Legislative Session Minutes

August 28, 2023

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
August 28, 2023

6:25-6:52 p.m.	Executive Session: Personnel	Employee & Community Relations Woods
6:55-7:08 p.m.	Police Department quarterly update	Fire, Police, Civil Defense Mahan
7:08-7:22 p.m.	HR interns	Employee & Community Relations Woods

- 8-28-23 Committee Meeting Schedule

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

Attendee	Title	Status
Mike Hillier	Fourth Ward	Present
Janis Seavolt	At Large	Present
Tammy Woods	President Pro-Tem	Present
Amber Keener	At Large	Present
Mel Severns	Councilman	Present
James Mahan	First Ward	Present
John Ruckman	Second Ward	Present
Bruce Hawkins	Acting Mayor	Present

<RollCallList Status="Absent">

{Attendee(*):First Last}	{Attendee(*):Title}	Absent

INVOCATION

Pastor Rick Graumlich, Proclamation Church, performed the invocation.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Aug 14, 2023 7:30 PM

Seavolt made a motion to accept the minutes from Council's Legislative Session of Aug. 14, 2023, with a second by Keener. Motion to accept passed by a voice vote of 7-0.

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

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

None.

LIQUOR CONTROL LICENSE

K&LCCC Inc., dba Longs Drive Thru, 2 Mount Vernon Ave., Mount Vernon, Ohio

- 08-28-23 Liquor Permit

No hearing was requested on a liquor license permit for K&LCCC Inc., dba Longs Drive Thru, 2 Mount Vernon Ave., Mount Vernon.

RESULT:	**ANNOUNCED**

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Vicki Fitzgerald, 206 E. High St., said a building that was recently demolished on a neighboring property has worsened an issue with water runoff, and that the City hasn't answered her questions about what can be done about the situation. Safety-Service Director Rick Dzik responded that the Engineering Department will inspect the location. Fitzgerald also noted that repairing the levee on the Kokosing River should be a priority for the City.

RESOLUTIONS FOR THIRD READING

RESOLUTION NO. 2023-61

A RESOLUTION APPROVING THE PCDD COMPREHENSIVE DEVELOPMENT PLAN AS SUBMITTED BY THE KNOX COUNTY LAND REUTILIZATION CORPORATION AND APPROVED BY THE MOUNT VERNON MUNICIPAL PLANNING COMMISSION FOR 301 AND 303 NORTH NORTON STREET, PARCELS #66-05329.000 AND #66-02335.000, RESPECTIVELY; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Hillier made a motion to adopt Resolution No. 2023-61, with a second by Severns. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Mel Severns, Councilman
AYES:	Hillier, Seavolt, Woods, Keener, Severns, Mahan, Ruckman

RESOLUTIONS FOR SECOND READING

None.

RESOLUTIONS FOR FIRST READING

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

A RESOLUTION OF COMMITMENT OF THE CITY OF MOUNT VERNON TO THE SUSTAINABLE2050 PROGRAM OF THE MID-OHIO REGIONAL PLANNING COMMISSION.

Planning and Zoning: Hillier, Severns

Resolution No. 2023-71 was given a first reading.

RESULT:	**FIRST READING**	**Next: 9/11/2023 7:30 PM**

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

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

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-72, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-72, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that a $35,000 grant from Mental Health & Recovery for Licking/Knox Counties would be used in the Probation Department, and that a $5,000 donation from the Grand Chapter of Ohio OES, Inc. would be used for K9 Unit expenses. Motion to adopt passed by a roll-call vote of 7-0.

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

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

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

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-73, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-73, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that $25,500 would be transferred to pay for a new server, while $10,000 would go toward upgrading

emergency sirens. Bruce Hawkins, serving as Acting Mayor, noted that many residents complain about the sirens and that they're getting expensive to service. Motion to adopt passed by a roll-call vote of 7-0.

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

R E S O L U T I O N N O . 2 0 2 3 - 7 4

A RESOLUTION DESIGNATING THE DEPOSITORIES FOR THE ACTIVE, INTERIM AND INACTIVE FUNDS OF THE CITY OF MOUNT VERNON, MOUNT VERNON, OHIO; AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-74, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-74, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that it's a biannual requirement. Motion to adopt passed by a roll-call vote of 7-0.

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

R E S O L U T I O N N O . 2 0 2 3 - 7 5

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO A CONTRACT WITH OHIO POWER COMPANY FOR THE CITY TO LEASE PROPERTY LOCATED BETWEEN EAST VINE STREET AND LAWN AVENUE FOR A COMMUNITY GARDEN; AND DECLARING AN EMERGENCY.

Parks and Lands: Keener, Woods

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-75, with a second by Woods. Motion to suspend passed by a roll-call vote of 7-0. Keener made a motion to adopt Resolution No. 2023-75, with a second by Woods. Safety-Service Director Rick Dzik and Law Director Rob Broeren noted that the operators of a community garden planned for a lot owned by AEP would be responsible for fencing and upkeep, and that if the property is not maintained it may revert back to AEP. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Amber Keener, At Large
SECONDER:	Tammy Woods, President Pro-Tem
AYES:	Hillier, Seavolt, Woods, Keener, Severns, Mahan, Ruckman

ORDINANCES FOR THIRD READING

None.

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2023-32
AN ORDINANCE TO CREATE THE POSITIONS OF HUMAN RESOURCES INTERNS, AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Ordinance No. 2023-32 was given a second reading. Woods requested a 10-minute meeting of the Employee and Community Relations Committee on the legislation for Sept. 11, 2023.

RESULT:	**FIRST READING**	**Next: 9/11/2023 7:30 PM**

ORDINANCES FOR FIRST READING

None.

REMARKS FROM THE ADMINISTRATION

Safety-Service Director Rick Dzik informed Council that he is resigning from his position effective Sept. 8, 2023 to take the position of City Manager at Huber Heights, Ohio. He thanked everyone for working with him, and noted that a transition plan has been drawn up for the interim until a new Safety-Service Director is hired. Law Director Rob Broeren thanked Dzik for his service to the City.

REMARKS FROM COUNCIL

Mahan welcomed students back for Mount Vernon Nazarene University's 2023-24 academic year. Severns wished Safety-Service Director Rick Dzik well in his new position. Keener noted that the last First Friday of the year will be on Sept. 1, that the First Responders softball game will be on Sept. 2, and wished Dzik well in his new position. Seavolt and Ruckman both also wished Dzik well in his new position. Hillier asked that Council extend its casual dress policy through Sept. 30, and Council agreed. Hillier also thanked Vicki Fitzgerald for speaking to Council, and criticized the lack of information coming from the City about her concern. He also recommended that the City's nuisance ordinance be revisited to better address drug activity recurring in certain locations. Woods noted that residents have expressed appreciation to her for the City's posting of flashing speed limit signs.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn, with a second by Woods. Meeting adjourned at 8:08 p.m.

_____ _____

Bruce E. Hawkins, President of Council Todd Hill, Clerk of Council

CD on file/th

PRESS RELEASE

City Hall
40 Public Square
Mount Vernon, OH 43050

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

FOR IMMEDIATE RELEASE
August 23, 2023

Mount Vernon City Council
Committee Meeting Schedule
August 28, 2023

6:25-6:55 p.m.	Executive Session: Personnel	Employee & Community Relations Woods
6:55-7:05 p.m.	Police Department quarterly update	Fire, Police, Civil Defense Mahan
7:05-7:15 p.m.	HR interns	Employee & Community Relations Woods

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: 8-28-23 Committee Meeting Schedule (Committee Meetings)

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

4423039 PERMIT NUMBER / N TYPE	K & LCCC INC DBA LONGS DRIVE THRU 2 MT VERNON AV MT VERNON OHIO 43050
ISSUE DATE	
06 25 2018 FILING DATE	
C1 PERMIT CLASSES	
42 TAX DISTRICT / 077 / B / C02053 RECEIPT NO.	

FROM 08/18/2023

PERMIT NUMBER / TYPE	
ISSUE DATE	
FILING DATE	
PERMIT CLASSES	
TAX DISTRICT / RECEIPT NO.	

MAILED 08/18/2023 RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/18/2023

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES B N 4423039
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF MT VERNON CITY COUNCIL
CITY HALL
40 PUBLIC SQ
MT VERNON OHIO 43050

DLC 4052

Communication: 08-28-23 Liquor Permit (Liquor Control License)

Rev 2/10/2021

Ohio | Department of Commerce

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You **must**, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
  - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered **timely**, your above response **must** be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 – 3166

EMAIL: LiquorLicensingMailUnit@com.state.oh.us

MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/liqr/liqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or

- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Communication: 08-28-23 Liquor Permit (Liquor Control License)

Licensing Section
6606 Tussing Road
Reynoldsburg, OH 43068-9009

Fax 614-728-1281
TTY/TDD 800-750-0750
com.ohio.gov

An Equal Opportunity Employer and Service Provider

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 08/28/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3847

RESOLUTION 2023-61

A RESOLUTION APPROVING THE PCDD COMPREHENSIVE DEVELOPMENT PLAN AS SUBMITTED BY THE KNOX COUNTY LAND REUTILIZATION CORPORATION AND APPROVED BY THE MOUNT VERNON MUNICIPAL PLANNING COMMISSION FOR 301 AND 303 NORTH NORTON STREET, PARCELS #66-05329.000 AND #66-02335.000, RESPECTIVELY; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mount Vernon City Council approve the PCDD Comprehensive Development Plan as submitted by the Knox County Land Reutilization Corporation and approved by the Mount Vernon Municipal Planning Commission for 301 and 303 North Norton Street, Parcels #66-05329.000 and #66-02335.000, respectively. The general plan for the development is shown in Attachment "A" and made part of this resolution.

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:

07/24/23	**City Council**	**FIRST READING**

Resolution No. 2023-61 was given a first reading.

08/14/23	**City Council**	**SECOND READING**

Resolution No. 2023-61 was given a second reading.

COMMENTS - Current Meeting:

Hillier made a motion to adopt Resolution No. 2023-61, with a second by Severns. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Mel Severns, Councilman
AYES:	Hillier, Seavolt, Woods, Keener, Severns, Mahan, Ruckman

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

To: Clerk of Council

July 14, 2023

Municipal Planning Commission
Meeting Date: July 13, 2023

Case Number: 2023-MPC-17
PCDD Comprehensive Development Plan for 301 & 303 N Norton ST
encompassing parcel numbers 66-05329.000 & 66-02335.00

A PCDD Comprehensive Development Plan was submitted for review to the Municipal Planning Commission for recommendation to Council by the Knox County Land Reutilization Corporation for 301 & 303 N Norton ST, encompassing parcels: 66-05329.000 & 66-02335.000

A public hearing was held and discussion ensued about the proposed Comprehensive Development Plan. Following discussion:

Todd Hawkins made a motion to recommend to Council to approved the Comprehensive Development Plan. Austin Swallow seconded the motion.

The motion passed with a unanimous 4-0, affirmative vote.
(Yes: Dzik, Hawkins, Swallow, West)

Per §1185.04 Council shall consider the recommendation of the Municipal Planning Commission for the Comprehensive Development Plan and determine the final approval or denial.

Warm Regards,

Lacie Blankenhorn

Lacie Blankenhorn
Development Services Manager

Attachment: 07-24-23 Norton PCDD CDP (2023-61 : N Norton Comprehensive Development Plan)

Attachment: 07-24-23 Norton PCDD CDP (2023-61 : N Norton Comprehensive Development Plan)

APPLESEED BUILDING COMPANY
385 LEXOR AVENUE, MANSFIELD, OHIO 44906 PHONE/FAX 419-756-4410

AREA AGENCY ON AGING – DISTRICT 5

SENIOR HOUSING – PRELIMINARY

DATE	REVISIONS	SCALE	DRL. BY	DRW
04-04-22	05-23-23	AS NOTED	APP. BY	2/2

05-20-23

SEAL

09-05-22

Attachment: 07-24-23 Norton PCDD CDP (2023-61 : N Norton Comprehensive Development Plan)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 08/28/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3862

RESOLUTION 2023-71

A RESOLUTION OF COMMITMENT OF THE CITY OF MOUNT VERNON TO THE SUSTAINABLE2050 PROGRAM OF THE MID-OHIO REGIONAL PLANNING COMMISSION.

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) is a voluntary association of Central Ohio governments and regional organizations that provides valuable community services related to transportation, housing, policy and sustainability; and

WHEREAS, the City of Mount Vernon is a member of MORPC and represented on its Commission; and

WHEREAS, MORPC's top-level Sustainability Advisory Committee has developed the Regional Sustainability Agenda, which provides a framework for members and regional partners to work toward common goals; and

WHEREAS, MORPC, with guidance from its Sustainability Advisory Committee and member communities, has launched a program, called Sustainable2050, that replaces a program formerly known as the Central Ohio Green Pact; and

WHEREAS, the City of Mount Vernon is committed to protecting and preserving its natural resources and pursuing initiatives that will have a positive impact on its environment; and

WHEREAS, the City of Mount Vernon recognizes its ability as a local government to lead and influence sustainable practices within the community in a way that is both fiscally and environmentally responsible; and

WHEREAS, the City of Mount Vernon understands that MORPC is committed to providing additional technical and programmatic support to those committed to the Sustainable2050 program;

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

Section 1: The City of Mount Vernon commits to Sustainable2050 ("the Program") and will pursue the objectives and initiatives outlined in the Program.

Section 2: The City of Mount Vernon will designate a local champion to ensure public awareness of, and active participation in, the Program.

Section 3: The City of Mount Vernon will assign the following representatives to participate in Program meetings:

City of Mount Vernon Mayor, Matthew T. Starr (regular representative)

City of Mount Vernon Assistant Engineer, Quentin Platt (alternate representative)

These positions will be for a four (4) year term and may be re-appointed as needed.

Section 4: The City of Mount Vernon will share data with MORPC, as related to the goals and objectives of the Program.

Section 5: This Resolution shall become effective from and after the earliest period allowed by law.

COMMENTS - Current Meeting:

Resolution No. 2023-71 was given a first reading.

RESULT:	**FIRST READING**	**Next: 9/11/2023 7:30 PM**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 08/28/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3863

RESOLUTION 2023-72

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

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

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

1. To Account 101.1780.51113, Special Docket-FY24, in the amount of $35,000.00. (Grant for Special Docket (Probation) - Mental Health & Recovery for Licking/Knox Counties)
2. To Account 101.1900.53216, K-9 Unit Expenses, in the amount of $5,000.00. (Donation from Grand Chapter of Ohio OES, Inc. - Funding to Replace next K-9 Dog.)

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-72, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-72, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that a $35,000 grant from Mental Health & Recovery for Licking/Knox Counties would be used in the Probation Department, and that a $5,000 donation from the Grand Chapter of Ohio OES, Inc. would be used for K9 Unit expenses. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 08/28/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3864

RESOLUTION 2023-73

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. From Account 101.3600.53312, Sirens, to Account 101.3600.54494, Networking Systems, in the amount of $10,000.00.
2. From Account 101.3600.53313, Waste Removal, to Account 101.3600.54494, Networking Systems, in the amount of $5,500.00.
3. From Account 101.3600.52123, Workers' Compensation, to Account 101.3600.54494, Networking Systems, in the amount of $10,000.00.
4. From Account 101.1785.51112, Prob-Special Docket, to Account 101.1780.51112, Prob-Special Docket-FY23, in the amount of $2715.20.

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-73, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-73, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that $25,500 would be transferred to pay for a new server, while $10,000 would go toward upgrading emergency sirens. Bruce Hawkins, serving as Acting Mayor, noted that many residents complain about the sirens and that they're getting expensive to service. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 08/28/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3865

RESOLUTION 2023-74

A RESOLUTION DESIGNATING THE DEPOSITORIES FOR THE ACTIVE, INTERIM AND INACTIVE FUNDS OF THE CITY OF MOUNT VERNON, MOUNT VERNON, OHIO; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the offer and application of the Park National Bank, to act as a depository for the active funds of the City of Mount Vernon, Ohio, with respect to the payroll, general checking account, Community Development Block Grant accounts, and Bond Retirement accounts, be accepted and said bank is herewith designated as depository for said active funds for a period of two (2) years commencing August 27, 2023.

SECTION 2: That the offer and application of Park National Bank and STAR Ohio Program to act as depositories for the interim and inactive funds of the City of Mount Vernon, Mount Vernon, Ohio, be accepted and designated as depositories for interim and inactive funds for a period of two (2) years commencing on August 27, 2023.

SECTION 3: That the City Treasurer be authorized and directed to deposit said active funds, interim funds and inactive funds of the City of Mount Vernon, Mount Vernon, Ohio, in said depositories.

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-74, with a second by Mahan. Motion to suspend passed by a roll-call vote of 7-0. Seavolt made a motion to adopt Resolution No. 2023-74, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that it's a biannual requirement. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 08/28/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Parks
Prepared By: Rob Broeren
Initiator: Lindsay Hoar
DOC ID: 3866

RESOLUTION 2023-75

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO A CONTRACT WITH OHIO POWER COMPANY FOR THE CITY TO LEASE PROPERTY LOCATED BETWEEN EAST VINE STREET AND LAWN AVENUE FOR A COMMUNITY GARDEN; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon be and herewith authorized and directed to enter into a contract with Ohio Power Company to lease property located between East Vine Street and Lawn Avenue (approximately 0.19 acres) for a community garden. A copy of the lease is attached 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 to allow the City to enter into contract with civic groups in the area to begin the process of constructing a community garden, 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:

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-75, with a second by Woods. Motion to suspend passed by a roll-call vote of 7-0. Keener made a motion to adopt Resolution No. 2023-75, with a second by Woods. Safety-Service Director Rick Dzik and Law Director Rob Broeren noted that the operators of a community garden planned for a lot owned by AEP would be responsible for fencing and upkeep, and that if the property is not maintained it may revert back to AEP. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Amber Keener, At Large
SECONDER:	Tammy Woods, President Pro-Tem
AYES:	Hillier, Seavolt, Woods, Keener, Severns, Mahan, Ruckman

Facility: Mount Vernon-Howard 69kV Line
Lease No.: 1050724
Plat/Tract:

PROPERTY LEASE AGREEMENT

This Property Lease Agreement (the "Lease") is made and entered into by and between OHIO POWER COMPANY ("Landlord"), and CITY OF MOUNT VERNON, OHIO ("Tenant"), whose mailing address is 40 Public Square, Mount Vernon, Oh 43050 and telephone number is (740) 393-9520, Email: mtvssd@mountvernonohio.org.

WITNESSETH, for and in consideration of the mutual covenants contained herein, Landlord hereby leases to Tenant, for the sole purpose of lawn and garden, that certain property consisting of approximately 0.19+/- acres situated in the City of Mount Vernon, Knox County, Ohio, and being further described below and as delineated on Exhibit "A" attached hereto and made a part hereof (the "Property"):

1. This Lease shall be for a term of three (3) years(s), commencing on the first day of July, 2023, and ending the last day of June, 2026 (the "Lease Term").

2. In lieu of cash consideration for this Lease, Tenant hereby agrees to keep and maintain the Property in a clean and neat condition. Tenant acknowledges that Landlord shall not be obligated to make any improvements whatsoever to the Property or facilities thereon.

3. The granting of this Lease to Tenant does not imply that it will be renewed at its expiration nor does it imply that any renewal will carry the same terms and conditions as this Lease. Tenant shall not be in default under this Lease prior to any renewal of this Lease.

4. Landlord or Tenant shall have the right to cancel this Lease upon giving at least thirty (30) days written notice to the other party. Landlord may declare the Property unavailable for further leasing at any time during the Lease Term. Tenant agrees to vacate the Property in an orderly and prompt manner upon the cancellation (by either party) of this Lease.

5. Tenant shall not assign this Lease or sublet the Property. Tenant may, however, allow the public to access the Property. Additionally. Tenant may enter into a contract with United Way or another entity to allow use of the Property as permitted by this Lease, provided that (a) Tenant provides notice of any such contract to Landlord, and (b) such contract requires the user to comply with all provisions of this Lease, to the extent applicable.

6. The Tenant shall not cut, or permit to be cut, any growing and/or marketable timber on the Property.

7. Tenant shall not construct any building, dwelling, or structure of a permanent nature on the Property. No structure shall utilize a subsurface foundation.

8. Tenant shall use the Property as a community garden, and for no other purpose without Landlord's consent. Tenant shall use and occupy the Property in a careful, safe, and lawful manner and shall keep the Property in good order and condition. Tenant shall use the utmost care

Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)

and precaution for the protection and preservation of the Landlord's property line markers and/or survey monuments now or hereafter located on the Property. Tenant shall keep in good repair all fences and gates on the Property, if applicable. Tenant shall keep the Property free from brush, briars, thistles and other noxious weeds.

9. Tenant shall comply with all laws, rules, and regulations including environmental protection requirements issued by any federal, state, or local authority now in effect and those which are promulgated and enacted into law during the Lease Term which are applicable to Tenant's use of the Property, including, without limiting the generality of the foregoing, reclamation requirements, the Water Pollution Prevention and Control Act (33 U.S.C.S 1251, et seq.), and the Comprehensive Environmental Response, Compensation and Liability act (42 U.S.C.S 9601, et seq.) and, if the Property is located in the State of Arkansas, Title XXII of the Arkansas Natural Resource Commission's Rules.

Tenant shall not dump, discard, dispose of, or bury any trash, refuse, unwanted items, hazardous or chemical waste or garbage on the Property. All trash, papers, waste, etc., shall be disposed of in compliance with local health or state health department rules and regulations. Tenant shall not allow junk equipment, machinery or vehicles, nor any construction debris, trash, timber, or litter of any type to accumulate on the Property. All personal property placed on the Property shall be at the sole risk of Tenant. Failure to comply with the proper disposal of trash and waste will result in immediate termination of this Lease and the further obligation of Tenant to bear the cost and expense of cleaning up any improperly disposed of trash, waste, noxious material, refuse, etc.

10. Landlord, its employees, contractors or agents shall be allowed access to the Property and company-owned buildings and structures on the Property for the purpose of inspection at any reasonable time.

11. Landlord hereby excepts and reserves the electric lines, poles, structures and equipment appurtenant thereto, upon, over, under, through or across the Property, if any, and the right to enter upon the Property at any time to operate, maintain and remove the same at will; and Landlord further excepts and reserves unto itself, its employees and agents, the right to enter upon the Property at any time and to erect thereon and operate, maintain, inspect, repair or remove a line or lines of towers, poles, wires, fixtures and appurtenances necessary for the purpose of transmitting electric or other power in, on, along, over, through or across the Property; together with the right to do anything necessary or convenient in connection with the rights herein excepted and reserved and for doing anything necessary or convenient in the conduct of the Landlord's business.

Landlord hereby further excepts and reserves the oil, gas, coal, timber, and other minerals and natural resources in, on and under the Property, together with the right to enter upon the Property at any time for the purposes of (a) drilling, surveying or anything necessary or useful to explore for or test or analyze the oil, gas, coal, other minerals, and natural resources; (b) the sale and removal of timber, or (c) anything necessary or useful in the conduct of Landlord's business, together with the right to drill for, mine and remove any such minerals and natural resources.

12. This Lease is hereby made subject to all existing oil and gas leases and all easements affecting the Property, whether or not of record, and to such other uses as an examination of the Property would disclose.

Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)

13. Landlord shall not be responsible or liable for the quantity or quality of water on the Property for domestic and/or agricultural purposes. The preceding sentence does not apply if there is a single-family home with a subsurface foundation on the Property that is being used by Tenant as a primary residence.

14. [Deleted]

15. Tenant, at its sole cost and expense, agrees to procure and maintain insurance on the Property throughout the Lease Term which meets the following requirements:

A. Tenant shall be in compliance with workers' compensation law in accordance with all jurisdictions where the Property is located.

B. Commercial General Liability insurance for bodily injury and property damage with limits of not less than $1,000,000 for each occurrence and annual aggregate.

C. Business Automobile Liability for bodily injury and property damage with limits not less than $1,000,000 combined single limit.

D. Upon Landlord's request, Tenant shall furnish to Landlord a certificate of insurance covering the terms of this paragraph and reasonably acceptable to Landlord. Tenant will give Landlord thirty (30) days prior written notice of any cancellation of or material change in such policy. The certificate is to be sent to Certificate Holder: American Electric Power Company, and its subsidiaries, American Electric Power Service Corporation, as Agent (AEP), Attention Real Estate Asset Management, 16th Floor, 1 Riverside Plaza, Columbus, Ohio 43215.

E. Tenant shall obtain a waiver of subrogation on all of their insurance. Such waivers shall be for the benefit of Landlord and its affiliated companies.

F. Tenant shall name Landlord as an additional insured with respect to Landlord's liability arising out of the operations of Tenant.

16. Landlord, for itself, its successors and assigns, hereby covenants and agrees with Tenant, that so long as Tenant keeps and performs the covenants contained in this Lease, Tenant shall peacefully and quietly hold, occupy, and enjoy the Property during the Lease Term.

17. Tenant shall not permit to occur on the Property at any time any type of recreational activity (unless specifically stated in this Lease), including but not limited to, hunting, trapping or use of any firearms, bows and arrows, explosives and other tangible property which might inflict or cause any personal injury, property damage or death to any person or animal.

18. All correspondence, including but not limited to, any notice regarding Property issues, damages, or trespassing, should be directed to the following:

Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)

For Landlord:

OHIO POWER COMPANY
Real Estate Asset Management, 16th Floor
1 Riverside Plaza
Columbus, Ohio 43215
Telephone: (614) 716-1669
Fax: (614) 716-1417

or

OHIO POWER COMPANY
Shawn Crawford, Agent
1 Riverside Plaza
Columbus, Ohio 43215
Telephone: (614) 214-1205
Fax: (614) 716-1417

For Tenant:

Safety-Service Director
40 Public Square
Mount Vernon, Oh 43050
(740) 393-9520
Email: mtvssd@mountvernonohio.org

19. Other: None

Signature Page Follows

Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)

SIGNATURE PAGE – PROPERTY LEASE AGREEMENT
Landlord: OHIO POWER COMPANY
Tenant: THE CITY OF MOUNT VERNON**Error! Reference source not found.**

IN WITNESS WHEREOF, the Landlord and Tenant have executed this Lease as of _____.

LANDLORD:

OHIO POWER COMPANY

_____
P. Todd Ireland
Manager, Real Estate Asset Management
American Electric Power Service Corporation
Authorized Signer

TENANT:

THE CITY OF MOUNT VERNON, OHIO

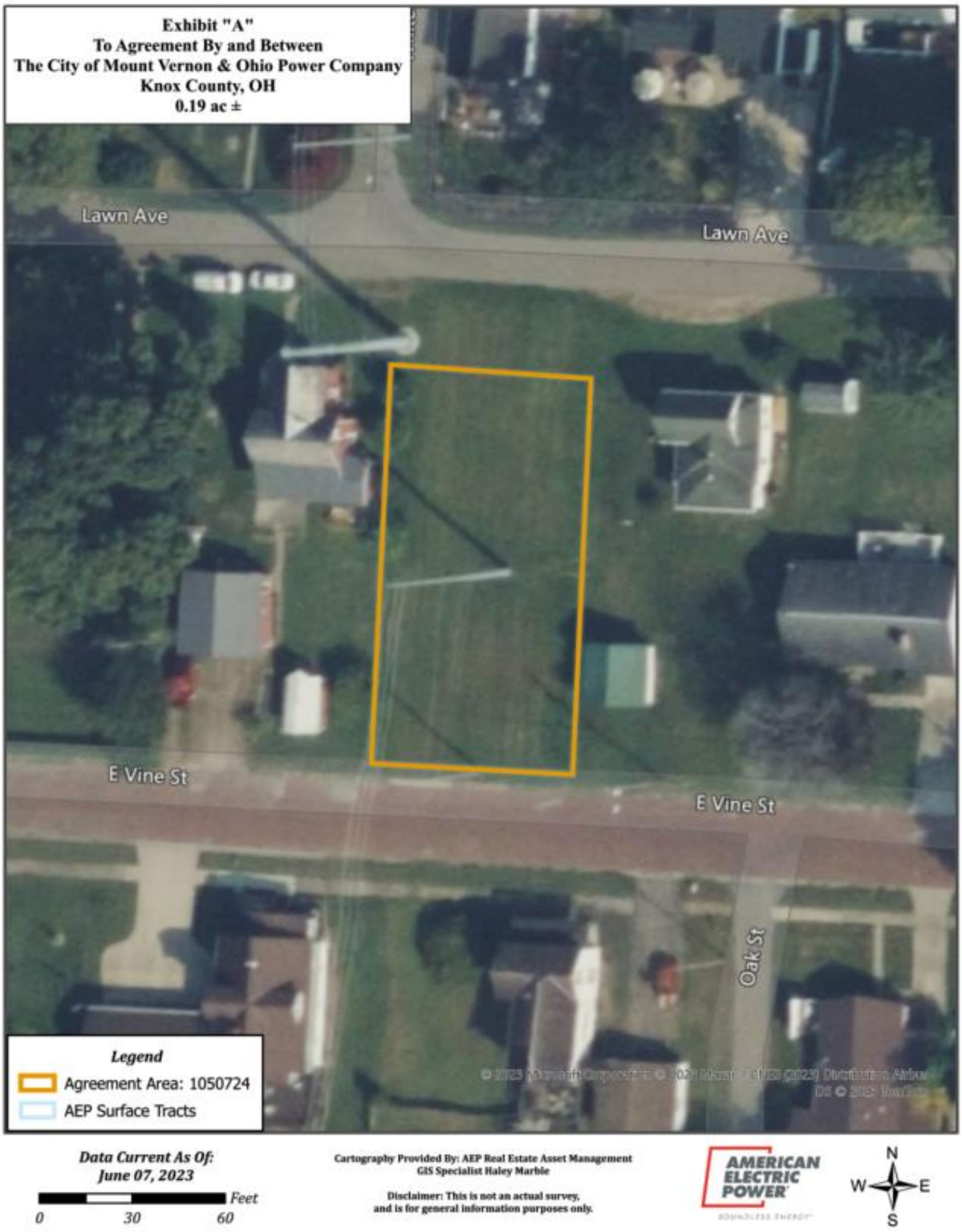
By: _____

Printed Name: Rick Dzik

Title: Safety Service Director

This instrument prepared by Landlord.

Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)



Attachment: Ex A - AEP lease for community garden (2023-75 : Lease for Community Garden)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 08/28/23 7:30 PM
Dept: Employee and Community Rel.
Francis, Hillier
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill

SCHEDULED

ORDINANCE 2023-32

DOC ID: 3855

AN ORDINANCE TO CREATE THE POSITIONS OF HUMAN RESOURCES INTERNS, AND DECLARING AN EMERGENCY.

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

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

Human Resources Intern (I)……$12.00 per hour (maximum of 25 hours per week)
Human Resources Intern (II)…..……$12.00 per hour (maximum of 20 hours per week)
Human Resources Intern (III)……..…$12.00 per hour (maximum of 20 hours per week)

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

SECTION 2: This part-time position will not be eligible for any additional benefits other than those required by law.

SECTION 3: Ordinance 2023-01 is repealed.

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the employment of the intern to streamline tasks within the Human Resources Department, 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:

08/14/23 City Council FIRST READING

Ordinance No. 2023-32 was given a first reading. Woods requested a 10-minute meeting of the Employee and Community Relations Committee on the legislation for Aug. 28, 2023.

COMMENTS - Current Meeting:

Ordinance No. 2023-32 was given a second reading. Woods requested a 10-minute meeting of the Employee and Community Relations Committee on the legislation for Sept. 11, 2023.

RESULT: FIRST READING **Next: 9/11/2023 7:30 PM**