

Legislative Session Minutes

May 10, 2021

COMMITTEE MEETINGS

BZA Appointment

Police Reform

College Twp. Fire Contract

MVPD Community Advocate

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

Attendee	Title	Status
John Francis	Second Ward	Present
Mike Hillier	Fourth Ward	Present
Janis Seavolt	At Large	Present
Tanner Salyers	At Large	Present
Samantha Scoles	First Ward	Present
Tammy Woods	Third Ward	Present
Julia Warga	At Large	Present
Bruce Hawkins	President	Present

Others in Attendance: Mayor Starr, Safety Service Director Rick Dzik, Auditor Terry Scott, Law Director Rob Broeren, Clerk Tanya Newell, Treasurer David Stuller, Chief Morgan, Chief Christopher, Terry Davis, George Kopsick, Tonja Kent, and many other via Zoom.

INVOCATION

Was given by Gavin Cole, from the Apostolic Church.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Apr 26, 2021 7:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Janis Seavolt, At Large
SECONDER:	John Francis, Second Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

RECEIVE PETITIONS AND COMMUNICATIONS

Ms. Newell announced the deadline for filing financial disclosure statements is May 17 and the agendas for the May 24 meeting will not be distributed until May 21.

RECEIVE COMMITTEE REPORTS

LIQUOR CONTROL LICENSE

PROCLAMATION

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Tonja Kent, 202 Maplewood Ave., to gave an update on the situation on the west end.

George Kopsick, 303 E. Woodside Dr., Gambier, spoke about the College Twp. fire contract.

RESOLUTIONS FOR THIRD READING

RESOLUTION NO. 2021-38

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

Fire, Police and Civil Defense: Seavolt, Scoles

Mr. Hillier - I ask that 3 months after we man this, if it's passed, I would like to hear from our Fire Chief on where we are 3 months in, and again at 6 months and then at year end. I'm going to ask the same thing if it's passed for the police department, but I think it's very important that I think we hear from the Chief, firefighters, fire inspector, whoever, so we're not hearing from someone else.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Janis Seavolt, At Large
SECONDER:	Samantha Scoles, First Ward
AYES:	Hillier, Seavolt, Salyers, Hawkins
NAYS:	Francis, Scoles, Woods
ABSTAIN:	Warga

RESOLUTIONS FOR SECOND READING

RESOLUTION NO. 2021-40

A RESOLUTION APPROVING THE REAPPOINTMENT OF MICHAEL PERCY 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.: Scoles, Woods

RESULT: SECOND READING

Next: 5/24/2021 7:30 PM

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2021-45

KNO-SR 13-10.20 PID 113850

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SOUTH MAIN STREET AND COLUMBUS ROAD TRAFFIC SIGNAL REPLACEMENT, PAVING MARKINGS, AND SIGNAGE; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Warga, Francis

RESULT: FIRST READING

Next: 5/24/2021 7:30 PM

RESOLUTION NO. 2021-46

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

Finance and Budget: Francis, Hillier

RESULT: SUSPENSION OF THE RULES [UNANIMOUS]

MOVER: John Francis, Second Ward

SECONDER: Mike Hillier, Fourth Ward

AYES: Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

RESOLUTION NO. 2021-46

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

Finance and Budget: Francis, Hillier

Mr. Scott - Item 1-3 all have to do with the JRIG grant that to put money into our MERIT Drug court program and probation department. These are items that the state guidelines have already permitted to be reallocated. First is moving \$5,000 out of drug testing over to counseling, we've got probation officer compensation going into employee insurance and then third item advertising/printing going into telephone in regards to \$1,000. Item 4 in regards to employee wage increase, this is going to be tied to your Ord. 21-23, but we are moving money from court training and travel to municipal court security \$1414 and that will provide funding for security officers compensation. Item 5, in regards to testing for agility testing for safety forces for \$3,000 and the next item is the fact that our vacuum truck that is used by our water and wastewater systems is in bad shape and for the fact that we don't half million dollars to buy a brand new one we need to get this fixed. It's going to cost about \$48,000 for repairs. Item 6 is moving money for the water side of this for \$24,000 and item 7 and 8 combined for \$24,000 for the wastewater side of the repairs.

Mr. Hillier - Any idea when we might get this back in service?

Mr. Dzik - They took it into the shop to get a full balance of repairs, I think once we authorize it, it shouldn't be more than a couple of weeks. Ken Griffith and I had a lengthy conversation about how to proceed forward. In our plan, I believe around 2024, hoping to purchase a new vac truck for their department, so if this can get us through the next 3 years we thought that would be the better option.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

RESOLUTION NO. 2021-47

RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO DISPOSE OF VEHICLES IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON, AND DECLARING AN EMERGENCY.

Finance and Budget: Francis, Hillier

Ms. Scoles - What's the urgency?

Mr. Francis - We want to get these sold as soon as possible.

Chief Morgan - These are vehicles that are still on the police department roles, but were being used by the parks department and wastewater department. Those department heads have said they are no longer of use to them so we are just trying to get rid of them.

RESULT:	SUSPENSION OF THE RULES [6 TO 1]
MOVER:	John Francis, Second Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Woods, Warga
NAYS:	Scoles

RESOLUTION NO. 2021-47

RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO DISPOSE OF VEHICLES IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON, AND DECLARING AN EMERGENCY.

Finance and Budget: Francis, Hillier

Mr. Francis - Was is the success with online sale?

Mr. Dzik - We have done really well with a backhoe that we sold for more than we thought. How these cruisers will go, I don't think we've done a cruiser on govdeals yet. These have been sitting in impound for some time now. I have high hopes that it will do better than when we do a private auction.

Mr. Hillier - One vehicle is only five years old, the other is thirteen. The one that is only five, we have no need for it anywhere in the city? It can be used by the possible incoming person in the police department. Is it trashed?

Chief Morgan - It is not. By the time we give up our cruisers they are fairly well used. They've made use of it in the parks department as much as they can, the other department heads said they do not. We have a spare vehicle within the city if the community advocate position moves forward. We already have one that is a 2017 vehicle.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

ORDINANCES FOR THIRD READING

ORDINANCE NO. 2021-16

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

Employee and Community Rel.: Scoles, Woods

Mr. Hillier - I mentioned that I would like to see a quarterly report. Are you going to interview for this? I know you wanted to hire the other person that worked for us on a part-time basis. Are we going to go out to the public to interview or how are we doing this.

Chief Morgan - Our plan is to publicly interview for this position, advertise and interview for it. I won't say that the individual that did the project might not be a leading candidate, but we are going to post for it, interview for it and we will have an interview process. As far as the updates I have no problem giving you the updates that you would like on the position itself and its effectiveness.

Mr. Hillier - I know Ms. Scoles was in on the HR Director, is she going to be part of this.

Chief Morgan - We have not discussed who is going to be on the board. We do have one person, myself and probably the Mayor will be on it, Mr. Dzik possibly instead of the Mayor. We have a licensed, independent social worker from the Knox County Foundation that will be a part of it.

Mr. Dzik - If I can give a brief update, our candidate for HR Director, I will introduce her when she arrives. She will be starting June 1 and yes she will be involved in every hiring in the city at least for safety service and the Mayor's office. The Judge would also like an MOU, so probably with court hiring as well.

Ms. Seavolt - This is more of a statement, I've had a lot of constituents voicing negative on this and wanting me to vote no and telling me how I am representing them. Then I've had some telling me to vote yes. I want to do the right thing. I am going to vote yes because the professionals that deal with this say this is the right way to go and I do know that we do have to do something. The only way we're going to get somewhere in this world is to try something new because if we keep doing the same old thing we're not going to get anywhere and I'm hoping that this is the right move.

Mr. Salyers - Ms. Kent brought up a good point, this is law enforcement week and it is also mental health awareness month. I think it's an appropriate thing that the two are intersecting on this night. I appreciate that this is a position that helps both of those things.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Hillier, Seavolt, Salyers, Warga
NAYS:	Francis, Scoles, Woods

ORDINANCE NO. 2021-19

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

Employee and Community Rel.: Scoles, Woods

Mr. Dzik - At one point I asked Ms. Scoles to basically schedule passage of this after the meeting we pass College Twp. That being said College Twp. has already made their resolution, we've obviously made our resolution tonight and so this would be to marry along with that College Twp. to allow us to promote 3 additional lieutenants in the fire department. It would allow up to 25 part-time employees and you will notice a reduction in full-time employees. That reduction is because we have added 3 lieutenants, so we are taking 3 lieutenants from the ranks up to lieutenant so it's not in our staff it's just relocating.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

ORDINANCES FOR SECOND READING

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2021-21

AN ORDINANCE TO AMEND SECTION 141.04 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON REGARDING THE POWERS AND DUTIES OF THE CITY'S SHADE TREE COMMISSION AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Salyers

RESULT:	FIRST READING	Next: 5/24/2021 7:30 PM
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ORDINANCE NO. 2021-22

AN ORDINANCE TO AMEND SECTION 359.02 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON REGARDING TOWING OF VEHICLES, AND DECLARING AN EMERGENCY

Fire, Police and Civil Defense: Seavolt, Scoles

RESULT:	FIRST READING	Next: 5/24/2021 7:30 PM
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ORDINANCE NO. 2021-23

AN ORDINANCE FIXING THE COMPENSATION AND BENEFITS OF CERTAIN EMPLOYEES OF THE MOUNT VERNON MUNICIPAL COURT EFFECTIVE MAY 3, 2021, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

ORDINANCE NO. 2021-23

AN ORDINANCE FIXING THE COMPENSATION AND BENEFITS OF CERTAIN EMPLOYEES OF THE MOUNT VERNON MUNICIPAL COURT EFFECTIVE MAY 3, 2021, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

Mr. Scott - The individual who held this position has retired from the city as of April 30 and then the court turn around on May 3 and rehired the individual back again at a compensation of \$23 per hour, \$1.04 more than they were being paid. This comes by recommendation of the court and so it's a decision on council as to what you would like to do.

Mr. Hillier - We don't have much of choice being that this is the courts right?

Mr. Scott - Correct.

Mr. Hawkins - This is a retire, rehire. So they got their retirement, plus their salary, plus they got a severance pay?

Mr. Scott - Yes.

Ms. Scoles - And now a raise.

Mr. Scott - 17 years he was with the city.

Ms. Scoles - We had talked, the schools do require that if they are going to have a retire, rehire that they post a public notice, but the court does not require that.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

REMARKS FROM THE ADMINISTRATION

Mayor Starr - Spoke about the need for seasonal employees and especially lifeguards.

Mr. Dzik - Expressed sincere gratitude about the passage of College Township fire contract.

Mr. Scott - Spoke about his tour at the International Paper.

Mr. Stuller - Spoke about the deadline for tax filing.

Mr. Broeren - Commended Chief Morgan for his work.

REMARKS FROM COUNCIL

Mrs. Warga - Asked about Coffee with Council.

Mrs. Woods - Thanked Mrs. Kent for coming again, thanked Mr. Hawkins for the invitation to Kiwanis, mentioned her vote on College Twp and Community Advocate, mentioned trucks on Vine and Edgewood.

Mr. Salyers - Spoke about the dedication ceremony for Dr. EllaMae Simmons, thanked Mrs. Kent again, and spoke about the voting tonight.

Mr. Hillier - Thanked Chief Morgan for being present, asked about sewer backup on Marma Drive and thanked the Chiefs for their work.

Mr. Francis - Thanked Chief Morgan and Chief Christopher for their work and thanked Tonya Kent for coming again.

Ms. Scoles - Spoke about the votes, made a comment about committee meetings, and spoke about Coffee with Council.

Mr. Hawkins - Thanked council and thanked the media.

EXECUTIVE SESSION: PERSONNEL MATTERS

- Enter Executive Session to Discuss Personnel Matters

RESULT:	ENTER ES MOTION [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

- Executive Adjourn

Motion and a second to adjourn into Executive Session

RESULT:	ADJOURNED ES MOTION [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga

ADJOURN AT THE CALL OF THE PRESIDENT

Mrs. Seavolt made a motion to adjourn the meeting, Mrs. Woods, second, all in favor the meeting was adjourned at 8:58 p.m.

Bruce E. Hawkins, President of Council

Tanya Newell, CMC, Clerk of Council

CD on file/tmn



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/10/21 7:30 PM
Dept: Fire, Police and Civil Defense

Seavolt, Scoles

Category: Fire

Prepared By: Rob Broeren

Initiator: Tanya Newell

ADOPTED

RESOLUTION 2021-38

DOC ID: 2314 A

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

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

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

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

HISTORY:

04/12/21	City Council	FIRST READING
04/26/21	City Council	SECOND READING

COMMENTS - Current Meeting:

Mr. Hillier - I ask that 3 months after we man this, if it's passed, I would like to hear from our Fire Chief on where we are 3 months in, and again at 6 months and then at year end. I'm going to ask the same thing if it's passed for the police department, but I think it's very important that I think we hear from the Chief, firefighters, fire inspector, whoever, so we're not hearing from someone else.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Janis Seavolt, At Large
SECONDER:	Samantha Scoles, First Ward
AYES:	Mike Hillier, Janis Seavolt, Tanner Salyers, Bruce Hawkins
NAYS:	John Francis, Samantha Scoles, Tammy Woods
ABSTAIN:	Julia Warga

CONTRACT FOR EMERGENCY SERVICES

College Township and Kenyon College

5 Years: June 1, 2021 – May 31, 2026

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

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

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

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

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

1. For the period of June 1, 2021, through May 31, 2024, the Township and Kenyon will pay to the City \$500,000 for every twelve (12) months of the Agreement.
2. The Township and Kenyon collectively shall pay the City these sums in semi-annual installments within 30 calendar days of receipt by the Township and Kenyon of the invoice from the City. The Township and Kenyon collectively will be invoiced in the amount of \$250,000 every six (6) months beginning on June 1, 2021. Exhibit 1 (attached) includes the payment schedule [and cost breakdown] for this Agreement.
3. Prior to June 1, 2024 the Parties will meet to evaluate the Agreement and determine any adjustments that need to be made to the terms of the Agreement, including cost.
4. No later than December 1, 2021, the City agrees to provide three (3) personnel twenty-four (24) hours per day, seven (7) days per week and 365 days per year to staff the Fire Station located at 102 East Brooklyn Street, Gambier, Ohio. Staffing shall consist of, at a minimum, one (1) full-time Firefighter/Paramedic with the rank of Lieutenant, one (1) full-time Firefighter/Paramedic and one (1) part-time Firefighter/EMT. During the interim period between the execution of this contract and December 1, 2021, the parties shall work together to provide staffing at the Gambier Fire Station as soon as practicable. Should the Township desire to relocate the fire station to another location within their jurisdiction, the City agrees to staff that alternate location

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

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

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

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

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

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

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

11. The Township and the City agree that the City will continue the practice of billing for EMS Transport for the life of this Agreement. The City will retain all proceeds from EMS billings.
12. The City, through the Mount Vernon Fire Department, agrees to furnish fire and emergency medical services to persons and property within the Township for the period from June 1, 2021 through May 31, 2026, in the event that such services are needed and sought by the Township.
13. The Mount Vernon Fire Department will exert the same diligence in protecting the persons and property of the Township within the designated coverage area as is required to exert to protect persons and property within the City.
14. Inspections of and familiarization with properties within the Township may be conducted at the discretion of the Mount Vernon Fire Chief or his or her designated agent.
15. It is understood and agreed to by all Parties that the City being available and ready to dispatch fire and emergency medical assistance in cases of fire or medical emergencies occurring in the Township is sufficient to fulfill the City's duty to furnish fire and emergency medical services regardless of whether any fire or medical emergencies actually occur during the covered periods.
16. This Agreement between the City, the Township and Kenyon shall be effective upon the execution by authorized representatives of all parties and shall remain in effect through May 31, 2026.
17. This Agreement will automatically renew at the then current terms, conditions and cost in five (5) year increments unless either party submits a request to terminate the Agreement no later than six (6) months of the Agreement's expiration. Review of the terms of the Agreement, including all fees, will continue every three (3) years. No provision in this Agreement shall prevent the Parties from agreeing to modify any of terms of this Agreement at any time.
18. Should any Party wish to terminate this Agreement, the City will continue to provide fire and emergency medical services to persons and property within the Township for a period up to one (1) year, at the then current annual rate, to allow the Township and Kenyon to arrange for alternative services.
19. Pursuant to Ohio Revised Code §125.111, the City agrees that any subcontractor of the City and any person acting on behalf of the City or any subcontractors of the City, will not discriminate, by reason of race, color, religion, sex, age, handicap, national origin, or ancestry against any citizen of Ohio in the employment of any person qualified and available to perform the work under this Agreement. The City further agrees that the City, any subcontractor of the City, and any person acting on behalf of the City or any subcontractor of the City, shall not, in any manner, discriminate against, intimidate or retaliate against any employee hired for the performance of work under this

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

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

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

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

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

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

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

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

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

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

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

City of Mount Vernon, Ohio

Safety Service Director

Date

Approved as to Form:

Law Director

Date

Township of College, Ohio

Trustee

Date

Trustee

Date

Trustee

Date

Approved as to Form:

Knox County Prosecutor

Date

Kenyon College, Gambier, Ohio

President

Date

Approved as to Form:

Counsel

Date

Exhibit 1

Agreement Payment Schedule

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

Exhibit 2

Township Vehicles to be Provided for City Use

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

Exhibit 3

Township Owned Fire Equipment

[To be added by the Township after contract execution]



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2021-40

Meeting: 05/10/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Reappointment
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 2319 A

A RESOLUTION APPROVING THE REAPPOINTMENT OF MICHAEL PERCY 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 reappointment of Michael Percy, 1412 Greenbrier Drive, Mount Vernon, Ohio, to the Board of Zoning Appeals, as a member, for a five (5) year term commencing immediately and ending May 1, 2026.

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.

HISTORY:

04/26/21

City Council

FIRST READING

RESULT: SECOND READING

Next: 5/24/2021 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 05/10/21 7:30 PM
Dept: Streets and Public Buildings
Warga, Francis
Category: Streets
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 2325

ODOT RESOLUTION 2021-45

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR THE SOUTH MAIN STREET AND COLUMBUS ROAD TRAFFIC SIGNAL REPLACEMENT, PAVING MARKINGS, AND SIGNAGE; AND DECLARING AN EMERGENCY.

WHEREAS, The City of Mount Vernon received federal authorization on March 11, 2021 to bid and award the South Main Street and Columbus Road Traffic Signal Replacement, Paving Markings, and Signage; and

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

SECTION 1: That the Safety Service Director for the City of Mount Vernon is hereby authorized and directed to advertise for bids and enter into a contract for the South Main Street and Columbus Road traffic signal replacement, paving markings, and signage.

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.

RESULT: FIRST READING

Next: 5/24/2021 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2021-46

Meeting: 05/10/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 2328 C

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

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

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

1. Transfer from Account 101.1788.54112, Drug Testing, to Account 101.1788.54118, Counseling, in the amount of \$5,000.00.
2. Transfer from Account 101.1788.51111, Probation Officer, to Account 101.1788.52121, Employee Insurance, in the amount of \$1,996.00.
3. From Account 101.1788.53114, Advertising/Printing, to Account 101.1788.53113, Telephone, in the amount of \$1,000.00.
4. From Account 101.1720.54311, Court-Training/Travel, to Account 101.1720.51111, Municipal Court Security, in the amount of \$1,414.40.
5. From Account 101.3600.52125, Employee Insurance, to Account 101.1800.53115, Testing, in the amount of \$3,000.00.
6. From Account 701.2780.54486, Transfer to Water Utility Reserve, to Account 701.2740.53214, Maintenance - Vehicle, in the amount of \$24,000.00.
7. From Account 720.2820.53312, W-W-Plant Maintenance, to Account 720.2840.53214, Maintenance - Vehicle, in the amount of \$12,000.00.
8. From Account 720.2840.55511, Collection-Equipment, to Account 720.2840.53214, Maintenance - Vehicle, in the amount of \$12,000.00

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

COMMENTS - Current Meeting:

Mr. Scott - Item 1-3 all have to do with the JRIG grant that to put money into our MERIT Drug court program and probation department. These are items that the state guidelines have already permitted to be reallocated. First is moving \$5,000 out of drug testing over to counseling, we've got probation officer compensation going into employee insurance and then third item advertising/printing going into telephone in regards to \$1,000. Item 4 in regards to employee wage increase, this is going to be tied to your Ord. 21-23, but we are moving money from court training and travel to municipal court security \$1414 and that will provide funding for security officers compensation. Item 5, in regards to testing for agility testing for safety forces for \$3,000 and the next item is the fact that our vacuum truck that is used by our water and wastewater

systems is in bad shape and for the fact that we don't half million dollars to buy a brand new one we need to get this fixed. It's going to cost about \$48,000 for repairs. Item 6 is moving money for the water side of this for \$24,000 and item 7 and 8 combined for \$24,000 for the wastewater side of the repairs.

Mr. Hillier - Any idea when we might get this back in service?

Mr. Dzik - They took it into the shop to get a full balance of repairs, I think once we authorize it, it shouldn't be more than a couple of weeks. Ken Griffith and I had a lengthy conversation about how to proceed forward. In our plan, I believe around 2024, hoping to purchase a new vac truck for their department, so if this can get us through the next 3 years we thought that would be the better option.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2021-47

Meeting: 05/10/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2330 A

RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO DISPOSE OF VEHICLES IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON, AND DECLARING AN EMERGENCY.

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

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

SECTION 1: That the Council finds that the City of Mount Vernon Police Department owns the following vehicles: (1) a 2016 Chevrolet Impala, VIN 2G1WD5E32G1161875, and (2) a 2008 Chevrolet Impala, VIN 2G1WS553289197137, which are no longer needed for public use. Council also finds that the value of each of these vehicles is in excess of \$1,000.00.

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

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

COMMENTS - Current Meeting:

Mr. Francis - Was is the success with online sale?

Mr. Dzik - We have done really well with a backhoe that we sold for more than we thought. How these cruisers will go, I don't think we've done a cruiser on govdeals yet. These have been sitting in impound for some time now. I have high hopes that it will do better than when we do a private auction.

Mr. Hillier - One vehicle is only five years old, the other is thirteen. The one that is only five, we have no need for it anywhere in the city? It can be used by the possible incoming person in the police department. Is it trashed?

Chief Morgan - It is not. By the time we give up our cruisers they are fairly well used. They've made use of it in the parks department as much as they can, the other department heads said they

do not. We have a spare vehicle within the city if the community advocate position moves forward. We already have one that is a 2017 vehicle.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/10/21 7:30 PM
Dept: Employee and Community Rel.

Scoles, Woods

Category: Personnel

Prepared By: Rob Broeren

Initiator: Tanya Newell

ADOPTED

ORDINANCE 2021-16

DOC ID: 2313 A

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

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

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

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

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

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

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

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

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

HISTORY:

04/12/21	City Council	FIRST READING
04/26/21	City Council	SECOND READING

COMMENTS - Current Meeting:

Mr. Hillier - I mentioned that I would like to see a quarterly report. Are you going to interview for this? I know you wanted to hire the other person that worked for us on a part-time basis. Are we going to go out to the public to interview or how are we doing this.

Chief Morgan - Our plan is to publicly interview for this position, advertise and interview for it. I won't say that the individual that did the project might not be a leading candidate, but we are going to post for it, interview for it and we will have an interview process. As far as the updates I have no problem giving you the updates that you would like on the position itself and its effectiveness.

Mr. Hillier - I know Ms. Scoles was in on the HR Director, is she going to be part of this.

Chief Morgan - We have not discussed who is going to be on the board. We do have one person, myself and probably the Mayor will be on it, Mr. Dzik possibly instead of the Mayor. We have a licensed, independent social worker from the Knox County Foundation that will be a part of it.

Mr. Dzik - If I can give a brief update, our candidate for HR Director, I will introduce her when she arrives. She will be starting June 1 and yes she will be involved in every hiring in the city at least for safety service and the Mayor's office. The Judge would also like an MOU, so probably with court hiring as well.

Ms. Seavolt - This is more of a statement, I've had a lot of constituents voicing negative on this and wanting me to vote no and telling me how I am representing them. Then I've had some telling me to vote yes. I want to do the right thing. I am going to vote yes because the professionals that deal with this say this is the right way to go and I do know that we do have to do something. The only way we're going to get somewhere in this world is to try something new because if we keep doing the same old thing we're not going to get anywhere and I'm hoping that this is the right move.

Mr. Salyers - Ms. Kent brought up a good point, this is law enforcement week and it is also mental health awareness month. I think it's an appropriate thing that the two are intersecting on this night. I appreciate that this is a position that helps both of those things.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Mike Hillier, Janis Seavolt, Tanner Salyers, Julia Warga
NAYS:	John Francis, Samantha Scoles, Tammy Woods



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/10/21 7:30 PM
Dept: Employee and Community Rel.

Scoles, Woods

Category: Personnel

Prepared By: Rob Broeren

Initiator: Tanya Newell

ADOPTED

ORDINANCE 2021-19

DOC ID: 2317 A

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

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

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

FIRE DEPARTMENT:

Three Captains

~~Three~~ **Six** Lieutenants

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

Not more than 25 Part-time Firefighter/EMTs

One Fire Prevention Officer

One EMS/Training Coordinator Lieutenant

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

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

HISTORY:

04/12/21 City Council FIRST READING

04/26/21 City Council SECOND READING

COMMENTS - Current Meeting:

Mr. Dzik - At one point I asked Ms. Scoles to basically schedule passage of this after the meeting we pass College Twp. That being said College Twp. has already made their resolution, we've obviously made our resolution tonight and so this would be to marry along with that College Twp. to allow us to promote 3 additional lieutenants in the fire department. It would allow up to 25 part-time employees and you will notice a reduction in full-time employees. That reduction is because we have added 3 lieutenants, so we are taking 3 lieutenants from the ranks up to lieutenant so it's not in our staff it's just relocating.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Samantha Scoles, First Ward
SECONDER: Tammy Woods, Third Ward
AYES: Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2021-21

Meeting: 05/10/21 7:30 PM
Dept: Planning and Zoning
Hillier, Salyers
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2327 B

AN ORDINANCE TO AMEND SECTION 141.04 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON REGARDING THE POWERS AND DUTIES OF THE CITY'S SHADE TREE COMMISSION AND DECLARING AN EMERGENCY.

WHEREAS, a review of the City's Shade Tree Commission Ordinance found in Chapter 141 of the Codified Ordinances of the City of Mount Vernon disclosed that the activities of the Commission did not match with the powers and duties in Chapter 141; and

WHEREAS, the City wishes to clarify of the powers and duties of the Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT VERNON, STATE OF OHIO, THAT:

SECTION 1: That Section 141.04 of the Codified Ordinances be amended to read as follows (deletion is in ~~striketrough~~, addition is in **bold**):

(a) The Commission shall have the power to study, investigate, plan, advise, report and recommend to Council, the Safety Service Director or the Mayor, any action, program, plan or legislation which the Commission shall find or determine to be necessary or advisable for the care, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in the public ways, streets and alleys. The Commission shall also be responsible for developing programs, planning or suggesting actions which they determine to be necessary for the beautification of other areas of the City which they will recommend to City Council, the Mayor or the Safety Service Director.

(b) ~~The Commission shall be responsible for recommending to the Safety Service Director those expenditures necessary to accomplish the goals and mission of the Commission.~~ **The Commission shall have the authority to apply for, receive, administer, and enter into agreements regarding grants and donations to be expended, after review and approval of the project by the Safety-Service Director or City Engineer, in accordance with the purposes set forth in this chapter by use of City forces or under contract with the City. All funds administered by the Commission shall be accounted for through the City Auditor's Office.**

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and to expedite the work done by the City's Shade Tree Commission in the City, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed

Ordinance 2021-21

Meeting of May 10, 2021

by law.

RESULT: FIRST READING

Next: 5/24/2021 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2021-22

Meeting: 05/10/21 7:30 PM
Dept: Fire, Police and Civil Defense
Seavolt, Scoles
Category: Police
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 2326 A

AN ORDINANCE TO AMEND SECTION 359.02 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON REGARDING TOWING OF VEHICLES, AND DECLARING AN EMERGENCY

WHEREAS, in January of 2021 the City of Mount Vernon adopted Ordinance 2020-43, which increased the maximum fees for vehicular towing; and

WHEREAS, a later provision in the codified ordinance restates the previous, lower fees; and

WHEREAS, City of Mount Vernon wishes to harmonize the various fees charged within its towing ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT VERNON, STATE OF OHIO, THAT:

SECTION 1: That Section 359.02(e) of the Codified Ordinances be amended to read as follows (additions are in **bold**, deletions are in ~~striketrough~~):

The owner of a motor vehicle is ordered into storage pursuant to subsection (a)(1) hereof or of a vehicle that is removed under authority of subsection (b)(2) hereof may reclaim it upon payment of any expenses or charges incurred in its removal, in an amount not to exceed **one hundred twenty-nine dollars (\$129.00)** ~~ninety dollars (\$90.00)~~ **for towing**, and a storage charge, in an amount not to exceed **seventeen dollars (\$17.00)** ~~twelve dollars (\$12.00)~~ per twenty-four hour period; except that the charge for towing shall not exceed **two hundred sixteen dollars (\$216.00)** ~~one hundred fifty dollars (\$150.00)~~ and the storage charge shall not exceed **twenty-nine dollars (\$29.00)** ~~twenty dollars (\$20.00)~~ per twenty-four hour period, if the vehicle has a manufacturer's gross vehicle weight rating in excess of ten thousand pounds and is a truck, bus, or a combination of commercial tractor and trailer or semitrailer. Presentation of a proof of ownership, which may be evidenced by a certificate of title to the motor vehicle or vehicle shall also be required for reclamation of the vehicle. If a motor vehicle that is ordered into storage pursuant to this section remains unclaimed by the owner for thirty days, the vehicle shall be disposed of pursuant to Section 359.04.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and for the further reason to allow the City to harmonize the various parts of its towing ordinance, 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.

RESULT: FIRST READING

Next: 5/24/2021 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/10/21 7:30 PM
Dept: Employee and Community Rel.

Scoles, Woods

Category: Personnel

Prepared By: Terry Scott

Initiator: Tanya Newell

ADOPTED

ORDINANCE 2021-23

DOC ID: 2329 A

**AN ORDINANCE FIXING THE COMPENSATION AND BENEFITS OF CERTAIN
EMPLOYEES OF THE MOUNT VERNON MUNICIPAL COURT EFFECTIVE MAY 3, 2021,
AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Sections 1901.31(C) (1), provides that the legislative authority of the municipality where a municipal court is located shall prescribe the compensation of the Court Security Officers;

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

SECTION 1: That this Ordinance fixed the compensation and benefits of certain employees of the Mount Vernon Municipal Court, commencing on the 3rd day of May, 2021 as follows:

Court Security Officer (Full-time) #1 \$23.00 per hour

SECTION 2: This position shall be entitled to the benefits as outlined in the Mount Vernon Municipal Court Employee Handbook, adopted January 1, 2015 and as amended.

SECTION 3: That Ordinance 2021-08 only as it pertains to Court Security Officer (Full-time) #1 shall be repealed entirely.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that an emergency exists in the usual daily operation of the department of allowing the Auditor's office to proceed with 2021 payroll for the security officer, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

COMMENTS - Current Meeting:

Mr. Scott - The individual who held this position has retired from the city as of April 30 and then the court turn around on May 3 and rehired the individual back again at a compensation of \$23 per hour, \$1.04 more than they were being paid. This comes by recommendation of the court and so it's a decision on council as to what you would like to do.

Mr. Hillier - We don't have much of choice being that this is the courts right?

Mr. Scott - Correct.

Mr. Hawkins - This is a retire, rehire. So they got their retirement, plus their salary, plus they got a severance pay?

Mr. Scott - Yes.

Ms. Scoles - And now a raise.

Mr. Scott - 17 years he was with the city.

Ms. Scoles - We had talked, the schools do require that if they are going to have a retire, rehire that they post a public notice, but the court does not require that.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Samantha Scoles, First Ward
SECONDER:	Tammy Woods, Third Ward
AYES:	Francis, Hillier, Seavolt, Salyers, Scoles, Woods, Warga