



**City Council
Legislative Session**

Agenda

**April 24, 2023
7:30 PM**

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
April 24, 2023

5:45-6:15 p.m.	City ballfields	Parks & Lands Keener
6:15-6:25 p.m.	Part-time, seasonal wages	Employee & Community Relations Francis
6:25-6:35 p.m.	Police Dept. Community Liaison	Employee & Community Relations Francis
6:35-6:45 p.m.	Water Plant control system contract	Utilities Woods
6:45-7:15 p.m.	Annexation request	Planning & Zoning Hillier

- 04-24-23 Committee Meeting Schedule
- 04-24-23 Parks Master Plan

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

INVOCATION

Phil Lohmeyer, Mount Vernon Police Department Chaplain

PLEDGE OF ALLEGIANCE

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Apr 10, 2023 7:30 PM
- City Council - Special Meeting - Apr 17, 2023 6:00 PM

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

- 04-10-23 Fire, Police and Civil Defense Committee Meeting Minutes
- 04-10-23 Employee and Community Relations Committee Meeting Minutes
- 04-10-23 Utilities Committee Meeting Minutes
- 04-10-23 Streets and Public Buildings Committee Meeting Minutes

LIQUOR CONTROL LICENSE

None.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Zach Green, Commissioner, Knox Public Health

RESOLUTIONS FOR THIRD READING**RESOLUTIONS FOR SECOND READING****RESOLUTION NO. 2023-40**

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO CONTRACT WITH GRAY MATTER SYSTEMS, LLC FOR WATER PLANT CONTROL SYSTEM PHASE 6 - WTP FILTER PLC UPGRADE; AND DECLARING AN EMERGENCY.

Utilities: Woods, Keener

RESOLUTIONS FOR FIRST READING**RESOLUTION NO. 2023-44**

A RESOLUTION APPROVING THE APPOINTMENT OF JASON WEST AS AN ALTERNATE MEMBER TO THE MUNICIPAL PLANNING COMMISSION OF MOUNT VERNON, OHIO; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Hillier

RESOLUTION NO. 2023-45

A RESOLUTION APPROVING THE RE-APPOINTMENT OF SUSIE SIMPSON AS MEMBER TO THE BOARD OF ZONING APPEALS OF MOUNT VERNON, OHIO, FOR A FIVE (5) YEAR TERM; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Hillier

RESOLUTION NO. 2023-46

A RESOLUTION APPROVING THE RE-APPOINTMENT OF LACEY FILKINS TO THE HISTORICAL REVIEW COMMISSION OF THE CITY OF MOUNT VERNON, OHIO, FOR A ONE (1) YEAR TERM; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Hillier

ORDINANCES FOR THIRD READINGORDINANCE 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. 2023-12

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

ORDINANCES FOR SECOND READINGORDINANCE NO. 2023-14

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

Employee and Community Rel.: Francis, Hillier

ORDINANCES FOR FIRST READINGORDINANCE NO. 2023-17

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #66-05329.000 AND PARCEL #66-02335.000, ALSO KNOWN AS 301 AND 303 NORTH NORTON STREET, RESPECTIVELY, FROM THE PRESENT ZONING OF R-1 - SINGLE FAMILY DISTRICT, TO PCDD - PLANNED COMMERCIAL DEVELOPMENT DISTRICT; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

ORDINANCE NO. 2023-18

AN ORDINANCE CONSENTING TO THE ANNEXATION OF 105.65 ACRES, PARCEL NUMBERS 59-02289.000 AND 59-02289.001, FROM PLEASANT TOWNSHIP INTO THE CITY OF MOUNT VERNON; PROVIDING FOR CERTAIN CITY SERVICES TO THE ANNEXED PARCEL AND PROVIDING PROTECTIONS AGAINST INCOMPATIBLE USES UNDER EXISTING TOWNSHIP ZONING; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

ORDINANCE NO. 2023-19

AN ORDINANCE SETTING HOURLY COMPENSATION FOR PART-TIME AND SEASONAL PERSONNEL IN THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Hillier

REMARKS FROM THE ADMINISTRATION**REMARKS FROM COUNCIL****ADJOURN AT THE CALL OF THE PRESIDENT**



PRESS RELEASE

City Hall
40 Public Square
Mount Vernon, OH 43050

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

FOR IMMEDIATE RELEASE

April 19, 2023

Mount Vernon City Council Committee Meeting Schedule April 24, 2023

5:45-6:15 p.m.	City ballfields	Parks & Lands Keener
6:15-6:25 p.m.	Part-time, seasonal wages	Employee & Community Relations Francis
6:25-6:35 p.m.	Police Dept. Community Liaison	Employee & Community Relations Francis
6:35-6:45 p.m.	Water Plant control system contract	Utilities Woods
6:45-7:15 p.m.	Annexation request	Planning & Zoning Hillier

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



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

TABLE OF CONTENTS

1. INTRODUCTION

- CURRENT CITY PROJECTS
- GOALS AND OBJECTIVES

2. PRIORITY PARKS

- MEMORIAL PARK
 - + EXISTING
 - + GOALS
 - + PROPOSED
- RIVERSIDE PARK
 - + EXISTING
 - + GOALS
 - + PROPOSED
- CA&C RAILROAD DEPOT
 - + EXISTING
 - + GOALS
 - + PROPOSED

3. SECONDARY PARKS

- ARIEL-FOUNDATION PARK
- ARCH PARK
- DAN EMMETT PARK
- HIAWATHA PARK
- PHILLIPS PARK
- SHELLMAR PARK

4. IMPLEMENTATION STRATEGIES

- FUTURE PARK ELEMENTS
- CITY GOALS
- CITY/PARK TRAILS

INTRODUCTION

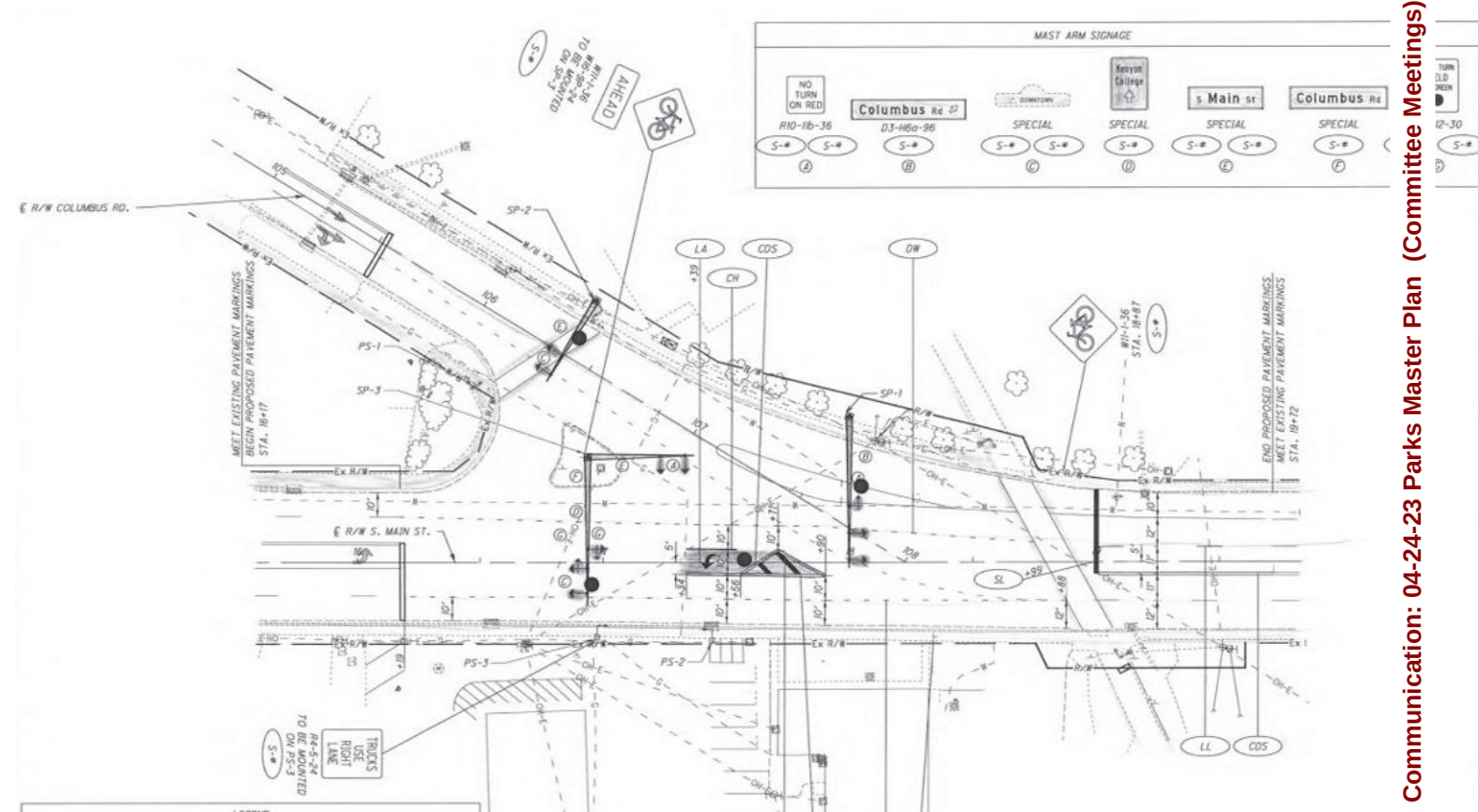
Communication: 04-24-23 Parks Master Plan (Committee Meetings)

CURRENT CITY PROJECTS



KOKOSING RIVER RESTORATION

- + FLOODPLAIN ACCESS & HABITAT ENHANCEMENT
- + RIVER RESTORATION IN BACKWATER AREAS
- + RIVER BANK PROTECTION



SOUTH MAIN/COLUMBUS ROAD INTERSECTION

- + MOVING TRAFFIC SIGNAL FURTHER SOUTH
- + CENSORED EXIT SIGNAL ADDITION AT WHITS
- + DEDICATED SOUTHBOUND LEFT TURN LANE
- + CROSSWALK FROM THE DEPOT TO SPEEDWAY

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

GOALS & OBJECTIVES

1. SAFETY

- + ADA ACCESSIBILITY
- + WALK WAYS
- + CROSSWALKS
- + SIGNAGE

2. COMMUNITY ENGAGEMENT

- + ABILITY TO HOLD COMMUNITY EVENTS
- + EASY PARK ACCESS

3. REINVIGORATE THE PARKS

- + CONNECTIONS BETWEEN THE PARKS
- + UPDATED BUILDINGS & EQUIPMENT
- + CONSISTENCY AMONG PARKS

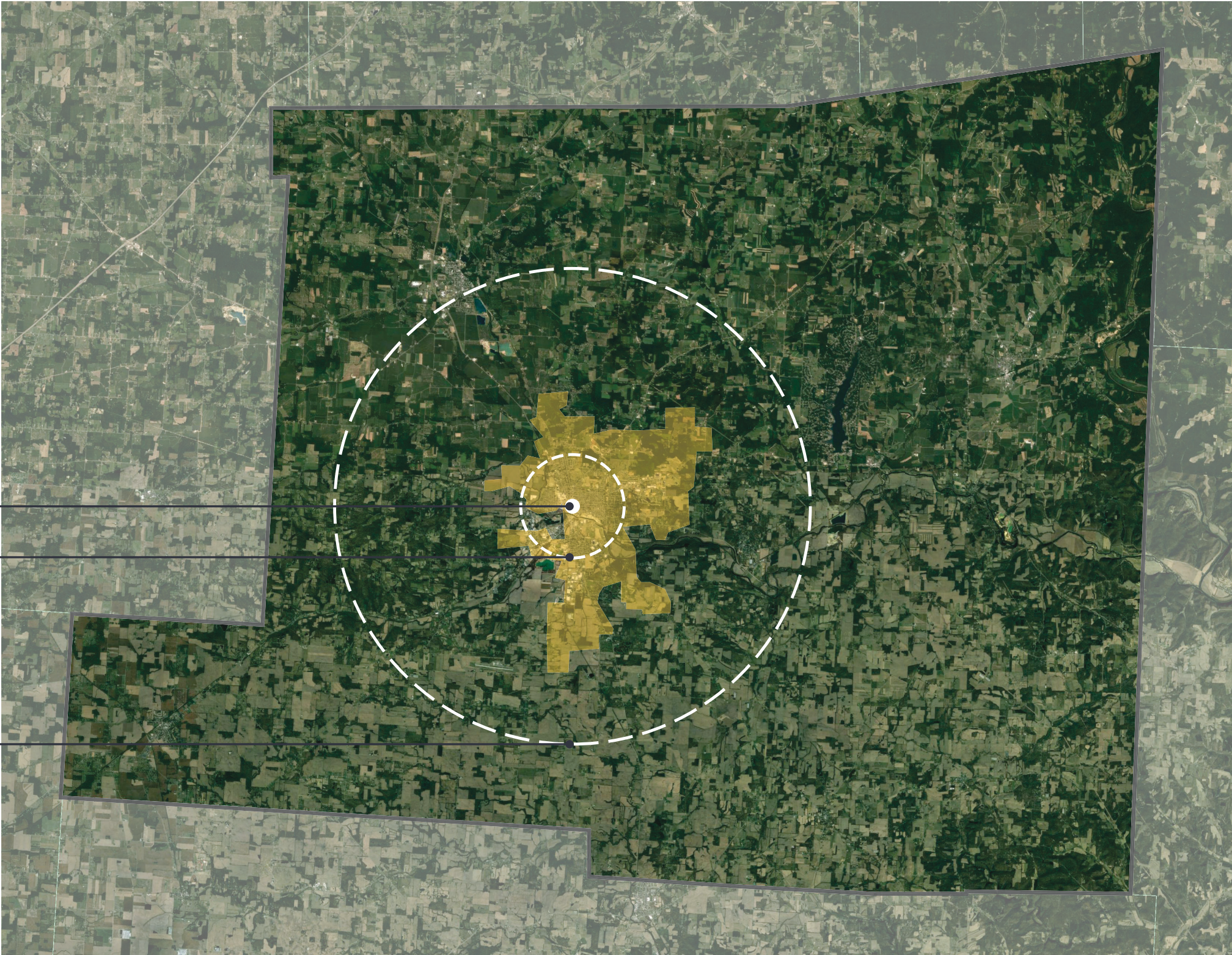


KNOX COUNTY

MOUNT VERNON CITY HALL

1.5 MILE RADIUS
[15 MINUTE ]

5 MILE RADIUS
[15 MINUTE ]

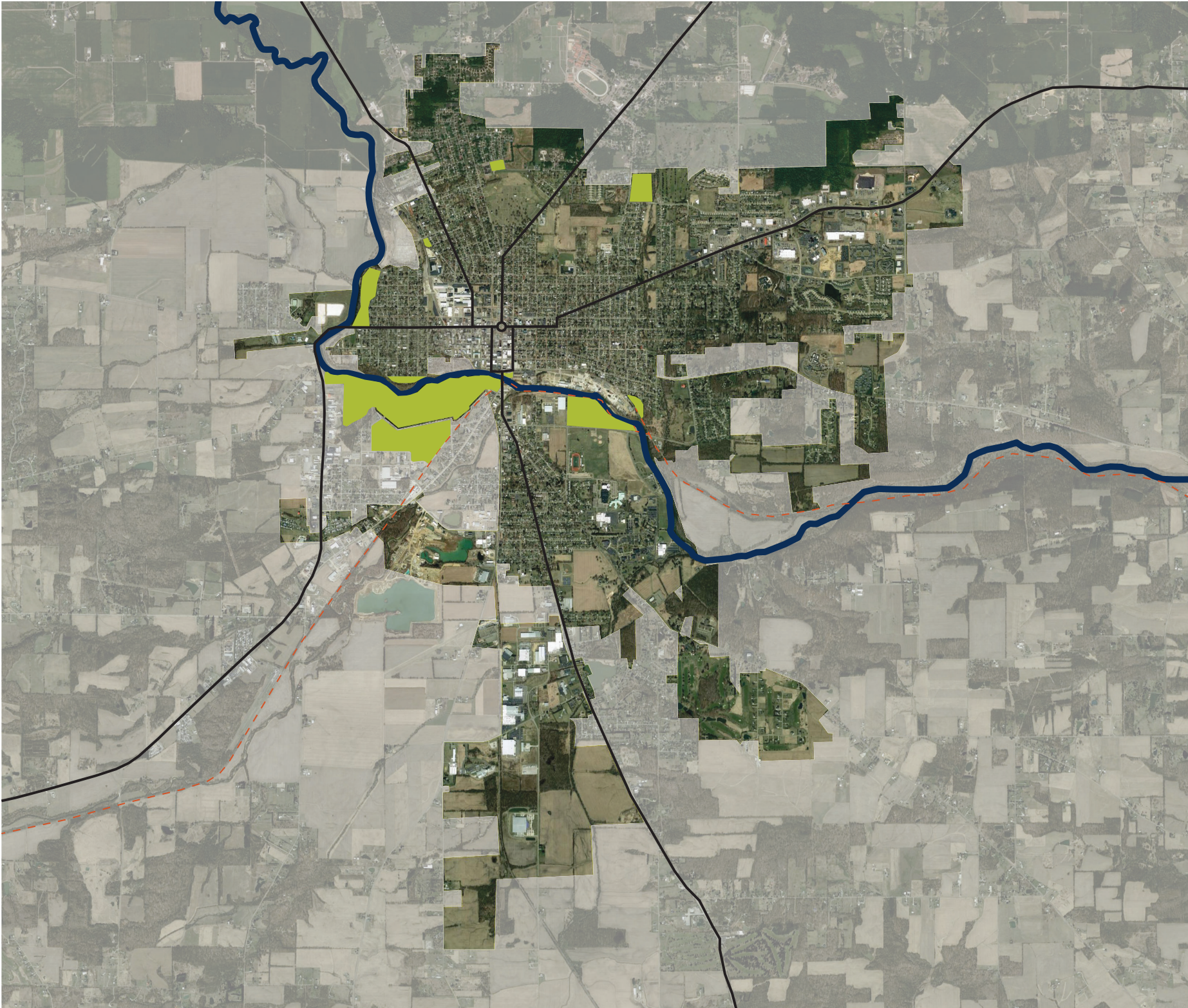


Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MOUNT VERNON



- ARCH PARK
- ARIEL-FOUNDATION PARK
- CA&C RAILROAD DEPOT
- DAN EMMETT PARK
- HIAWATHA PARK
- MEMORIAL PARK
- PHILLIPS PARK
- RIVERSIDE PARK
- RIVERVIEW PARK
- SHELLMAR PARK
- KOKOSING RIVER
- OHIO TO ERIE TRAIL



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

PRIORITY PARKS

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MEMORIAL PARK

37.5 ACRES: COMMUNITY PARK



PAIN POINTS

- LACK OF WALKWAYS
- LACK OF SIGNAGE
- LACK OF GATHERING SPACES
- LACK OF ADA ACCESSIBILITY
- NO CONNECTION TO KOKOSING TRAIL
- SITE CHALLENGES
 - + DIRECTIONAL TRAFFIC
 - + LOCATED IN FLOODPLAIN
- SKATE PARK
 - + SMALL WITH METAL FIXTURES
 - + LIMITED PARKING
 - + CRACKS IN PAVEMENT
- BASKETBALL COURTS
 - + PAVEMENT CONDITION
 - + LIGHTING
- PICKLE BALL & TENNIS COURTS
 - + SURFACE CONDITION
 - + LIGHTING

MEMORIAL PARK

PARK INVENTORY: EXISTING IMAGERY



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MEMORIAL PARK

PARK INVENTORY: EXISTING IMAGERY



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MEMORIAL PARK

EXISTING

Memorial Park is a community park centrally located between the middle school/high school and downtown. It is home to many baseball & softball tournaments, access to the Kokosing Trail and several tennis & pickle ball courts.

Although the location & land are nestled between the school, downtown and shady trees, some of the amenities are in need of improvement. Playground equipment is bent & chipped; concessions & press boxes are run down and do not comply with current building codes; the skate park is a tripping hazard; and the basketball, pickle ball, & tennis courts all need resurfaced. The park also experiences storm flooding & standing water. The storm-water system needs improvement.



MEMORIAL PARK GOALS

SPORTS

- BALL FIELDS
 - + REORIENT BALL FIELDS AND CREATE SPORT COMPLEXES
 - + CONCESSIONS/RESTROOMS/PRESS BOX
 - + CREATE MAINTENANCE PLAN
- TENNIS AND PICKLE BALL COURTS
 - + DIG OUT AND REINSTALL UP TO CORRECT STANDARDS
 - + PROVIDE LIGHTING & BLEACHERS
 - + CREATE MAINTENANCE AND RESURFACING PLAN
- BASKETBALL COURTS
 - + RELOCATE & RESURFACE
 - + PROVIDE LIGHTING & BENCHES
 - + CREATE MAINTENANCE AND RESURFACING PLAN

FAMILY GATHERING

- 3 NEW SHELTERS
 - + DEDICATE EACH & PROVIDE SIGNAGE
 - + PROVIDE LIGHTING & GRILLS AT EACH

RIVER ACCESS

- RENTAL DROP OFF
- FISHING
 - + FISHING POLE RENTAL
 - + PROVIDE FISHING POLE HOLDERS
 - + PROVIDE WEEKEND BAIT STAND

PLAY

- PLAYGROUNDS
 - + RID OF ALL PLAYGROUNDS EXCEPT FOR HARMONY PARK
 - + CREATE NEW & UPDATED PLAYGROUND BESIDE HARMONY PARK
 - + PROVIDE BENCHES AT EACH CORNER OF THE PLAYGROUND
 - + CREATE MAINTENANCE PLAN

ADDITIONAL GOALS

- CREATE 1 MILE WALKING LOOP AROUND PARK
- CREATE MORE ADA PARKING
- ADA ACCESSIBLE RESTROOMS CLOSER TO HARMONY PARK
- CREATE HISTORICAL MURAL IN GAZEBO
- PROVIDE BIKE RACKS AT EACH ACCESS POINT
- PROVIDE SIGNAGE

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MEMORIAL PARK

PARK ELEMENTS

WHAT IS THE GRAFFITI/CLIMBING WALL?

- CURVED & BUILT OF BRICK
- CREATES NOOKS FOR GATHERING



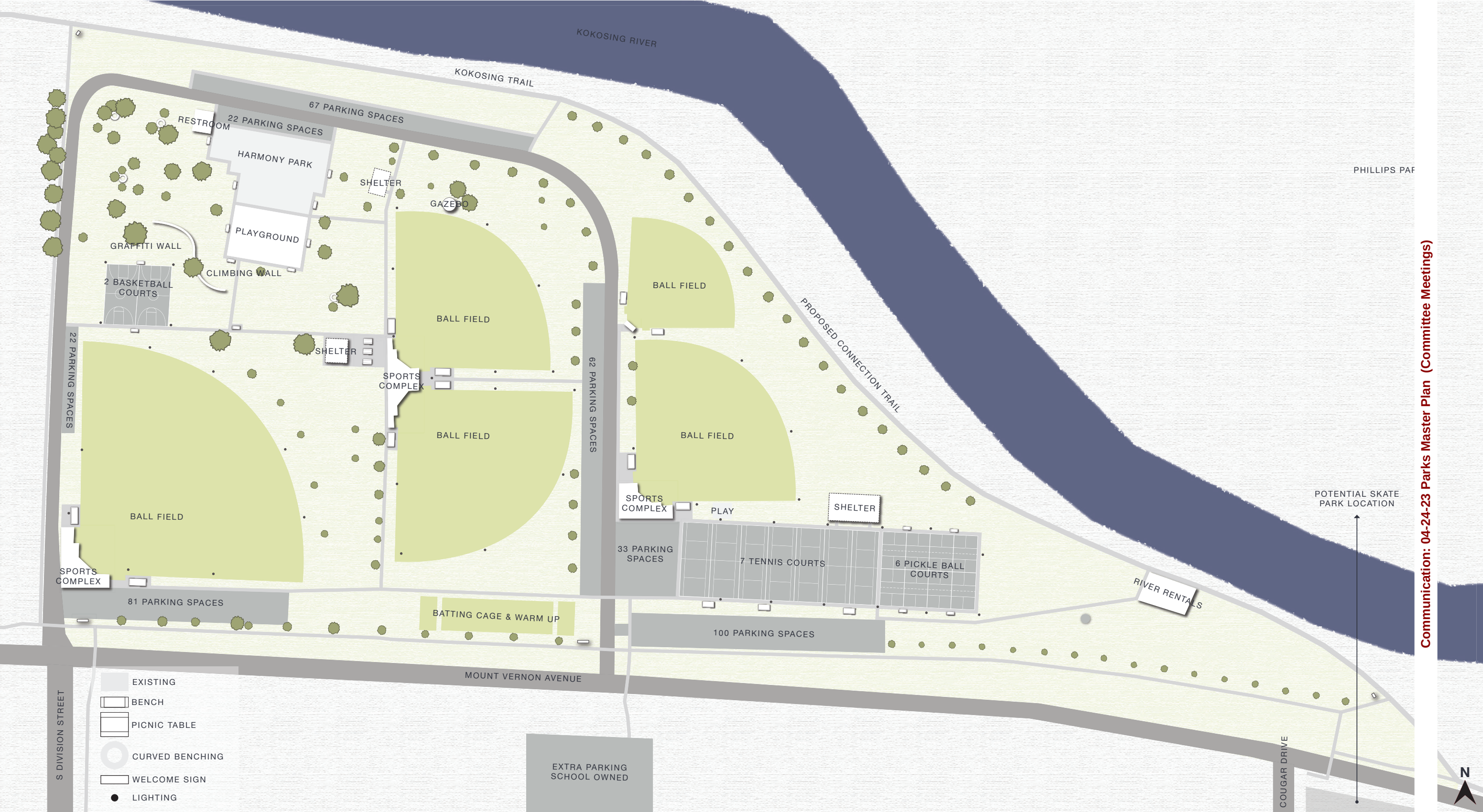
GRAFFITI WALL GIVES ARTISTS FREEDOM OF EXPRESSION AND BUILDS CREATIVITY



CLIMBING WALL BUILDS STRENGTH, CONFIDENCE & INDEPENDENCE TO SCALE ACROSS AT A MINIMAL HEIGHT



THE SEATING NOOK ALONG THE CURVES CREATES AN ENCLOSED GATHERING SPACE APPROPRIATE FOR ALL AGES



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MEMORIAL PARK

The original one-way road has widened to a two-way and rerouted to avoid multiple access points. Designated parking spaces have been added to comfortably fit more cars. The fields have been reoriented for 3 sports complexes that contain a concession stand, press box, and either a restroom or maintenance building. A warm-up area has been created with a field to throw and 2 batting cages. There are bathrooms in 3 locations, all ADA accessible. There are 3 shelters and several picnic tables & benches throughout. There are 3 playgrounds and 1 climbing/graffiti wall. The basketball, pickle ball and tennis courts have been resurfaced & more pickle ball and tennis courts have been added. A walking trail surrounds the park.



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

RIVERSIDE PARK

24.5 ACRES: COMMUNITY PARK



PAIN POINTS

- POOR CONNECTION WITHIN PARK
 - + DIKE ROAD SPLITS BETWEEN NORTH & SOUTH
 - + NO ORGANIZATIONAL FLOW
- INADEQUATE PATHWAYS
 - + TO RIVER ACCESS
 - + NORTH & SOUTH PARK AREAS
 - + TO BALL FIELD
- PLAYGROUNDS
 - + EQUIPMENT IS BENT & CHIPPED
 - + SCATTERED PLAY PODS
 - + ACCESSIBLE SWING NOT INCLUSIVE
- PICKLE BALL COURTS
 - + INCORRECT ORIENTATION
 - + SURFACE CONDITION
 - + LIGHTING
- BASKETBALL COURTS
 - + ONLY HALF COURT
 - + SURFACE CONDITION
- BALL FIELD
 - + NO CONCESSION

RIVERSIDE PARK

SOUTH PARK INVENTORY: EXISTING IMAGERY



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

RIVERSIDE PARK

NORTH PARK INVENTORY: EXISTING IMAGERY



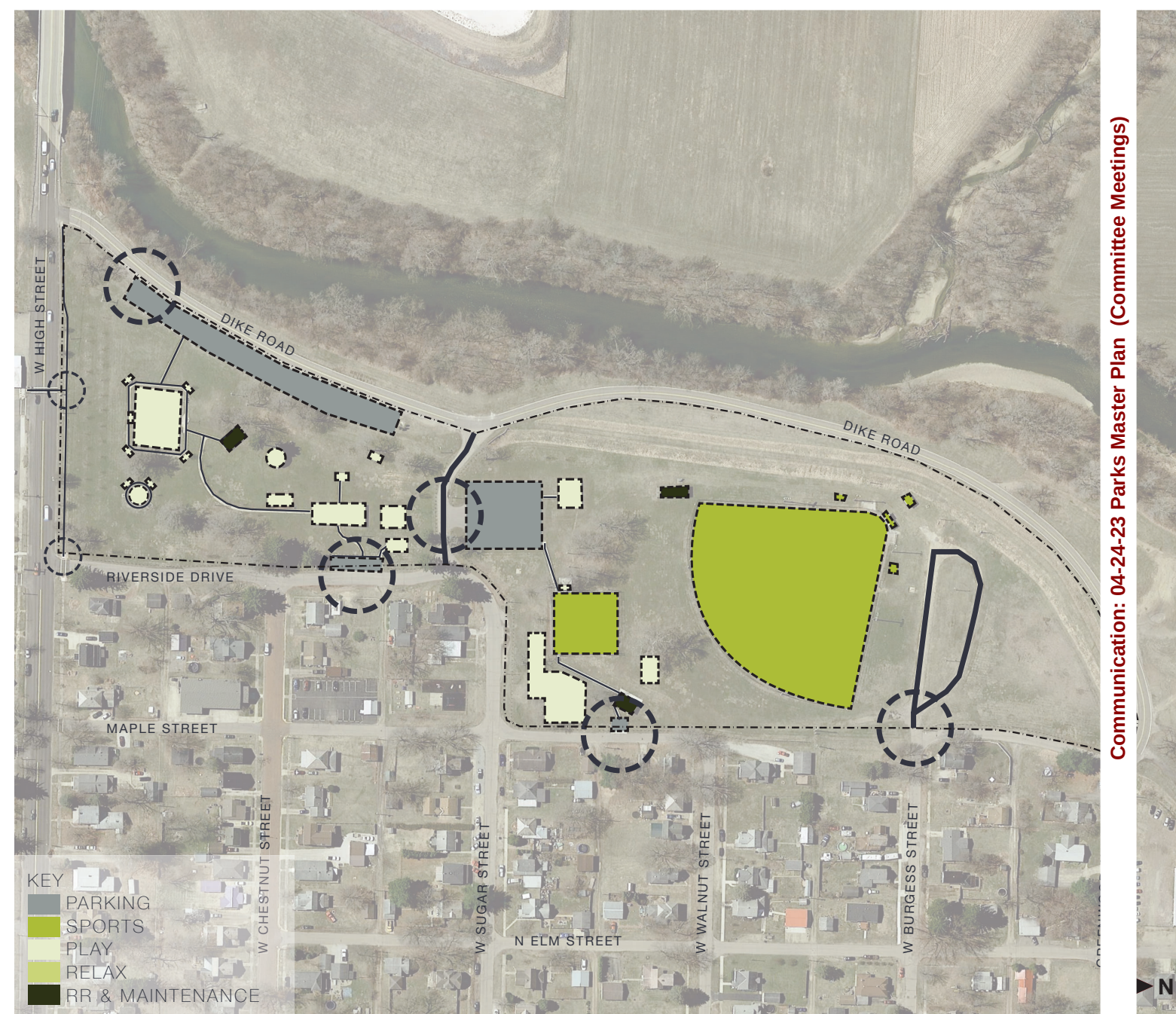
Communication: 04-24-23 Parks Master Plan (Committee Meetings)

RIVERSIDE PARK

EXISTING

Riverside Park is a community park located on the west side of town between the dike and a residential neighborhood. It is home to rotary park centennial, various playground equipment, 4 pickle ball courts, 1 half basketball court, 1 baseball field and river access on the kokosing river.

The location of Riverside Park is great, being adjacent to a residential neighborhood. The neighborhood allows for ease of access & passive supervision, however, the dike interrupts the west side of the park, and dike road divides the north & south side of the park. The pickle ball & basketball courts are cracked, playground equipment is dented & chipped and the existing fountain is rarely observed. Parking is adequate, however, the north end of riverside park is in need of spaces for ease of access.



RIVERSIDE PARK GOALS

SPORTS

- BALL FIELD
 - + REORIENT BALL FIELD AND CREATE SPORT COMPLEX
 - CONCESSIONS/RESTROOMS/PRESS BOX
 - + CREATE MAINTENANCE PLAN
- PICKLE BALL COURTS
 - + DIG OUT AND REINSTALL UP TO CORRECT STANDARDS
 - + PROVIDE LIGHTING & BLEACHERS
 - + CREATE MAINTENANCE AND RESURFACING PLAN
- BASKETBALL COURTS
 - + RELOCATE & RESURFACE
 - + PROVIDE LIGHTING & BENCHES
 - + CREATE MAINTENANCE AND RESURFACING PLAN

FAMILY GATHERING

- 1 NEW SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + PROVIDE LIGHTING
- 1 EXISTING SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
- GAZEBO
 - + POWER WASH & REPAINT
 - + TRANSITION TO AMPHITHEATER

PLAY

- 1 NEW PLAYGROUND
 - + CREATE LARGE SENSORY PLAYGROUND
 - + PROVIDE A BENCH AT EACH CORNER
- SPLASH PAD
 - + CONVERT FOUNTAIN TO A SPLASH PAD
 - + PROVIDE PUMP ROOM & RESTROOM
 - + PROVIDE BENCHES

RIVER ACCESS

- CROSSWALK & SIGNAGE ACROSS DIKE ROAD
- UPDATE CURRENT PARKING LOT
- PROVIDE LIGHTING & TRASH ENCLOSURES
- RENTALS
 - + KAYAKS
 - + TUBES

ADDITIONAL RECOMMENDATIONS

- CREATE A .85 MILE WALKING LOOP AROUND PARK
- REMOVE THE ROAD CUTTING THROUGH THE MIDDLE
- PROVIDE CROSSWALKS TO RESIDENTIAL NEIGHBORHOOD
- PROVIDE BIKE RACKS AT EACH ACCESS POINT
- PROVIDE SIGNAGE

RIVERSIDE PARK

EARLY-WORKS ENVIRONMENT

WHAT IS THE EARLY-WORKS ENVIRONMENT?

- FITS A WIDE AGE RANGE
- TACKLES LOGIC & CREATIVITY BASED PLAY



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

RIVERSIDE PARK

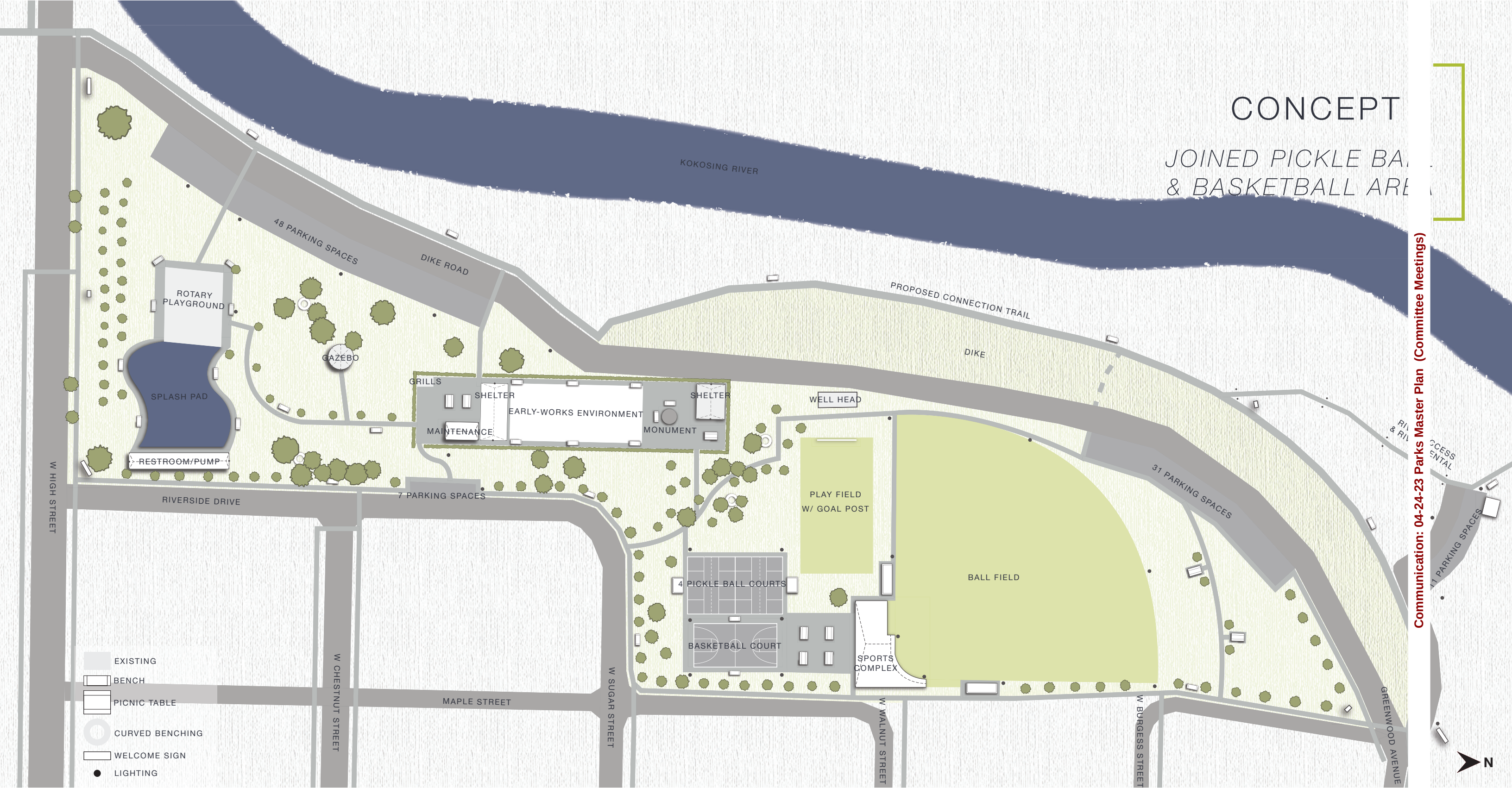
PARK ELEMENTS

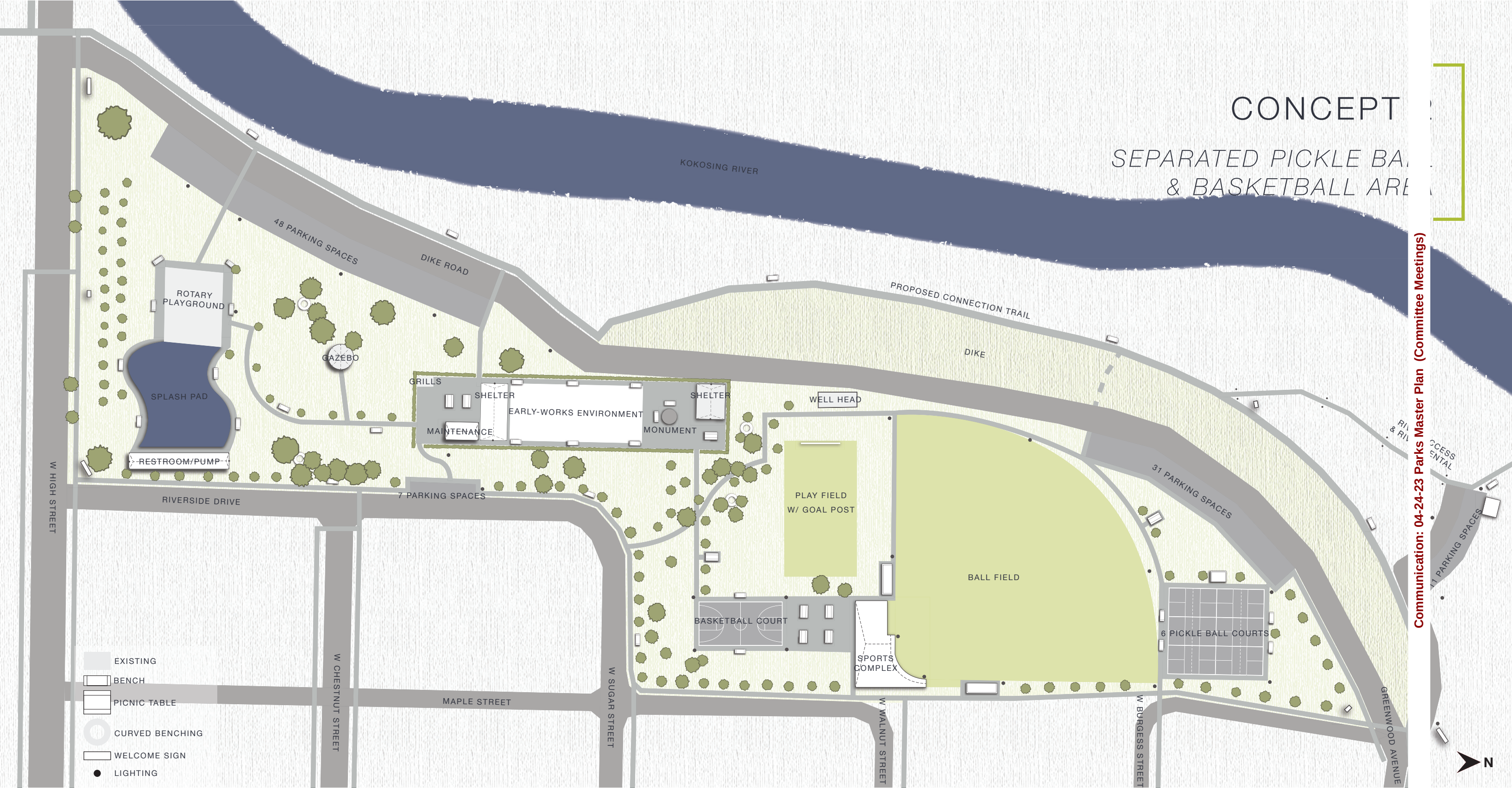


CLEARED, EASILY ACCESSIBLE, LIT PATH TO THE RIVER



SHADED STRUCTURE WITH BOOTH UNDERNEATH FOR RIVER RENTALS & SEATING





RIVERSIDE PARK

Dike Road on the West side has been rerouted to unify the North & South ends of the park. The baseball field has been reoriented to create a sports complex with a concession stand, press box & restrooms for the field, basketball court and pickle ball courts. The fountain has been removed and replaced with a splash pad adjacent to Rotary Park. The center of the park holds 2 shelters for gathering and 1 large interactive & learning playground. The river access has a path leading up to with a rentals booth, parking lot and ample lighting. A walking trail surrounds the park.



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

CA&C RAILROAD DEPOT

5.8 ACRES: NEIGHBORHOOD PARK



PAIN POINTS

- HEART OF MOUNT VERNON METRO PARKS
 - + MINIMAL SIGNAGE
 - + TRAIL ENTRANCE EXPERIENCE
- SITE CHALLENGES
 - + RAILROAD IS STILL ACTIVE
- PARK ISSUES
 - + ROOF NEEDS REPLACED
 - + NO BENCHES NEAR RIVER
 - + NO SPECIFIED ADA PARKING
 - + NO EVENING OR WEEKEND RESTROOM ACCESS

CA&C RAILROAD DEPOT

PARK INVENTORY: EXISTING IMAGERY

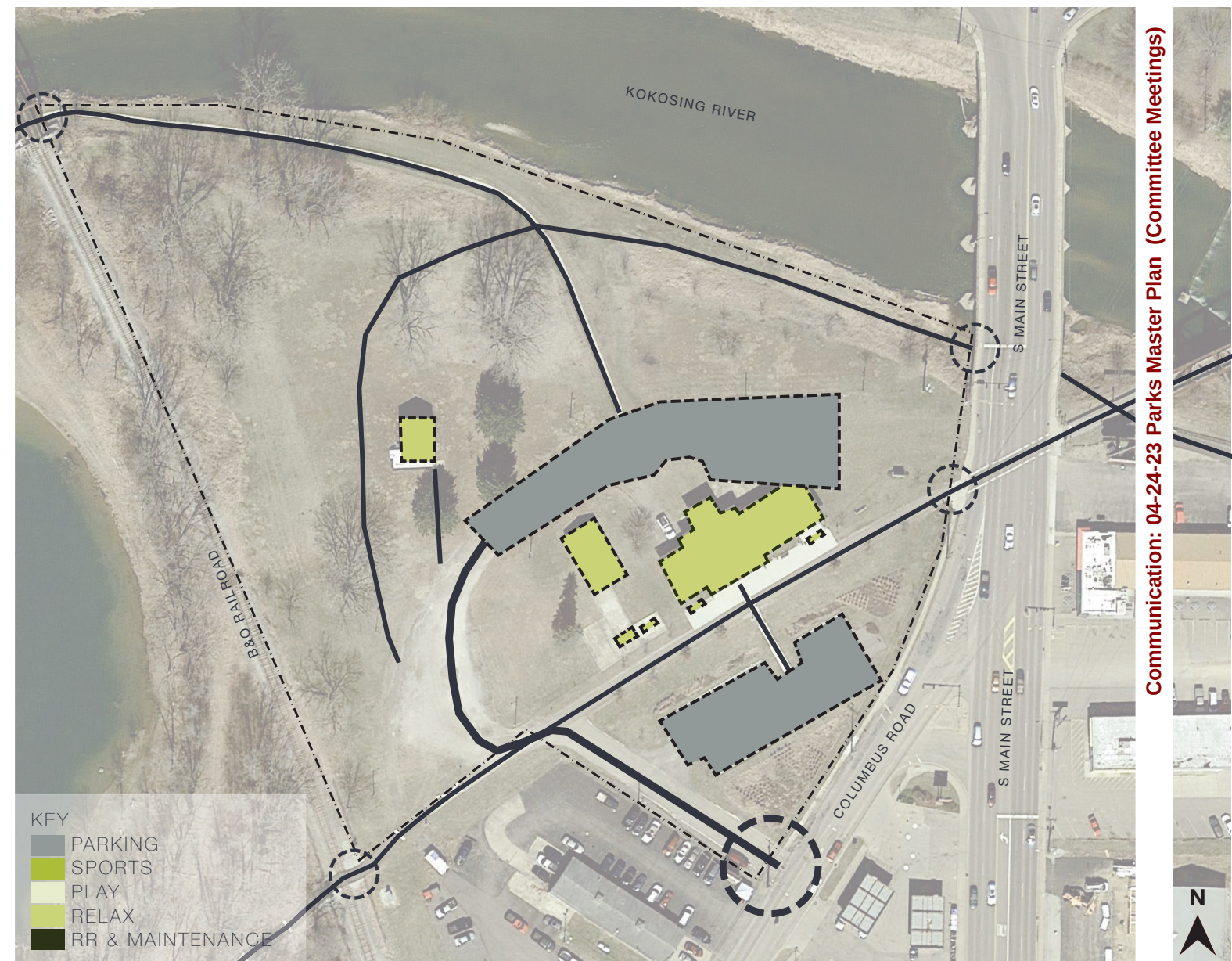


Communication: 04-24-23 Parks Master Plan (Committee Meetings)

CA&C RAILROAD DEPOT *EXISTING*

Located at the city's busiest intersection, CA&C Railroad Depot is the welcoming site to the city of Mount Vernon. It is home to the Knox County Chamber of Commerce, Main Street Mount Vernon & Knox County Convention as well as the Visitors Bureau Offices. It has direct trail access and located on the Kokosing River.

The CA&C Railroad Depot is a newly restored building with very minimal amenities on site. The park only has 2 benches alongside the trail and 1 shelter. There is also no restroom access when the ca&c building is closed and the site requires accessible parking.



CA&C RAILROAD DEPOT GOALS

COMMUNITY ENGAGEMENT

- PROVIDE MORE HISTORY QR CODE SIGNAGE
- MOUNT VERNON HISTORY NIGHT
- PROVIDE AMPLE OUTDOOR ELECTRICITY
- PROVIDE FOOD TRUCK PARKING

FAMILY GATHERING

- SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + PROVIDE 2 GRILLS
- PROVIDE 5 BENCHES ALONG RIVERFRONT TRAIL
- PROVIDE 3 BENCH SWINGS ALONG RIVERFRONT TRAIL
- PROVIDE PICNIC TABLES ALONG BACK LOT

RIVER ACCESS

- FISHING
 - + FISHING POLE RENTAL
 - + PROVIDE FISHING POLE HOLDERS
 - + PROVIDE WEEKEND BAIT STAND

ADDITIONAL RECOMMENDATIONS

- FIRST RESPONDERS MEMORIAL
 - + TO BE DESIGNED WITH ARTIST
 - + PROVIDE CONCRETE PAD
 - + PROVIDE BENCHES
 - + PROVIDE LIGHTING
- MONUMENT
 - + PROVIDE CONCRETE PAD
 - + PROVIDE BENCHES
 - + PROVIDE LIGHTING
- EMMETT HOUSE
 - + SIGNAGE FOR THE HISTORY
 - + SIGNAGE FOR WHERE ALL IT HAS BEEN LOCATED
- PROVIDE RESTROOM NEAR TRAIL
- PROVIDE CROSSWALK OVER PHILLIPS DRIVE FOR DOWNTOWN ACCESS
- PAVE SECOND LOT
- PROVIDE ADA PARKING
- ROOF REPLACEMENT

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

RIVERSIDE PARK

PARK ELEMENTS



SWING BENCHES FOR RELAXATION
AND SITE VIEWING



SHADED STRUCTURE WITH BOOTH UNDERNEATH FOR RIVER RENTALS
& SEATING



RIVER POLE RESTS FOR FISHING

Communication: 04-24-23 Parks Master Plan (Committee Meetings)



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

CA&C RAILROAD DEPOT

The back parking lot has been paved with designated parking spaces, including ADA parking spaces. A gravel extension to the back parking lot has been made for festivals/gatherings. An outdoor restroom facility has been added for ease of access in the evenings and on the weekends. A canopy has been added for river equipment rental or to return what was rented from other parks. Several benches, bench swings and picnic tables have been added. 2 monuments have been added to the site to celebrate Mount Vernon and the history.



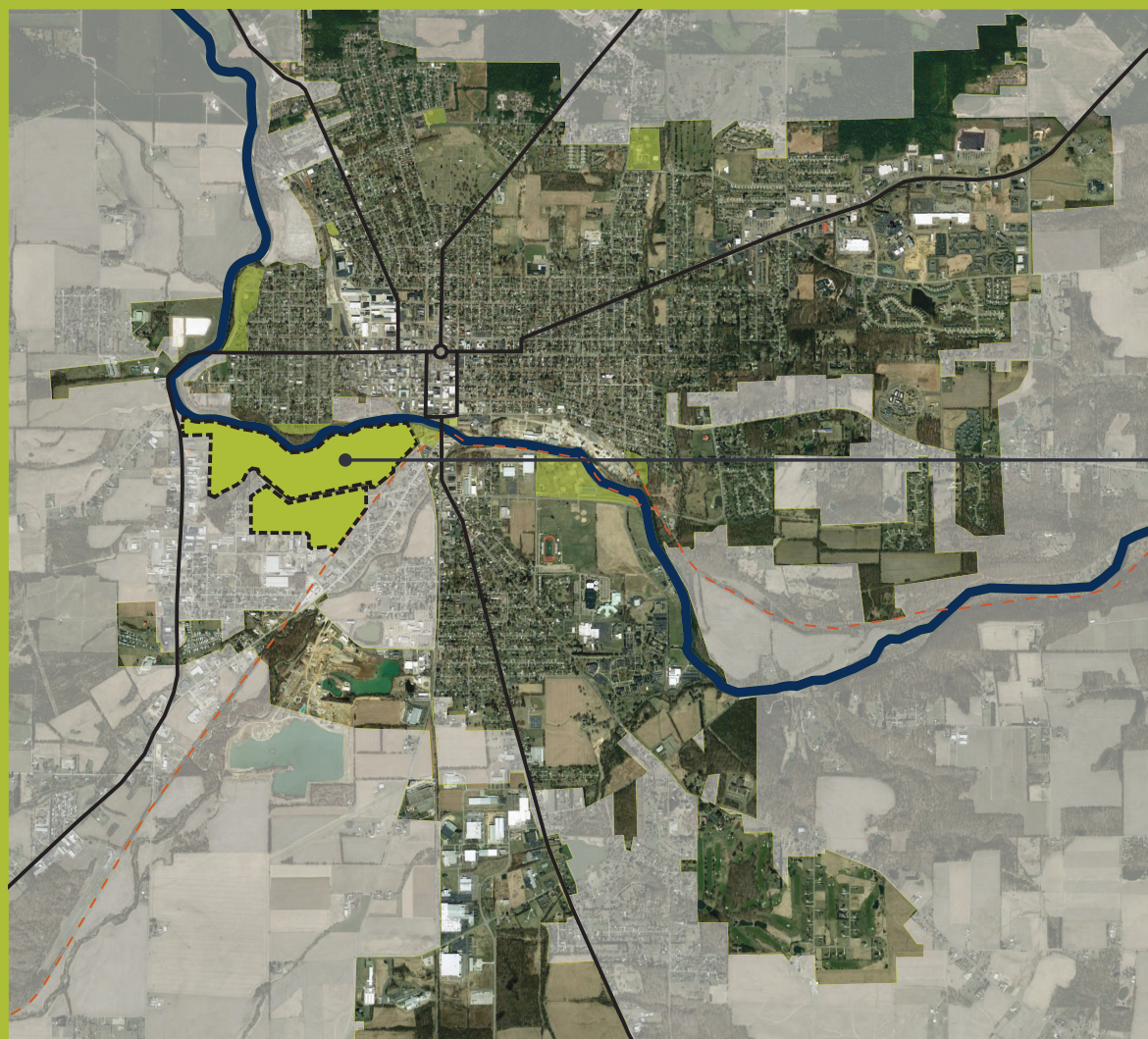
Communication: 04-24-23 Parks Master Plan (Committee Meetings)

SECONDARY PARKS

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

ARIEL-FOUNDATION PARK

250 ACRES: COUNTY PARK



PAIN POINTS

- NO PLAYGROUND EQUIPMENT
- LACK OF TRASH ENCLOSURES
- LACK OF WEED MAINTENANCE
- NOISE POLLUTION DURING EVENTS

EXISTING IMAGERY



ARIEL-FOUNDATION PARK GOALS

COMMUNITY ENGAGEMENT

- CREATE NATURE WALK FOR KIDS
- CREATE HAUNTED TRAIL IN THE FALL
- HORSE CARRIAGE RIDES IN THE WINTER

FAMILY GATHERING

- SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + CLEAN & REPAINT SHELTER
 - + PROVIDE LIGHTING

POND ACCESS

- PONDS TRANSITION TO ICE SKATING IN THE WINTER
- FISHING
 - + FISHING POLE RENTAL
 - + PROVIDE FISHING POLE HOLDERS
 - + PROVIDE WEEKEND BAIT STAND

ADDITIONAL RECOMMENDATIONS

- DESIGNATED DOG PLAY AREA
- MORE TRASH ENCLOSURES
- YEARLY CAMPING UNDER THE STARS
- CREATE CONNECTION TO ARCH AVENUE PARK

ARCH AVENUE PARK

11 ACRES: NEIGHBORHOOD PARK



PAIN POINTS

- MINIMAL SIGNAGE
- NO PEDESTRIAN CIRCULATION
- PLAYGROUND
 - + GRAFFITIED OVER
 - + NO SEATING
 - + LACK OF WEED MAINTENANCE
- BASKETBALL COURT
 - + PAVEMENT CONDITION
 - + HALF COURT
 - + LIGHTING

EXISTING IMAGERY



ARCH AVENUE PARK

EXISTING

Arch Park is a neighborhood park located along the Kokosing River in a residential neighborhood. It is not close to any main roads and is home to a community garden, some playground equipment, and a basketball hoop.

The park is surrounded by trees and nicely shaded but falls to vandalism due to location. The playground equipment has been graffitied over, weeds are overgrown, and the basketball court pavement is cracking.



ARCH AVENUE PARK GOALS

- SPORTS**

 - BASKETBALL COURT
 - + EXTEND TO FULL SIZE
 - + PROVIDE LIGHTING & SEATING

FAMILY GATHERING

 - SHELTER
 - + PROVIDE LIGHTING & ADDITIONAL PICNIC TABLE
 - + REPAINT & UPDATE SHELTER
 - PICNIC TABLES
 - + PROVIDE 2 ADDITIONAL PICNIC TABLES
 - + PROVIDE CONCRETE PAD FOR EACH

PLAY

 - REMOVE ALL CURRENT PLAYGROUND EQUIPMENT
 - CREATE NATURE PLAYGROUND
 - PROVIDE BENCHES
 - CREATE WEED MAINTENANCE PLAN

COMMUNITY ENGAGEMENT

 - GARDEN
 - + PROVIDE SIGNAGE & HOW TO'S
 - + PROVIDE BENCHES
- RIVER ACCESS**

 - CLEAR PATH FOR ACCESS TO RIVER
 - PROVIDE RIVER ACCESS SIGNAGE

ADDITIONAL RECOMMENDATIONS

 - PROVIDE SMALL DROP IN RESTROOM
 - CREATE .5 MILE WALKING TRAIL ON PARK PERIMETER
 - CREATE NATURE WALK PATH THROUGH WOODED AREA BETWEEN PARK & THE KOKOSING RIVER
 - POSSIBLE LOCATION FOR PHILANTHROPIST DONATED LOG CABIN

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

ARCH AVENUE PARK

NATURAL PLAY

WHAT IS A NATURAL PARK?

- CONSISTS OF ELEMENTS & TEXTURES FROM EARTH
- UNSTRUCTURED PLAY WITH NO FIXED OBJECTIVE



EMBANKMENT SLIDES OFFER CONSTANT THRILLS OF MOVEMENT & SPEED, & ENCOURAGE SCIENTIFIC CURIOSITY



THE LOG SLUICEWAY ALLOWS KIDS TO WATCH & MANIPULATE THE MOVEMENT OF WATER



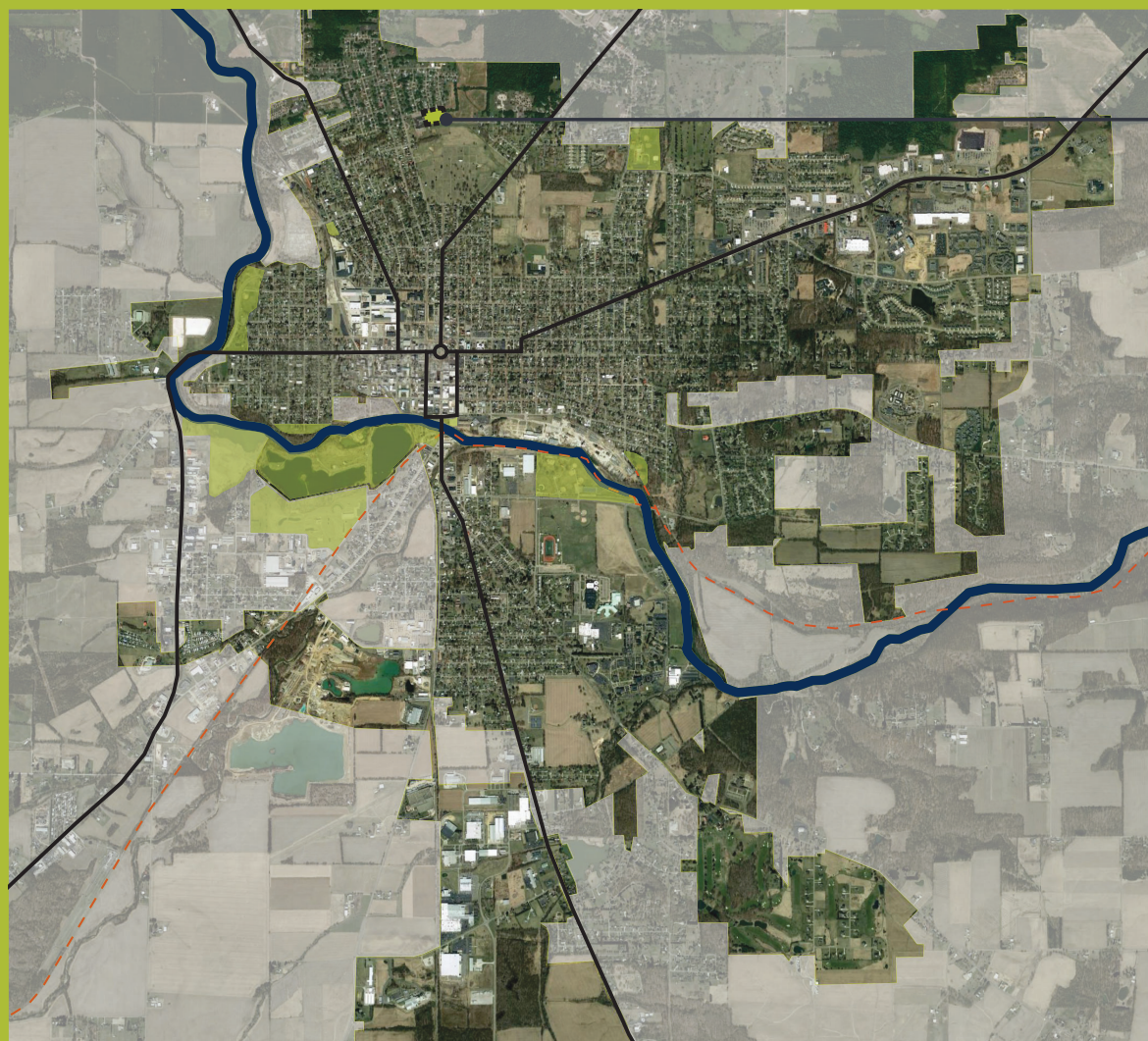
THE STEPPING STUMPS AIDE IN LEARNING BALANCE AND AGILITY SKILLS BY MOVEMENT & IMAGINATION BY CREATING SCENES.



THE HANK DRUM INDUCES MUSICAL CREATIVITY & RELAXATION.

DAN EMMETT PARK

5.5 ACRES: SCHOOL PARK



PAIN POINTS

- BALL FIELDS
 - + LACK OF LIGHTING
- USE OF SCHOOL PLAYGROUND
- LACK OF CONNECTION TO OTHER PARKS

EXISTING IMAGERY



DAN EMMETT PARK

EXISTING

Dan Emmett Park is located on the north side of Mount Vernon right next to Dan Emmett School. It is a school park with 2 baseball fields, some parking, and a concession & restroom. The playground near the park is the school playground.

This park is important as it is one of the few parks in the area. There are limited amenities making it only really usable if you are there for baseball. There is additional land beside the park owned by the city.



DAN EMMETT PARK GOALS

SPORTS

- BALL FIELDS
 - + UPDATE DUGOUTS & PRESS BOX
 - + PROVIDE LIGHTING
- BATTING CAGE
 - + UPDATE
 - + CREATE MAINTENANCE PLAN
- CONCESSION/RESTROOM BUILDING
 - + ENSURE IT COMPLIES WITH BUILDING CODE
 - + CLEAN & PAINT

ADDITIONAL RECOMMENDATIONS

- CREATE AGREEMENT TO USE DAN EMMETT SCHOOLS PLAYGROUND

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

HIAWATHA PARK

19.5 ACRES: COMMUNITY PARK



PAIN POINTS

- LACK OF SIGNAGE
- PLAYGROUND EQUIPMENT IS BENT & CHIPPED
- BALL FIELDS
 - + LACK OF LIGHTING
 - + NO FENCING BOUNDARY
 - + NO PRESS BOX
- PRACTICE FIELDS
 - + NO FIELD MARKINGS
 - + LACK OF LIGHTING & SEATING
- SAND VOLLEYBALL COURTS
 - + LACK OF LIGHTING & SEATING
- BASKETBALL COURTS
 - + LACK OF LIGHTING & SEATING
 - + HALF COURT INTERFERES WITH FULL COURT

EXISTING IMAGERY

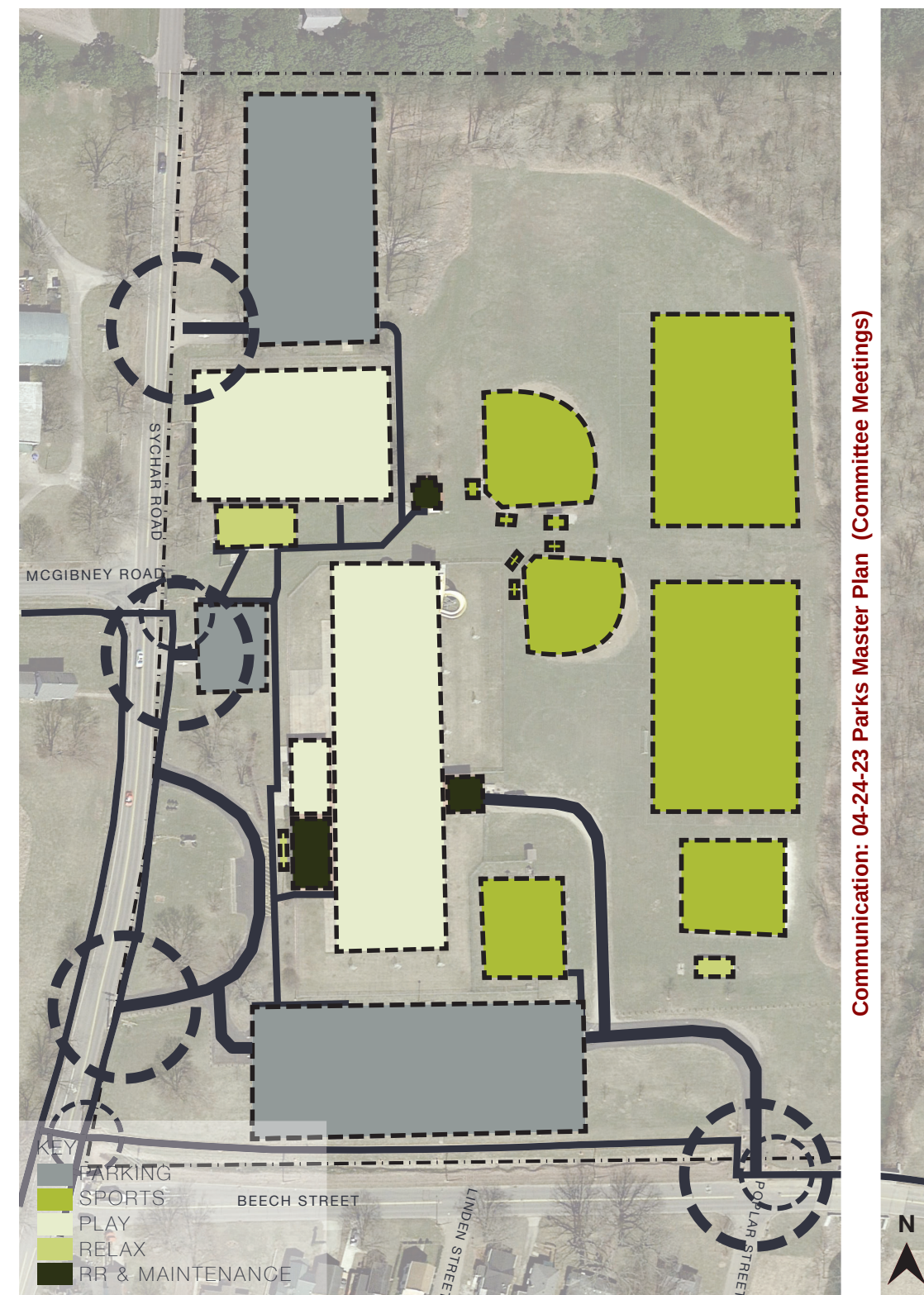


HIAWATHA PARK

EXISTING

Hiawatha Park is a community park located on the north side. It is home to the city's only community pool, 2 practice fields, 2 ball fields, a sand volleyball court, basketball courts, a playground, and open green space.

With the exception of the pool, this park has not seen many updates in several years. The shelter and playground equipment have seen their years of love, the fields are fading and well used, there is a lack of lighting throughout the park, and a lack of crosswalks to get from the residential areas to the park on such a busy street.



HIAWATHA PARK GOALS

SPORTS

- BALL FIELDS
 - + ADD PERIMETER BOUNDARY TO FIELDS
 - + PROVIDE LIGHTING
- PRACTICE FIELDS
 - + ADD MARKINGS TO FIELDS
 - + PROVIDE BENCHES
- BASKETBALL COURTS
 - + TAKE AWAY HALF COURT INTERFERENCE
 - + PROVIDE LIGHTING & BENCHES
- SAND VOLLEYBALL COURTS
 - + PROVIDE LIGHTING & BENCHES

FAMILY GATHERING

- PLAYGROUND SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + CLEAN & REPAINT SHELTER
 - + PROVIDE LIGHTING
- VOLLEYBALL COURT SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
- POOL SEATING
 - + PROVIDE SHELTER IN POOL AREA

PLAY

- REMOVE ALL CURRENT PLAYGROUND EQUIPMENT
- CREATE OBSTACLE COURSE PLAYGROUND
- PROVIDE BENCHES

ADDITIONAL RECOMMENDATIONS

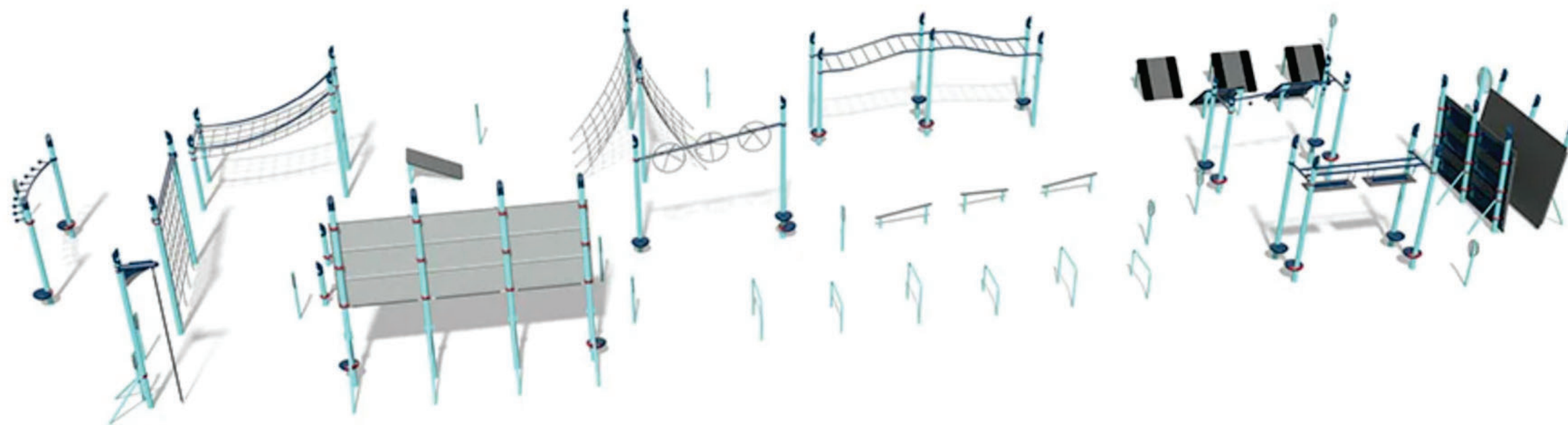
- ADDITIONAL CROSSWALK AT THE CORNER OF LINDEN & BEECH STREET
- ADDITIONAL CROSSWALK AT THE CORNER OF POPLAR & BEECH STREET
- PROVIDE DROP IN RESTROOM NEAR VOLLEYBALL & BASKETBALL COURTS

HIAWATHA PARK

PARK ELEMENTS

WHAT IS THE OBSTACLE COURSE?

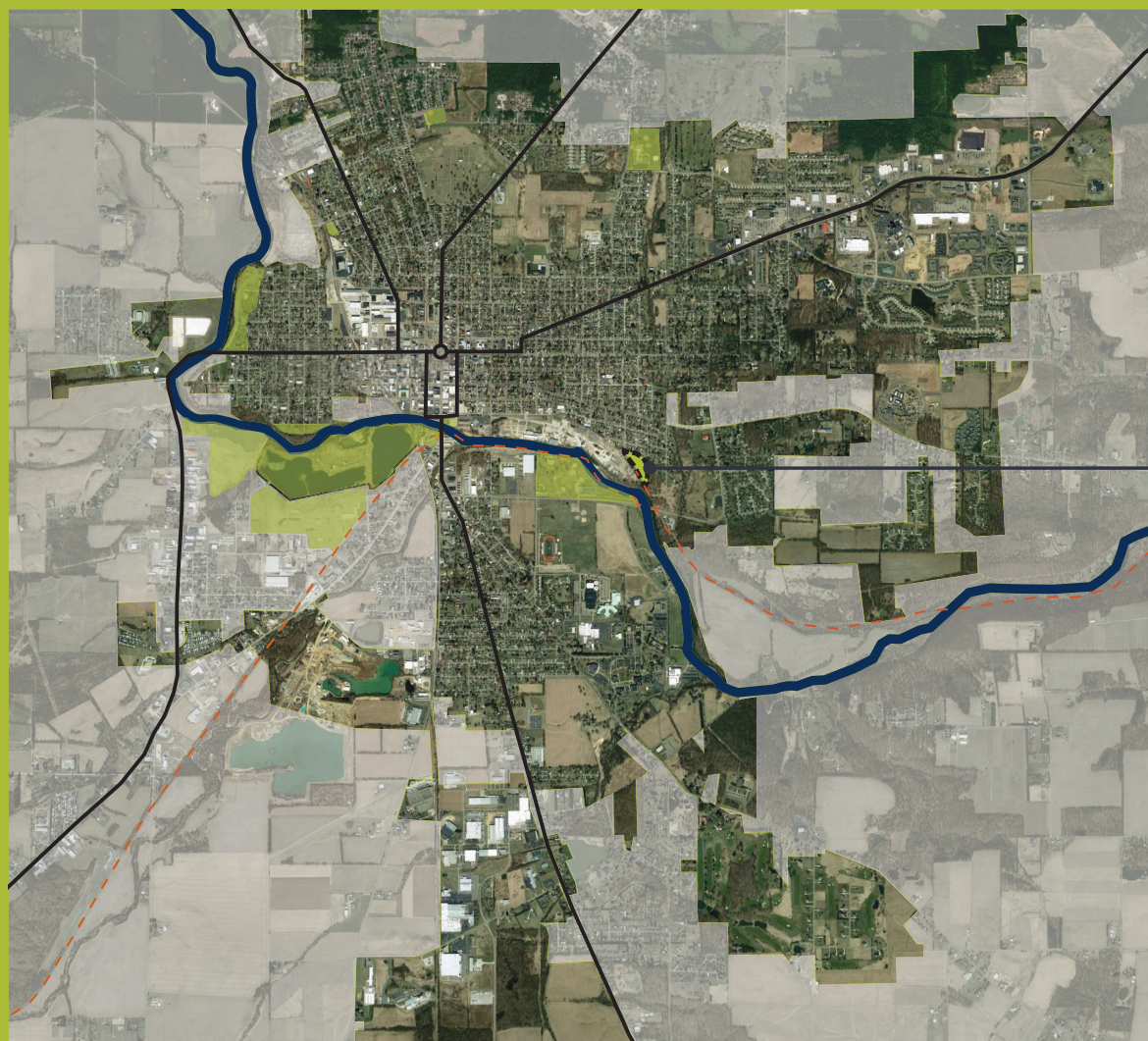
- VARIOUS CHALLENGING PLAYGROUND EQUIPMENT
- MAKES EXERCISE FUN FOR ALL AGES



THE OBSTACLE COURSE BUILDS STRENGTH & BALANCE, PROBLEM SOLVING, COORDINATION AND MEMORY.

PHILLIPS PARK

6.1 ACRES: NEIGHBORHOOD PARK



PAIN POINTS

- LACK OF SIGNAGE
- PLAYGROUND
 - + EQUIPMENT IS BENT & CHIPPED
 - + LACK OF SEATING
 - + LACK OF WEED MAINTENANCE
- BALL FIELDS
 - + LACK OF LIGHTING
 - + CONCESSION STAND IS NOT UP TO CODE
- BASKETBALL COURT
 - + ONLY HALF COURT
 - + LACK OF SEATING & LIGHTING
 - + PAVEMENT CONDITION

EXISTING IMAGERY



PHILLIPS PARK

EXISTING

Phillips Park is a neighborhood park located at the Kokosing Trail head in a residential area. It is far off the main road and hidden in trees. In this park there are 2 ball fields, a basketball court, a shelter, and playground equipment.

Similar to Arch Park, Phillips Park is surrounded by trees and nicely shaded but falls to vandalism due to location. The restrooms have been graffitied and destroyed, weeds are overgrown, and the basketball court pavement is cracking.



PHILLIPS PARK GOALS

SPORTS

- BALL FIELDS
 - + UPDATE CONCESSION STAND TO CODE
- BASKETBALL COURT
 - + EXTEND TO FULL COURT
 - + PROVIDE LIGHTING & BENCHES

FAMILY GATHERING

- SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + CLEAN & REPAINT SHELTER
 - + PROVIDE LIGHTING

PLAY

- REMOVE ANY BENT & CHIPPED PLAYGROUND EQUIPMENT
- PROVIDE UPDATED EQUIPMENT
- PROVIDE BENCHES
- CREATE WEED MAINTENANCE PLAN

ADDITIONAL RECOMMENDATIONS

- REPLACE RESTROOM WITH DROP IN
- PROVIDE ADDITIONAL SMALL PARKING LOT ON THE CORNER OF LIBERTY STREET & THIRD ALLEY

SHELLMAR PARK

1 ACRE: POCKET PARK



PAIN POINTS

- LACK OF SIGNAGE
- BASKETBALL COURTS
 - + LACK OF LIGHTING
 - + LACK OF SEATING
- LIMITED PLAYGROUND EQUIPMENT

EXISTING IMAGERY

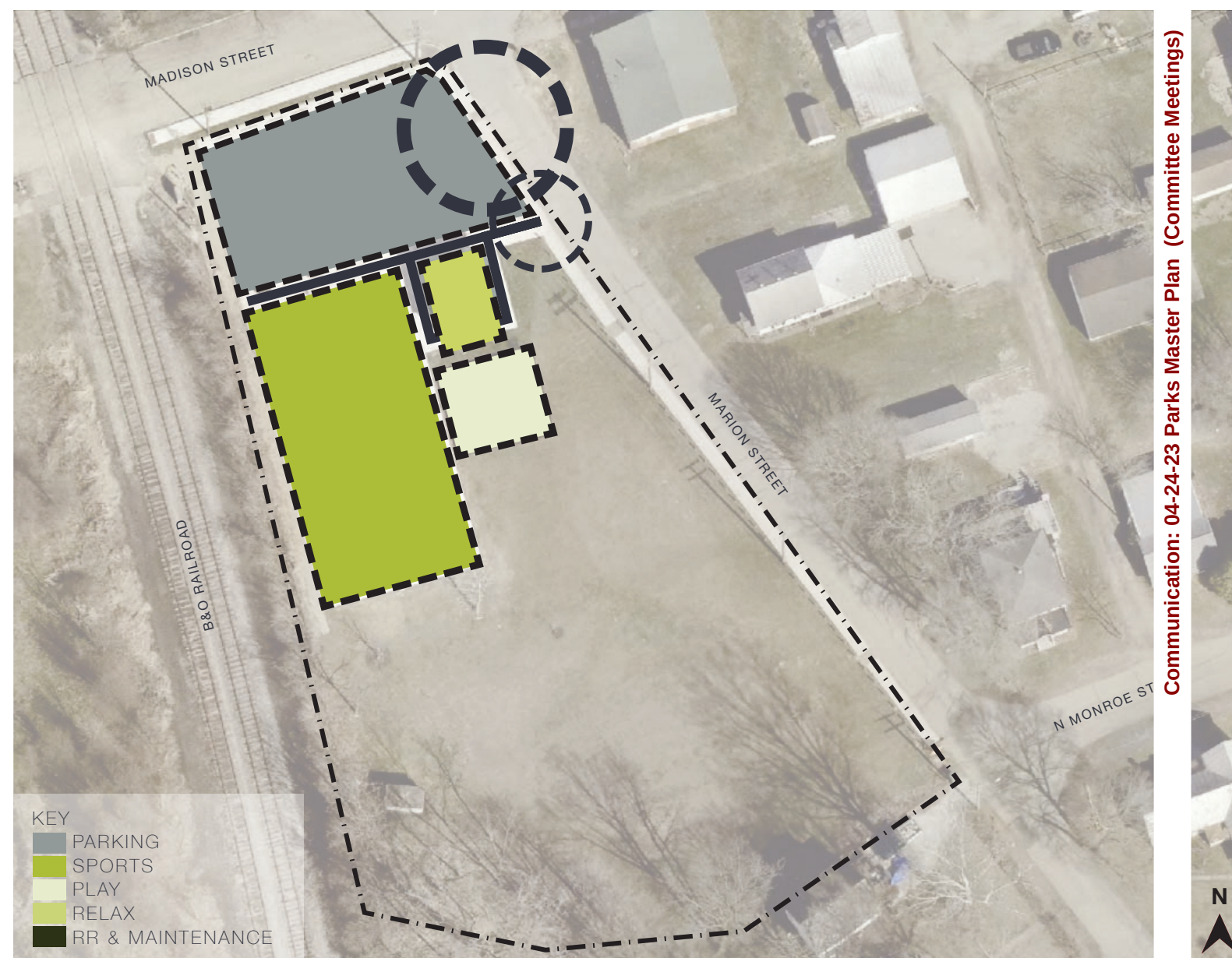


SHELLMAR PARK

EXISTING

Shellmar Park is a pocket park located in a residential neighborhood lacking in green space. It opened in 2020 with a goal to limit the crime happening in this west side neighborhood.

Although the park is very new, there is little to no signage to call out the park, no lighting for the basketball courts, no benches in the park, no bike racks, and only swings as the playground equipment. This park has great bones, just needs to be finished off.



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

SHELLMAR PARK GOALS

SPORTS

- BASKETBALL COURTS
 - + PROVIDE LIGHTING & BENCHES

FAMILY GATHERING

- SHELTER
 - + DEDICATE & PROVIDE SIGNAGE
 - + PROVIDE DRINKING FOUNTAIN
 - + PROVIDE LIGHTING
- CREATE GATHERING SPACES UNDER SHADE TREES

PLAY

- ADD A FEW MORE PLAYGROUND PIECES
- RELOCATE RIVERSIDE PARK SLIDE TO SHELLMAR PARK

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

IMPLEMENTATION STRATEGIES

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

GENERAL PARK GOALS

- SIGNAGE
 - + PROVIDE WELCOME PARK SIGNS AT EACH PARK MAIN ENTRANCE
 - SIGNS TO BE REMINISCENT OF PARK THEME
 - + PROVIDE SMALLER WELCOME PARK SIGNS AT EACH TRAIL ENTRANCE
 - + PROVIDE TRAIL DISTANCE MILEAGE & WALK TIMES TO NEXT PARKS
 - + PROVIDE 'STORY-TIME' SIGNAGE THROUGHOUT PLAYGROUND PATHS
 - + PROVIDE "MOUNT VERNON PARKS" BRANDING ON TRASH ENCLOSURES
- BUILDING PAINT
 - + ASSIGN PAINT COLOR TO ALL RESTROOMS
 - + ASSIGN PAINT COLOR TO ALL CONCESSION STANDS/PRESS BOXES
 - + ASSIGN PAINT COLOR TO ALL DUGOUTS
 - + ASSIGN PAINT COLOR TO ALL MAINTENANCE BUILDINGS
- BIKE RACKS
 - + PROVIDE BIKE RACKS AT EACH TRAIL ENTRANCE
- TRASH ENCLOSURES
 - + MORE & CONSISTENT ENCLOSURES THROUGHOUT PARKS
 - + DEDICATED DOG WASTE BAGS & BINS
- WATER FOUNTAINS
 - + MORE PLACED THROUGHOUT PARKS
 - + WATER FOUNTAIN FOR HUMANS & DOGS & WATER BOTTLE FILLING
- RESTROOMS
 - + REPLACE PARK RESTROOMS TO BE DROP-IN STYLE
 - + PROVIDE ACCESS YEAR ROUND
- ALL SEATING TO BE METAL OR ALUMINUM



MOUNT VERNON PARKS

FUTURE ELEMENTS - SIGNAGE



PARK SIGNAGE



‘STORY-TIME’ SIGNAGE



TRAIL SIGNAGE



Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MOUNT VERNON PARKS

FUTURE ELEMENTS - SEATING



TEEN GATHERING SPACES



ALUMINUM BLEACHERS WITH GUARD RAILS



METAL PICNIC TABLE



METAL BENCH

Communication: 04-24-23 Parks Master Plan (Committee Meetings)

MOUNT VERNON PARKS

FUTURE ELEMENTS - MISC.



TRASH ENCLOSURES



BIKE RACKS



DRINKING FOUNTAIN



DOG WASTE STATION

CITY GOALS

- CREATE A TRAIL SYSTEM
 - + CONNECTS ALL PARKS
 - + INCLUDES WALKING & BIKING TRAIL
- CREATE A MOUNT VERNON PARKS MAP
 - + TRAIL TO EACH PARK
 - + PARK AMENITIES
 - + DISTANCE & BIKE/WALK TIME TO EACH PARK
- MOUNT VERNON PARKS WEBSITE
 - + SHOWS EACH PARK & AMENITIES
 - + ACCESS PARKS MAP
 - + ONLINE SCHEDULE SYSTEM/CALENDAR FOR FIELDS, SHELTERS & PARK EVENTS
- ACQUIRE ADDITIONAL LAND TO EXPAND
 - + CITY OF MOUNT VERNON RECREATION CENTER
 - + POCKET PARKS IN RESIDENTIALLY DENSE AREAS
 - + DOG PARK ON WEST SIDE
 - + BIGGER SKATE PARK WITH PARKING
- PARTNERSHIP WITH APARTMENT COMPLEXES
 - + BENEFITS TO APARTMENT COMPLEXES THAT PROVIDE PARK SPACE
 - + CREATE MAINTENANCE PLAN FOR APARTMENT PARKS
- PARTNERSHIPS WITH ALL SCHOOLS
 - + CONTRACTS TO HAVE PLAYGROUNDS OPEN

MOUNT VERNON PARKS

PROPOSED CONNECTION

EXISTING

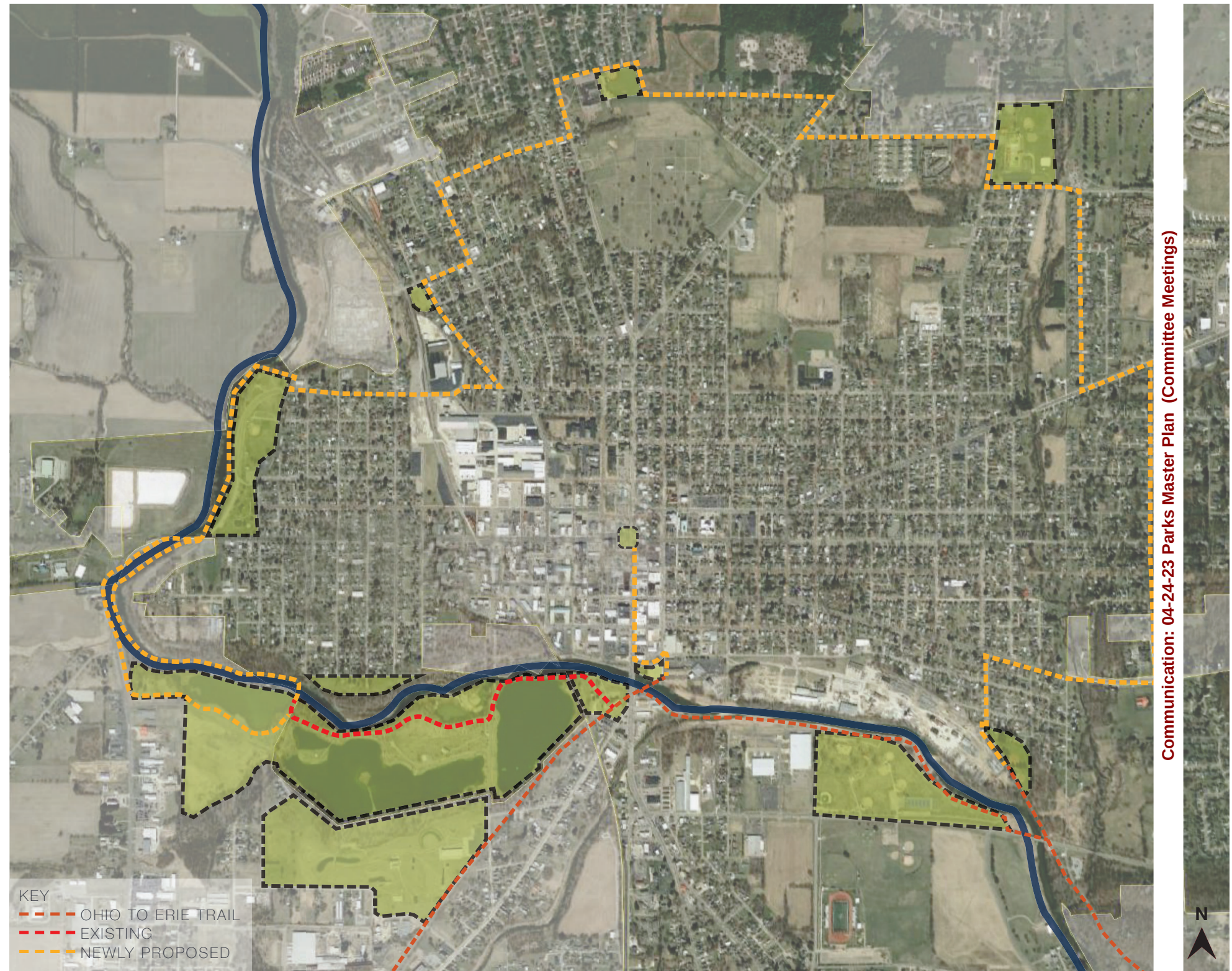
- OHIO TO ERIE TRAIL
 - + HEART OF OHIO TRAIL THOUGH ARIEL-FOUNDATION
 - + HEART OF OHIO TRAIL AT CA&C DEPOT & HERITAGE CITY PARK
 - + KOKOSING TRAIL THROUGH MEMORIAL PARK & PHILLIPS PARK
- WALKWAYS
 - + PAVED WALKWAYS FROM CA&C TO ARIEL-FOUNDATION

PROPOSED

- BRIDGE FROM ARIEL-FOUNDATION TO ARCH CITY PARK
- TRAIL THAT CONNECTS EACH PARK
 - + DIRECTIONAL SIGNAGE ALONG EXISTING SIDEWALKS
 - + ADDITION OF BIKE LANES ON TRAIL ROADS
 - + ADDITION OF CROSSWALKS AS NECESSARY
- PROVIDE OUTDOOR EXERCISE EQUIPMENT EVERY 1 MILE

COMPLETION

- CREATES 8 MILE LOOP
 - + CONNECTS ALL PARKS
 - + CONNECTS RESIDENTIAL AREAS TO PARKS
 - + MORE ACCESS TO GET FROM POINT A TO POINT B
- OPPORTUNITY FOR MORE TRAIL
 - + ADDITION OF NEW PARKS
 - + ADDITION OF CONNECTIONS THROUGH THE CENTER



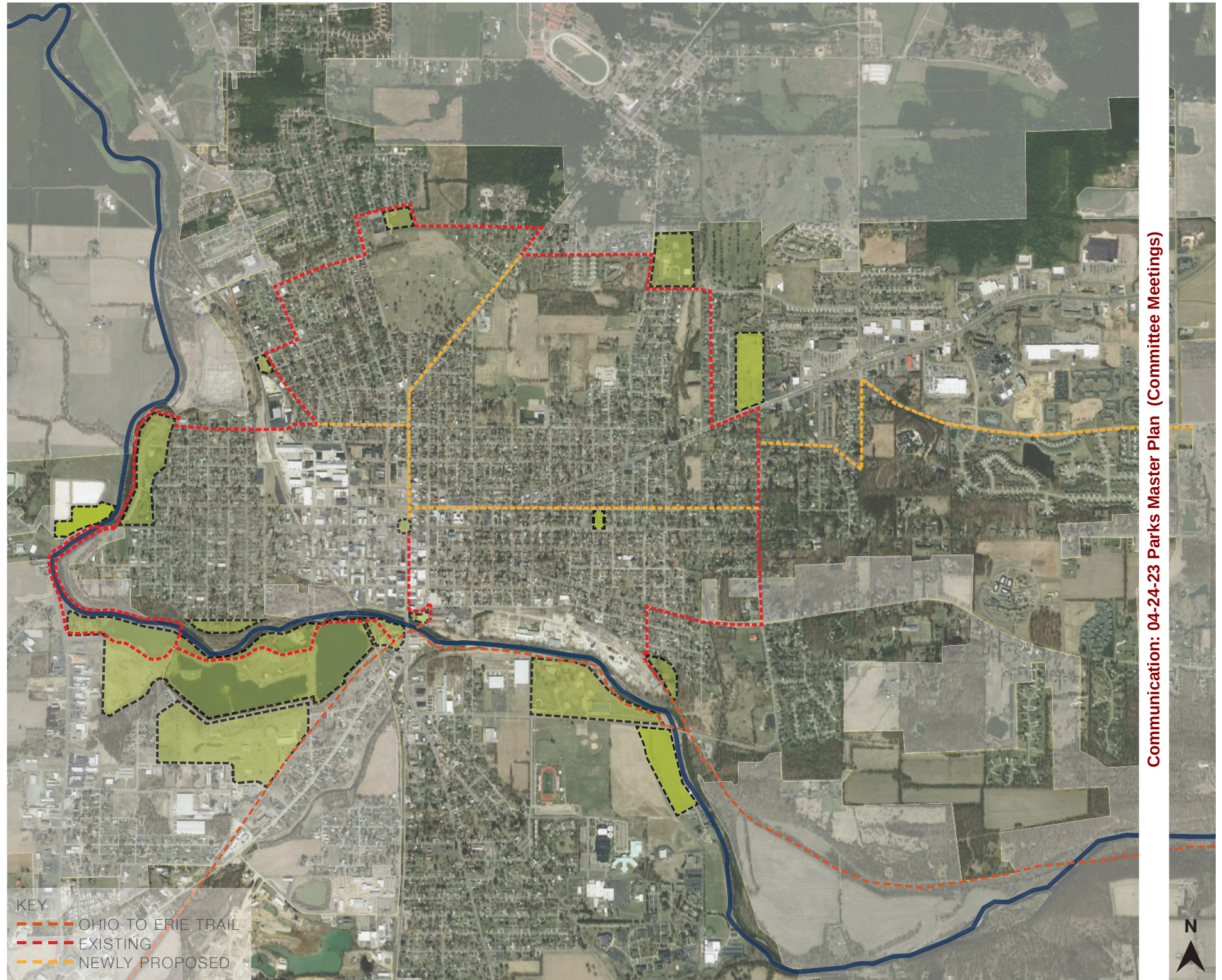
MOUNT VERNON PARKS *EXPANSION OPPORTUNITY*

ADDITIONAL PARKS

- DOG PARK
 - + ACROSS THE RIVER FROM RIVERSIDE PARK
- POCKET PARK
 - + RESIDENTIALLY DENSE MOUNT VERNON CENTRAL EAST
- RECREATION CENTER
 - + ALONG LOOP TRAIL DOWNTOWN
- SKATE PARK
 - + ACROSS FROM MEMORIAL PARK

TRAILS/BIKE LANE

- ADDITION TO EACH POCKET PARK
- ADDITION FROM PROPOSED POCKET PARK TO THE SQUARE
- ADDITION TO WOLF RUN PARK





Fire, Police and Civil Defense Committee Meeting Minutes
Committee Meeting
April 10, 2023 – 6:20 p.m. to 6:36 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Richard Dzik, Safety-Service Director
 Robert Broeren, Law Director
 Terry Scott, Auditor
 David Stuller, Treasurer
 Brian Ball, Engineer
 Aaron Reinhart, Utilities Director
 Robert Morgan, Police Chief
 Todd Hill, Clerk
 Cheryl Splain, Knox Pages

The committee discussed Ordinance Nos. 2023-12, fixing the number of hourly employees in the Police Department, and 2023-14, creating the position of liaison for the Community Advocacy Relations Division of the Police Department. Police Chief Robert Morgan noted that Ordinance No. 2023-12 would add three officers to his department, and Auditor Terry Scott added that the additional positions have been budgeted. As for the liaison position, Morgan noted that it would cost about \$42,000 this year and \$84,000 for the full year of 2024, with grants anticipated to cover much of that cost. The liaison would work closely with local social service agencies. It was observed that domestic violence cases in the City have increased in recent years, and Morgan and Law Director Robert Broeren discussed the possible reasons for that rise. Ordinance No. 2023-12 was up for a second reading at Council's Legislative Session later in the evening and Ordinance No. 2023-14 was up for a first reading. The chair of the Employee and Community Relations Community later requested a 10-minute committee meeting on Ordinance No. 2023-14 for April 24, 2023.

Respectfully submitted,

James Mahan, Chair
 Fire, Police, Civil Defense Committee,
 Mount Vernon City Council

JM/th



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

April 10, 2023 – 6:36 p.m. to 6:43 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Aaron Reinhart, Utilities Director
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Ordinance No. 2023-13, establishing the position of Engineering Department intern. Engineer Brian Ball noted that he would like to expand the program beyond just Kenyon College, and asked that an end date not be put on the program. He added that interns working on the history of the buildings on the Public Square would like to present their findings to Council, and shared anecdotes about endeavors previous interns undertook after their internships ended. No further committee meetings on the matter were requested. Ordinance No. 2023-13 was up for a second 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



Utilities Committee Meeting Minutes

April 10, 2023 – 6:44 p.m. to 6:57 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Aaron Reinhart, Utilities Director
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Resolution Nos. 2023-31, to advertise for bids and enter into contract for the Elliott Street sanitary sewer project, and 2023-33, to release a request for qualifications for identifying and selected a qualified firm or firms for closed-circuit televised inspection of the City's stormwater and sanitary sewer lines within and immediately adjacent to TIF district No. 1, and identify and enter into contract with the selected firm or firms. Engineer Brian Ball noted that Elliott Street is only about a block long, and that the sewer line replacement there would cost \$100,000, including paving, to be paid out of the Wastewater Fund. The sewer line inspections would cost \$400,000 to \$450,000, and begin in the Coshocton Avenue Tax Increment Financing district. No further committee meetings were requested on the matters. Both Resolution No. 2023-31 and 2023-33 were up for second readings at Council's Legislative Session later in the evening.

Respectfully submitted,

Tammy Woods, Chair
Utilities Committee
Mount Vernon City Council

TW/th



2022-2023

Streets and Public Buildings Committee Meeting Minutes

April 10, 2023 – 7:04 p.m. to 7:13 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Richard Dzik, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Aaron Reinhart, Utilities Director
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Resolution No. 2023-32, to grant an easement to the property located at 301 Boynton St. Attorney Joseph Kidwell, speaking on behalf of the property owner, noted that the issue is not holding up sale of the property, and that the easement would end if a structure is removed from the site. Law Director Rob Broeren observed that the easement is unusually large at four feet. There would be no utility issues with the easement, which is on an alley. No further committee meetings on the matter were requested. Resolution No. 2023-32 was up for a second reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Mel Severns, Chair
Streets and Public Buildings Committee
Mount Vernon City Council

MS/th



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-40

Meeting: 04/24/23 7:30 PM
Dept: Utilities
Woods, Keener
Category: Utilities
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3789

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO CONTRACT WITH GRAY MATTER SYSTEMS, LLC FOR WATER PLANT CONTROL SYSTEM PHASE 6 - WTP FILTER PLC UPGRADE; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon be and he herewith is authorized and directed to enter into contract with Gray Matter Systems, LLC for design and implementation of Water Plant Control System Phase 6 - WTP Filter PLC Upgrade as detailed in Exhibit A (Attached).

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 water services to 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.

HISTORY:

04/10/23 City Council FIRST READING

Resolution No. 2023-40 was given a first reading. Woods requested a 10-minute Utilities Committee meeting on the legislation for April 24, 2023.



GRAYMATTER

Proposal for Professional Services

MOUNT VERNON WATER

3/24/2023

Professional Services

Request for Proposal: Phase 6 - WTP Filter PLC Upgrade

GrayMatter Opportunity: 259558

GrayMatter is pleased to respond to your Request for Proposal with the following.

At GrayMatter, our goal is to transform operations and empower people. As digital transformations in every industry are underway, we help some of the biggest companies in the world harness data and use it to work smarter. They lean on us to protect and connect their critical assets with their people, so every operator is empowered to be the best operator.



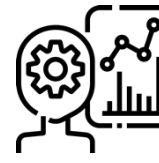
CONSULTING

We're a services-first company that starts with your problem and works backwards to help you fix it.



IMPLEMENTATION

We help your people and your industrial assets become smarter and more visible.



TECHNOLOGY CURATION

We focus on co-innovation and curating the best process and technology to drive industrial, digital transformations.

We provide specialized domain knowledge in food & beverage, steel, manufacturing, water, wastewater, energy, and mobile workforce and OEM applications. We work with leading food and beverage companies like T. Marzetti and manufacturers including Procter and Gamble and PPG Industries. We co-innovate with progressive water utilities like the City of Cincinnati and disruptive energy companies like CNX.

Thank you for your confidence in GrayMatter. We look forward to working with you soon. If I can be of further assistance, please do not hesitate to contact me at (412) 315-5715.

Sincerely,

FREDDIE MCKISSICK

Sales Consultant, GrayMatter

OBJECTIVE Provide programming and support of Mt. Vernon staff in replacing a legacy Filter PLC system.

**GRAYMATTER
DELIVERABLES**

Deliverables
Control Narrative to include:

Operating Philosophy Definition - Describe how the system ties into the rest of the plant. Notate how the system is to operate. Describe manual and automatic operation. Outline how the plant or system operates during normal, stable operating conditions. Describe how the system will react in process upsets.

System Description - Describe what the total process is doing.

Alarm Philosophy – Define types of alarms. Define priority of alarms. Describe operator interaction. Include the purpose of each alarm.

Input\Output List:

GrayMatter will provide an I/O list which defines all of the Inputs and Outputs expected to be wired to the PLC and associated Remote I/O. The I/O list defines what voltage equipment and instrument signals require and whether the signals are discrete (binary) or analog.

Input\Output Termination Drawings:

Based on an I/O list, I/O Termination Drawings visually indicate expected wiring to a PLC and associated Remote I/O. These drawings contain wire numbers, intermediate termination points, terminal block numbers and endpoint wiring. GrayMatter will provide draft and for production I/O termination drawings.

PLC Programming:

A new PLC program will be developed to accommodate current operation of the Filters. The PLC program incorporates all of the functionality required to monitor and control the Filters. This will include individual Level control of each filter based on PID loops, flow monitoring and Backwash sequencing. Simulation logic will be developed to allow for offsite testing and debugging.

SCADA Programming:

All of the various Filter graphics require updating or rebuilding to correctly interact with the new PLC program. The current SCADA system has ~ 70 graphics associated with the Filter equipment. GrayMatter will provide the necessary services to update all of these graphics to match the new PLC programming and addresses.

Simulation and Testing:

In order to optimize onsite startup and commissioning efforts, Simulation and Testing logic will be built into the PLC and SCADA programming. This will allow for offsite testing and debugging to ensure the SCADA graphics and PLC program operate together as expected. GrayMatter will provide this programming effort.

Field Installation:

It is anticipated the City of Mount Vernon Water technicians will provide required labor to remove old PLC hardware and install the new PLC hardware, terminate wiring based on I/O Termination drawings described in Section 3.3 and work closely with GrayMatter during Onsite Startup and Commissioning efforts.

Onsite Startup and Commissioning:

GrayMatter will provide the City of Mount Vernon with a Professional Services team member who will be responsible for testing and commissioning the new Filter Control System. Each I/O point will be verified both in the PLC and SCADA as operational before moving to the next. Once all the individual I/O points are verified, all control strategies will be tested for proper operation.

Project Management

After receipt of order, GrayMatter will assign a dedicated Project Manager to the project. The GrayMatter Project Manager acts as the customer's single point of contact through the duration of the project, ensuring that our team is meeting the customer's expectations for exceptional service and technical expertise.

Once assigned, the Project Manager will work collaboratively with the customer and project team to understand the customer's expectations and requirements, both from a technical perspective and regarding any key critical success factors related to the project (e.g., schedule, business goals, etc.).

Assumptions & Dependencies

- Replacement PLC wiring / terminations and / or required panel wiring to be performed by Mount Vernon or appointed subcontractor(s)
- Network hardware to be provided by and radio installation to be performed by Mount Vernon or appointed subcontractor(s)

- Required communication cables, adapters, etc. to be provided by Mount Vernon or appointed subcontractor(s)
- All PLC, IO, HMI and Radio Equipment will be supplied by Mount Vernon or appointed subcontractor(s)
- No software or hardware will be provided as part of this engagement.

Documentation

- Drawings – IO List
- Drawings – IO Terminations

INVESTMENT

All work shall be performed on a *Fixed Bid* basis. See Definitions section below for additional detail on work agreement.

Description	Qty.	Price	Total
GrayMatter Services, Project Management, Travel Time and Travel Expenses for Phase 6 Activities at Mount Vernon.	1	\$261,735.00	\$261,735.00
Total			\$261,735.00

The prices contained in this Proposal and Statement of Work shall be valid for **ninety (90) days** from the date of receipt, or upon Seller's prior notification of a price change to Purchaser, whichever occurs first. Hardware and software quotes related to this services proposal may have individual expiration dates that will supersede the 90-day proposal expiration.

SCHEDULE

The GrayMatter Project Manager will begin developing a project timeline during the initial planning phase of the project. This project schedule will be discussed and agreed upon as part of the project kickoff process. The project plan developed by GrayMatter is provided for planning purposes only and is subject to change based on new factors that arise during the project. The following factors can affect the timeline and/or cost of the implementation:

- Customer's ability to complete project responsibilities within requested timeline
- Availability of customer dedicated resources
- Deviation or requests for functionality outside the scope of this SOW

Project work schedules are dependent upon the nature of the project and the availability of resources with the required skillset(s). Resources cannot be reserved prior to receipt of a customer purchase order. Standard lead time of 4-6 weeks, after both (1) receipt of PO and (2) scheduled resource call has occurred with requested date of service, to begin active work. Faster start time (2-4 Weeks) or emergency start (Immediate to 2 weeks) may be available for an extra cost. Some earlier start times may be resource dependent and require increased travel costs. GrayMatter will make every effort to provide services in a timely manner to meet the customer's schedule requirements.

For on-site work of any duration and/or for planned work tasks (remote or on-site) of at least five (5) days that are defined in a mutually agreeable project plan, a minimum of **72-working hours' notice** is required for rescheduling the planned work. Seller reserves the right to bill a reasonable and fair amount, as incremental cost, up to ½ project hours, not to exceed 24 working hours and expenses, as applicable, if notice of the requested scheduling change is not received prior to the advance notice window.

STANDARD RATE SCHEDULE

Standard business hours are Monday thru Friday 6:00AM – 6:00PM:

Normal Non-Business Hour Rates are 1.5x (time outside standard business hours, time more than eight (8) hours during standard working days, and work on Saturday)

Premium Rates are 2x for Premium Overtime (GrayMatter scheduled holidays and Sunday) and Emergency Service within 24 hours (subject to resource availability).

Local Travel is defined as travel within a 50-mile radius of the resource's location. Travel time and expenses for work outside of this radius will be billed at the applicable rate (or charged against the allotted support hours), with expenses billed at cost plus 10%.

INVOICING

Work shall be invoiced based on the following schedule:

30% due at issue of purchase order.

30% due at PLC program completion.

40% due at Project Completion.

Any Hardware and Software quotes shall be invoiced upon receipt of order. Terms are Net 30 days from date of invoice from GrayMatter for customers who have an approved credit request.

There will be a surcharge of 3% for accepting credit cards as a form of payment. All first time customers are required to fill out a credit request, and GMS will require that all first orders will need to be processed with a credit card while credit department determines the credit amount and terms for future orders.

**ORDER
PLACEMENT**

Orders for ***GrayMatter Professional Services*** should be made out to:

Gray Matter Systems, LLC

Attention: Order Entry

100 Global View Drive Suite 200

Warrendale, Pa 15086

FAX 412.202.5053

Please list all Proposal Numbers on Orders. Thank you!

THANK YOU.

GrayMatter

100 Global View Drive
Suite 200
Warrendale, PA 15086

1-877-741-2410

graymattersystems.com



GRAYMATTER

DEFINITIONS

"Time and Materials" Basis:

The Professional Services and materials described in this proposal may be bid on a *Time and Materials (T&M)* basis, in accordance with hourly rates set forth in the Investment section. The labor hours provided are the estimated hours that it will take to complete the defined scope. This estimate represents GrayMatter's best evaluation of the effort required based upon discussions to date, and only considers those Services in scope of this proposal. This estimation gives the Customer an indication of the effort required; however, the Customer will be invoiced for the actual number of hours of effort required, which may be more or less than estimated. It is recommended that Customer plan on 10%-15% contingency budget. All hours directed to the project are considered billable work, including but not limited to: direct engineering and development, troubleshooting, research, meeting support, travel, issue resolution, and project management. Only hours consumed in the delivery of the services described above will be invoiced.

What happens if hours required to complete the scope exceed estimate?

- All labor hours incurred in relation to the stated work scope will be invoiced to the Customer
- GrayMatter will provide status of hours expended against estimates. When 80% of hours are expended, an evaluation will be conducted to determine if additional effort beyond original estimate will be required. If additional hours are needed, a mutual discussion will ensue with a Change Order developed as needed.

What happens if hours expended are less than the estimate?

- Only hours needed to complete the scope will be invoiced to the Customer
- Any hours below the estimate that are not expended will not be invoiced

Travel and On-site Fees for T&M Basis:

Stated Investment total does not include travel costs, such as billable travel hours, airfare, transportation, hotel, meals, and other travel related costs and none are included in the scope of this proposal. For budgetary and/or PO guidance purposes it is suggested that travel labor and expenses of 5-10% be planned and budgeted.

"Fixed Bid" basis:

The Professional Services and materials described in this proposal may be bid on a *Fixed Bid* basis, in accordance with breakdown provided in the Investment section. GrayMatter commits to deliver the stated scope for the fixed amount in the Investment section. This fixed amount includes all labor, materials, and associated travel costs to deliver the stated scope of work. Any work or deliverable that is not explicitly listed herein should be considered out-of-scope, subject to additional cost as emergent work. Contingency is included within the stated Investment to cover risks within the execution.

What happens if hours required to complete the scope exceed estimate?

- No additional costs of work beyond the fixed bid amount to execute the agreed scope will be invoiced to the Customer, provided these hours are not in support of emergent work not explicitly covered by the stated scope.
- If additional labor hours are required due to a change in work scope or circumstances caused by the Customer, then a mutual discussion between GrayMatter and the Customer will ensue, with a Change Order developed as needed.

What happens if hours expended are less than the estimate?

- Due to fixed bid nature of the proposal, the full amount of the fixed bid price will be invoiced to the Customer

Please note that under a Fixed Bid agreement, GrayMatter will not provide a detailed summary of actual hours worked by any resource to deliver the stated scope of supply.

Throughout the project, new information may surface that may necessitate a change in business requirements and/or a change in the technical environment. These changes may result in a change in project scope and therefore impact the estimated level of effort, project timeline, or solution features. Any such, changes will require a Change Order, which either GrayMatter or a Customer team member will complete.

A completed Change Order form includes the requested change, the impact on the current agreement, and the estimated resources, time, and fees to implement the Change Order. GrayMatter will submit the completed Change Order Form to Customer for review and approval. Upon receipt of written approval, the GrayMatter team will begin work on the requested change according to the agreed-upon schedule.

**TERMS AND
CONDITIONS
(Emergent
Work)**

When would a change order be issued:

- *Time and Materials*: A change order will be issued when the effort to complete defined scope may/will exceed original estimated hours. A change order may also be issued when additional scope is requested or required by either GrayMatter or the Customer.
- *Fixed Bid*: A change order will be issued when a change of scope is requested or a Customer related delay or issue impacts GrayMatter's completion of work.

TERMS AND CONDITIONS (Assumptions & Clarifications)

- Unless explicitly stated in the above deliverables, no installation of hardware or any other physical material (e.g., wiring, network switches, servers, operator workstations) is being provided as part of this proposal.
- All hardware required for system operation should be installed and configured to the maximum extent possible prior to GrayMatter commencing work. It is assumed that all hardware will be fully ready for software installation before GrayMatter's arrival at site.
- All customer equipment and/or software content and functionality is assumed to be functioning correctly and in accordance with OEM guidelines and recommendations. Unless otherwise explicitly stated, troubleshooting and/or correcting malfunctioning existing software is outside the scope of this proposal, and will be treated as emergent work.
- Unless otherwise stated, no formal training is provided as part of this proposal. If requested by the customer, GrayMatter can provide ad hoc, informal training directed to the work performed. All training is billed as time and material at the applicable hourly rate. Informal training does not result in any user certifications. Unless otherwise stated, no course materials are expected to be developed or delivered as part of the informal training. Unless specified otherwise in other contractual documents (e.g., a Master Services Agreement), filming of any training is not allowed.
- As applicable, pricing assumes one (1) review cycle of any newly developed software deliverables (e.g., screens, reports, functionality) is performed, and that the newly developed deliverables are of basic content and functionality. Additional review cycles and/or higher-level content and functionality will have a corresponding impact on cost and price.
- All work is assumed to be capable of occurring in a contiguous manner. If customer resource constraints (e.g., budget, core team members, site availability, equipment availability, etc.) arise during the course of the project, and the constraints cause an interruption in the project schedule in which required work cannot be performed, assigned GrayMatter resources may be pulled away and re-assigned to other projects. The

customer and GrayMatter will mutually agree upon a restart date, at which point the next available resource(s) will be assigned to the project. GrayMatter cannot guarantee that the original resource(s) will be available at the time of restart, but will make reasonable efforts to maintain team consistency. A Change Order may be required to cover costs associated with the delay and project restart.

- Work or related deliverables not explicitly listed within the proposed deliverables should be considered as excluded from the proposed scope of work.
- On-site work, if required, is billed at a minimum eight (8) hour day.
- If resources are required to remain at the customer location during non-working days (e.g., weekends) when work is not occurring, standby time of four (4) hours per day will be charged at the applicable hourly rate.

TERMS AND CONDITIONS (Customer Responsibilities)

- Customer is responsible for providing a team experienced with the Customer's processes, control architecture and systems to work with the GrayMatter engineering team during all phases of the project.
- Unless explicitly stated otherwise as a deliverable, Customer is responsible for providing, installing, and configuring all hardware necessary for system operation.
- Customer is responsible for the proper receipt and storage of any material provided within the scope of this proposal.
- Customer is responsible for providing access to any relevant project documentation requested in support of the project.
- Customer is responsible for ensuring that all data or other signals, as required for interfacing with the solution, are delivered in an accurate and timely fashion to avoid delays.
- Customer assumes responsibility for correct installation and functionality of all IT and network infrastructure prior to GrayMatter services for all servers, PCs, panels, controls equipment, or any other related hardware and/or hardware infrastructure.
- Customer is responsible for providing continuous network connectivity between the servers and the user clients. Delays associated with the receipt of required documentation may have a corresponding schedule and/or cost impact.
- Customer is responsible for providing security passes and free access to all facilities to ensure successful completion of the project.
- Customer is responsible for providing, at no charge, all required infrastructure for on-site GrayMatter personnel (e.g., office space, telephone, network access, etc.), including the required infrastructure to connect to Internet.
- Customer is responsible for providing high-speed VPN access for remote personnel needing access to development / test systems.

- Customer is responsible for providing all required safety/environmental training. Any expenses incurred by GrayMatter personnel resulting from such training will be billed on a time and materials basis in accordance with the contract Terms and Conditions.
- Customer is responsible for providing a safe working environment for GrayMatter personnel, ensuring that safe and secure procedures are in place and all testing and quality assurance procedures are completed prior to attempted system modifications.
- Customer will assign a single point of contact (POC) for the duration of the project.
- Delays associated with any of the above-listed responsibilities, or any other responsibilities identified during the course of the project, may result in schedule and/or cost impact to the project, and are therefore subject to the Change Order process.

TERMS AND CONDITIONS (Acceptance)

Acceptance of Purchaser's order is expressly subject to Seller's terms and conditions of sale, contained herein, which shall take precedence over any other terms and conditions. No contrary, additional or revised provisions or conditions shall be binding on the Seller unless accepted by an Officer of Seller in writing. Should the terms and conditions contained herein differ in any way from the terms and conditions of the Purchaser's order, this acknowledgement shall be construed as a counteroffer and shall not be effective as an acceptance of such order unless Purchaser assents to the terms and conditions contained herein. The failure of Purchaser to object thereto in writing within ten (10) days from the date of receipt hereof shall constitute assent thereto. The terms and conditions contained herein shall constitute the complete and only agreement between Seller and Purchaser; it being intended by both parties that this document sets forth the entire agreement between the parties hereto as to the purchase of goods and/or services. All orders shall only become legally binding upon acceptance by Seller's main office, located in Warrendale, PA.

TERMS AND CONDITIONS (Pricing)

The prices contained in this Proposal and Statement of Work shall be valid for ninety (90) days from the date of receipt, or upon Seller's prior notification of a price change to Purchaser, whichever occurs first. The prices contained herein do not include any federal, state, county local or other taxes levied on proposed goods and/or services, their use or sale, or on this agreement by any jurisdiction either within or outside the United States. Such taxes, where seller is required by law to collect them, whether designated as sales tax, gross receipts tax, occupation tax, etc., will be billed to the Purchaser based on the governing law in effect at the time of delivery unless Purchaser furnishes Seller with a proper Tax Exemption Certificate. Purchaser shall reimburse Seller for any state, county, or local taxes imposed, assessed, billed or becoming due and payable with regard to any goods and/or services furnished on or after the date said goods and/or

services are located on Purchaser's premises. The prices contained herein do not include freight charges. Seller shall prepay transportation charges and Purchaser agrees to reimburse Seller for such charges within thirty (30) days of Purchaser's receipt of Seller's invoice. All freight, transportation and shipping charges shall be stated separately from other charges.

**TERMS AND
CONDITIONS
(Delivery)**

All deliveries shall be F.O.B. Seller's facility. Seller will select a carrier to ship Purchaser's order to Purchaser's specified destination, unless Purchaser indicates a specific carrier. Any goods, which Purchaser obtains from Seller to replace goods damaged or lost in transit, will be sold to Purchaser at Seller's standard prices in effect at the time of such replacement.

All shipping dates quoted by Seller are ARO (After Receipt of Order) by Seller and reflect shipping dates, not delivery dates to Purchaser's facility. Shipping dates are approximate and are based upon prompt receipt by Seller of all necessary shipping information. Delays due to missing information such as product specification sheets, or credit examination will be in addition to Seller's quoted shipping times and may impact the originally scheduled shipping date. Partial shipments may be made unless specifically prohibited on Purchaser's purchase order. If this contract calls for the shipment of goods in separate lots, or if partial shipments are made as herein authorized, this contract shall be deemed an installation contract within the meaning of the applicable law. Seller does not return Purchaser's acknowledgements.

**TERMS AND
CONDITIONS
(Ownership of
Creative Work)**

Any shipment date is an estimate. Under no circumstances shall seller have any liability whatsoever for loss of use, or for any direct, incidental, or consequential damages resulting from delay, regardless of the cause(s).

Seller maintains and holds the exclusive copyright to any and all applications developed, transmitted and/or delivered as part of this agreement. Seller grants to Purchaser, a limited, non-exclusive license to use the application and related documentation in Purchaser's facilities only. Purchaser shall obtain no title, ownership nor any other rights in and to the application or related documentation, nor in or to any algorithms, concepts, designs or ideas requested by or incorporated in the application or related documentation. Purchaser agrees that it shall not; with exception for one (1) back up copy, reproduce, copy or distribute the application or related documentation for any purpose without Seller's written consent.

**TERMS AND
CONDITIONS
(Payment
Terms)**

Unless otherwise agreed to by Seller in writing, all payments are due thirty (30) days from date of invoice and due at Seller's main office in Warrendale, PA. Purchaser agrees that Seller specifically retains a security interest under the Uniform Commercial Code in all goods and proceeds thereof to secure payment of all amounts due from Purchaser to Seller. Any payment not received when due are subject to a one and one half percent (1.5%) finance charge per month on the

unpaid balance. If the unpaid balance is collected by or through an attorney at law or other licensed entity, Purchaser agrees to pay Seller for all reasonable attorney's fees and/or collection costs.

All purchases shall be subject to the terms and conditions contained herein. If at any time Purchaser fails to submit timely payments, or Seller determines the financial condition of the Purchaser does not justify the terms of payment established, Seller may, at Seller's sole option, require full or partial payment in advance or shall have the right to cancel any purchase order and shall be fully reimbursed for Seller's reasonable and proper cancellation charges. If an outstanding agreement for goods and/or services is terminated for any reason, all outstanding invoices will become due immediately.

**TERMS AND
CONDITIONS
(Warranties,
Limitations of
Damages and
Remedies)**

Purchaser must look solely to all manufacturer warranties for specific information regarding warranties. Seller warrants all applications delivered to be free from defects in material and workmanship at the time of shipment and/or delivery to Purchaser's facility, and for a period of sixty (60) days from time of shipment and/or delivery to Purchaser's facility.

This warranty does not cover any goods and/or services which have been subject to misuse, accident, abuse, neglect, improper installation (installed by other than Seller), storage, and improper maintenance. Any alterations or repairs performed without express written consent of Seller will void the warranty.

Seller shall not be liable for any loss of use, or for any direct, incidental, or consequential damages due to goods and/or services provided. All implied warranties and specifically the implied warranties of merchantability and fitness for a particular purpose are expressly excluded and disclaimed.

The terms of this warranty shall constitute Purchaser's sole and exclusive remedy and Seller's sole and exclusive liability with respect to this agreement. Seller shall have no further obligation or liability upon the expiration of the warranty periods set forth above.

Seller's liability to Purchaser (or that of Seller's Agent/Representative) arising from the supplying of goods and/or services, shall not in any case exceed the cost of the original purchase order.

**TERMS AND
CONDITIONS
Indemnification**

Purchaser shall indemnify and hold Seller, its parent corporations, subsidiaries, affiliates, suppliers, manufacturers, subcontractors, officers, directors, employees, representatives and agents harmless from any liability or damage whatsoever, including any court costs and attorney's fees arising from the use of any goods and/or services supplied by the Seller.

TERMS AND CONDITIONS Disputes	At the sole discretion of Seller, Seller may require any controversy, dispute or claim, of whatever kind, arising out of or relating to this agreement be resolved by and in accordance with the Commercial Arbitration Rules of the American Arbitration Association, as from time to time amended and in effect. Any litigation or arbitration arising out of this agreement shall be brought, maintained and administered in Allegheny County, PA. Should Seller be successful, in part or in whole, in prosecuting or defending any lawsuit or arbitration, then Seller shall be entitled to fully recover its litigation or arbitration expenses, including attorney's fees.
TERMS AND CONDITIONS Force Majeure	Notwithstanding any provision of this Agreement to the contrary, neither party shall have any liability to the other for a temporary cessation of performance or delay in performance resulting from an event or occurrence beyond its reasonable control, including acts of God, actions by governmental authority (whether valid or invalid), pandemics, epidemics, flood, fire or other extreme weather conditions, national emergency, strikes or other labor difficulties, explosions, war, civil unrest, sabotage, power failure, equipment failure or any cause of like nature beyond its reasonable control; provided that nothing in this Section is intended nor shall it be construed to relieve either party hereto of any obligation to pay money hereunder or extend any time for payment hereunder.
TERMS AND CONDITIONS Applicable Law	This agreement is made in and shall be governed by the laws of the Commonwealth of Pennsylvania, without giving effect to the conflict of law provisions of the laws of the Commonwealth of Pennsylvania.
TERMS AND CONDITIONS Failure to Fully Compensate	Should Purchaser fail to fully compensate Seller for any goods and/or services provided, Seller shall be fully released from any obligations herein or otherwise.
TERMS AND CONDITIONS Waiver	The waiver by Seller of any term, condition, or provision hereunder must be in writing and shall not be construed to be a waiver of any other term, condition or provision hereof, nor shall such waiver be deemed a waiver of a subsequent breach of the same term, condition or provision on this order or future orders.
TERMS AND CONDITIONS Authority of Sellers Agents	No agent, employee, or representative of Seller has any authority to bind Seller or form a part of the basis of this agreement unless the agent, employee, or representative of Seller is specifically included within this agreement and accepted in writing by an officer of Seller.
TERMS AND CONDITIONS	Purchaser agrees, for a period of one (1) year after conclusion of purchase, that purchaser shall not, without the prior written consent, directly or indirectly

**Non-Solicit and
Non-Hire**

solicit, hire, entice, or encourage any person currently employed or who within six (6) months prior to the termination shall have been an employee or consultant of GrayMatter, to leave his or her employment or consulting position with the GrayMatter, or engage, or attempt or agree to engage, in any capacity, the services of any such person, or aid or assist anyone else to do so.

This document contains proprietary and confidential information belonging to Gray Matter Systems, LLC. Neither this document nor the information disclosed herein is to be reproduced or transferred, in part or in whole, to other documents, or used or disclosed for any other purpose to any third parties.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-44

Meeting: 04/24/23 7:30 PM
Dept: Employee and Community Rel.
Francis, Hillier
Category: Appointment
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3797

A RESOLUTION APPROVING THE APPOINTMENT OF JASON WEST AS AN ALTERNATE MEMBER TO THE MUNICIPAL PLANNING COMMISSION OF MOUNT VERNON, OHIO; AND DECLARING AN EMERGENCY.

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

SECTION 1: That Council approves the Mayor's appointment of Jason West, 105 N. Gay St., Mount Vernon, Ohio, to the Municipal Planning Commission, as an alternate member, for a six-year term commencing immediately and ending April 25, 2029.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-45

Meeting: 04/24/23 7:30 PM
Dept: Employee and Community Rel.
Francis, Hillier
Category: Reappointment
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3798

A RESOLUTION APPROVING THE RE-APPOINTMENT OF SUSIE SIMPSON AS MEMBER TO THE BOARD OF ZONING APPEALS OF MOUNT VERNON, OHIO, FOR A FIVE (5) YEAR TERM; AND DECLARING AN EMERGENCY.

WHEREAS, Section 1155.05 of the Codified Ordinances of the City of Mount Vernon provides that the Mayor shall appoint members of the Board of Zoning Appeals, both for full terms and unexpired terms, and

WHEREAS, Section 1155.04(b) of the Codified Ordinances provides that Council shall approve appointments of members to the Board of Zoning Appeals;

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

SECTION 1: That Council approves the Mayor's re-appointment of Susie Simpson, 4 Denison St., Mount Vernon, Ohio, as member to the Board of Zoning Appeals, for a five (5) year term, commencing immediately and ending April 25, 2028.

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 to secure a quorum for business of upcoming BZA meetings, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-46

Meeting: 04/24/23 7:30 PM
Dept: Employee and Community Rel.
Francis, Hillier
Category: Reappointment
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3799

A RESOLUTION APPROVING THE RE-APPOINTMENT OF LACEY FILKINS TO THE HISTORICAL REVIEW COMMISSION OF THE CITY OF MOUNT VERNON, OHIO, FOR A ONE (1) YEAR TERM; AND DECLARING AN EMERGENCY.

WHEREAS, Section 1172.04 of the Codified Ordinances of the City of Mount Vernon, Ohio provides that City Council shall appoint two members of the Historical Review Commission, at least one of whom shall be a resident freeholder of an historic district.

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

SECTION 1: That the Council for the City of Mount Vernon confirm the Mayor's re-appointment of Lacey Filkins, 931 E. High St., Mount Vernon, to the Historical Review Commission, commencing immediately and expiring April 25, 2024.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-10

Meeting: 04/24/23 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.

HISTORY:

03/27/23 City Council **FIRST READING**

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

04/10/23 City Council **SECOND READING**

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

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

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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The Walter H. Drane Company

CITY OF MOUNT VERNON, OHIO

ROSTER OF CITY OFFICIALS

(2023)

COUNCIL

Bruce E. Hawkins
James Mahan
John Francis
Tammy Woods
Mike Hillier
Amber Keener
Janis Seavolt
Mel Severns

President
First Ward
Second Ward
Third Ward
Fourth Ward
At Large
At Large
At Large

ADMINISTRATION

Matthew T. Starr
Richard S. Dzik
P. Robert Broeren, Jr.
Todd Hill
Maureen Hall
Terry Scott
David Stuller
Robert K. Morgan
Chad Christopher
John Thatcher
Lisa R. Mazza

Aaron Reinhart

Tom Hinkle
Brian Ball
Lisa Brown

Mayor
Safety-Service Director
Director of Law
Clerk of Council
Assistant Clerk of Council
City Auditor
City Treasurer
Chief of Police
Fire Chief
Municipal Court Judge
Municipal Court
Clerk
Director of Public
Utilities
Director of Public Works
City Engineer
Income Tax Administrator

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.

40G

COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2018-15	5-29-18	2018 Replacement Pages	2020-37	11-23-20	1302.01, 1303.13, 1399.05
2018-22	11-26-18	187.01(b)	2020-39	1-25-21	913.07(a)
2018-24	11-26-18	521.13 to 521.15; Repeals 521.10	2020-43	1-11-21	359.02(b)(1)A.3.
2018-28	3-25-19	1184.01 to 1184.12, 1184.99	2021-01	1-11-21	1153.12
2018-29	10-22-18	139.02	2021-12	4-26-21	2021 Replacement Pages
2019-01	1-14-19	111.01	2021-21	6-14-21	141.04
2019-02	1-14-19	351.19	2021-22	6-14-21	359.02(e)
2019-03	2-11-19	351.03, 351.033	2021-30	8-23-21	129.031
2019-07	1-28-19	1302.01, 1303.06, 1305.09, 1305.25	2021-31	8-9-21	183.013
2019-10	2-25-19	1303.06	2021-33	8-9-21	1141.03 to 1141.06
2019-24	5-13-19	1323.01 to 1323.13, 1323.99	2021-34	9-27-21	1158.21, 1185.01 to 1185.04
2019-25	5-13-19	2019 Replacement Pages	2021-36	9-27-21	129.15
2019-27	6-24-19	551.01 to 551.06	2021-38	10-25-21	August 2021 Replacement Pages
2019-28	6-24-19	376.01 to 376.05, 376.99	2021-47	12-13-21	753.04
Res.			2021-51	12-27-21	105.01 to 105.05
2019-56	6-24-19	515.001	2022-01	1-10-22	187.02, 187.07, 187.09, 187.14(g) to (i)
2019-31	9-23-19	1167.02	2022-16	4-25-22	February 2022 Replacement Pages
2019-35	11-12-19	920.01 to 920.47, 920.99	2022-22	6-13-22	902.02
2019-36	11-25-19	755.01, 755.05	2022-25	7-25-22	Pt. 11 Appx. II
2019-37	11-12-19	September 2019 Replacement Pages	2022-31	10-10-22	August 2022 Replacement Pages
2019-38	12-23-19	911.02 to 911.11, 911.13, 913.03, 913.11, 919.02 to 919.04, 919.06, 919.08, 919.11			
2019-39	12-9-19	187.02, 187.07, 187.09, 187.14			
2019-120	11-25-19	931.11			
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			

TABLE J - ANNEXATION OF TERRITORY (Cont.)

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
2021-28	7-26-21	Consenting to the annexation of 1.185 acres from Monroe Township into the City.
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.
2022-42	1-9-23	Accepting the annexation of 0.562 acres, Parcel Number 59-02288.000 from Pleasant Township into the City.

TABLE K - ZONING VARIANCES AND MAP CHANGES (Cont.)

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
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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| 337.01 | Driving unsafe vehicles. | 337.16 | Number of lights; limitations on flashing, oscillating or rotating lights. |
| 337.02 | Lighted lights; measurement of distances and heights. | 337.17 | Focus and aim of headlights. |
| 337.03 | Headlights on motor vehicles and motorcycles. | 337.18 | Motor vehicle and motorcycle brakes. |
| 337.04 | Tail light; illumination of rear license plate. | 337.19 | Horn, siren and theft alarm signal. |
| 337.05 | Rear red reflectors. | 337.20 | Muffler; muffler cutout; excessive smoke, gas or noise. |
| 337.06 | Safety lighting on commercial vehicles. | 337.21 | Rear-view mirror; clear view to front, both sides and rear. |
| 337.07 | Obscured lights on vehicles in combination. | 337.22 | Windshield and windshield wiper; sign or poster thereon. |
| 337.08 | Red light or red flag on extended loads. | 337.23 | Limited load extension on left side of passenger vehicle. |
| 337.09 | Lights on parked or stopped vehicles. | 337.24 | Motor vehicle stop lights. |
| 337.10 | Lights, emblems, and reflectors on slow-moving vehicles, farm machinery, agricultural tractors, and animal-drawn vehicles. | 337.25 | Air cleaner required. |
| 337.11 | Spotlight and auxiliary lights. | 337.26 | Child restraint system usage. |
| 337.12 | Cowl, fender and back-up lights. | 337.27 | Drivers and passengers required to wear seat belts. |
| 337.13 | Display of lighted lights. | 337.28 | Use of sunscreening, nontransparent and reflectorized materials. |
| 337.14 | Use of headlight beams. | 337.29 | Bumper heights. |
| 337.15 | Lights of less intensity on slow-moving vehicles. | 337.30 | Loud sound amplification systems prohibited. |
| | | 337.31 | Use of engine retarders. |
| | | 337.32 | Directional signals required. |

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

SCHEDULED

ORDINANCE 2023-12

Meeting: 04/24/23 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.

HISTORY:

03/27/23 City Council FIRST READING

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.

04/10/23 City Council SECOND READING

Ordinance No. 2023-12 was given a second reading.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 04/24/23 7:30 PM
Dept: Employee and Community Rel.

Francis, Hillier
Category: Personnel

Prepared By: Rob Broeren

Initiator: Todd Hill

SCHEDULED

ORDINANCE 2023-14

DOC ID: 3791

**AN ORDINANCE TO CREATE THE POSITION OF LIAISON 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 exempt position is hereby authorized at the salary listed and upon the appropriation times listed below:

Community Advocacy Relations Division Liaison.....\$49,920

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

SECTION 2: The salary listed is the base salary for the position. The position is eligible for annual longevity increments:

For the first five (5) years, \$400.00.

Annual Longevity Increments after five (5) years:

Year 6	Year 7	Year 8	Year 9	Year 10
\$500.00	\$550.00	\$600.00	\$650.00	\$700.00

The effective date of eligibility for an annual longevity increment shall be the anniversary date of employment in that position.

SECTION 3: Exempt employees are expected to work as necessary, including outside of normal business hours, in the completion of their duties. Exempt employees will work with their supervisor in establishing their work schedule.

SECTION 4: This position shall be entitled to the benefits outlined in Section E of the Mount Vernon Employee Handbook effective August 2021, as amended.

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 and satisfy grant requirements, 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.

HISTORY:

04/10/23

City Council

FIRST READING

Ordinance No. 2023-14 was given a first reading. Francis requested a 10-minute Employee & Community Relations Committee meeting on the legislation for April 24, 2023.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-17

Meeting: 04/24/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3796

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #66-05329.000 AND PARCEL #66-02335.000, ALSO KNOWN AS 301 AND 303 NORTH NORTON STREET, RESPECTIVELY, FROM THE PRESENT ZONING OF R-1 - SINGLE FAMILY DISTRICT, TO PCDD - PLANNED COMMERCIAL DEVELOPMENT DISTRICT; AND DECLARING AN EMERGENCY.

WHEREAS, the Council for the City of Mount Vernon has received an application for rezoning certain property within the City of Mount Vernon, specifically Parcel #66-05329.000 and Parcel #66-02335.000, also known as 301 and 303 North Norton Street, respectively; and

WHEREAS, the Municipal Planning Commission for the City of Mount Vernon met on April 13, 2023 and voted unanimously to approve the zoning change from Single Family District to Planned Commercial Development District.

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

SECTION 1: That the City of Mount Vernon hereby amends the zoning classification of Parcel #66-05329.000 and Parcel #66-02335.000, also known as 301 and 303 North Norton Street, respectively. The zoning will be as indicated:

<u>PARCEL NO.</u>	<u>PROPOSED ZONING</u>
#66-05329.000	PCDD - Planned Commercial Development District
#66-02335.000	PCDD - Planned Commercial Development District

SECTION 2: That the zoning classification be recorded in Title XI of the Planning and Zoning Codes of the Codified Ordinances of the City of Mount Vernon.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-18

Meeting: 04/24/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3803

AN ORDINANCE CONSENTING TO THE ANNEXATION OF 105.65 ACRES, PARCEL NUMBERS 59-02289.000 AND 59-02289.001, FROM PLEASANT TOWNSHIP INTO THE CITY OF MOUNT VERNON; PROVIDING FOR CERTAIN CITY SERVICES TO THE ANNEXED PARCEL AND PROVIDING PROTECTIONS AGAINST INCOMPATIBLE USES UNDER EXISTING TOWNSHIP ZONING; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 709.023 provides the process for an Expedited Type 2 annexation where the annexed territory remains subject to the real estate taxation of the township, and

WHEREAS, on April 3, 2023 the owners of 105.65 acres, Parcel Numbers 59-02289.000 and 59-02289.001, located in Pleasant Township filed a petition with the Knox County Board of Commissioners to annex the property into the City of Mount Vernon under the Expedited Type 2 process.

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

SECTION 1: That pursuant to Revised Code Section 709.023(D), the City of Mount Vernon consents to the annexation proposed in the owner's petition.

SECTION 2: That upon annexation into the City of Mount Vernon, the City shall provide the following services to the annexed parcel:

- a) Police Protection
- b) Fire Protection
- c) Emergency Medical Services
- d) Stormwater Utility Services

SECTION 3: That City Council finds that the annexation parcel is currently subject to Pleasant Township Zoning, pursuant to Chapter 519 of the Revised Code. If the territory is annexed and becomes subject to zoning by the City of Mount Vernon, and City zoning permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under current township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. "Buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street right-of-ways; and bicycle and pedestrian paths and sidewalks.

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 that Revised Code Section 709.023(C) requires the City to act within 20 days of the filing of the annexation petition to state what municipal services it will provide to a parcel annexed through this process, therefore, it 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: 04/24/23 7:30 PM
Dept: Employee and Community Rel.

Francis, Hillier

Category: Personnel

Prepared By: Rob Broeren

Initiator: Todd Hill

SCHEDULED

ORDINANCE 2023-19

DOC ID: 3804

AN ORDINANCE SETTING HOURLY COMPENSATION FOR PART-TIME AND SEASONAL PERSONNEL IN THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

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

SECTION 1: That hourly pay rates are established for the following seasonal and part-time positions as follows:

A. SEASONAL:

<u>POSITION</u>	<u>PAY PER HOUR</u>		
	YEAR 1	YEAR 2+	CREW LEADER
- Parks Department	\$10.00	\$10.45	\$10.85
	\$13.00	\$13.50	\$14.00
- Streets Department	\$10.00	\$10.45	\$10.85
	\$13.00	\$13.50	\$14.00
- Cemetery Department	\$10.00	\$10.45	\$10.85
	\$13.00	\$13.50	\$14.00
- Water/Wastewater Department	\$10.00	\$10.45	\$10.85
	\$13.00	\$13.50	\$14.00
- Water/Wastewater Department II	\$10.50	\$10.95	\$11.35
	\$13.50	\$14.00	\$14.50
- Engineering Department	\$12.00	\$12.45	\$12.85
	\$15.00	\$15.50	\$16.00
- Fire Department	\$10.00	\$11.00	
	\$13.00	\$14.00	

LEAF WORKERS

- Street Department	\$10.00	\$10.45	\$10.85
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B. PART-TIME

<u>POSITION</u>	<u>PAY PER HOUR</u>	
- Firefighter / EMT-B	\$13.00	\$16.00
- Firefighter / EMT-A		\$14.00 \$17.00
- Firefighter / EMT-P	\$15.00	\$18.00
- Fire Inspector		\$17.00
- Parking Enforcement Officer	\$12.50	\$15.00

SECTION 2: Part-time firefighters who work the holidays of New Year's Day, July 4th , Thanksgiving Day, Christmas Eve, and Christmas Day will be compensated at time and one-half

(1½) their normal rate of pay. Eligibility for this holiday pay will be calculated from 7:00 a.m. on the actual holiday through 7:00 a.m. on the following day.

SECTION 3: Any provision in legislation previously adopted which is in conflict with this Ordinance 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 set part-time and seasonal employees pay at competitive rates to allow the City to recruit and retain these employees, 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.