice versa, whenever the context so requires.

G. Headings

Section headings contained in this Agreement are inserted for convenience only and shall not be deemed to be a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Historic Property Investment Agreement on the day and year set forth below.

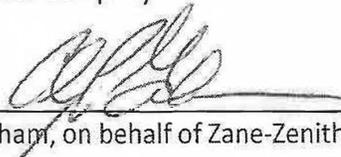
CITY OF ZANESVILLE:

HISTORIC PROPERTY OWNER:

City of Zanesville

Zane-Zenith Company

Name: 
Jay Bennett, Director, Community
Development Department

Name: 
Clay Graham, on behalf of Zane-Zenith
Company

Date: 10/26/18

Date: 8-24-18

Approved to Form:

City of Zanesville Law Director:

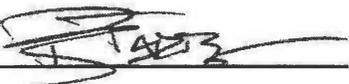
Name: 

Exhibit A

Historic Property Investment Agreement
Map of Zane-Zenith Downtown Redevelopment District

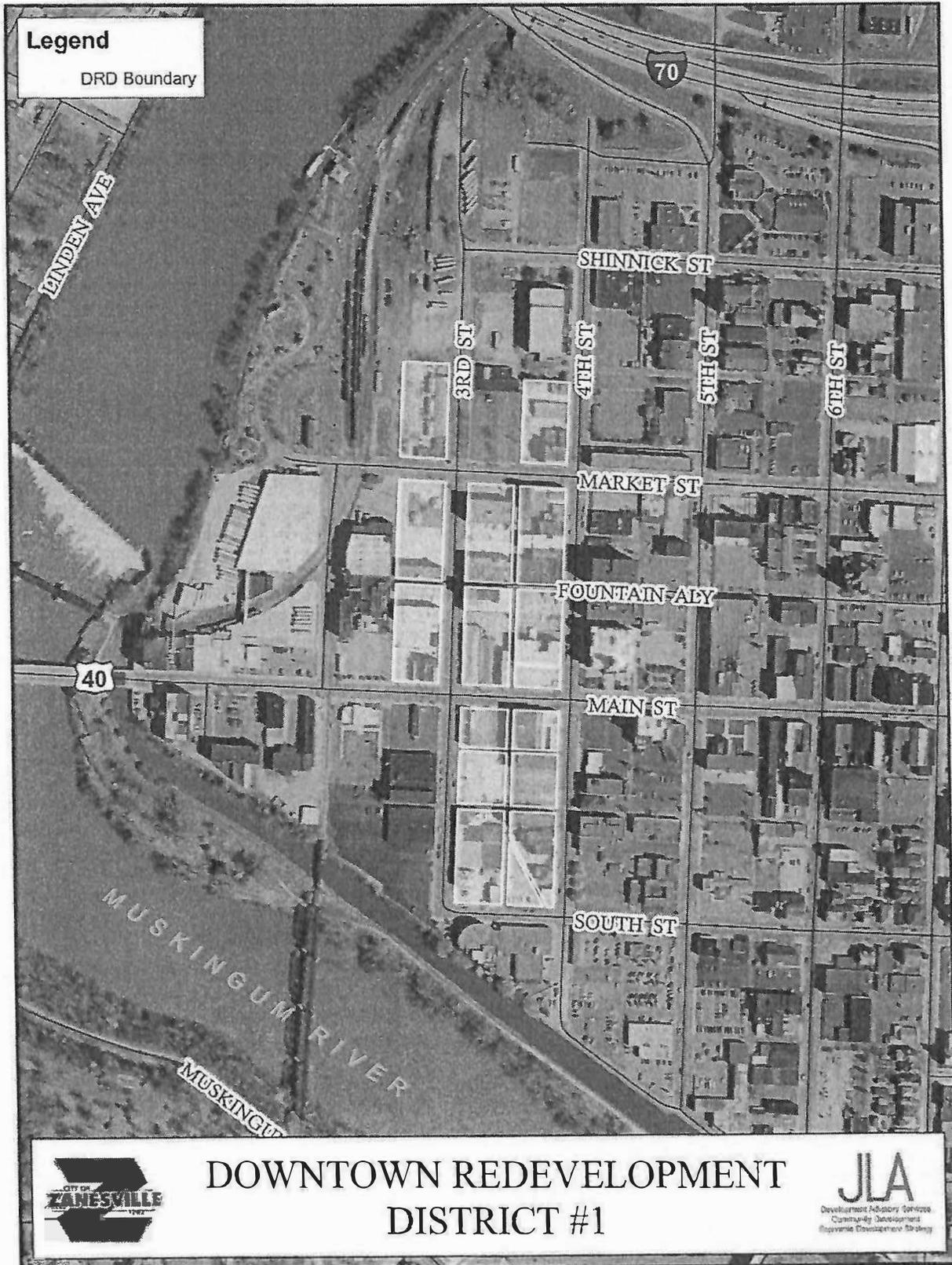


Exhibit B

Historic Property Investment Agreement

ZANE-ZENITH DRD ECONOMIC DEVELOPMENT PLAN

Exhibit C

Historic Property Investment Agreement

Description of Rehabilitation Activities

Zane-Zenith Building
Rehabilitation Activities

<u>Rehabilitation Activities Currently being Performed</u>	<u>Estimated Timeframe</u>
Remodel 2500 square feet for bank branch including new electric service and HVAC	Completion by 9/15/18
<u>Estimated Future Rehabilitation Activities to be Performed</u>	
Remodel 4500 square feet for office space for future tenants	To be determined by market conditions

ORDINANCE NO. 2020 - 14

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO ENERGY SAVINGS CONTRACTS WITH ABM TECHNICAL SOLUTIONS, LLC.

WHEREAS, The City of Zanesville's City Council (the "Council"), is authorized under Ohio Revised Code ("ORC") Section 717.02 to select a vendor for the purpose of developing an energy conservation report; and,

WHEREAS, Ordinance No. 19-77 authorized and directed the Mayor to enter into an agreement with the firm of ABM Technical Solutions, LLC for the provision of an energy conservation report; and,

WHEREAS, as a result of the energy conservation report, the Council has determined to undertake capital projects consisting of, but not limited to, all or some of the following: a guaranteed energy savings and conversion project, including the planning, design, purchase, acquisition, installation, construction, equipping and furnishing of energy savings repairs, renovations, upgrades and improvements to buildings and facilities operated by the City of Zanesville as funds are available to undertake and complete (the "Project"); and,

WHEREAS, in order to implement the Project, the Council proposes to enter into an Energy Savings Contract and an Energy Equipment Installation Contract with ABM Technical Solutions, LLC (the "Contracts"); and,

WHEREAS, the City is authorized under the Constitution and laws of the State of Ohio (the "State"), to enter into financing agreements (including lease obligations) to finance capital improvements for the governmental and miscellaneous functions of the City if so desired; and

WHEREAS, pursuant to the Contracts, the City Council desires to acquire certain equipment with a cost not to exceed \$11,800,000, constituting improvements at the various City facilities, and water metering infrastructure; and,

WHEREAS, the proposed improvements will result in an estimated savings in energy, maintenance, voided capital costs, opportunity cost, and operating expense of \$19,756,469 over twenty (20) years.

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

SECTION 1. That the Mayor be and hereby is authorized and directed to enter into agreements with the firm of ABM Technical Solutions, LLC for the provision of the aforementioned services.

SECTION 2. That the City Council finds that the amount of money to be spent on the Energy Conservation Measures is not likely to exceed the amount of money the City will save in energy, operating, maintenance, opportunity cost and voided capital costs over the average system life of the measures as specified in the energy conservation report.

ORDINANCE NO. 2020 - 14

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication according to law.

PASSED: _____, 2020

ATTEST: _____
SUSAN 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

ORDINANCE NO. 2020 - 15

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A TAX-EXEMPT MUNICIPAL LEASE FOR THE FUNDING OF ENERGY CONSERVATION MEASURES IN THE CITY PROVIDED BY ABM TECHNICAL SOLUTIONS, LLC.

WHEREAS, Ordinance No. 2020-14 authorized and directed the City to enter into an agreement with ABM Technical Solutions, LLC in an amount not to exceed \$11,800,000 for the implementation of energy conservation measures throughout the City; and,

WHEREAS, the City is authorized under the laws of the State of Ohio, to enter into financing agreements, including lease obligations, to fund capital improvements for the governmental and miscellaneous functions of the City if so desired.

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

SECTION 1. The Mayor is hereby authorized and directed to enter into a municipal lease agreement in order to fund the implementation of energy conservation measures provided by ABM Technical Solutions, LLC.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 3. This ordinance shall take effect and be in force from and after its passage and publication according to law.

PASSED: _____, 2020

ATTEST: _____
SUSAN 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

Auditor Andrew Body

ORDINANCE NO. 2020-16
INTRODUCED BY COUNCIL

AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY THE INVOICES OF VARIOUS DEPARTMENTS USING 2020 MONEY FOR 2019 INVOICES AND DECLARING AN EMERGENCY.

WHEREAS, at the beginning of the year, final bills of 2019 cannot be estimated thus causing various purchase orders that need council approval; and,

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

WHEREAS, an emergency exists so that all vendors can be paid on a timely basis whereby diverting a possible power outage which could risk the health, safety, and welfare of the public.

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

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

American Electric Power	31,748.10	Street Lighting
American Electric Power	7,107.95	Jail
American Electric Power	5,356.94	Police

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

PASSED _____, 2020

ATTEST: _____
Susan Culbertson
Clerk of Council

Daniel M. Vincent
President of Council

APPROVED: _____, 2020

Mayor Donald Mason

This legislation approved as to form:



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

401 Main Street
Zanesville, Ohio 43701
Phone: (740) 252-1351
Fax: (740) 455-7198
Email: dalong@muskingumcounty.org
Website: www.muskingumcounty.org



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.

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

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

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

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

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

PETITION TO ADDRESS COUNCIL

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

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

NAME: Joe Temple

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

ADDRESS: 533 Merrick Ave

TELEPHONE: 740 8192508

EMAIL (OPTIONAL): _____

COMMUNICATION/RESOLUTION/ORDINANCE #: 25101 _____ FOR OR _____ AGAINST

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

SPEAK ABOUT CITY CODE PEOPLE

RECEIVED

JAN 09 2020
10:32 am

CLERK OF COUNCIL

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

Joe Temple
SIGNATURE

1-9-2020
DATE



City of Zanesville

401 Market Street
Zanesville, OH 43701
www.coz.org

Case Number: **CDM-HS-2291-2019**

Repair Notice

Case Type: **Housing**

Date Case Established: **08/12/2019**

Compliance Deadline: **12/02/2019**

Owner: EVELYN TEMPLE

Mailing Address

EVELYN TEMPLE
533 MERRICK AVE
ZANESVILLE, OH 43701

Notice of Violation for the following location:

Address

533 MERRICK AVE

An inspection of the above-referenced property reveals that it does not meet the minimum requirements of the Building or Property Maintenance Code of the City of Zanesville.

Our records show that you are an owner or person responsible for said property. If this is not the case, please call us at your earliest convenience. Code inspections are conducted under the authority of the City Codified Ordinances in order to protect public health, safety and welfare and to preserve and maintain all structures within the City of Zanesville.

A list of violations found to exist at the above referenced property is detailed below and a copy is on file in the office of the Building and Code Enforcement Division. The City of Zanesville hereby respectfully orders you to repair, make safe and sanitary, and otherwise correct the violations contained in the below list within the number of days to comply stated on the list of violations. If you are unable to comply within the time limits, please contact us immediately and the inspector may grant an extension provided any immediate dangers or unsanitary conditions are corrected. **All extensions granted shall be issued in writing from this office.**

Violation: 1114 - Final Notice - This is your final notice an affidavit will be filed with the Municipal Court of the City of Zanesville if you fail to correct all violations due or if you fail to communicate your reason for not complying prior to due dates.
Final Notice

Corrective Action: Remediate as Indicated

Compliance Date: 12/02/2019

Violation: 2605 - Columns - Repair or replace any columns on the porch/deck/balcony where rotted, broken, missing, loose or otherwise deteriorated.
PM304.10; PM304.4

Corrective Action: Remediate as Indicated

Compliance Date: 04/30/2020

Violation: 2608 - Roof Structure - Repair or replace any roof rafters or sheathing on the porch/deck/balcony where rotted, broken, sagging, missing, or otherwise deteriorated.
PM304.4; PM304.7

Corrective Action: Remediate as Indicated

Compliance Date: 04/30/2020

Violation: 2609 - Covering - Repair or replace any roof covering on the porch/deck/balcony where rotted, worn, damaged, leaking, missing, or otherwise deteriorated.
PM304.1; PM304.7

Corrective Action: Remediate as Indicated

Compliance Date: 04/30/2020



City of Zanesville

401 Market Street
Zanesville, OH 43701
www.coz.org

Case Number: **CDM-HS-2291-2019**

Repair Notice

Case Type: **Housing**

Date Case Established: **08/12/2019**

Compliance Deadline: **12/02/2019**

Violation: 2616 - Porch Storage - No bagged, boxed or loose storage shall be permitted on porches or decks with the exception that trash storage containers may be kept on rear or interior side porches.
PM302.1.3

Corrective Action: Remediate as Indicated

Compliance Date: 12/02/2019

Violation: 2908 - Trash - Maintain all exterior premises free of all litter, rubbish, garbage, or building materials. Building materials must be stored in a completely enclosed structure. ****Affidavits filed for trash will no longer be dismissed if trash has not been cleaned up by compliance date.
PM302.1; PM308.1

Corrective Action: Remediate as Indicated

Compliance Date: 01/06/2020

Violation: 2926 - Vehicles - Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept, or stored on any premises, or be in a state of major disassembly or disrepair or be in the process of being dismantled unless in a completely enclosed structure. All vehicles must be parked on a properly prepared surface not in yards, on curbs or sidewalks.
PM302.8; ORD331.37

Corrective Action: Remediate as Indicated

Compliance Date: 01/15/2020

If you are not satisfied, or desire information regarding the authority of procedures of Code Enforcement, or wish to appeal this order please contact the Building Inspector within **thirty days** of receipt of this letter.

Building Code Email - buildingcode@coz.org
Building Code Phone - 740-617-4890

Sincerely,

Mari Grant