

Legislative Session Minutes

March 27, 2023

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
March 27, 2023

6:25-6:42 p.m.	Executive Session: Litigation	Utilities Woods
6:42-6:56 p.m.	Fire Department quarterly update	Fire, Police, Civil Defense Mahan
6:56-7:05 p.m.	Police Department staffing	Fire, Police, Civil Defense Mahan
7:05-7:18 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

Attendee	Title	Status
John Francis	Second Ward	Present
Mike Hillier	Fourth Ward	Present
Janis Seavolt	At Large	Present
Tammy Woods	Third Ward	Present
Amber Keener	At Large	Present
Mel Severns	Councilman	Present
James Mahan	First Ward	Present
Bruce Hawkins	President	Present

<RollCallList Status="Absent">		
{Attendee(*)}:First Last}	{Attendee(*)}:Title	Absent

INVOCATION

Pastor Lucian Baker, Christ the King Church, delivered the invocation.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

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

Seavolt made a motion to accept the minutes from Council's Legislative Session of March 13, 2023, with a second by Keener. Motion to accept passed by a roll-call vote of 7-0.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

Council accepted without comment the minutes for the two Utilities Committee meetings of March 13, 2023, the Employee and Community Relations Committee meeting of March 13, 2023, and the two Planning and Zoning Committee meetings of March 13, 2023.

- 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

Connie Oliver with Ohio Means Jobs spoke about the resources available at that state agency. She noted that there are presently more job openings than persons to fill them in Knox County, which may partially account for wages going up. She also acknowledged that the lack of child care could be keeping some people out of the workforce.

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

Woods made a motion to adopt Resolution No. 2023-27, with a second by Keener. Safety-Service Director Rick Dzik explained that \$70,000 was budgeted this year for the purchase of a new pipe fitter truck and that the truck the City would like to purchase costs \$95,000, replacing a 1999 vehicle, so the City would defer the purchase of a second vehicle this year. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

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

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-29, with a second by Woods. Keener explained that a suspension is needed to get a concrete bid out in a timely manner. Motion to suspend passed by a roll-call vote of 7-0. Keener made a motion to adopt Resolution No. 2023-29, with a second by Woods. Keener explained that this contract for improvements at the CA&C Depot would be for the parking lot and supports for a replica statue of the Statue of Liberty that was given to the City. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amber Keener, At Large
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

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. 2023-31 was given a first reading. Woods requested a 10-minute meeting of the Utilities Commission on the legislation for April 10, 2023.

RESULT:	FIRST READING	Next: 4/10/2023 7:30 PM
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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. 2023-32 was given a first reading. Severns requested a 10-minute meeting of the Streets and Public Buildings Committee on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM

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. 2023-33 was given a first reading. Woods requested a 10-minute Utilities Committee meeting on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM

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

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-34, with a second by Keener. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-34, with a second by Keener. Mayor Matt Starr detailed the City's latest natural gas aggregation contract, with IGS Energy, and commented on the background of the City's natural gas and electric aggregation program. Law Director Rob Broeren noted that the City has been required to provide these contracts since voters approved the program in 2008, and that the legislation before Council approving the contract is a formality. Council Clerk Todd Hill noted that mailings have gone out notifying residents and businesses of the new natural gas contract, but that there have been postal delays. It was later clarified that the opt-out deadline for this contract of April 3, 2023 was set by Columbia Gas and cannot be changed, but that residents can opt out on any date at no cost. Residents can also call the Mayor's office to opt out of this and any future utility aggregation contracts offered by the City. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

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

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-35, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-35, with a second by Mahan. Safety-Service Director Rick Dzik commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, 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

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-36, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-36, with a second by Mahan. Auditor Terry Scott detailed the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, 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

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-37, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-37, with a second by Mahan. Auditor Terry Scott detailed the transfers included in the legislation, most of which were associated with Hiawatha Water Park. Safety-Service Director Rick Dzik commented on the new management team at the Water Park this year. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, 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

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-38, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-38, with a second by Mahan. Safety-Service Director noted that the City will be purchasing a reduced amount of road salt through ODOT's cooperative purchasing program this year because of the milder winter. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

RESOLUTION NO. 2023-39

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO
EXECUTE THE AGREED DIRECTOR'S FINAL FINDINGS AND ORDERS
REGARDING DRINKING WATER TREATMENT MATERIAL WITH THE
OHIO ENVIRONMENTAL PROTECTION AGENCY; AND DECLARING AN
EMERGENCY.

Utilities: Woods, Keener

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-39, with a second by Keener. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-39, with a second by Keener. Law Director Rob Broeren commented briefly on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

ORDINANCES FOR THIRD READING

None.

ORDINANCES FOR SECOND READING

None.

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. 2023-10 was given a first reading.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM

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

Mahan made a motion to suspend the rule requiring three separate readings of Ordinance No. 2023-11, with a second by Seavolt. Motion to suspend passed by a roll-call vote of 7-0. Mahan made a motion to adopt Ordinance No. 2023-11, with a second by Seavolt. Safety-Service Director Rick Dzik noted that the legislation adds three firefighters funded by the SAFER grant. Motion to adopt passed by a roll-call vote of 7-0.

RESULT: ADOPTED [UNANIMOUS]

MOVER: James Mahan, First Ward

SECONDER: Janis Seavolt, At Large

AYES: Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan

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. 2023-12 was given a first reading. Mahan requested a 20-minute meeting of the Fire, Police and Civil Defense Committee on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM

ORDINANCE NO. 2023-13

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

Employee and Community Rel.: Francis, Hillier

Ordinance No. 2023-13 was given a first reading. Francis requested a five-minute meeting of the Employee and Community Relations Committee on the legislation for April 10, 2023.

RESULT: FIRST READING**Next: 4/10/2023 7:30 PM****REMARKS FROM THE ADMINISTRATION**

Mayor Matt Starr noted that members of the Mayor's Youth Council cleaned up Memorial Park over the weekend. He also thanked the Kokosing Scenic River Group for cleaning up Arch Park, and thanked several groups, especially ODOT, for cleaning up the former site of a homeless encampment on the west side. The Mayor also noted that MORPC's State of the Region event will be Friday, recounted a recent lobbying day at the Statehouse, and welcomed Seavolt back following her absence for medical reasons.

Safety-Service Director Rick Dzik detailed the new management at the Hiawatha Water Park this season, and noted that the company is presently hiring staffers for the season.

REMARKS FROM COUNCIL

Severns expressed his appreciation for the cleanup of the former homeless encampment on the west side. Hillier thanked the administration for signing a management contract for the Hiawatha Water Park season, and asked if the City will receive a refund for days when the weather forces the pool to close. Safety-Service Director Rick Dzik replied that there is no weather discount. Hillier also thanked the Board of Property Maintenance Appeals for two recent property condemnations. Francis welcomed Seavolt back following her absence for medical reasons, and expressed sympathy for victims of a shooting in Tennessee and tornadoes in Mississippi. Mahan thanked the Police and Fire Chiefs for attending the meeting, and thanked their staff for their response during a recent windstorm. Woods thanked City workers for their response during the windstorm, and expressed sympathy for victims of the Tennessee shooting. Keener thanked Connie Oliver of Jobs Ohio for speaking at the meeting, and thanked City workers for their response during the windstorm. Hawkins welcomed Seavolt back. Seavolt thanked the Police Department, EMS, Knox Community Hospital and members of the community for their support during her recent medical emergency.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn, with a second by Keener. Meeting adjourned by 8:30 p.m.

Bruce E. Hawkins, President of Council

Todd Hill, Clerk of Council

CD on file/th



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



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

Meeting: 03/27/23 7:30 PM

Dept: Utilities

Woods, Keener

Category: Utilities

Prepared By: Todd Hill

Initiator: Todd Hill

ADOPTED

RESOLUTION 2023-27

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.

COMMENTS - Current Meeting:

Woods made a motion to adopt Resolution No. 2023-27, with a second by Keener. Safety-Service Director Rick Dzik explained that \$70,000 was budgeted this year for the purchase of a new pipe fitter truck and that the truck the City would like to purchase costs \$95,000, replacing a 1999 vehicle, so the City would defer the purchase of a second vehicle this year. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

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.

COMMENTS - Current Meeting:

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-29, with a second by Woods. Keener explained that a suspension is needed to get a concrete bid out in a timely manner. Motion to suspend passed by a roll-call vote of 7-0. Keener made a motion to adopt Resolution No. 2023-29, with a second by Woods. Keener explained that this contract for improvements at the CA&C Depot would be for the parking lot and supports for a replica statue of the Statue of Liberty that was given to the City. Motion to adopt passed by a roll-call vote of 7-0.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Amber Keener, At Large
SECONDER: Tammy Woods, Third Ward
AYES: Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



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.

COMMENTS - Current Meeting:

Resolution No. 2023-31 was given a first reading. Woods requested a 10-minute meeting of the Utilities Commission on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM



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.

Resolution 2023-32

Meeting of March 27, 2023

COMMENTS - Current Meeting:

Resolution No. 2023-32 was given a first reading. Severns requested a 10-minute meeting of the Streets and Public Buildings Committee on the legislation for April 10, 2023.

RESULT: FIRST READING**Next: 4/10/2023 7:30 PM**

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

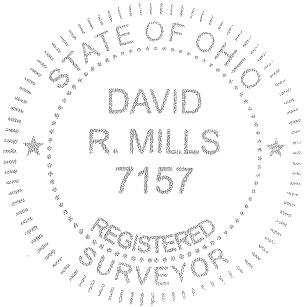
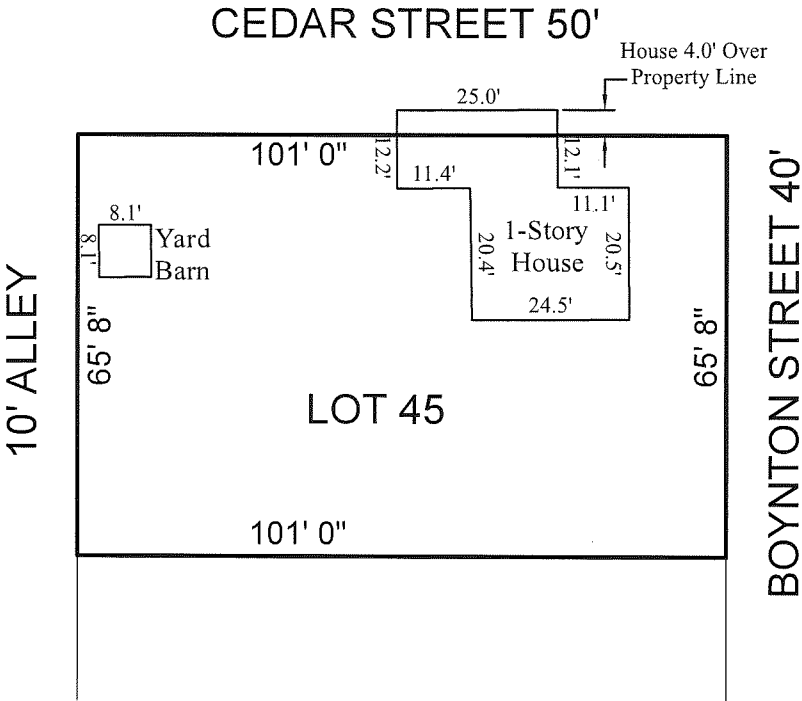
THOMAS M. TRACY, I
1941-2002

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.

COMMENTS - Current Meeting:

Resolution No. 2023-33 was given a first reading. Woods requested a 10-minute Utilities Committee meeting on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 03/27/23 7:30 PM

Dept: Utilities

Woods, Keener

Category: Agreement

Prepared By: Todd Hill

Initiator: Todd Hill

DOC ID: 3778

ADOPTED

RESOLUTION 2023-34

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.

COMMENTS - Current Meeting:

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-34, with a second by Keener. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-34, with a second by Keener. Mayor Matt Starr detailed the City's latest natural gas aggregation contract, with IGS Energy, and commented on the background of the City's natural gas and electric aggregation program. Law Director Rob Broeren noted that the City has been required to provide these contracts since voters approved the program in 2008, and that the legislation before Council approving the contract is a formality. Council Clerk Todd Hill noted that mailings have gone out notifying residents and businesses of the new natural gas contract, but that there have been postal delays. It was later clarified that the opt-out deadline for this contract of April 3, 2023 was set by Columbia Gas and cannot be changed, but that residents can opt out on any date at no cost. Residents can also call the Mayor's office to opt out of this and any future utility aggregation contracts offered by the City. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

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

ADOPTED

RESOLUTION 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.**

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.

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-35, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-35, with a second by Mahan. Safety-Service Director Rick Dzik commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

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.

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-36, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-36, with a second by Mahan. Auditor Terry Scott detailed the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

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.

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-37, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-37, with a second by Mahan. Auditor Terry Scott detailed the transfers included in the legislation, most of which were associated with Hiawatha Water Park. Safety-Service Director Rick Dzik commented on the new management team at the Water Park this year. Motion to adopt passed by a roll-call vote of 7-0.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Janis Seavolt, At Large
SECONDER: James Mahan, First Ward
AYES: Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

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.

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-38, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-38, with a second by Mahan. Safety-Service Director noted that the City will be purchasing a reduced amount of road salt through ODOT's cooperative purchasing program this year because of the milder winter. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	James Mahan, First Ward
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 03/27/23 7:30 PM

Dept: Utilities

Woods, Keener

Category: Agreement

Prepared By: Todd Hill

Initiator: Todd Hill

ADOPTED

RESOLUTION 2023-39

DOC ID: 3785

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO EXECUTE THE AGREED DIRECTOR'S FINAL FINDINGS AND ORDERS REGARDING DRINKING WATER TREATMENT MATERIAL WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY; 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 is authorized to execute the Agreed Director's Final Findings and Orders Regarding Drinking Water Treatment Material with the Ohio Environmental Protection Agency.

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 to expeditiously resolve disagreements with the Ohio EPA over DTTM, the 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.

COMMENTS - Current Meeting:

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-39, with a second by Keener. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-39, with a second by Keener. Law Director Rob Broeren commented briefly on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Amber Keener, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



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.

COMMENTS - Current Meeting:

Ordinance No. 2023-10 was given a first reading.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM

CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON, OHIO

Local legislation current through February 1, 2023

State legislation current through June 28, 2022

CERTIFICATION

We, Matthew T. Starr, Mayor and Todd Hill,
Clerk of Council of Mount Vernon, Ohio, pursuant to Ohio Revised Code
731.23 and 731.42, hereby certify that the general and permanent
ordinances of the City of Mount Vernon, Ohio, as revised, rearranged,
compiled, renumbered as to sections, codified and printed herewith in
component codes are correctly set forth and constitute the Codified
Ordinances of Mount Vernon, Ohio, 1989, as amended to February 1,
2023.

/s/ Matthew T. Starr
Mayor

/s/ Todd Hill
Clerk of Council

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CITY OF MOUNT VERNON, OHIO

ROSTER OF CITY OFFICIALS

(2023)

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 Second Ward
 Third Ward
 Fourth Ward
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 At Large
 At Large

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 Municipal Court
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 Utilities
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The publisher
expresses their appreciation
to

RICHARD S. DZIK
Safety-Service Director

P. ROBERT BROEREN, JR.
Director of Law

TODD HILL
Clerk of Council

and all other officers and employees who
assisted in the preparation
of these Codified Ordinances.

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2021-44	11-8-21	Accepting the annexation of 1.185 acres from Monroe Township into the City.
2021-54	12-27-21	Consenting to the annexation of 7.513 acres from Clinton Township into the City.
2021-55	12-27-21	Consenting to the annexation of 6.525 acres from Clinton Township into the City.
2022-13	4-11-22	Accepting the annexation of 7.513 acres from Clinton Township into the City.
2022-14	4-11-22	Accepting the annexation of 6.525 acres from Clinton Township into the City.
2022-29	9-12-22	Consenting to the annexation of 0.562 acres, Parcel Number 59-02288.000 from Pleasant Township into the City.
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TABLE K - ZONING VARIANCES AND MAP CHANGES (Cont.)

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2018-20	10-8-18	A parcel within the City from the present zoning of P-1-Public, Semipublic District to R-1 Single Family District.
2018-21	10-8-18	Eight parcels from the present township zoning of RRA-Rural Residential and Agricultural District and R-1-Single Family District to Municipal R-1 Single Family District.
2019-32	11-25-19	1120 Yauger Road (Parcel Number 66-50337.000) from the present zoning of R-1 Single Family District to O/I Office-Institutional District.
2021-37	10-11-21	Twelve parcels at Cooper Progress Park and Shellmar from their present zoning to PCDD - Planned Commercial Development District.
2022-04	1-24-22	210 N. Sandusky St. (Parcel Number 66-00676.000) from the present zoning of NC - Neighborhood Commercial District, to GB - General Business District.
2022-05	1-24-22	11973 Upper Gilchrist Road (Parcel Number 71-00004.000) from the present zoning of Monroe Township A2 to PND-Planned Neighborhood District.
2022-17	4-25-22	Portion of 17795 Coshocton Road (Parcel Number 71-00050.000) from the present zoning of R-1-Single Family District, PND-Planned Neighborhood District and GB-General Business District to R-3-Multiple Family District.
2022-35	10-24-22	Portion of Parcel #66-00501.000 located on Newark Road from the present zoning of NC - Neighborhood Commercial District to PND - Planned Neighborhood District.

CHAPTER 337 Safety and Equipment

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| <p>337.01 Driving unsafe vehicles.</p> <p>337.02 Lighted lights; measurement of distances and heights.</p> <p>337.03 Headlights on motor vehicles and motorcycles.</p> <p>337.04 Tail light; illumination of rear license plate.</p> <p>337.05 Rear red reflectors.</p> <p>337.06 Safety lighting on commercial vehicles.</p> <p>337.07 Obscured lights on vehicles in combination.</p> <p>337.08 Red light or red flag on extended loads.</p> <p>337.09 Lights on parked or stopped vehicles.</p> <p>337.10 Lights, emblems, and reflectors on slow-moving vehicles, farm machinery, agricultural tractors, and animal-drawn vehicles.</p> <p>337.11 Spotlight and auxiliary lights.</p> <p>337.12 Cowl, fender and back-up lights.</p> <p>337.13 Display of lighted lights.</p> <p>337.14 Use of headlight beams.</p> <p>337.15 Lights of less intensity on slow-moving vehicles.</p> | <p>337.16 Number of lights; limitations on flashing, oscillating or rotating lights.</p> <p>337.17 Focus and aim of headlights.</p> <p>337.18 Motor vehicle and motorcycle brakes.</p> <p>337.19 Horn, siren and theft alarm signal.</p> <p>337.20 Muffler; muffler cutout; excessive smoke, gas or noise.</p> <p>337.21 Rear-view mirror; clear view to front, both sides and rear.</p> <p>337.22 Windshield and windshield wiper; sign or poster thereon.</p> <p>337.23 Limited load extension on left side of passenger vehicle.</p> <p>337.24 Motor vehicle stop lights.</p> <p>337.25 Air cleaner required.</p> <p>337.26 Child restraint system usage.</p> <p>337.27 Drivers and passengers required to wear seat belts.</p> <p>337.28 Use of sunscreening, nontransparent and reflectorized materials.</p> <p>337.29 Bumper heights.</p> <p>337.30 Loud sound amplification systems prohibited.</p> <p>337.31 Use of engine retarders.</p> <p>337.32 Directional signals required.</p> |
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CROSS REFERENCES

See sectional histories for similar State law

Warning devices for commercial vehicles disabled upon freeways - see Ohio R.C. 4513.28

Slow moving vehicle emblem - see OAC Ch. 4501.13

Motorized bicycle lights and equipment - see Ohio R.C. 4511.521

Vehicle lighting - see OAC 4501-15

Use of stop and turn signals - see TRAF. 331.14

Wheel protectors for commercial vehicles - see TRAF. 339.05

Vehicles transporting explosives - see TRAF. 339.06

Towing requirements - see TRAF. 339.07

Use of studded tires and chains - see TRAF. 339.11

Bicycle equipment - see TRAF. 373.05 et seq.

337.01 DRIVING UNSAFE VEHICLES.

(a) No person shall drive or move, or cause or knowingly permit to be driven or moved, on any street any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property.

(b) Nothing contained in this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter.

(c) The provisions of this chapter with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, road rollers or agricultural tractors except as made applicable to such articles of machinery. (ORC 4513.02)

(d) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.99)

337.02 LIGHTED LIGHTS; MEASUREMENT OF DISTANCES AND HEIGHTS.

(a) Every vehicle, other than a motorized bicycle, operated upon a street or highway shall display lighted lights and illuminating devices as required by this chapter during all of the following times:

- (1) The time from sunset to sunrise;
- (2) At any other time when, due to insufficient natural light or unfavorable atmospheric conditions, persons, vehicles, and substantial objects on the street or highway are not discernible at a distance of one thousand feet ahead;
- (3) At any time when the windshield wipers of the vehicle are in use because of precipitation on the windshield.

Every motorized bicycle shall display at such times lighted lights meeting the rules adopted by the Ohio Director of Public Safety under Ohio R.C. 4511.521. No motor vehicle, during any time specified in this section, shall be operated upon a street or highway using only parking lights as illumination.

(b) Whenever in this chapter a requirement is declared as to the distance from which certain lights and devices shall render objects visible, or within which such lights or devices shall be visible, such distance shall be measured upon a straight level unlighted street under normal atmospheric conditions unless a different condition is expressly stated.

(c) Whenever in this chapter a requirement is declared as to the mounted height of lights or devices, it shall mean from the center of such light or device to the level ground upon which the vehicle stands.

(d) Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause the operator of a vehicle being operated upon a street or highway to stop the vehicle solely because the officer observes that a violation of subsection (a)(3) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation or summons for a violation of that subsection, or causing the arrest of or commencing a prosecution of a person for a violation of that subsection.

337.09 LIGHTS ON PARKED OR STOPPED VEHICLES.

(a) Except in case of an emergency, whenever a vehicle is parked or stopped upon a roadway open to traffic or shoulder adjacent thereto, whether attended or unattended during the times mentioned in Section 337.02, such vehicle shall be equipped with one or more lights which shall exhibit a white or amber light on the roadway side visible from a distance of 500 feet to the front of such vehicle, and a red light visible from a distance of 500 feet to the rear. No lights need be displayed upon any such vehicle when it is stopped or parked where there is sufficient light to reveal any person or substantial object within a distance of 500 feet upon such street. Any lighted headlights upon a parked vehicle shall be depressed or dimmed.
(ORC 4513.10)

(b) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.99)

337.10 LIGHTS, EMBLEMS AND REFLECTORS ON SLOW-MOVING VEHICLES, FARM MACHINERY, AGRICULTURAL TRACTORS, AND ANIMAL-DRAWN VEHICLES.

(a) Definitions. As used in this section:

- (1) **BOAT TRAILER.** Means any vehicle designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty-five miles per hour or less.
- (2) **SLOW-MOVING VEHICLE and SMV.** Mean a boat trailer, unit of farm machinery, road construction machinery, or other machinery designed by the manufacturer to operate at a speed of twenty-five miles per hour or less. The term does not include a bicycle, motorized bicycle, electric bicycle, or animal-drawn vehicle. (ORC 4513.11)

(b) Generally.

- (1) At the times specified in Ohio R.C. 4513.03, no person shall operate either of the following vehicles unless it is equipped with and displays the lamps described in subsection (b)(2) of this section.
 - A. A vehicle not specifically required to be equipped with lamps or other lighting devices by Ohio R.C. 4513.03 to 4513.10;
 - B. A vehicle referred to in Ohio R.C. 4513.02(G).
- (2) Vehicles described in subsection (b)(1) of this section shall be equipped with both of the following:
 - A. At least one lamp displaying a white light visible from a distance of not less than 1,000 feet to the front of the vehicle;
 - B. Two lamps displaying red light visible from a distance of not less than 1,000 feet to the rear of the vehicle, or as an alternative, one lamp displaying a red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible from all distances of 600 feet to 100 feet to the rear when illuminated by the lawful lower beams of headlamps.
- (3) A. At the times specified in Ohio R.C. 4513.03, no person shall operate a multi-wheel agricultural tractor model year 2001 or earlier on a street or highway unless it is equipped with and displays reflectors and illuminated amber lamps so that the extreme left and right projections of the tractor are indicated by all of the following:

1. Flashing lamps displaying amber light, visible to the front and the rear. The lamps need not flash simultaneously and need not flash in conjunction with any directional signals of the tractor;
 2. Amber reflectors, all visible to the front;
 3. Red reflectors, all visible to the rear.
- B. Rules adopted by the Ohio Director of Public Safety under Ohio R.C. 4513.111 governing the lamps and reflectors described in subsection (b)(3)A. of this section and their placement correlate with and, as far as possible, conform with paragraphs 4.1.4.1, 4.1.7.1 and 4.1.7.2 respectively of the American Society of Agricultural Engineers Standard ANSI/ASAE S279.10 OCT98, Lighting and Marking of Agricultural Equipment on Highways.
- (4) At the times specified in Ohio R.C. 4513.03, no person shall operate a unit of farm machinery model year 2002 or later on a street or highway unless it is equipped with and displays markings and illuminated lamps that meet or exceed the lighting, illumination and marking standards and specifications that are applicable to that type of farm machinery for the unit's model year specified in the American Society of Agricultural Engineers Standard ANSI/ASAE S279.10 OCT 98, lighting and marking of agricultural equipment on highways.
 - (5) Any unit of farm machinery designed by its manufacturer to operate at a speed of twenty-five miles per hour or greater or any SMV may be equipped with and display a red flashing light that is visible from a distance of not less than 1,000 feet to the rear at all times specified in Ohio R.C. 4513.03. When a double-faced light is used, it shall display amber light to the front and red light to the rear.
 - (6) Lights and reflectors required under subsections (b)(3) and (b)(4) of this section and authorized under subsection (b)(5) of this section are in addition to other lights required or permitted by this subsection (b) or Ohio R.C. 4513.17.
 - (7) The Ohio Director of Public Safety shall adopt rules in accordance with Ohio R.C. Chapter 119 Code that establish standards and specifications for lamps and reflectors required or authorized by this section. Lamps and reflectors required or authorized by this section shall meet those standards and specifications.
 - (8) This subsection (b) does not apply to a bicycle, motorized bicycle, electric bicycle, or animal-drawn vehicle.
 - (9) Whoever violates this subsection (b) is guilty of a minor misdemeanor. (ORC 4513.111)
- (c) Slow-Moving Vehicles.
- (1) Except as otherwise provided in this section, no person shall operate an SMV on a street or highway as follows:
 - A. At a speed exceeding twenty-five miles per hour;
 - B. Without displaying the triangular SMV emblem mounted in accordance with subsection (c)(2) of this section.

- (2) The SMV emblem shall be mounted so as to be visible from a distance of not less than 500 feet to the rear. In accordance with Ohio R.C. Chapter 119, the Ohio Director of Public Safety shall adopt standards and specifications for the design and position of mounting the SMV emblem. The standards and specifications for the SMV emblem correlate with and, so far as possible, conform with those approved by the American Society of Agricultural Engineers.
 - (3) A person may operate an SMV on a street or highway without displaying the triangular SMV emblem when any of the following apply:
 - A. The SMV is being used in actual construction and maintenance work in an area guarded by a flagperson, or where flares are used;
 - B. The SMV is operating or traveling within the limits of a construction area designated by the Ohio Director of Transportation, a city engineer, or the county engineer of the several counties, when such construction area is marked in accordance with requirements of the Ohio Director of Transportation and the Manual of Uniform Traffic Control Devices, as set forth in Ohio R.C. 4511.09.
 - (4) No person shall display an SMV emblem on any of the following:
 - A. Any vehicle not required to use the SMV emblem by this subsection (c) or Ohio R.C. 4513.113 or 4513.114;
 - B. An SMV being transported upon any other vehicle;
 - C. Any stationary object on the highway.
 - (5) No person shall sell, lease, rent or operate an SMV, except a unit designed to be completely mounted on a primary power unit that is manufactured or assembled on or after April 1, 1966, unless it is equipped with an SMV emblem mounting device.
 - (6) Whoever violates subsection (c) is guilty of a minor misdemeanor. (ORC 4513.112)
- (d) Farm Machinery and Agricultural Tractors.
- (1) No person shall sell, lease, rent or operate on a street or highway any unit of farm machinery that is designed by its manufacturer to operate at a speed greater than twenty-five miles per hour unless the unit displays both of the following:
 - A. The SMV emblem mounted in accordance with Ohio R.C. 4513.112(B);
 - B. A speed identification symbol that does both of the following:
 - 1. Meets the specifications contained in the American Society of Agricultural Engineers Standard ANSI/SAE S584 JAN2005, Agricultural Equipment: Speed Identification Symbol (SIS);
 - 2. Indicates the maximum speed in miles per hour at which the unit of farm machinery is designed by its manufacturer to operate;
 - (2) No person operating a tractor on a street or highway that is designed by its manufacturer to operate at a speed greater than twenty-five miles per hour and that is towing, pulling or otherwise drawing a unit of farm machinery while operating at a speed greater than twenty-five miles per hour shall fail to display both of the following on the unit of farm machinery:
 - A. The SMV emblem;
 - B. The speed identification symbol that matches the speed identification symbol required to be displayed on the agricultural tractor;

- (3) No person shall operate an agricultural tractor that is designed by its manufacturer to operate at a speed greater than twenty-five miles per hour unless the person possesses documentation published or provided by the manufacturer indicating the maximum speed in miles per hour at which the manufacturer designed the agricultural tractor to operate;
- (4) Whoever violates this subsection (d) is guilty of a minor misdemeanor. (ORC 4513.113)

(e) Animal-Drawn Vehicles.

- (1) Except as otherwise provided in subsection (e)(4) of this section, no person shall operate an animal-drawn vehicle on a street or highway unless it is equipped with and displays, at the times specified in Ohio R.C. 4513.03, both of the following:
 - A. At least one lamp displaying a white light visible from a distance of not less than 1,000 feet to the front of the animal-drawn vehicle;
 - B. Two lamps displaying red light visible from a distance of not less than 1,000 feet to the rear of the animal-drawn vehicle, or as an alternative, one lamp displaying a red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible from all distances of 600 feet to one hundred feet to the rear when illuminated by the lawful lower beams of headlamps;
- (2) Except as otherwise provided in subsection (e)(4) of this section, no person shall operate an animal-drawn vehicle on a street or highway unless it is equipped with and displays, at all times, all of the following:
 - A. One yellow flashing lamp displaying yellow light that is visible from a distance of not less than 1,000 feet and that is mounted in either of the following positions:
 - 1. On the top most portion of the rear of the animal-drawn vehicle;
 - 2. On the top of the animal-drawn vehicle;
 - B. At least one of the following:
 - 1. An SMV emblem mounted in accordance with Ohio R.C. 4513.112(B);
 - 2. Micro-prism reflective tape that is visible from a distance of not less than 500 feet to the rear when illuminated by the lawful lower beams of headlamps;
 - 3. Both an SMV emblem and micro-prism reflective tape, as specified in this division.
 - C. Lamps and micro-prism reflective tape required by this section shall meet standards and specifications adopted by the Ohio Director of Public Safety under Ohio R.C. 4513.114.
- (3) The Ohio Director of Public Safety, in accordance with Ohio R.C. Chapter 119, shall adopt rules establishing standards and specifications for the position and mounting of the lamps and micro-prism reflective tape required by Ohio R.C. 4513.114. The rules permit the micro-prism reflective tape to be red, amber, white, or silver in color.
- (4)
 - A. Subsections (e)(1) and (e)(2) of this section do not apply to the operator of animal-drawn agricultural equipment who is not transporting any livestock or a person other than the operator.
 - B. No operator described in subsection (e)(4)A. of this section shall operate animal-drawn agricultural equipment unless it is equipped with and displays, at all times, the SMV emblem mounted in accordance with Ohio R.C. 4513.112(B).

- C. As used in subsection (e)(4) of this section, "animal-drawn agricultural equipment" means equipment drawn by the muscular power of an animal that is used solely for agricultural purposes. "Animal-drawn agricultural equipment" includes any of the following:
1. A plow;
 2. A manure spreader;
 3. A thresher.
- (5) Whoever violates this subsection (e) is guilty of a minor misdemeanor. (ORC 4513.114)

(f) **Strict Liability Offenses.** The offenses established under this section are strict liability offenses, and Ohio R.C. 2901.20 does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense. (ORC 4513.115)

337.11 SPOTLIGHT AND AUXILIARY LIGHTS.

(a) Any motor vehicle may be equipped with not more than one spotlight and every lighted spotlight shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle, nor more than 100 feet ahead of the vehicle.

(b) Any motor vehicle may be equipped with not more than three State approved auxiliary driving lights mounted on the front of the vehicle, which when used shall conform to State regulations.

(c) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.12)

337.12 COWL, FENDER AND BACK-UP LIGHTS.

(a) Any motor vehicle may be equipped with side cowl or fender lights or lights on each side thereof which shall emit a white or amber light without glare.

(b) Any motor vehicle may be equipped with back-up lights, either separately or in combination with another light. No back-up lights shall be continuously lighted when the motor vehicle is in forward motion.

(c) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.13)

337.13 DISPLAY OF LIGHTED LIGHTS.

(a) At all times mentioned in Section 337.02 at least two State approved lighted lights shall be displayed conforming to State regulations, one near each side of the front of every motor vehicle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles. (ORC 4513.14)

(b) However, on a motorcycle, there shall be displayed at least one and not more than two lighted lights as required herein.

(c) Whoever violates this section is guilty of a minor misdemeanor. (ORC 4513.14)

337.14 USE OF HEADLIGHT BEAMS.

(a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in Section 337.02, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons, vehicles and substantial objects at a safe distance in advance of the vehicle, except that upon approaching an oncoming vehicle, the lights or beams shall be so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.15)

337.15 LIGHTS OF LESS INTENSITY ON SLOW-MOVING VEHICLES.

(a) Any motor vehicle may be operated under the conditions specified in Section 337.02 when it is equipped with two lighted lights upon the front thereof capable of revealing persons and substantial objects seventy-five feet ahead in lieu of lights required in Section 337.13, provided that such vehicle shall not be operated at a speed in excess of twenty miles per hour.

(b) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.16)

337.16 NUMBER OF LIGHTS; LIMITATIONS ON FLASHING, OSCILLATING OR ROTATING LIGHTS.

(a) Whenever a motor vehicle equipped with headlights also is equipped with any auxiliary lights or spotlight or any other light on the front thereof projecting a beam of an intensity greater than 300 candle power, not more than a total of five of any such lights on the front of a vehicle shall be lighted at any one time when the vehicle is upon a highway.

(b) Any lighted light or illuminating device upon a motor vehicle, other than headlights, spotlights, signal lights or auxiliary driving lights, that projects a beam of light of an intensity greater than 300 candle power, shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

- (c) (1) Flashing lights are prohibited on motor vehicles, except as a means for indicating a right or left turn, or in the presence of a vehicular traffic hazard requiring unusual care in approaching, or overtaking or passing.
- (2) The prohibition in subsection (c)(1) of this section does not apply to any of the following:
 - A. Emergency vehicles, road service vehicles servicing or towing a disabled vehicle, stationary waste collection vehicles actively collecting garbage, refuse, trash or recyclable materials on the roadside, rural mail delivery vehicles, vehicles as provided in Ohio R.C. 4513.182, highway maintenance vehicles, and similar equipment operated by state or local authorities, provided such vehicles are equipped with and display, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating or rotating amber light;

- B. Vehicles or machinery permitted by Ohio R.C. 4513.111 to have a flashing red light;
 - C. Farm machinery and vehicles escorting farm machinery, provided such machinery and vehicles are equipped with and display, when used on a street or highway, a flashing, oscillating or rotating amber light. Farm machinery also may display the lights described in Ohio R.C. 4513.111.
 - D. A funeral hearse or funeral escort vehicle, provided that the funeral hearse or funeral escort vehicle is equipped with and displays, when used on a street or highway for the special purpose necessitating such lights, a flashing, oscillating or rotating purple or amber light;
- (3) Subsection (c)(1) of this section does not apply to animal-drawn vehicles subject to Ohio R.C. 4513.114.
- (d) (1) Except a person operating a public safety vehicle, as defined in Ohio R.C. 4511.01(E), or a school bus, no person shall operate, move, or park upon, or permit to stand within the right-of-way of any public street or highway any vehicle or equipment that is equipped with and displaying a flashing red or a flashing combination red and white light, or an oscillating or rotating red light, or a combination red and white oscillating or rotating light.
- (2) Except a public law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, operating a public safety vehicle when on duty, no person shall operate, move, or park upon, or permit to stand within the right-of-way of any street or highway any vehicle or equipment that is equipped with, or upon which is mounted, and displaying a flashing blue or a flashing combination blue and white light, or an oscillating or rotating blue light, or a combination blue and white oscillating or rotating light.
- (e) This section does not prohibit the use of warning lights required by law or the simultaneous flashing of turn signals on disabled vehicles or on vehicles being operated in unfavorable atmospheric conditions in order to enhance their visibility. This section also does not prohibit the simultaneous flashing of turn signals or warning lights either on farm machinery or vehicles escorting farm machinery, when used on a street or highway.
- (f) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.17)

337.17 FOCUS AND AIM OF HEADLIGHTS.

(a) No person shall use any lights mentioned in Section 337.02 to 337.16, inclusive, upon any motor vehicle, trailer or semitrailer unless the lights are equipped, mounted and adjusted as to focus and aim in accordance with State regulations.

(b) The headlights on any motor vehicle shall comply with the headlamp color requirements contained in federal motor vehicle safety standard number 108, 49 C.F.R. 571.108. No person shall operate a motor vehicle in violation of this subsection.

(c) Whoever violates this section is guilty of a minor misdemeanor.
(ORC 4513.19)

337.18 MOTOR VEHICLE AND MOTORCYCLE BRAKES.

- (a) The following requirements govern as to brake equipment on vehicles:
- (1) Every motor vehicle, other than a motorcycle, when operated upon a street or highway, shall be equipped with brakes adequate to control the movement of and to stop and hold such motor vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, then on such motor vehicles manufactured or assembled after January 1, 1942, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.
 - (2) Every motorcycle, when operated upon a street or highway, shall be equipped with at least one adequate brake, which may be operated by hand or by foot.
 - (3) Every motorized bicycle shall be equipped with brakes meeting the rules adopted by the Ohio Director of Public Safety under Ohio R.C. 4511.521.
 - (4) When operated upon the streets or highways of this Municipality, the following vehicles shall be equipped with brakes adequate to control the movement of and to stop and to hold the vehicle designed to be applied by the driver of the towing motor vehicle from its cab, and also designed and connected so that, in case of a breakaway of the towed vehicle, the brakes shall be automatically applied:
 - A. Except as otherwise provided in this section, every trailer or semitrailer, except a pole trailer, with an empty weight of two thousand pounds or more, manufactured or assembled on or after January 1, 1942;
 - B. Every manufactured home or travel trailer with an empty weight of two thousand pounds or more, manufactured or assembled on or after January 1, 2001.
 - (5) Every watercraft trailer with a gross weight or manufacturer's gross vehicle weight rating of three thousand pounds or more that is manufactured or assembled on or after January 1, 2008, shall have separate brakes equipped with hydraulic surge or electrically operated brakes on two wheels.
 - (6) In any combination of motor-drawn trailers or semitrailers equipped with brakes, means shall be provided for applying the rearmost brakes in approximate synchronism with the brakes on the towing vehicle, and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost brakes; or both of the above means, capable of being used alternatively, may be employed.

549.06 UNLAWFUL TRANSACTIONS IN WEAPONS.

(a) No person shall do any of the following:

- (1) When transferring any dangerous ordnance to another, negligently fail to require the transferee to exhibit such identification, license or permit showing the transferee to be authorized to acquire dangerous ordnance pursuant to Ohio R.C. 2923.17, or negligently fail to take a complete record of the transaction and forthwith forward a copy of such record to the sheriff of the county or safety director or police chief of the municipality where the transaction takes place;
- (2) Knowingly fail to report to law enforcement authorities forthwith the loss or theft of any firearm or dangerous ordnance in the person's possession or under the person's control.

(b) Whoever violates this section is guilty of unlawful transactions in weapons. A violation of subsection (a)(1) hereof is a misdemeanor of the second degree. A violation of subsection (a)(2) hereof is a misdemeanor of the fourth degree. (ORC 2923.20)

549.07 UNDERAGE PURCHASE OF FIREARM.

(a) No person under eighteen years of age shall purchase or attempt to purchase a firearm.

(b) No person under twenty-one years of age shall purchase or attempt to purchase a handgun, provided that this subsection does not apply to the purchase or attempted purchase of a handgun by a person eighteen years of age or older and under twenty-one years of age if either of the following apply:

- (1) The person is a law enforcement officer who is properly appointed or employed as a law enforcement officer and has received firearms training approved by the Ohio Peace Officer Training Council or equivalent firearms training.
- (2) The person is an active or reserve member of the armed services of the United States or the Ohio national guard, or was honorably discharged from military service in the active or reserve armed services of the United States or the Ohio national guard, and the person has received firearms training from the armed services or the national guard or equivalent firearms training.

(c) Whoever violates subsection (a) hereof is guilty of underage purchase of a firearm, a delinquent act that would be a felony of the fourth degree if it could be committed by an adult. Whoever violates subsection (b) hereof is guilty of underage purchase of a handgun, a misdemeanor of the second degree. (ORC 2923.211)

549.08 DISCHARGING FIREARMS.

(a) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the corporate limits of the Municipality.

(b) This section does not apply when firearms are used in self defense, in the discharge of official duty or when otherwise lawfully authorized. (A.O.)

(c) The use of firearms during any controlled hunt authorized and regulated by the Safety-Service Director pursuant to Ordinance 2016-13 shall be considered an authorized use under subsection (b) hereof. (Ord. 2016-23. Passed 12-27-16.)

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

549.09 THROWING OR SHOOTING MISSILES.

(a) No person shall throw, shoot or propel an arrow, missile, pellet, stone, metal or other similar substance capable of causing physical harm to persons or property, in or on any public place, in or on the property of another, or from any private property into or onto any public place or the property of another. This section does not apply to supervised archery ranges or instruction nor when otherwise lawfully authorized.

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

549.10 POSSESSING REPLICA FIREARM IN SCHOOL.

(a) No person shall knowingly possess an object in a school safety zone if both of the following apply:

- (1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
- (2) The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

(b) (1) This section does not apply to any of the following:

- A. An officer, agent, or employee of this or any other state or the United States who is authorized to carry deadly weapons or dangerous ordnance and is acting within the scope of the officer's, agent's, or employee's duties;
- B. A law enforcement officer who is authorized to carry deadly weapons or dangerous ordnance;
- C. A security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment;
- D. 1. Any person not described in subsections (b)(1)A. to (b)(1)C. of this section who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization, provided both of the following apply:
 - a. Either the person has successfully completed the curriculum, instruction, and training established under Ohio R.C. 5502.703, or the person has received a certificate of having satisfactorily completed an approved basic peace officer training program or is a law enforcement officer;

- b. The board or governing body has notified the public, by whatever means the affected school regularly communicates with the public, that the board or governing body has authorized one or more persons to go armed within a school operated by the board or governing authority;
 - 2. A district board or school governing body that authorizes a person under subsection (b)(1)D. of this section shall require that person to submit to an annual criminal records check conducted in the same manner as Ohio R.C. 3319.39 or Ohio R.C. 3319.391.
 - E. Any person who is employed in this state, who is authorized to carry deadly weapons or dangerous ordnance, and who is subject to and in compliance with the requirements of Ohio R.C. 109.801, unless the appointing authority of the person has expressly specified that the exemption provided in subsection (b)(1)E. of this section does not apply to the person.
- (2) This section does not apply to premises upon which home schooling is conducted. This section also does not apply to a school administrator, teacher or employee who possesses an object that is indistinguishable from a firearm for legitimate school purposes during the course of employment, a student who uses an object that is indistinguishable from a firearm under the direction of a school administrator, teacher or employee, or any other person who, with the express prior approval of a school administrator, possesses an object that is indistinguishable from a firearm for a legitimate purpose, including the use of the object in a ceremonial activity, a play, re-enactment or other dramatic presentation, school safety training, or a ROTC activity or another similar use of the object.
 - (3) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if, at the time of that conveyance, attempted conveyance, or possession of the handgun, all of the following apply:
 - A. The person does not enter into a school building or onto school premises and is not at a school activity.
 - B. The person has been issued a concealed handgun license that is valid at the time of the conveyance, attempted conveyance, or possession or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1).
 - C. The person is in the school safety zone in accordance with 18 U.S.C. § 922(q)(2)(B).
 - D. The person is not knowingly in a place described in Ohio R.C. 2923.126(B)(1) or (B)(3) to (8).
 - (4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:

- A. The person has been issued a concealed handgun license that is valid at the time of the conveyance, attempted conveyance or possession or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in Ohio R.C. 2923.125(G)(1).
- B. The person leaves the handgun in a motor vehicle.
- C. The handgun does not leave the motor vehicle.
- D. If the person exits the motor vehicle, the person locks the motor vehicle.

(c) Whoever violates this section is guilty of illegal possession of an object indistinguishable from a firearm in a school safety zone. Except as otherwise provided in this division, illegal possession of an object indistinguishable from a firearm in a school safety zone is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section, illegal possession of an object indistinguishable from a firearm in a school safety zone is a felony to be prosecuted under appropriate state law.

- (d) (1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section, and subject to subsection (d)(2) of this section, if the offender has not attained nineteen years of age, regardless of whether the offender is attending or is enrolled in a school operated by a board of education or for which the State Board of Education prescribes minimum standards under Ohio R.C. 3301.07, of the suspension. If the offender is not a resident of this State, the court shall impose a class four suspension of the nonresident operating privilege of the offender from the range specified in Ohio R.C. 4510.02(A)(4).
- (2) If the offender shows good cause why the court should not suspend one of the types of licenses, permits or privileges specified in subsection (d)(1) of this section or deny the issuance of one of the temporary instruction permits specified in subsection (d)(1) of this section, the court in its discretion may choose not to impose the suspension, revocation or denial required in subsection (d)(1) of this section, but the court, in its discretion, instead may require the offender to perform community service for a number of hours determined by the court.

(e) As used in this section, "object that is indistinguishable from a firearm" means an object made, constructed or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.
(ORC 2923.122(C) - (G))

549.11 DEFACING IDENTIFICATION MARKS OF A FIREARM; POSSESSING A DEFACED FIREARM.

- (a) No person shall do either of the following:
 - (1) Change, alter, remove, or obliterate the name of the manufacturer, model, manufacturer's serial number, or other mark or identification on a firearm.
 - (2) Possess a firearm knowing or having reasonable cause to believe that the name of the manufacturer, model, manufacturer's serial number, or other mark of identification on the firearm has been changed, altered, removed, or obliterated.

- (b) (1) Whoever violates subsection (a)(1) of this section is guilty of defacing identification marks of a firearm. Except as otherwise provided in this subsection, defacing identification marks of a firearm is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of subsection (a)(1) of this section, defacing identification marks of a firearm is a felony and shall be prosecuted under appropriate State law.
- (2) Whoever violates subsection (a)(2) of this section is guilty of possessing a defaced firearm. Except as otherwise provided in this subsection, possessing a defaced firearm is a misdemeanor of the first degree. If the offender previously has been convicted of or pleaded guilty to a violation of subsection (a)(2) of this section, possessing a defaced firearm is a felony and shall be prosecuted under appropriate State law.
(ORC 2923.201)

549.12 CONCEALED HANDGUN LICENSES; POSSESSION OF REVOKED OR SUSPENDED LICENSE; ADDITIONAL RESTRICTIONS; POSTING SIGNS PROHIBITING POSSESSION.

- (a) Possession of a Revoked or Suspended Concealed Handgun License.
 - (1) No person, except in the performance of official duties, shall possess a concealed handgun license that was issued and that has been revoked or suspended.
 - (2) Whoever violates this subsection (a) is guilty of possessing a revoked or suspended concealed handgun license, a misdemeanor of the third degree.
(ORC 2923.1211(B), (C))
- (b) Additional Restrictions. Pursuant to Ohio R.C. 2923.126:
 - (1) A concealed handgun license that is issued under Ohio R.C. 2923.125 shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in subsection (b)(2) and (b)(3) of this section, a licensee who has been issued a concealed handgun license under Ohio R.C. 2923.125 or 2923.1213 may carry a concealed handgun anywhere in this state if the license is valid when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.
 - (2) A valid concealed handgun license does not authorize the licensee to carry a concealed handgun in any manner prohibited under Ohio R.C. 2923.12(B) or in any manner prohibited under Ohio R.C. 2923.16. A valid license does not authorize the licensee to carry a concealed handgun into any of the following places:
 - A. A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation; a state correctional institution, jail, workhouse, or other detention facility; any area of an airport passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency; or an institution that is maintained, operated, managed, and governed pursuant to Ohio R.C. 5119.14(A) or Ohio R.C. 5123.03(A)(1);

- B. A school safety zone if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.122;
 - C. A courthouse or another building or structure in which a courtroom is located if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.123;
 - D. Any premises or open air arena for which a D permit has been issued under Ohio R.C. Chapter 4303 if the licensee's carrying the concealed handgun is in violation of Ohio R.C. 2923.121;
 - E. Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises;
 - F. Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;
 - G. Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to subsection (b)(2)C. of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building;
 - H. A place in which federal law prohibits the carrying of handguns.
- (3) A. Nothing in this subsection (b) shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer. Nothing in this subsection (b) shall require a private employer of that nature to adopt a rule, policy, or practice concerning or prohibiting the presence of firearms on the private employer's premises or property, including motor vehicles owned by the private employer.
- B. 1. A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

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

ADOPTED

ORDINANCE 2023-11

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 ~~striketrough~~):

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.

COMMENTS - Current Meeting:

Mahan made a motion to suspend the rule requiring three separate readings of Ordinance No. 2023-11, with a second by Seavolt. Motion to suspend passed by a roll-call vote of 7-0. Mahan made a motion to adopt Ordinance No. 2023-11, with a second by Seavolt. Safety-Service Director Rick Dzik noted that the legislation adds three firefighters funded by the SAFER grant. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Mahan, First Ward
SECONDER:	Janis Seavolt, At Large
AYES:	Francis, Hillier, Seavolt, Woods, Keener, Severns, Mahan



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.

COMMENTS - Current Meeting:

Ordinance No. 2023-12 was given a first reading. Mahan requested a 20-minute meeting of the Fire, Police and Civil Defense Committee on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM



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 8/31/23	9/1/23- 8/31/24	Starting 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.

COMMENTS - Current Meeting:

Ordinance No. 2023-13 was given a first reading. Francis requested a five-minute meeting of the Employee and Community Relations Committee on the legislation for April 10, 2023.

RESULT: FIRST READING

Next: 4/10/2023 7:30 PM