PRESS RELEASE

City Hall
40 Public Square
Mount Vernon, OH 43050

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

FOR IMMEDIATE RELEASE
April 7, 2021

Mount Vernon City Council
Committee Meeting Schedule
April 12, 2021

Join Zoom Meeting
https://us02web.zoom.us/j/223001419

Meeting ID: 223 001 419
Password: 847280

Dial by your location
+1 301 715 8592 US
+1 253 215 8782 US
Meeting ID: 223 001 419
Password: 847280

5:50 – 6:20 p.m.	College Twp. Fire Contract	Fire, Police and Civil Defense Seavolt
6:20 – 6:50 p.m.	MVPD Community Advocate	Fire, Police and Civil Defense Seavolt
6:50 – 7:00 p.m.	Ord. 2021-13 – Kirk Street Vacation	Streets and Public Buildings Warga
7:00 - 7:15 p.m.	Ord. 2021- 12 – Codification Pages	Planning and Zoning Hillier
7:30 p.m.	City Council Legislative Meeting	Ref: Agenda

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

City Council — April 12, 2021
Legislative Session — Agenda — 7:30 PM

COMMITTEE MEETINGS

College Twp. Fire Contract

MVPD Community Advocate

Ord. 2021-13 – Kirk Street Vacation

Ord. 2021- 12 – Codification Pages

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Mar 22, 2021 7:30 PM

RECEIVE PETITIONS AND COMMUNICATIONS

RECEIVE COMMITTEE REPORTS

LIQUOR CONTROL LICENSE

PROCLAMATION

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

RESOLUTIONS FOR THIRD READING

RESOLUTIONS FOR SECOND READING

RESOLUTIONS FOR FIRST READING

R E S O L U T I O N N O . 2 0 2 1 - 3 6

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SELL BY SEALED BID OR TRADE A VEHICLE NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON, AND DECLARING AN EMERGENCY.

Finance and Budget: Francis, Hillier

R E S O L U T I O N N O . 2 0 2 1 - 3 7

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

Finance and Budget: Francis, Hillier

R E S O L U T I O N N O . 2 0 2 1 - 3 8

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH COLLEGE TOWNSHIP AND KENYON COLLEGE TO PROVIDE FIRE AND EMS SERVICES FOR COLLEGE TOWNSHIP; AND DECLARING AN EMERGENCY.

Fire, Police and Civil Defense: Seavolt, Scoles

ORDINANCES FOR THIRD READING

O R D I N A N C E N O . 2 0 2 1 - 0 9

AN ORDINANCE TO PROVIDE FOR THE SALARY OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MOUNT VERNON, SPECIFICALLY THE COUNCIL PRESIDENT, MEMBERS OF COUNCIL, AND THE CITY TREASURER; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

ORDINANCES FOR SECOND READING

O R D I N A N C E N O . 2 0 2 1 - 1 2

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2021 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, Salyers

O R D I N A N C E N O . 2 0 2 1 - 1 3

AN ORDINANCE TO ACCEPT THE VACATION OF AN UNDEVELOPED PORTION OF KIRK STREET, IN THE CITY OF MOUNT VERNON, KNOX COUNTY, OHIO; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Warga, Francis

ORDINANCES FOR FIRST READING

O R D I N A N C E N O . 2 0 2 1 - 1 5

AN ORDINANCE AMENDING ORDINANCE 2003-03 REGARDING THE ESTABLISHMENT OF THE PATRIOTIC AND MEMORIAL COMMITTEE; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Salyers

O R D I N A N C E N O . 2 0 2 1 - 1 6

AN ORDINANCE TO CREATE THE POSITION OF PROGRAM DIRECTOR FOR THE COMMUNITY ADVOCACY RELATIONS DIVISION OF THE MOUNT VERNON POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

O R D I N A N C E N O . 2 0 2 1 - 1 7

AN ORDINANCE TO AMEND ORDINANCE 2021-04, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

O R D I N A N C E N O . 2 0 2 1 - 1 8

AN ORDINANCE FIXING THE COMPENSATION AND BENEFITS OF CERTAIN EMPLOYEES OF THE MOUNT VERNON MUNICIPAL COURT EFFECTIVE JANUARY 1, 2021, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

O R D I N A N C E N O . 2 0 2 1 - 1 9

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES OF THE CITY OF MOUNT VERNON IN THE FIRE DEPARTMENT.

Employee and Community Rel.: Scoles, Woods

REMARKS FROM THE ADMINISTRATION

REMARKS FROM COUNCIL

ADJOURN AT THE CALL OF THE PRESIDENT

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance and Budget
Prepared By: Tanya Newell
Initiator: Tanya Newell

RESOLUTION 2021-36

DOC ID: 2311

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO SELL BY SEALED BID OR TRADE A VEHICLE 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 Fire Department owns a 2010 Dodge Charger, VIN# - 2B3AA4CV6AH188909 that is no longer needed for public use. Council also finds that the value of the vehicle and equipment is in excess of $1,000.00. Council further finds that the city is in need of another vehicle and that it may be advantageous to authorize the trade-in of the surplus equipment.

SECTION 2: That the Safety Service Director for the City of Mount Vernon be authorized and directed to sell or dispose of the vehicle and equipment 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, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 2312 A

RESOLUTION 2021-37

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 401.2500.55516, Public Building & Lands in the amount of $24,000.00.
   (Panic Alarm System - Unappropriated Resources)
2. To Account 101.2600.53312, Parks-Maintenance & Repair, in the amount of $2,000.00.
   (Grant from Ariel Foundation - Rain Garden at CA&C Depot)

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 04/12/21 7:30 PM
Dept: Fire, Police and Civil Defense
Seavolt, Scoles
Category: Fire
Prepared By: Rob Broeren
Initiator: Tanya Newell

SCHEDULED

RESOLUTION 2021-38

DOC ID: 2314 A

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH COLLEGE TOWNSHIP AND KENYON COLLEGE TO PROVIDE FIRE AND EMS SERVICES FOR COLLEGE TOWNSHIP; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety Service Director be, and he herewith is, authorized and directed to enter into contract with College Township and Kenyon College to provide for fire and EMS services for College Township from the Mount Vernon Fire Department. A copy of the contract is attached to this Resolution as Exhibit A.

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 provide uninterrupted fire and EMS services to a neighboring township and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it received 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.

CONTRACT FOR EMERGENCY SERVICES

College Township and Kenyon College

5 Years: June 1, 2021 – May 31, 2026

THIS AGREEMENT is made by and between the City of Mount Vernon, Knox County, Ohio, a Municipal Corporation, (hereinafter "City"), the Township of College, Knox County, Ohio (hereinafter "Township"), and Kenyon College, an educational institution, located in Gambier, Ohio (hereinafter "Kenyon")(and singly "Party" and jointly "Parties").

WHEREAS, the Township and Kenyon desire the services of the Mount Vernon Fire Department, a fire department established by the City, in case of fire or medical emergency occurring within the area known as College Township being located outside the City limits; and

WHEREAS, the City desires to provide such services based upon the following terms; and

WHEREAS, the Township and Kenyon are willing to pay a reasonable sum for such services;

IT IS THEREFORE AGREED by and between the Parties as follows:

1. For the period of June 1, 2021, through May 31, 2024, the Township and Kenyon will pay to the City $500,000 for every twelve (12) months of the Agreement.

2. The Township and Kenyon collectively shall pay the City these sums in semi-annual installments within 30 calendar days of receipt by the Township and Kenyon of the invoice from the City. The Township and Kenyon collectively will be invoiced in the amount of $250,000 every six (6) months beginning on June 1, 2021. Exhibit 1 (attached) includes the payment schedule [and cost breakdown] for this Agreement.

3. Prior to June 1, 2024 the Parties will meet to evaluate the Agreement and determine any adjustments that need to be made to the terms of the Agreement, including cost.

4. No later than December 1, 2021, the City agrees to provide three (3) personnel twenty-four (24) hours per day, seven (7) days per week and 365 days per year to staff the Fire Station located at 102 East Brooklyn Street, Gambier, Ohio. Staffing shall consist of, at a minimum, one (1) full-time Firefighter/Paramedic with the rank of Lieutenant, one (1) full-time Firefighter/Paramedic and one (1) part-time Firefighter/EMT. During the interim period between the execution of this contract and December 1, 2021, the parties shall work together to provide staffing at the Gambier Fire Station as soon as practicable. Should the Township desire to relocate the fire station to another location within their jurisdiction, the City agrees to staff that alternate location

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

as it staffed the original location, so long as the facility meets minimum standards to operate as a fire station.

5. For the term of this Agreement and any extensions, the City agrees to maintain a volunteer program for the students of Kenyon. This volunteer program operates on a 12-month basis and will be limited only to students of Kenyon. The volunteer program will continue so long as there is interest among the students of Kenyon and so long as the program has no adverse effect on the operations of the Mount Vernon Fire Department. Prior to any decision to end the student volunteer program the City and Kenyon agree to meet to address any adverse effects or other issues and identify a resolution. Only after all alternatives are considered will the City be permitted to end the student volunteer program.

6. The City agrees to provide necessary supplies, training and learning opportunities for interested students of Kenyon through the student volunteer program. This includes both formal and informal training activities for the students. Once adequately trained and certified, student volunteers will be permitted to sign up for shifts or otherwise respond to incidents alongside City personnel.

7. The Township will retain ownership of the fire station within its jurisdiction. This includes any maintenance, improvements, utilities, debt payments, and insurance on said facility. The Township will ensure the station meets minimum standards for occupancy as a fire station.

8. The Township will provide, for City use, any and all fire protection and EMS related equipment which it owns (i.e. fire gear, EMS supplies, radios, fire tools). As soon as practicable, the Township will provide a complete list of Township owned fire protection and EMS related equipment, which will be made a part of this Agreement as Exhibit 3. The Township will retain ownership, and insurance, of said equipment until the end of its usable life. The City will work with the Township to replace outdated equipment as the need arises. Should the City pay for replacement of any equipment it will remain property of the City.

9. The Township will provide for City use the vehicles listed in Exhibit 2. The Township will retain ownership of these vehicles and shall insure them when parked at the Fire Station. When in use, the vehicles will be covered by the City's comprehensive general liability insurance. Any other vehicles owned by the Township for use by its fire department may be disposed of by the Township at its sole discretion.

10. The City agrees that the Fire Station will serve as a shared space with the Township. The Township will provide garage bays for exclusive use by the City for fire protection and EMS. The remaining space will be for exclusive Township use. The meeting room will be shared by the City and Township. The Township agrees to notify the City each year of its regular meeting schedule and provide reasonable notice for any special meetings that arise. The City and Township will identify a space for exclusive use by the Township for recordkeeping and administrative needs.

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

11. The Township and the City agree that the City will continue the practice of billing for EMS Transport for the life of this Agreement. The City will retain all proceeds from EMS billings.

12. The City, through the Mount Vernon Fire Department, agrees to furnish fire and emergency medical services to persons and property within the Township for the period from June 1, 2021 through May 31, 2026, in the event that such services are needed and sought by the Township.

13. The Mount Vernon Fire Department will exert the same diligence in protecting the persons and property of the Township within the designated coverage area as is required to exert to protect persons and property within the City.

14. Inspections of and familiarization with properties within the Township may be conducted at the discretion of the Mount Vernon Fire Chief or his or her designated agent.

15. It is understood and agreed to by all Parties that the City being available and ready to dispatch fire and emergency medical assistance in cases of fire or medical emergencies occurring in the Township is sufficient to fulfill the City's duty to furnish fire and emergency medical services regardless of whether any fire or medical emergencies actually occur during the covered periods.

16. This Agreement between the City, the Township and Kenyon shall be effective upon the execution by authorized representatives of all parties and shall remain in effect through May 31, 2026.

17. This Agreement will automatically renew at the then current terms, conditions and cost in five (5) year increments unless either party submits a request to terminate the Agreement no later than six (6) months of the Agreement's expiration. Review of the terms of the Agreement, including all fees, will continue every three (3) years. No provision in this Agreement shall prevent the Parties from agreeing to modify any of terms of this Agreement at any time.

18. Should any Party wish to terminate this Agreement, the City will continue to provide fire and emergency medical services to persons and property within the Township for a period up to one (1) year, at the then current annual rate, to allow the Township and Kenyon to arrange for alternative services.

19. Pursuant to Ohio Revised Code §125.111, the City agrees that any subcontractor of the City and any person acting on behalf of the City or any subcontractors of the City, will not discriminate, by reason of race, color, religion, sex, age, handicap, national origin, or ancestry against any citizen of Ohio in the employment of any person qualified and available to perform the work under this Agreement. The City further agrees that the City, any subcontractor of the City, and any person acting on behalf of the City or any subcontractor of the City, shall not, in any manner, discriminate against, intimidate or retaliate against any employee hired for the performance of work under this

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

Agreement on account of race, color, religion, sex, age, handicap, national origin, or ancestry. The protections of this paragraph will extend to the participants of the volunteer program.

20. The City agrees to comply with all applicable state and federal laws regarding a drug-free workplace. The City shall make a good faith effort to ensure that any City employee while on duty for the City and providing services pursuant to this Agreement will not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way.

21. The City, by executing this Agreement, certifies that the City is currently in compliance and will continue to comply with the requirements of Ohio Ethics law as provided by §102.04 of the Ohio Revised Code.

22. This Agreement will be governed by and construed, interpreted and enforced in accordance with the laws of Ohio without regard to conflicts of laws, and any action will be brought in Knox County, Ohio.

23. The failure of any Party to insist at any time upon the strict observance or performance of any of the provisions of this Agreement will not (a) impair any such right or remedy, (b) be construed to be a waiver or relinquishment of that right or remedy, nor (c) affect the enforceability of that provision or of the remainder of this Agreement. Every right and remedy given by this Agreement to the Parties may be exercised from time to time and as often as may be deemed expedient by the Parties.

24. The invalidity or unenforceability of any term or provision of this Agreement will not affect the validity or enforceability of any other term or provision.

25. The terms and conditions set forth in this Agreement constitute the entire understanding between the Parties with respect to the matters contained herein and supersede all prior agreements and representations whether written or oral. This Agreement may not be modified except in writing signed by authorized representatives of all Parties.

26. The City shall not use or disclose Protected Health Information ("PHI") except as provided within this Agreement solely to fulfill the specific contractual activities specified or as otherwise required under Health Insurance Portability and Accountability Act ("HIPAA") regulations or other applicable law. All subcontractors and agents of the City are limited to the uses or disclosures that the City is permitted to conduct.

27. Nothing in this Agreement shall be construed to waive or limit any immunity from, or limitation on, liability available to any Party, whether set forth in Ohio Revised Code Chapter 2744, or otherwise.

28. The Township and Kenyon agree to hold any City employees performing services in conjunction with this Agreement individually harmless for any and all liability that may arise from performing their duties or failing to do so.

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

IN WITNESS WHEREOF, the Parties have executed this Agreement by their duly authorized officials.

City of Mount Vernon, Ohio

_____
Safety Service Director

_____
Date

Approved as to Form:

_____
Law Director

_____
Date

Township of College, Ohio

_____
Trustee

_____
Date

_____
Trustee

_____
Date

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

_____
Trustee

_____
Date

Approved as to Form:

_____
Knox County Prosecutor

_____
Date

Kenyon College, Gambier, Ohio

_____
President

_____
Date

Approved as to Form:

_____
Counsel

_____
Date

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

Exhibit 1

Agreement Payment Schedule

Invoice Date	Amount Due
June 1, 2021	$250,000
December 1, 2021	$250,000
June 1, 2022	$250,000
December 1, 2022	$250,000
June 1, 2023	$250,000
December 1, 2023	$250,000
June 1, 2024	TBD
December 1, 2024	TBD
June 1, 2025	TBD
December 1, 2025	TBD

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

Exhibit 2

Township Vehicles to be Provided for City Use

Type	Make
Ambulance	2012 Chevy/McCoy Miller
Ambulance	2008 International/Horton
Fire Engine	2008 HME
Grass Truck	2003 Chevy
Command Vehicle	2017 Ford

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

Exhibit 3

Township Owned Fire Equipment

[To be added by the Township after contract execution]

Attachment: Ex. A - College Township Fire Contract (2021-2026) FINAL (2021-38 : College Twp FireEMS Contract)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Wages
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 2289

ORDINANCE 2021-09

AN ORDINANCE TO PROVIDE FOR THE SALARY OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MOUNT VERNON, SPECIFICALLY THE COUNCIL PRESIDENT, MEMBERS OF COUNCIL, AND THE CITY TREASURER; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following salary schedule be set for the Council President, Council Members, and City Treasurer for the years indicated:

Elected Officials	**Salary Per Year**			
	2022	**2023**	**2024**	**2025**
City Council President and Council Members	$8,378.00	$8,378.00		
Treasurer	$8,888.00	$8,888.00	$8,888.00	$8,888.00

SECTION 2: That Ordinances 2017-07 is 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 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.

HISTORY:

03/08/21	**City Council**	**FIRST READING**
03/22/21	**City Council**	**SECOND READING**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Planning and Zoning
Hillier, Salyers
Category: Planning and Zoning
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 2296

ORDINANCE 2021-12

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2021 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:

Ord. No.	Date	C.O. Section
2020-17	4-27-20	2020 Replacement Pages
2020-21	6-8-20	Repeals 135.05
2020-22	7-27-20	303.08(a), 359.03, 359.04
2020-28	8-24-20	351.20
2020-37	11-23-20	1302.01, 1303.13, 1399.05
2020-39	1-25-21	913.07(a)
2020-43	1-11-21	359.02(b)(1)A.3.
2021-01	1-11-21	1153.12

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

335.09	Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
335.091	Operating Without Dealer or Manufacturer License Plates. (Added)
373.02	Riding Upon Seats. (Amended)

General Offenses Code

501.99	Penalties for Misdemeanors. (Amended)
505.04	Abandoning Animals. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
537.17	Reserved. (Previously "Criminal Child Enticement")

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.

HISTORY:

03/22/21 City Council FIRST READING

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Streets and Public Buildings
Warga, Francis
Category: Street or Alley Vacation
Prepared By: Tanya Newell
Initiator: Tanya Newell

ORDINANCE 2021-13

DOC ID: 2298 A

AN ORDINANCE TO ACCEPT THE VACATION OF AN UNDEVELOPED PORTION OF KIRK STREET, IN THE CITY OF MOUNT VERNON, KNOX COUNTY, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission, after reviewing the matter, has recommended to accept the petition to vacate an undeveloped portion of Kirk Street in the City of Mount Vernon, Knox County, Ohio;

WHEREAS, the City Planning Commission has also recommended that a fifty (50') foot wide easement remain for the gas line, per ORC 723.041.

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

SECTION 1: That the petition to vacate an undeveloped portion of Kirk Street with the exception of a fifty (50') foot wide easement for the gas line per ORC 723.041, and further explained in Exhibit A, be and herewith is accepted.

SECTION 2: 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 of promoting timely redevelopment of blighted property within the city, 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.

HISTORY:

03/22/21	**City Council**	**FIRST READING**

City of Mount Vernon, Ohio
Development Services
40 Public Square
Mount Vernon, OH 43050
Phone 740-393-2033 |DSM@MountVernonOhio.org

To: Clerk of Council

March 12, 2021

Municipal Planning Commission
Meeting Date: March 11, 2021

Case Number: 2021-BZA-03
Request to Vacate Platted, Undeveloped Kirk Street
Submitted by: Lifepoint Church

A request to vacate the undeveloped portion of Kirk Street was submitted to Mount Vernon City Council by Lifepoint Church, property owner to the north and south of this right of way. The request was referred to the Municipal Planning Commission for review and recommendation.

A public hearing was held and discussion ensued about the proposed use of the surrounding property, the high-pressure gas line located within the right of way and the intersection of Kirk Street at Newark Road. Following discussion:

Mr. Austin Swallow made a motion that the Municipal Planning Commission recommend to City Council that they vacate the undeveloped portion of Kirk Street as requested. A 50 feet wide easement will remain for the gas line, per ORC 723.041.

Mr. Eric Diehl seconded the motion.

The motion passed with a unanimous, affirmative vote (Diehl, Dzik, Hawkins, Swallow, Ulrey).

Warm Regards,

Lacie Blankenhorn
Development Services Manager

Attachment: Alley Vacation-Kirk Street2021 (2021-13 : Vacate an Undeveloped Portion of Kirk Street)

LIFEPOINT CHURCH

110 EAST VINE STREET
MOUNT VERNON, OH 43050
INFO@LIFEPOINTMV.COM

RECEIVED
FEB 19 2021
BY:

To the Honorable Council of the City of Mount Vernon
40 Public Square
Mount Vernon, OH 43050

February 19, 2021

RE: Vacating an undeveloped portion of Kirk Street (formerly known as Elmwood Avenue)

Dear Friends,

On June 20, 1906 at 3:35 p.m., Recorder Charles Snow entered into public record the Plat Map for Elmwood Place which was laid out by the Elwood Realty Company. Elmwood Place was located in Clinton Township with Division Street as the eastern border. Vernon Avenue (now Mount Vernon Avenue) ended at Division Street. Elmwood Avenue, also, ended at Division Street.

Sometime between 1940 and 1960, Elmwood Avenue became known as Kirk Street, expanded from 30' to 50' wide, and improved from Newark Road to approximately 160 feet beyond South McKenzie Street. It is assumed that utilities to new properties required the improvement. There is a portion of Kirk Street that never was improved. It is, therefore, the request that a part of this non-improved portion of Kirk Street that lies between the two properties of Lifepoint Church Mount Vernon be vacated.

We submit this request to you for your consideration.

All questions should be addressed to:
Pastor Bryan Wolf, Executive Pastor for Lifepoint Mount Vernon Church
110 East Vine Street
Mount Vernon, OH 43050
(740) 485-6032 bryan@lifepointmv.com

Sincerely,

Wm B Pursel

William B. Pursel
Church member

Attachment: Alley Vacation-Kirk Street2021 (2021-13 : Vacate an Undeveloped Portion of Kirk Street)

See Ordinance to vacate portion of CLIFF ST. in Deed Vol. 323 page 526 # 39949
FOR VACATION SEE DEED VOL. 338 PG. 748-749 #50471

ELMWOOD PLACE

LAID OUT BY THE

ELMWOOD REALTY CO.

CLINTON TWP. KNOX CO OHIO

I do hereby certify that this plat & notes are a correct representation of the survey of the proposed Elmwood Place Being a part of the first quarter, Township Six, Range three U S M lands and being that portion of what was formerly known as Elmwood Farm lying immediately north-east of the Martinsburg Road which was surveyed and plated by me at the request of the Elmwood Realty Company and Clifford L. Sturgeon on this 5th day of April 1906

R. M. Douglass

We the owners of the above described property hereby certify that we caused the within plat to be made and we hereby dedicate to public use as streets and alleys the portion shown as such on said plat reserving the right for laying gas pipes.

The Elmwood Realty Company
By Clifford L. Sturgeon Secretary
A. R. Sipe President

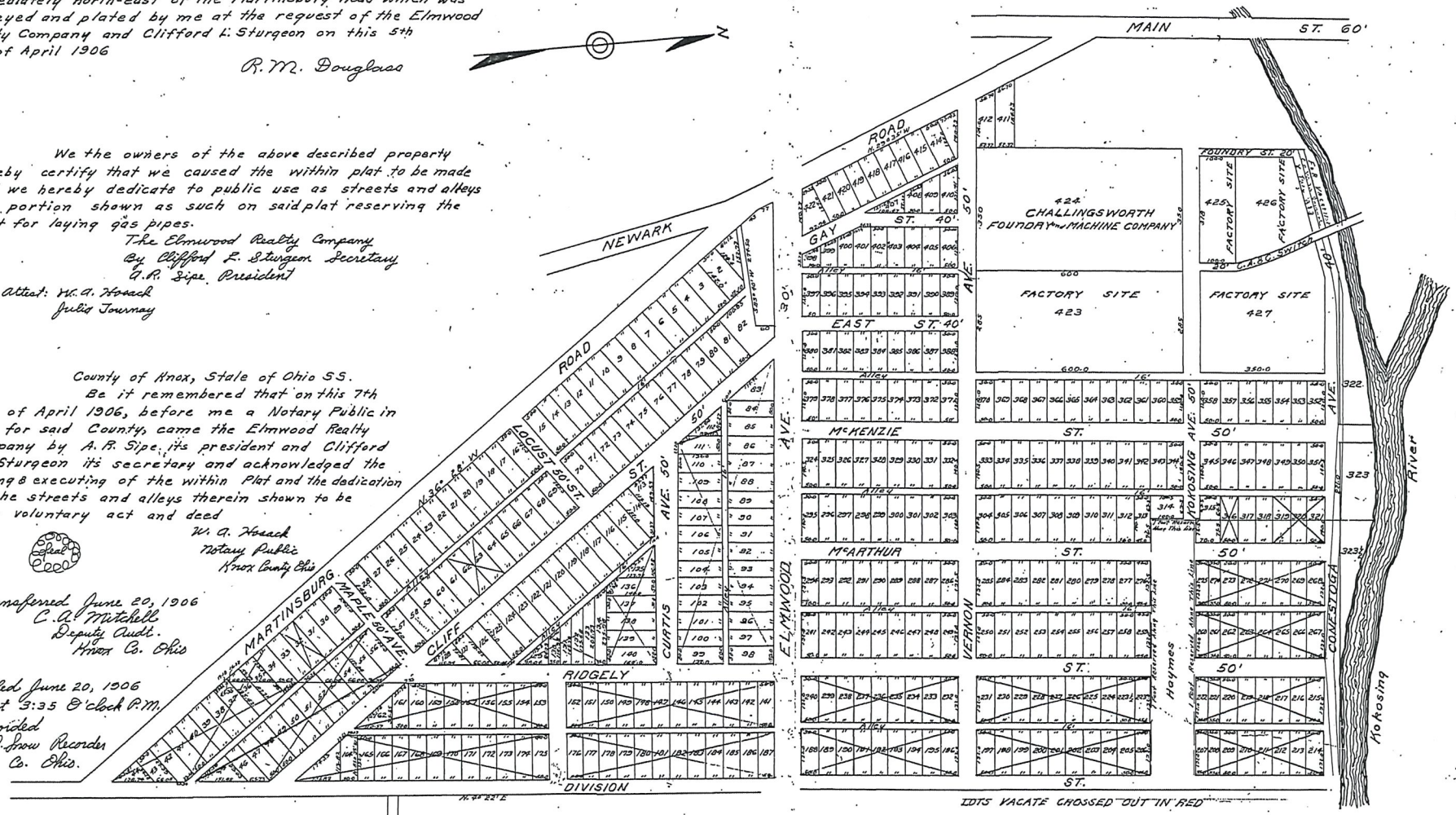
Attest: W. A. Horack
Julia Journay

County of Knox, State of Ohio SS.
Be it remembered that on this 7th day of April 1906, before me a Notary Public in and for said County, came the Elmwood Realty Company by A. R. Sipe its president and Clifford L. Sturgeon its secretary and acknowledged the making & executing of the within Plat and the dedication of the streets and alleys therein shown to be their voluntary act and deed

W. A. Horack
Notary Public
Knox County Ohio

Transferred June 20, 1906
C. A. Mitchell
Deputy Audit.
Knox Co. Ohio

Filed June 20, 1906
At 3:35 O'clock P.M.
Recorded
Wm. L. Snow Recorder
Knox Co. Ohio.



See Deed Vol. 362 Pgs. 246-248 # 90271
See Vacate Street in Deed Vol. 415 Pgs. 448-449 #72270
See Vacate Street in Deed Vol. 415 Pgs. 450-451 #72271

CITY OF MOUNT VERNON
PROCEDURE FOR STREET VACATION

Petition Page 1 of 3 pages Mount Vernon, Ohio Date: 2/19/2021

To the Honorable Council of the City of Mount Vernon, Ohio:

We, the undersigned property owners, owning three properties:
- Lifepoint Church Mount Vernon owning properties on Mount Vernon Avenue (Parcel 66-09113.000);
- Lifepoint Church Mount Vernon on 0 South Division Street (Parcel 66-09313.000) and
- Owner: 110 Mount Vernon Ave. Ltd. on 110 Mount Vernon Avenue (Parcel 66-09388.001),

Respectfully petition your honorable body to pass the necessary legislation to vacate:

> The vacated, undeveloped portion of Kirk Street starting from Division Street intersection to the western most edge of Parcel 66-09313.000. This portion is in Elmwood Place Subdivision, City of Mount Vernon, Ohio and containing .650 acres more or less. Description aka Exhibit A and maps are attached.

Adam Pursel Date: 2/19/2021

Adam Pursel
Lifepoint Church Mount Vernon
(Parcels 66-09113.000 & 66-09388.000)
17615 New Gambier Road
Mount Vernon, OH 43050

Timothy E. Carper Date: 2/19/2021

Timothy E. Carper
Owner: 110 Mount Vernon Ave. Ltd (Parcel 66-09388.000)
110 Mount Vernon Avenue
Mount Vernon, OH 43050

Attachment: Alley Vacation-Kirk Street2021 (2021-13 : Vacate an Undeveloped Portion of Kirk Street)

EXHIBIT A
Description of the portion of Kirk Street to be vacated
Part of Elmwood Place Subdivision

The portion of Kirk Street to be vacated (50 feet by 579.48 feet = .650 acres) is surrounding by the following properties: 66-09113.00 & 66-09313.000 owned by Lifepoint Church Mount Vernon and 66-09388.001 owned by 110 Mount Vernon Ave. Ltd.

The portion of Kirk Street to be vacated begins at the intersection of Kirk Street and Division Street. At the northeast corner of parcel 66-09313.000 (Parcel #2) and following the north borderline west to the northwest corner of this same parcel 579.48 feet, thence go 50 feet north to the south borderline of parcel 66-09388.001 (Parcel #3), thence go 579.48 feet east to the southeast corner of parcel 66-09113.000 (Parcel #1) to Division Street.

DESCRIPTION OF PROPERTIES:

Parcel 66-09113.000 is marked as #1 on the map.
Legal Description: PT Elmwood Place Vacated Street and Alley 5.014 AC

This parcel has a never developed portion of Kirk Street for the north border, the property of Harry H. and Julie M. Hurt for the west border and Division Street as its east border.

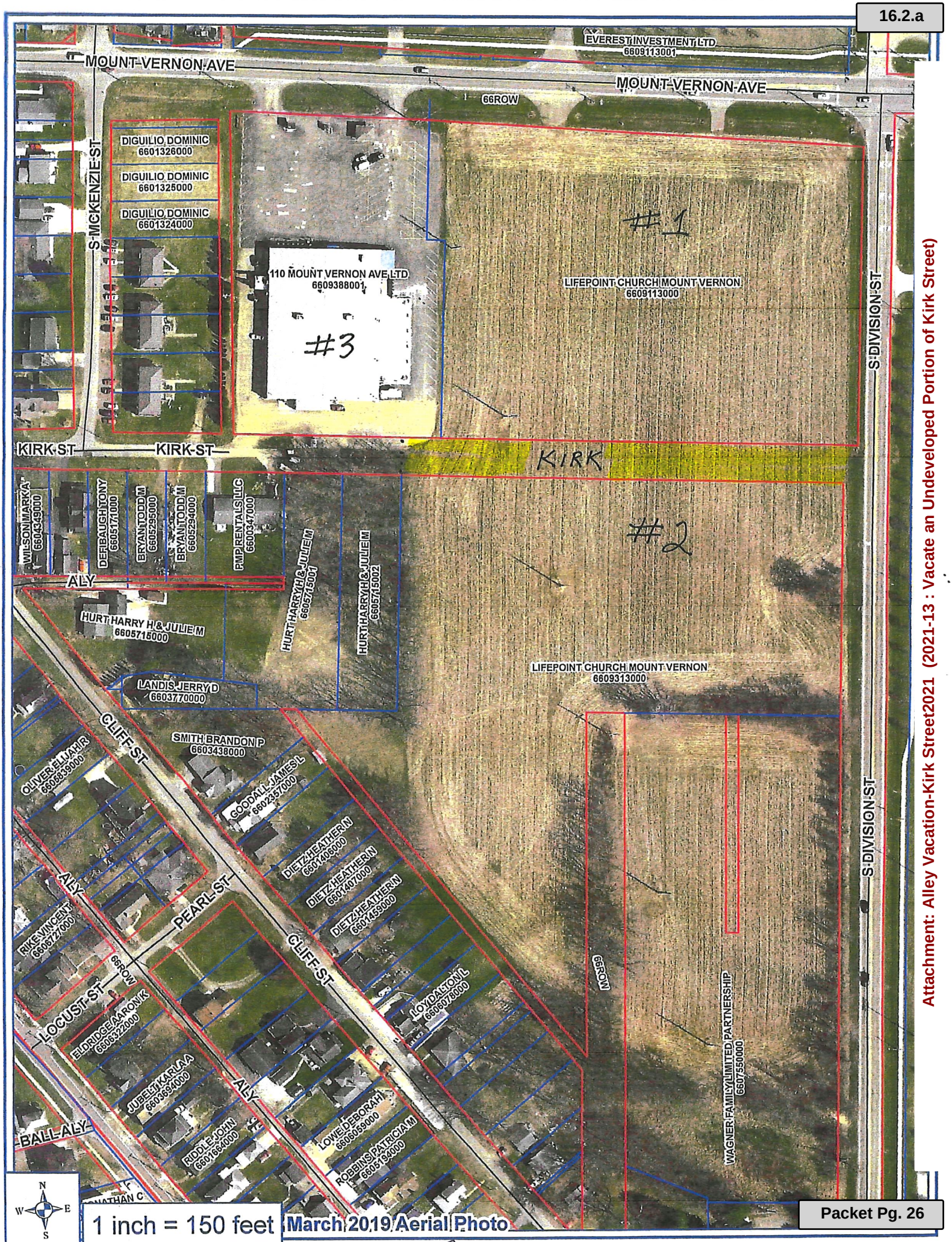
Parcel 66-09313.000 is marked as #2 on the map.
Legal Description: PT Vacated Lots, Street & Alley 5.926 AC

This parcel has Mount Vernon Avenue as its north border, Division Street as its east border, and parcel 66-09388.001 as its west border and the never developed portion of Kirk Street for the south border.

Parcel 66-09388.001 is marked as #3 on the map.
Legal Description: All of Lots 295 thru 303 & PT of Lots 286 thru 294 2.481 AC

On the southeast corner of this parcel, approximately 49.39 feet of the never developed Kirk Street is requested to be vacated.

Attachment: Alley Vacation-Kirk Street2021 (2021-13 : Vacate an Undeveloped Portion of Kirk Street)



Attachment: Alley Vacation-Kirk Street2021 (2021-13 : Vacate an Undeveloped Portion of Kirk Street)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Planning and Zoning
Hillier, Salyers
Category: Planning and Zoning
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 2306

ORDINANCE 2021-15

AN ORDINANCE AMENDING ORDINANCE 2003-03 REGARDING THE ESTABLISHMENT OF THE PATRIOTIC AND MEMORIAL COMMITTEE; 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 Council of the City of Mount Vernon, State of Ohio establish a Patriotic and Memorial Committee which shall consist of the following ~~nine~~ **eight** members:
One (1) County Commissioner,
One (1) Veteran's Service Officer,
~~One (1) Township Trustee~~,
~~Three (3) Veteran's Organization Members~~, **Three (3) Citizen Members with One (1) Being a Veteran**
~~One (1) Council Member~~, **Two (2) Ex-Officio Members (Council Member and Clerk)**
~~One (1) Village Mayor~~
and the Mayor of the City of Mount Vernon.

SECTION 2: ~~The terms of the following members will be three years: One Township Trustee and the Three (3) Veteran's Organization Members; the remaining members of the committee will be two (2) year terms: One County Commissioner, One Veteran's Service Officer, One Village Mayor, One Council Member and the Mayor of Mount Vernon.~~ **The term limit will be for one year for the citizen members and the Veteran's Service Officer with the ability to serve consecutive terms.** All appointments will b~~e~~**y** made by the Mayor of Mount Vernon and in the event that a vacancy would occur during the term of any member, his successor shall be appointed by the Mayor. ~~for the unexpired portion of his term.~~

SECTION 3: All members of the Patriotic and Memorial Committee will serve without compensation.

SECTION 4: The Committee shall have the power to study, investigate, plan, advise, report and recommend to Council, the Director of Public Safety-Service or the Mayor, any parade, vi**s**gual, action, program or plan which the Committee shall find or determine to be necessary or advisable.

SECTION 5: The Committee shall choose its own officers, make its own rules and regulations and keep minutes of its proceedings. A majority of the members shall be a quorum for the transaction of business.

SECTION 6: 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 various departments of the municipal government and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2313 A

ORDINANCE 2021-16

AN ORDINANCE TO CREATE THE POSITION OF PROGRAM DIRECTOR FOR THE COMMUNITY ADVOCACY RELATIONS DIVISION OF THE MOUNT VERNON POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following supervisory position is hereby authorized at the salary listed and upon the appropriation times listed below:

Community Advocacy Relations Division Program Director…….....$63,000

SECTION 2: The salary listed is the base salary for the designated position, and it is eligible for annual longevity increments of $400.00.

SECTION 3: The normal work week for this position shall be forty (40) hours in pay status work on five (5) consecutive eight (8) hour days, Monday through Friday, exclusive of the time allotted for meals, during the period starting at 12:01 A. M. Sunday to 12:00 P. M. Midnight, Saturday. Supervisory personnel shall be subject to call whenever the need exists, and he shall not be entitled to overtime pay, compensatory time off, or flex time.

.

SECTION 4: This position shall be entitled to the following benefits, on the same terms granted to bargaining unit employees in the Collective Bargaining Agreement between the city of Mount Vernon and the OCSEA/AFSCME Local 11: Holidays, (Art. 20), Vacation (Art 21), Personal Leave (Art 23), Sick Leave (Art 25), Bereavement Leave (Art 26), Injury Leave (Art. 27), Hospitalization and Medical Insurance (Art. 30), Jury and Witness Duty Pay (Art 33), PERS Contributions (Art. 36), Leaves of Absence (Art 41), Family and Medical Leave (Art. 46), and Tuition Reimbursement (Art. 48).

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

SECTION 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to provide needed resources to the Mount Vernon Police Department, therefore it shall become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2315 A

ORDINANCE 2021-17

AN ORDINANCE TO AMEND ORDINANCE 2021-04, AND DECLARING AN EMERGENCY.

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

SECTION 1: That the salary for the Director of Human Resources listed in Section 1 of Ordinance 2021-04 be amended to $72,000.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 04/12/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 2316 A

SCHEDULED

ORDINANCE 2021-18

AN ORDINANCE FIXING THE COMPENSATION AND BENEFITS OF CERTAIN EMPLOYEES OF THE MOUNT VERNON MUNICIPAL COURT EFFECTIVE JANUARY 1, 2021, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 1901.33, provides that the legislative authority of the municipality where a municipal court is located shall prescribe the compensation of Probation Officer;

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

SECTION 1: That this Ordinance fixed the compensation and benefits of certain employees of the Mount Vernon Municipal Court, commencing on the 1st day of January, 2021 as follows:

Probation Officer **4**: $23.17 per hour (payable from the Justice and Incentive Funding Grant (JRIG 2019-2021)

SECTION 2: That this Ordinance fixed the compensation and benefits of MERIT Drug Court Coordinator of the Mount Vernon Municipal Court, commencing on the 1st day of January, 2021.

MERIT Drug Court Coordinator: $25.99 per hour, of which $11.57 per hour shall be payable by the City of Mount Vernon, Ohio General Fund (Justice and Incentive Grant-JRIG 2019-2021), $14.42 per hour shall be payable from the General Fund (Specialized Docket Payroll Subsidy Project Funding Opportunity Grant) until such time the grant funds have been fully exhausted at which time this entire amount shall be paid from the JRIG Grant.

SECTION 3: These positions shall be entitled to the benefits as outlined in the Mount Vernon Municipal Court Employee Handbook, adopted January 1, 2015 and amended thereafter.

SECTION 4: That Ordinance 2020-12 and all of the preceding ordinances governing pay and benefits for the Municipal Court personnel as stated herein are repealed.

SECTION 5: This Ordinance is 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 department of allowing the Auditor's office to proceed with 2021 payroll setup, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the

members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 04/12/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2317 A

ORDINANCE 2021-19

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES OF THE CITY OF MOUNT VERNON IN THE FIRE DEPARTMENT.

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

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

FIRE DEPARTMENT:
Three Captains
~~Three~~ **Six** Lieutenants
Not more than ~~33~~ **30** 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.