



**City Council
Legislative Session**

Agenda

**March 27, 2023
7:30 PM**

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
March 27, 2023

6:25-6:40 p.m.	Executive Session: Litigation	Utilities Woods
6:40-6:55 p.m.	Fire Department quarterly update	Fire, Police, Civil Defense Mahan
6:55-7:05 p.m.	Police Department staffing	Fire, Police, Civil Defense Mahan
7:05-7:15 p.m.	CA&C Depot parking lot	Parks & Lands Keener

- 03-27-23 Council Committee Meeting Schedule

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

INVOCATION

Pastor Lucian Baker, Christ the King Church

PLEDGE OF ALLEGIANCE

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Mar 13, 2023 7:30 PM

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

- 03-13-23A Utilities Committee Meeting Minutes
- 03-13-23B Utilities Committee Meeting Minutes

- 03-13-23 Employee and Community Relations Committee Meeting Minutes
- 03-13-23A Planning and Zoning Committee Meeting Minutes
- 03-13-23B Planning and Zoning Committee Meeting Minutes

LIQUOR CONTROL LICENSE

None.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Brandy Booth, Ohio Means Jobs

RESOLUTIONS FOR THIRD READING**RESOLUTION NO. 2023-27**

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO PURCHASE A PIPE FITTER TRUCK FOR WATER DISTRIBUTION AND COLLECTION; AND DECLARING AN EMERGENCY.

Utilities: Woods, Keener

RESOLUTIONS FOR SECOND READING**RESOLUTION NO. 2023-29**

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CA&C DEPOT PARKING LOT-RELATED IMPROVEMENTS; AND DECLARING AN EMERGENCY.

Parks and Lands: Keener, Woods

RESOLUTIONS FOR FIRST READING**RESOLUTION NO. 2023-31**

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE ELLIOTT STREET SANITARY SEWER PROJECT; AND DECLARING AN EMERGENCY.

Utilities: Woods, Keener

RESOLUTION NO. 2023-32

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON TO GRANT AN EASEMENT TO THE

PROPERTY LOCATED AT 301 BOYNTON STREET; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Francis

RESOLUTION NO. 2023-33

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR QUALIFICATIONS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS FOR CLOSED-CIRCUIT TELEVISED INSPECTION OF THE CITY OF MOUNT VERNON'S STORMWATER AND SANITARY SEWER LINES WITHIN AND IMMEDIATELY ADJACENT TO TAX INCREMENT FINANCING (TIF) DISTRICT NUMBER ONE, IDENTIFY AND ENTER INTO CONTRACT WITH THE SELECTED FIRM OR FIRMS FOR THOSE SERVICES; AND DECLARING AN EMERGENCY.

Utilities: Woods, Keener

RESOLUTION NO. 2023-34

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH IGS ENERGY; AND DECLARING AN EMERGENCY.

Utilities: Woods, Keener

RESOLUTION NO. 2023-35

AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF A VEHICLE IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Mahan

RESOLUTION NO. 2023-36

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO MAKE SUPPLEMENTAL APPROPRIATIONS.

Finance and Budget: Seavolt, Mahan

RESOLUTION NO. 2023-37

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO TRANSFER CERTAIN FUNDS.

Finance and Budget: Seavolt, Mahan

RESOLUTION NO. 2023-38

A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR ROAD SALT FOR 2023; AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Mahan

ORDINANCES FOR THIRD READING

ORDINANCES FOR SECOND READING

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2023-10

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE FEBRUARY 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

ORDINANCE NO. 2023-11

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

Fire, Police and Civil Defense: Mahan, Seavolt

ORDINANCE NO. 2023-12

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

Fire, Police and Civil Defense: Mahan, Seavolt

ORDINANCE NO. 2023-13

AN ORDINANCE ESTABLISHING THE POSITION OF ENGINEERING DEPARTMENT INTERN; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Hillier

REMARKS FROM THE ADMINISTRATION

REMARKS FROM COUNCIL

ADJOURN AT THE CALL OF THE PRESIDENT



PRESS RELEASE

City Hall
40 Public Square
Mount Vernon, OH 43050

FOR MORE INFORMATION, CONTACT:
Todd Hill, Clerk of Council
740-393-9517 Fax: 740-397-6595

FOR IMMEDIATE RELEASE

March 22, 2023

Mount Vernon City Council Committee Meeting Schedule March 27, 2023

6:25-6:40 p.m.	Executive Session: Litigation	Utilities Woods
6:40-6:55 p.m.	Fire Department quarterly update	Fire, Police, Civil Defense Mahan
6:55-7:05 p.m.	Police Department staffing	Fire, Police, Civil Defense Mahan
7:05-7:15 p.m.	CA&C Depot parking lot	Parks & Lands Keener

The above listed meeting will be held to discuss the above items; but will not be limited to those listed.
Mount Vernon News - WMVO - WNZR – City Hall Bulletin Board



Utilities Committee Meeting Minutes

March 13, 2023 – 5:50 p.m. to 5:52 p.m.

COUNCIL PRESENT:

Bruce Hawkins, Council President
James Mahan, First Ward
John Francis, Second Ward
Tammy Woods, Third Ward
Mike Hillier, Fourth Ward
Amber Keener, At-Large
Mel Severns, At-Large

ABSENT:

Janis Seavolt, At-Large

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Lacie Blankenhorn, Development Services Manager
Emily Platt, Engineering
Todd Hill, Clerk
Cheryl Splain, Knox Pages
Jeff Gottke, Area Development Foundation

The committee discussed Resolution No. 2023-12, to enter into contract with Gray Matter Systems, LLC, for design and implementation of a Water Plant control system and security updates. Emily Platt of the Engineering Department explained that Council is being asked to postpone the resolution indefinitely. New legislation will be introduced later pending resolution of the City's contract with Gray Matter Systems. Prices for the project have not changed. No further committee meetings on the matter were requested. Resolution No. 2023-12 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Tammy Woods, Chair
Utilities Committee
Mount Vernon City Council

TW/th



Utilities Committee Meeting Minutes

March 13, 2023 – 5:53 p.m. to 6:04 p.m.

COUNCIL PRESENT:

Bruce Hawkins, Council President
James Mahan, First Ward
John Francis, Second Ward
Tammy Woods, Third Ward
Mike Hillier, Fourth Ward
Amber Keener, At-Large
Mel Severns, At-Large

ABSENT:

Janis Seavolt, At-Large

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Lacie Blankenhorn, Development Services Manager
Emily Platt, Engineering
Todd Hill, Clerk
Cheryl Splain, Knox Pages
Jeff Gottke, Area Development Foundation

The committee discussed Resolution No. 2023-26, to advertise for bids and enter into contract for the CDBG Stump-Northview water and sewer improvements. Emily Platt of the Engineering Department detailed the project. The City has received \$726,000 in grant money for the project, with \$297,000 appropriated in the Water and Wastewater budgets; Clinton Township will perform paving at the close of the project. No further committee meetings on the matter were requested. Resolution No. 2023-26 was up for a second reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Tammy Woods, Chair
Utilities Committee
Mount Vernon City Council

TW/th



**Employee and Community Relations Committee Meeting Minutes
Committee Meeting**

March 13, 2023 – 6:04 p.m. to 6:09 p.m.

COUNCIL PRESENT:

Bruce Hawkins, Council President
James Mahan, First Ward
John Francis, Second Ward
Tammy Woods, Third Ward
Mike Hillier, Fourth Ward
Amber Keener, At-Large
Mel Severns, At-Large

ABSENT:

Janis Seavolt, At-Large

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Lacie Blankenhorn, Development Services Manager
Emily Platt, Engineering
Todd Hill, Clerk
Cheryl Splain, Knox Pages
Jeff Gottke, Area Development Foundation

The committee discussed Ordinance No. 2023-02, to create the position of Law Director intern. Law Director Rob Broeren detailed the prospective position, explaining that the internship wouldn't be limited to any one college or university, that the intern should be someone interested in governmental law, and that the position has already been funded. The intern would be charged with listening to phone calls from the jail, among other duties, and Broeren agreed to provide Council with a report at the end of the internship. No further committee meetings on the matter were requested. Ordinance No. 2023-02 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

John Francis, Chair
Employee and Community Relations Committee
Mount Vernon City Council

JF/th



**Planning and Zoning Committee Meeting Minutes
March 13, 2023 – 6:09 p.m. to 6:25 p.m.**

COUNCIL PRESENT:

Bruce Hawkins, Council President
James Mahan, First Ward
John Francis, Second Ward
Tammy Woods, Third Ward
Mike Hillier, Fourth Ward
Amber Keener, At-Large
Mel Severns, At-Large

ABSENT:

Janis Seavolt, At-Large

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Lacie Blankenhorn, Development Services Manager
Emily Platt, Engineering
Todd Hill, Clerk
Cheryl Splain, Knox Pages
Jeff Gottke, Area Development Foundation

The committee discussed the City's Public Development Plan approval process, particularly in regards to Resolution No. 2023-11, approving the PND Comprehensive Development Plan as submitted by Highland Real Estate and approved by the Mount Vernon Municipal Planning Commission for parcel #66-00501.000 on Newark Road. Development Services Manager Lacie Blankenhorn explained the laws written in Codified Ordinances Chapter 1163. Law Director Rob Broeren explained that six votes of Council are required to overturn or adjust a recommendation of the Municipal Planning Commission, and that four votes are needed for Resolution No. 2023-11 to be adopted. The Ohio Revised Code is silent as to what occurs if there are fewer than four votes in favor, although Broeren advised returning the matter to the MPC in that case. Hillier recommended that residents attend MPC meetings, and Woods suggested that could be difficult for some given the 4 p.m. meeting time, which is locked in for the remainder of 2023; a time change would render a meeting special, which has certain restrictions. Blankenhorn commented that if Resolution No. 2023-11 is approved the matter would return to the MPC for a preliminary plat approval. No further committee meetings on the matter were scheduled. Resolution No. 2023-11 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Mike Hillier, Chair
Planning and Zoning Committee
Mount Vernon City Council

MH/th

Communication: 03-13-23A Planning and Zoning Committee Meeting Minutes (Receive Committee Reports)



**Planning and Zoning Committee Meeting Minutes
March 13, 2023 – 6:30 p.m. to 7:20 p.m.**

COUNCIL PRESENT:

Bruce Hawkins, Council President
James Mahan, First Ward
John Francis, Second Ward
Tammy Woods, Third Ward
Mike Hillier, Fourth Ward
Amber Keener, At-Large
Mel Severns, At-Large

ABSENT:

Janis Seavolt, At-Large

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Lacie Blankenhorn, Development Services Manager
Emily Platt, Engineering
Todd Hill, Clerk
Cheryl Splain, Knox Pages
Jeff Gottke, Area Development Foundation

The committee held a public hearing to discuss Resolution No. 2023-11, approving the PND Comprehensive Development Plan as submitted by Highland Real Estate and approved by the Mount Vernon Municipal Planning Commission for parcel #66-00501.000 on Newark Road. Gary Skinner of G+2 Planning and Design explained that eminent domain would not need to be implemented and that his organization doesn't have the authority to implement it. He added that ODOT does not see the need to lower the speed limit on Newark Road. Matt Skinner of Highland Real Estate explained that Owl Creek Conservancy land would not be built on. Mark Ramser, co-owner of the property, noted that easements are in place, while local Realtor John Yoder noted that housing inventory in and around Mount Vernon is in short supply. Engineer Brian Ball observed that a traffic study suggested a southbound turn lane on Newark Road would eventually be needed, and Skinner added that turn lanes would be added in both directions at the project's start. Resident Rick Katell observed that the water flow in Delano Run is fast, and Ball suggested retention related to the development may slow the flow. Resident Tim Burton expressed concerns about traffic and property values. The Clerk read three letters in opposition to the development into the record. Hawkins noted that the MPC voted unanimously in favor of the development. Resident Don Carr added that the MPC has only one public member, while Council represents the entire City, and questioned the need for housing in Mount Vernon. Keener responded that a recent Knox County Area Development Foundation study identified such a need. No further committee meetings on the matter were scheduled. Resolution No. 2023-11 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Mike Hillier, Chair
Planning and Zoning Committee
Mount Vernon City Council
MH/th



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-27

Meeting: 03/27/23 7:30 PM
Dept: Utilities
Woods, Keener
Category: Utilities
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3762

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO PURCHASE A PIPE FITTER TRUCK FOR WATER DISTRIBUTION AND COLLECTION; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Safety-Service Director for the City of Mount Vernon be and he herewith is authorized and directed to purchase the following vehicle for Water Distribution and Collection:

1. A 2023 Chevrolet Silverado MD two-wheel drive regular cab work truck for pipe fitting.

SECTION 2: This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and safety, and for the further reason to allow the City to purchase this vehicle in a timely manner and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

HISTORY:

02/27/23 City Council FIRST READING

Resolution No. 2023-27 was given a first reading.

03/13/23 City Council SECOND READING

Resolution No. 2023-27 was given a second reading.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-29

Meeting: 03/27/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Bid/Contract
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3767

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CA&C DEPOT PARKING LOT-RELATED IMPROVEMENTS; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to advertise for bids and enter into a contract for parking lot-related improvements at the CA&C Depot, including the installation of a nine-foot-tall, bronze reproduction of the Statue of Liberty gifted to the City from the Ariel Foundation for the use of the Mount Vernon Parks Department.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that bids must be solicited to avoid possible cost increases in the future, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

HISTORY:

03/13/23 City Council FIRST READING

Resolution No. 2023-29 was given a first reading. Keener requested a 10-minute meeting of the Parks and Lands Committee on the legislation for March 27, 2023.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-31

Meeting: 03/27/23 7:30 PM

Dept: Utilities

Woods, Keener

Category: Bid/Contract

Prepared By: Todd Hill

Initiator: Todd Hill

DOC ID: 3773

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE ELLIOTT STREET SANITARY SEWER PROJECT; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to advertise for bids and enter into a contract for the Elliott Street sanitary sewer project.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that bids must be solicited to avoid possible cost increases in the future, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-32

Meeting: 03/27/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Francis
Category: Streets
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3776

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON TO GRANT AN EASEMENT TO THE PROPERTY LOCATED AT 301 BOYNTON STREET; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Mount Vernon, Ohio has been made aware of a building encroaching upon the street right-of-way belonging to the City, being Lot 45 of Boynton and Hills Addition, which has an assigned address of 301 Boynton Street, Mount Vernon, Ohio and

WHEREAS, Ohio Revised Code Section 723.121 authorizes municipal legislative authorities to convey easements on City property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That Council hereby authorizes the Safety-Service Director of the City of Mount Vernon to grant an easement to the owner of record of 301 Boynton Street, Mount Vernon, Ohio (Parcel 66-02977.000), conveying a perpetual easement for the building located at that address, which extends 4 feet into the Right of Way for Cedar Street (see attachment A), including the following conditions:

- 1) The building may be maintained in its present location, but may not be enlarged to further encroach upon the City right-of-way.
- 2) If the building is destroyed or replaced, it may not be rebuilt within the City property easement. "Destroyed" means demolished, or sustaining damage to 51 percent or more of the structure by fire, explosion, windstorm or other peril.
- 3) The conditions of this easement shall be binding upon the successors to this Council and the owners of 301 Boynton Street, Mount Vernon, Ohio.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety. The reason for the emergency is to allow the property to transfer normally while protecting the City's interest in the adjacent property and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

TRACY & MILLS, SURVEYORS

DAVID R. MILLS, PS
SURVEYOR #7157

10 East Vine Street - P.O. Box 642
Mount Vernon, Ohio 43050
Tel.: 740-397-8324 Fax: 740-397-5910
tracyandmills@aol.com

FLOYD W. BARNES, I
1921-2018

AMY BERNICKEN, PS
SURVEYOR #8571

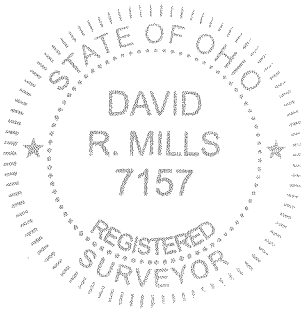
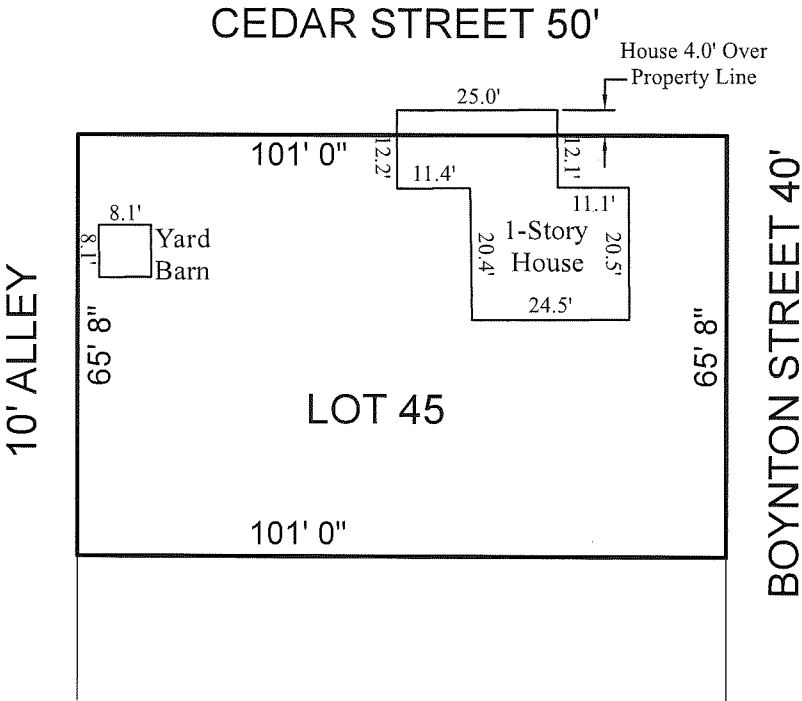
THOMAS M. TRACY, I
1941-2002

MORTGAGE LOCATION SURVEY FOR: Owl Creek Title Agency, Ltd. / Park National Bank

LOCATION:
301 Boynton Street
Mount Vernon, Ohio
Being Lot 45 of Boynton and Hills Addition,
City of Mount Vernon, Knox County, Ohio

BUYER/SELLER: Michael & Diane Trego / Michael W. & Krys D. Clifton, Trustees OC0516

Date: March 13, 2023
Scale: 1" = 30' PARCEL # 66-02977.00



CERTIFICATION: We hereby certify that the foregoing survey was prepared from actual field measurements. This Mortgage Location Survey is in accordance with chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said code.

David R. Mills, Surveyor No. 7157
Amy Bernicken, Surveyor No. 8571



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-33

Meeting: 03/27/23 7:30 PM

Dept: Utilities

Woods, Keener

Category: Utilities

Prepared By: Todd Hill

Initiator: Todd Hill

DOC ID: 3777

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR QUALIFICATIONS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS FOR CLOSED-CIRCUIT TELEVISED INSPECTION OF THE CITY OF MOUNT VERNON'S STORMWATER AND SANITARY SEWER LINES WITHIN AND IMMEDIATELY ADJACENT TO TAX INCREMENT FINANCING (TIF) DISTRICT NUMBER ONE, IDENTIFY AND ENTER INTO CONTRACT WITH THE SELECTED FIRM OR FIRMS FOR THOSE SERVICES; AND DECLARING AN EMERGENCY.

WHEREAS, Revised Code sections 153.65-73 allow local governments to select architects, engineers and other design professionals on Qualifications-Based criteria.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to release a Request for Qualifications for identifying and selecting a qualified firm or firms to provide closed-circuit televised inspection of the City of Mount Vernon's stormwater and sanitary sewer lines within and immediately adjacent to TIF District Number One.

SECTION 2: That the Safety-Service Director is hereby further authorized, upon identifying and selecting a qualified firm or firms, to negotiate and enter into a contract to provide closed-circuit televised inspection of the City of Mount Vernon's stormwater and sanitary sewer lines within and immediately adjacent to TIF District Number One.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the City to continue to provide operable and safe sewer infrastructure to the people of Mount Vernon, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-34

Meeting: 03/27/23 7:30 PM
Dept: Utilities
Woods, Keener
Category: Agreement
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3778

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH IGS ENERGY; AND DECLARING AN EMERGENCY.

WHEREAS, a governmental natural gas aggregation program provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise have access to individually; and

WHEREAS, participation in such programs is authorized under Section 4929.26, Ohio Revised Code; and

WHEREAS, this Council seeks to continue the program for the residents, businesses and other natural gas consumers in the City, as permitted by law.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Safety-Service Director is hereby authorized to enter into an agreement with IGS Energy.

SECTION 2: This Council finds and determines that it is in the best interest of the City, its residents, businesses and other natural gas consumers located within the corporate limits of the City to establish such "opt-out" programs in the City. Eligible persons purchasing natural gas from any utility service operating within the City of Mount Vernon may participate in such opt-out programs through agreement with such approved suppliers.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, welfare and convenience of the citizens of the City of Mount Vernon, and for the additional reason that this Resolution is required to be immediately effective in order to file a certified copy of this Resolution, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-35

Meeting: 03/27/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3779

AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF A VEHICLE IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 721.01 and 721.15 authorize municipalities to dispose of personal property and vehicles no longer needed for municipal use.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the Council finds that the City of Mount Vernon Police Department owns the following vehicle that is no longer needed for public use. Council also finds that the value of the vehicle is in excess of \$1,000.00.

2005 Jayco, Jay Flight camper, VIN V1UJB02P951EN1528

SECTION 2: That the Safety-Service Director for the City of Mount Vernon be authorized and directed to sell or dispose of the vehicle pursuant to any method authorized by Revised Code Section 721.15.

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason of expediting the sale or trade of this item to return the proceeds to constructive use by the City, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-36

Meeting: 03/27/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3781

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO MAKE SUPPLEMENTAL APPROPRIATIONS.

NOW, THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

SECTION 1: That the Auditor for the City of Mount Vernon be, and he herewith is, authorized and directed to make supplemental appropriations as follows:

1. To Account 226.2100.55511, Equipment, in the amount of \$4,000.00.
(Grant Award from The Energy Cooperative Round-Up - Work Out Equipment)
2. To Account 203.2900.55514, Permissive Auto Tax, in the amount of \$24,189.44.
(Exceeded Estimated Revenue for 2023)
3. To Account 226.2100.54111, Medical Director, in the amount of \$3,000.00.
(Distribution from 2023 Unappropriated Resources)

SECTION 2: This Resolution provides for appropriations for the current expenses of the City, and therefore, pursuant to Revised Code Section 731.20, it shall become effective upon its date of passage and approval by the Mayor.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-37

Meeting: 03/27/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3782

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO TRANSFER CERTAIN FUNDS.

NOW, THEREFORE, BE IT RESOLVED by the City of Mount Vernon, State of Ohio:

SECTION 1: That the Auditor for the City of Mount Vernon be, and he herewith is, authorized and directed to transfer funds as defined within Ordinance 2017-33:

1. From Account 101.2620.51111, Recreation Personnel, to Account 101.2640.54115, Contract Services, in the amount of \$15,000.00.
2. From Account 101.2640.51111, Pool Personnel, to Account 101.2640.54115, Contract Services, in the amount of \$193,000.00.
3. From Account 101.2640.52121, Pool- P.E.R.S., to Account 101.2640.54115, Contract Services, in the amount of \$27,500.00.
4. From Account 101.2640.53211, Chemicals, to Account 101.2640.54115, Contract Services, in the amount of \$40,275.00.
5. From Account 101.2640.53312, Pool Equipment Maintenance, to Account 101.2640.54115, Contract Services, in the amount of \$30,000.00.
6. From Account 201.2900.53312, Vehicle/Equipment-Maintenance 7 Repairs, to Account 201.2900.55511, Tools/Equipment in the amount of \$27,100.00.
7. From Account 211.2900.53312, P.L.R. Materials & Supplies, to Account 211.2900.55511, Tools/Equipment, in the amount of \$15,000.00.

SECTION 2: This Resolution provides for appropriations for the current expenses of the City, and therefore, pursuant to Revised Code Section 731.30, it shall become effective upon its date of passage and approval by the Mayor.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-38

Meeting: 03/27/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Agreement
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3783

A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM FOR ROAD SALT FOR 2023; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mount Vernon, Knox County, submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: The City of Mount Vernon, Ohio (hereinafter "Political Subdivision") agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract.

SECTION 2: The Political Subdivision acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision.

SECTION 3: The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses or other damages arising out of the Political Subdivision's participation in the road salt contract.

SECTION 4: The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT.

SECTION 5: The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period.

SECTION 6: The Political Subdivision agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract.

SECTION 7: The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request no later than Monday, May 1, 2023 by 5:00 p.m. The written, emailed request to rescind this participation agreement must be

received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

SECTION 8: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that the City must indicate its participation in this program no later than May 1, 2023 to be eligible for the savings it will produce, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-10

Meeting: 03/27/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Agreement
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3769

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE FEBRUARY 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish an annual revision; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Mount Vernon, State of Ohio:

SECTION 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Mount Vernon, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2022-31	10-10-22	August 2022 Replacement Pages

SECTION 2: That, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

337.10 Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)

337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)

General Offenses Code

549.10 Possessing Replica Firearm in School. (Amended)

SECTION 3: That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4: This Ordinance is hereby declared to be an emergency measure and necessary for the immediate preservation of the public peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of the various departments of the municipal government, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-11

Meeting: 03/27/23 7:30 PM
Dept: Fire, Police and Civil Defense
Mahan, Seavolt
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3774

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following positions are hereby authorized in the Mount Vernon Fire Department (additions are in **bold**, deletions are in ~~strikethrough~~):

FIRE DEPARTMENT:

Three Captains

Six Lieutenants

Not more than ~~30~~ **33** Firefighters and/or Firefighter/Paramedics

Not more than 25 Part-time Firefighter/EMTs

One Fire Prevention Officer

One EMS/Training Coordinator Lieutenant

Use of all above mentioned said personnel is authorized as required to meet the work demands of the Fire Department as appropriated.

SECTION 2: All ordinances which previously set the number of hourly employees in the Mount Vernon Fire Department are hereby repealed.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of the various departments of the municipal government, and further to allow the City to provide additional firefighters to protect the City and its residents at the earliest possible date, the said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-12

Meeting: 03/27/23 7:30 PM
Dept: Fire, Police and Civil Defense
Mahan, Seavolt
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3775

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES IN THE CITY OF MOUNT VERNON POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following positions are hereby authorized in the Mount Vernon Police Department (additions are in **bold**, deletions are in ~~striketrough~~):

POLICE DEPARTMENT:

Ten Supervisors (Lieutenants and Sergeants)
Not more than **19 22** Police Officers
One Records Clerk

Use of all above mentioned said personnel is authorized as required to meet the work demands of the Police Department as appropriated.

SECTION 2: All ordinances which previously set the number of hourly employees in the Mount Vernon Police Department are hereby repealed.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of the various departments of the municipal government, and further to allow the City to provide additional police officers to protects the City and its residents at the earliest possible date, the said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-13

Meeting: 03/27/23 7:30 PM
Dept: Employee and Community Rel.
Francis, Hillier
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3780

**AN ORDINANCE ESTABLISHING THE POSITION OF ENGINEERING DEPARTMENT
INTERN; AND DECLARING AN EMERGENCY.**

BE IT ORDAINED by the Council of the City of Mount Vernon, Ohio:

SECTION 1: That the following seasonal positions are hereby authorized at the hourly wage listed and upon the appropriation times listed below:

	Until	9/1/23-	Starting
	8/31/23	8/31/24	9/1/24
Engineering Department Intern (2 positions).....	\$11.00	\$11.50	\$12.00

The salary authorized by this Ordinance shall be payable bi-weekly.

SECTION 2: Seasonal intern workers will not be eligible for any additional benefits other than those required by law.

SECTION 3: Ordinance 2022-36 is repealed.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the City to employ interns to assist the Engineering Department as soon as possible, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.