

Legislative Session Minutes

October 9, 2023

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
October 9, 2023

5:45-5:56 p.m.	Brick streets update	Streets & Public Buildings Severns
5:56-6:10 p.m.	Food truck, vendor regulations	Planning & Zoning Hillier
6:10-6:18 p.m.	SSD vacancy compensation	Employee & Community Relations Woods
6:18-6:43 p.m.	Elected officials compensation	Employee & Community Relations Woods
6:43-7:12 p.m.	Human trafficking ordinance	Parks & Lands Keener

- 10-09-23 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	Third Ward	Present
Amber Keener	At Large	Present
Mel Severns	Councilman	Present
James Mahan	First Ward	Present
John Ruckman	Second Ward	Present
Bruce Hawkins	President	Present

<RollCallList Status="Absent">

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

Dan Humphrey, Touchpoint Ministries, performed the invocation.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Sep 25, 2023 7:30 PM

Seavolt made a motion to accept the minutes from Council's Legislative Session of Sept. 25, 2023, with a second by Woods. Motion to accept passed by a voice vote of 7-0.

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

RECEIVE PETITIONS AND COMMUNICATIONS

A letter from Jennifer Yeager, 250 Parrott St., about the safety of school children crossing Martinsburg Road and requesting crosswalks there, was read into the record.

RECEIVE COMMITTEE REPORTS

Council accepted without comment the minutes for the Parks and Lands Committee meeting of Sept. 11, 2023, and the minutes for the Fire, Police and Civil Defense Committee, Planning and Zoning Committee, Streets and Public Buildings Committee, Employee and Community Relations Committee and Parks and Lands Committee meetings of Sept. 25, 2023.

- 09-11-23 Parks and Lands Committee Meeting Minutes
- 09-25-23 Fire, Police and Civil Defense Committee Meeting Minutes
- 09-25-23 Planning and Zoning Committee Meeting Minutes
- 09-25-23 Streets and Public Buildings Committee Meeting Minutes
- 09-25-23 Employee and Community Relations Committee Meeting Minutes
- 09-25-23 Parks and Lands Committee Meeting Minutes

LIQUOR CONTROL LICENSE

None.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Jennifer Yeager, 250 Parrott St., and Emily Chenault, 219 Parrott St., spoke about the safety of school children crossing Martinsburg Road and requested crosswalks there.

Carmen Barbuto, Knox Public Health, spoke about social determinants of health.

Laura Johnson, Scott Pullins, Dena Hooley, Dan Troutman, Derek Scott, Kate Myers, Jackie Moroski, Crystal Catell, Carol Riley, Ann Evans and an unidentified woman spoke in opposition to Ordinance No. 2023-9, creating Chapter 785, "Massage Parlors," of Part Seven, "Business Regulation Code," of the Codified Ordinances.

RESOLUTIONS FOR THIRD READING

RESOLUTION NO. 2023-78

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE DESIGN SERVICES FOR A NEW COURTHOUSE; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

Severns made a motion to adopt Resolution No. 2023-78, with a second by Ruckman. Engineer Brian Ball spoke about the City's recent public meetings on the proposed designs for the new Municipal Court building and new Police Station, and stressed that the designs aren't final but intended to start a conversation about what the buildings should look like. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2023-79

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE DESIGN SERVICES FOR A NEW POLICE STATION; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

Severns made a motion to adopt Resolution No. 2023-79, with a second by Ruckman. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTIONS FOR SECOND READING

None.

RESOLUTIONS FOR FIRST READING**RESOLUTION NO. 2023-85**

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE OPERATIONS OF THE CITY'S HIAWATHA WATER PARK FOR THE 2024 - 2026 SEASONS; AND DECLARING AN EMERGENCY.

Parks and Lands: Keener, Woods

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-85, 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. 2023-85, with a second by Woods. Law Director Rob Broeren noted that the City is going to seek to enter into a three-year contract to oversee operations at Hiawatha Water Park, and that there may be additional revenues to be realized there. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2023-86

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. 2023-86, 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. 2023-86, with a second by Mahan. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

ORDINANCES FOR THIRD READING

ORDINANCE NO. 2023-34

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE AUGUST 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Hillier made a motion to adopt Ordinance No. 2023-34, 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

ORDINANCE NO. 2023-37

AN ORDINANCE PROVIDING FOR THE SALARY SCALE FOR ELECTED OFFICIALS OF THE CITY OF MOUNT VERNON, SPECIFICALLY THE

COUNCIL PRESIDENT AND MEMBERS OF COUNCIL, MAYOR, AUDITOR,
AND LAW DIRECTOR; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Woods made a motion to amend Ordinance No. 2023-37, to change the salaries for Mayor, Auditor and Law Director for 2024, 2025, 2026 and 2027. Hillier seconded the motion, which passed by a roll-call vote of 6-1, with Keener voting no. Woods made a motion to adopt Ordinance No. 2023-37 as amended, with a second by Hillier. Motion to amend passed by a roll-call vote of 6-1, with Keener voting no.

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Hillier, Seavolt, Woods, Severns, Mahan, Ruckman
NAYS:	Keener

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2023-38

AN ORDINANCE ESTABLISHING THE RATE OF COMPENSATION FOR
CERTAIN EMPLOYEES DURING THE VACANCY OF THE POSITION OF
SAFETY-SERVICE DIRECTOR; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Woods made a motion to suspend the rule requiring three separate readings of Ordinance No. 2023-38, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Ordinance No. 2023-38, with a second by Hillier. Mayor Matthew Starr thanked various City employees for assuming various duties of the Safety-Service Director during a vacancy in that position. Motion to adopt passed by a roll-call vote of 7-0.

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

ORDINANCE NO. 2023-39

AN ORDINANCE CREATING CHAPTER 785 "MASSAGE PARLORS" OF
PART SEVEN "BUSINESS REGULATION CODE" OF THE CODIFIED
ORDINANCES OF THE CITY OF MOUNT VERNON

Parks and Lands: Keener, Woods

Keener made a motion to suspend Ordinance No. 2023-39 indefinitely, with a second by Woods. Keener noted that she was making the motion in light of the 11 people who spoke in opposition to the legislation earlier in the meeting. Hillier asked Law Director Rob Broeren to look into whether a different ordinance pertaining to massage businesses would stand up in court in the event the City were sued over it. Motion to suspend indefinitely passed by a roll-call vote of 7-0.

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

ORDINANCES FOR FIRST READING

None.

REMARKS FROM THE ADMINISTRATION

Mayor Matthew Starr noted that Tanner Salyers has been hired as the City's new Safety-Service Director, beginning Oct. 16, 2023, and that 12 to 14 people had applied for the position. He added that Zachary Thatcher will be sworn in as a new Police Patrolman this week, and invited Police Chief Robert Morgan to introduce Tara Hensley as the Police Department's new Domestic Violence Liaison. Mayor Starr thanked those who attended the City's recent public meetings on the proposed designs for the new Municipal Court building and new Police Station. He added that sidewalks are a key safety feature in Mount Vernon and other cities, and criticized an anonymous article in The Mount Vernon News that erroneously characterized the City's decision to partner with the Mid-Ohio Regional Planning Commission's Sustainable2050 Program.

REMARKS FROM COUNCIL

Seavolt thanked the evening's speakers for attending the meeting, and welcomed Tanner Salyers as the new Safety-Service Director. Woods asked what the City could do quickly about installing new crosswalks on Martinsburg Road, and Police Chief Robert Morgan responded that a plan is already in the works, but that it will have to get the State's approval. Mahan thanked those who came to speak about crosswalks on Martinsburg Road, welcomed Tara Hensley as the Police Department's new Domestic Violence Liaison, and noted that the Fire Department will have an open house on Oct. 12. Keener thanked the evening's speakers for attending the meeting, and noted that trick-or-treat will be on Oct. 31 from 5:30 to 7:00 p.m. Hillier explained to Mayor Matthew Starr why he shared emails pertaining to the City's joining the Mid-Ohio Regional Planning Commission's Sustainable2050 Program, confirmed with Auditor Terry Scott that Tanner Salyers was hired on as Safety-Service Director at the same salary Richard Dzik was earning when he left the position, and asked Law Director Rob Broeren to look into a question he has about R1 zoning in the City. Severns thanked the evening's speakers for attending the meeting, and added that he thought Council did the right thing postponing Ordinance No. 2023-39 indefinitely. Ruckman thanked the evening's speakers for attending the meeting. Hawkins suggested having a joint Council meeting with the Mount Vernon City School Board to discuss crosswalks and other issues, and thanked the evening's speakers for attending the meeting.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn, with a second by Woods. Meeting adjourned at 9:11 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

October 4, 2023

Mount Vernon City Council Committee Meeting Schedule October 9, 2023

5:45-6:00 p.m.	Brick streets update	Streets & Public Buildings Severns
6:00-6:10 p.m.	Food truck, vendor regulations	Planning & Zoning Hillier
6:10-6:15 p.m.	SSD vacancy compensation	Employee & Community Relations Woods
6:15-6:45 p.m.	Elected officials compensation	Employee & Community Relations Woods
6:45-7:15 p.m.	Human trafficking ordinance	Parks & Lands Keener

The above listed meeting will be held to discuss the above items; but will not be limited to those listed.
Mount Vernon News - WMVO - WNZR – City Hall Bulletin Board



**Parks and Lands Committee Meeting Minutes
September 11, 2023 – 6:25 p.m. to 6:35 p.m.**

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Robert Broeren, Law Director
Terry Scott, Auditor
Brian Ball, Engineer
David Stuller, Treasurer
Robert Morgan, Police Chief
Denise Neff, HR Director
Todd Hill, Council Clerk
Cheryl Splain, Knox Pages

The committee heard from Fred Inter, general manager of the Columbus Pool Management Company, who discussed the season at the Hiawatha Water Park. He noted that 100 persons were hired, and suggested that concessions revenues could be improved. Auditor Terry Scott observed that although rates were not raised in 2023, concessions revenues were \$20,000 above the estimate and membership fees came in \$30,000 above the estimate. Chair Amber Keener added that the YMCA of Mount Vernon, which partnered with the City this year, saw increased student attendance. No further meetings on the matter were requested.

Respectfully submitted,

Amber Keener, Chair
Parks and Lands Committee
Mount Vernon City Council

AK/th



Fire, Police and Civil Defense Committee Meeting Minutes
Committee Meeting
September 25, 2023 – 6:00 p.m. to 6:14 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
 Rob Broeren, Law Director
 Terry Scott, Auditor
 Chad Christopher, Fire Chief
 Brian Ball, Engineer
 Robert Morgan, Police Chief
 Aaron Rinehart, Utilities Director
 Todd Hill, Clerk
 Cheryl Splain, Knox Pages

Fire Chief Chad Christopher presented his department's quarterly report, and provided several year-to-date statistics. He noted that his department is down two full-time firefighters, and has hired three part-time firefighters. He also discussed several public relations events, the recent 9/11 memorial ceremony and Fire Prevention Week. He added that new fire hose has arrived, courtesy of a FEMA grant, and that a thermal imaging camera, made possible by a donation, will be arriving soon. The Chief noted that hydrant testing is wrapping up, and detailed hazmat and other training his staff had taken. He reviewed his department's new organizational assessment, and suggested staffing the Assistant Fire Chief position. No further meetings on the matter were requested.

Respectfully submitted,

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

JM/th



**Planning and Zoning Committee Meeting Minutes
September 25, 2023 – 6:14 p.m. to 6:25 p.m.**

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Rob Broeren, Law Director
Terry Scott, Auditor
Brian Ball, Engineer
Robert Morgan, Police Chief
Aaron Rinehart, Utilities Director
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Resolution No. 2023-71, committing the City to the Sustainable2050 Program of the Mid-Ohio Regional Planning Commission. Mayor Matthew Starr detailed the sustainability issues that the program addresses, stressed that it's important for the City to think region-wide, and added that membership in the program would come with no obligations or costs to the City. Keener noted that the City is already on point on various sustainability issues, and questioned whether participation in the program would invite unnecessary oversight. No further meetings were requested on the matter. Resolution No. 2023-71 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Mike Hillier, Chair
Planning and Zoning Committee
Mount Vernon City Council
MH/th



2022-2023

Streets and Public Buildings Committee Meeting Minutes September 25, 2023 – 6:40 p.m. to 6:57 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Robert Broeren, Law Director
Terry Scott, Auditor
Brian Ball, Engineer
Robert Morgan, Police Chief
Aaron Reinhart, Utilities Director
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Resolution Nos. 2023-78 and 2023-79, to release requests for proposals for identifying and selecting qualified firms to oversee design services for a new Courthouse and Police Station, respectively. Engineer Brian Ball presented design renderings of the new Municipal Court Building on the Public Square and the new Police Station on Sychar Road. He noted that retail spaces will be embedded on the ground floor of the Court Building, with the Municipal Court on the second floor, Probation Department on the third and Law Director's offices on the fourth. The Police Station will be a one-floor structure, with a firing range and community shelter. It was noted that this would be an appropriate time for community input on the proposed designs, and that a meeting will be scheduled in the next few days. No other meetings on the legislation were requested. Resolution Nos. 2023-78 and 2023-79 were up for a second reading at Council's Legislative Session later in the evening.

Respectfully submitted,

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



Employee and Community Relations Committee Meeting Minutes
Committee Meeting
September 25, 2023 – 6:57 p.m. to 7:16 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
 Robert Broeren, Law Director
 Terry Scott, Auditor
 Brian Ball, Engineer
 Robert Morgan, Police Chief
 Aaron Reinhart, Utilities Director
 Robert Morgan, Police Chief
 Todd Hill, Clerk
 Cheryl Splain, Knox Pages

The committee discussed Ordinance No. 2023-32, providing for the salary scale for elected officials of the City, specifically the Council President, Council members, Mayor, Auditor and Law Director. Joshua Morrison, 101 N. Rogers St., spoke against raising elected officials' salaries. Woods noted that the legislation as currently written would result in a salary decrease for Council members and the Council President. Auditor Terry Scott noted that a minimum 1.75 percent increase is necessary for elected officials to continue to qualify for an OPERS pension. Seavolt noted that such benefits are needed to attract younger generations to run for elective office. The Law Director detailed recent cost-of-living increases, and added that the City's unions will be negotiating for new contracts in 2024. Mayor Matthew Starr noted that, according to 2022 Ohio Municipal League data, mayors in other cities in the region with similar populations and staffing levels to Mount Vernon are earning an average of \$80,000 to \$85,000 annually. Woods requested a 30-minute committee meeting on the legislation for Oct. 9, 2023. Ordinance No. 2023-32 was up for a second reading at Council's Legislative Session later in the evening.

Respectfully submitted,

Tammy Woods, Chair
 Employee and Community Relations Committee
 Mount Vernon City Council

TW/th



**Parks and Lands Committee Meeting Minutes
September 25, 2023 – 7:16 p.m. to 7:21 p.m.**

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Robert Broeren, Law Director
Terry Scott, Auditor
Brian Ball, Engineer
Robert Morgan, Police Chief
Aaron Reinhart, Utilities Director
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Ordinance No. 2023-39, creating Chapter 785, “Massage Parlors,” of Part Seven, “Business Regulation Code,” of the Codified Ordinances. Chair Amber Keener explained that the ordinance was drawn up to create preventative measures to limit possibilities of human trafficking in the community, and that amendments should be made to bring focus to the legislation. Police Chief Robert Morgan spoke about the City’s past experience with human trafficking. Keener requested a 30-minute committee meeting on the legislation for Oct. 9, 2023. Ordinance No. 2023-39 was up for a first reading at Council’s Legislative Session later in the evening.

Respectfully submitted,

Amber Keener, Chair
Parks and Lands Committee
Mount Vernon City Council

AK/th



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-78

Meeting: 10/09/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
Category: Public Buildings
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3874

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE DESIGN SERVICES FOR A NEW COURTHOUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Supreme Court determined that municipalities need not follow the bidding process laid out in the Ohio Revised Code where the contract involves specialized services, requiring particular skills and aptitudes; and

WHEREAS, Council determines that the design of a new Courthouse involves specialized services.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to release a Request for Proposals for identifying and selecting a qualified firm or firms to oversee design services for a new Courthouse.

SECTION 2: That the Safety-Service Director is hereby further authorized, upon identifying and selecting a qualified firm or firms, to negotiate and enter into contract to oversee design services for a new Courthouse.

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 that to allow sufficient time to advertise and select a firm or firms to oversee design services for a new Courthouse, 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:

09/11/23	City Council	FIRST READING
09/25/23	City Council	SECOND READING

COMMENTS - Current Meeting:

Severns made a motion to adopt Resolution No. 2023-78, with a second by Ruckman. Engineer Brian Ball spoke about the City's recent public meetings on the proposed designs for the new Municipal Court building and new Police Station, and stressed that the designs aren't final but

intended to start a conversation about what the buildings should look like. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-79

Meeting: 10/09/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
Category: Public Buildings
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3875

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE DESIGN SERVICES FOR A NEW POLICE STATION; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Supreme Court determined that municipalities need not follow the bidding process laid out in the Ohio Revised Code where the contract involves specialized services, requiring particular skills and aptitudes; and

WHEREAS, Council determines that the design of a new Police Station involves specialized services.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to release a Request for Proposals for identifying and selecting a qualified firm or firms to oversee design services for a new Police Station.

SECTION 2: That the Safety-Service Director is hereby further authorized, upon identifying and selecting a qualified firm or firms, to negotiate and enter into contract to oversee design services for a new Police Station.

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 that to allow sufficient time to advertise and select a firm or firms to oversee design services for a new Police Station, 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:

09/11/23	City Council	FIRST READING
09/25/23	City Council	SECOND READING

COMMENTS - Current Meeting:

Severns made a motion to adopt Resolution No. 2023-79, with a second by Ruckman. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-85

Meeting: 10/09/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Parks
Prepared By: Rob Broeren
Initiator: Lindsay Hoar
DOC ID: 3887

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO RELEASE A REQUEST FOR PROPOSALS FOR IDENTIFYING AND SELECTING A QUALIFIED FIRM OR FIRMS TO OVERSEE OPERATIONS OF THE CITY'S HIAWATHA WATER PARK FOR THE 2024 - 2026 SEASONS; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Supreme Court determined that municipalities need not follow the bidding process laid out in the Ohio Revised Code where the contract involves specialized services, requiring particular skills and aptitudes; and

WHEREAS, Council determines that the operation of a municipal water park, including hiring and supervising staff with the appropriate certifications, skills and experience and the maintenance of the pool and other facilities as required by local and state regulations, involves specialized services.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to release a Request for Proposals for identifying and selecting a qualified firm or firms to oversee operations of the City's Hiawatha Water Park for the 2024 - 2026 seasons.

SECTION 2: That the Safety-Service Director is hereby further authorized, upon identifying and selecting a qualified firm or firms, to negotiate and enter into contract to oversee operations of the City's Hiawatha Water Park for the 2024 - 2026 seasons.

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 that to allow sufficient time to advertise and select a firm or firms to operate the City's water park for the upcoming seasons, 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. 2023-85, 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. 2023-85, with a second by Woods. Law Director Rob Broeren noted that the City is going to seek to enter into a three-year contract to oversee

operations at Hiawatha Water Park, and that there may be additional revenues to be realized there. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-86

Meeting: 10/09/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3888

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 101.1700.54112, MERIT Drug Court, in the amount of \$3,298.00.
(Grant from Mental Health & Recovery for Licking/Knox Counties)
2. To Account 206.2300.55515, Small Cities Grant Construction, in the amount of \$750,000.00.
(Grant from CDBG Program - Clinton Twp-Buckeye Addition)
3. To Account 702.270.54111, Water System Improvements-Construction, in the amount of \$200,000.00.
(Grant from Ohio Public Works Commission - Clinton Twp-Buckeye Addition)

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. 2023-86, 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. 2023-86, with a second by Mahan. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

ORDINANCE 2023-34

Meeting: 10/09/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3867

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE AUGUST 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish an annual revision; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

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

SECTION 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Mount Vernon, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2023-10	4-24-23	February 2023 Replacement Pages
2023-25	6-26-23	919.07(I)

SECTION 2: That, the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

303.991	Committing an Offense While Distracted Penalty. (Amended)
331.35	Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or
Mobile	Home While in Motion. (Amended)
333.01	OVI; Willful Misconduct; Speed. (Amended)
333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)

333.11	Electronic Wireless Communication Device Use Prohibited While Driving (Amended)
335.07	Driving Under Suspension or License Restriction. (Amended)
335.071	Driving Under OVI Suspension. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation; Under a Nonpayment of Judgment Suspension. (Amended)
Driving 335.073	Driving Without Complying With License Reinstatement Requirements. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension.
(Amended)	
337.10	Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm
Machinery, 337.16	Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
337.22	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
341.01	Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
	Commercial Drivers Definitions. (Amended)

General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
505.071	Cruelty to Companion Animals. (Amended)
505.12	Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
509.04	Disturbing a Lawful Meeting. (Amended)
509.09	Impeding Public Passage of an Emergency Service Responder. (Added)
513.01	Drug Abuse Control Definitions. (Amended)
513.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.12	Drug Paraphernalia. (Amended)
513.121	Marihuana Drug Paraphernalia. (Amended)
517.08	Raffles. (Amended)
521.16	Spreading Contagion. (Added)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
525.15	Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
533.01	Obscenity and Sex Offenses Definitions. (Amended)
533.06	Voyeurism. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.06	Menacing. (Amended)
537.07	Endangering Children. (Amended)
537.15	Temporary Protection Order. (Amended)
537.19	Hazing Prohibited. (Added)
545.05	Petty Theft. (Amended)
549.02	Carrying Concealed Weapons. (Amended)

549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)

SECTION 3: That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

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

HISTORY:

09/11/23	City Council	FIRST READING
09/25/23	City Council	SECOND READING

COMMENTS - Current Meeting:

Hillier made a motion to adopt Ordinance No. 2023-34, 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 Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 10/09/23 7:30 PM
Dept: Employee and Community Rel.

Woods, Hillier

Category: Personnel

Prepared By: Rob Broeren

Initiator: Lindsay Hoar

ADOPTED

ORDINANCE 2023-37

DOC ID: 3871

AN ORDINANCE PROVIDING FOR THE SALARY SCALE FOR ELECTED OFFICIALS OF THE CITY OF MOUNT VERNON, SPECIFICALLY THE COUNCIL PRESIDENT AND MEMBERS OF COUNCIL, MAYOR, AUDITOR, AND LAW DIRECTOR; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following salary schedule be set for the following elected officials of the City of Mount Vernon: Council President and Members of Council, Mayor, Auditor, and Law Director.

<u>Elected Officials</u>	<u>Salary Per Year</u>			
	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
City Council President and Council Members	\$9,379.00	\$9,543.00		
Mayor	\$85,000.00	\$87,550.00	\$90,177.00	\$92,882.00
Auditor		\$80,000.00	\$82,400.00	\$84,872.00
\$87,418.00				
Law Director	\$117,000.00	\$120,510.00	\$124,004.00	\$127,724.00

SECTION 2: All prior ordinances governing pay and benefits for the personnel listed in this ordinance are repealed.

SECTION 3: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and to set the salaries before the November 2023 general election 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:

09/11/23 City Council

FIRST READING

09/25/23 City Council

SECOND READING

COMMENTS - Current Meeting:

Woods made a motion to amend Ordinance No. 2023-37, to change the salaries for Mayor, Auditor and Law Director for 2024, 2025, 2026 and 2027. Hillier seconded the motion, which passed by a roll-call vote of 6-1, with Keener voting no. Woods made a motion to adopt Ordinance No. 2023-37 as amended, with a second by Hillier. Motion to amend passed by a roll-call vote of 6-1, with Keener voting no.

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Tammy Woods, Third Ward
SECONDER:	Mike Hillier, Fourth Ward
AYES:	Hillier, Seavolt, Woods, Severns, Mahan, Ruckman
NAYS:	Amber Keener



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 10/09/23 7:30 PM
Dept: Employee and Community Rel.
Woods, Hillier
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3881

ADOPTED

ORDINANCE 2023-38

AN ORDINANCE ESTABLISHING THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEES DURING THE VACANCY OF THE POSITION OF SAFETY-SERVICE DIRECTOR; AND DECLARING AN EMERGENCY.

WHEREAS, the vacancy of the position of Safety-Service Director has necessitated that other employees take on additional duties to keep the City running efficiently; and

WHEREAS, the Mayor has delegated certain of the Safety-Service Director's duties to the City Engineer, Development Service Manager, Director of Human Resources and Director of Public Works until the appointment of a new Safety-Service Director.

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

SECTION 1: The salaries of the City Engineer, Development Service Manager, Director of Human Resources and Director of Public Works shall be increased biweekly by \$500.00.

SECTION 2: This additional compensation shall be effective from Monday, September 11, 2023 until the date the Mayor appoints a new Safety-Service Director.

SECTION 3: This Ordinance is hereby declared to be an emergency measure and necessary for the immediate preservation of the public peace, health and safety, and so that all of the Safety-Service Director's duties will be carried out, 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:

09/25/23

City Council

FIRST READING

COMMENTS - Current Meeting:

Woods made a motion to suspend the rule requiring three separate readings of Ordinance No. 2023-38, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Ordinance No. 2023-38, with a second by Hillier. Mayor Matthew Starr thanked various City employees for assuming various duties of the Safety-Service Director during a vacancy in that position. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

TABLED

ORDINANCE 2023-39

Meeting: 10/09/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Parks
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3884

**AN ORDINANCE CREATING CHAPTER 785 "MASSAGE PARLORS" OF PART SEVEN
"BUSINESS REGULATION CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF
MOUNT VERNON**

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

SECTION 1: That Chapter 785 "Massage Parlors" of Part Seven "Business Regulation Code" of the Codified Ordinances be created to read as follows:

CHAPTER 785 - MASSAGE PARLORS

785.01 Definition and Permit Application

(a) "Massage Parlor" means any place where, for any form of consideration or gratuity, massage, or use any method on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical, electrical or magnetic apparatus or appliance with or without any such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments or other similar preparations commonly used in this practice, or any other treatment manipulation of the human body which occurs as part of or in connection with unspecified sexual activities", or where any person providing such treatment, manipulation, or service related thereto. exposes his or her "specified anatomical areas". Any person providing such treatment, manipulation or service related thereto, must be licensed by the State of Ohio. The definition of massage parlor for purposes of adult entertainment and/or sexually oriented businesses or clubs shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician, surgeon, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur, semiprofessional or professional athlete or athletic team or school athletic program.

(b) No massage parlor shall be permitted to operate without a valid massage parlor permit issued by the City. No person shall operate or cause to be operated a massage parlor without said permit.

(c) An application for a permit must be made on a form provided by the City.

(d) The premises must be inspected and found to be in compliance with health, fire and building codes and laws before the permit is issued.

(e) The applicant shall be required to pay a non-refundable annual permit fee of one hundred dollars (\$100.00) at the time of filing an application under this section and prior to the issuing of

the permit must pay to Knox Public Health the inspection fee as determined by Knox Public Health.

785.02 Issuance of Annual Permit

(a) Subsequent to payment of the annual permit fee, the City shall grant an application for a permit within 60 days from the date of its proper filing unless the applicant fails the inspection conducted by Knox Public Health regarding operation.

(b) The permit shall be valid for one year from the date of issue. Continued operation after the first year, and each subsequent year, is dependent on paying the annual fee and providing proof of paying the Knox Public Health inspection fee.

785.03 Inspection

(a) An applicant or permittee shall permit representatives of the Code Enforcement Office, the Knox County Public Health, and the Fire Department to inspect the premises of a massage parlor for the purpose of insuring compliance with the law, at any time it is occupied or open for business, and for the safety of patrons and employees.

(b) No person shall operate a massage parlor regardless of whether or not a permit has been issued for said business under this chapter, or an agent or employee refuse to permit such lawful inspection of the premises at any time that it is occupied or open for business. Such action shall be cause for the Mayor to suspend the permit for 30 days or until such time that inspection has been permitted.

785.04 Operating Requirements

(a) A person who operates or causes to be operated a massage parlor, regardless of whether or not a permit has been issued to said business or club under this chapter, shall keep every portion of the premises, including appliances and apparatus clean, and in a sanitary condition.

(b) All masseurs/masseuses shall be licensed by the State of Ohio.

(c) All employees and masseurs/masseuses shall be clean and wear clean opaque outer garments. All employees of massage parlors shall wear underwear at all times and the underwear of a licensee may not be exposed to any patron of a licensee at any time. The genitals or breasts of any employee of a massage parlor may not be exposed to any patron at any time.

(d) All massage parlors shall be provided with clean, laundered sheets and towels in sufficient quantity and shall be laundered after each use thereof and stored in an approved sanitary manner.

(e) Wet and dry heat rooms, shower compartments and toilet rooms shall be thoroughly cleaned each day the business or club is in operation. Bathtubs shall be cleaned thoroughly after each use.

(f) No permit holder or person who operates or causes to be operated a massage parlor, regardless of whether or not a permit has been issued to said business or club under this chapter, shall place, publish, distribute or cause to be placed, published or distributed any advertising material that depicts any portion of the human body that would reasonably suggest to the

prospective patrons that any services are available other than those described in Section 785.01(a).

(g) It shall be the duty of the permit holder, licensee, owners and operators, and it shall also be the duty of any agents and employees present on the premises to insure that the genital area of male or female patrons and the breasts of female patrons are covered by a sheet, towel, or other opaque clothing at all times, Should the genitals of male or female patrons or the breasts of female patrons become unintentionally or accidentally uncovered, the physical contact between the masseur/masseuse and the patron must cease.

785.05 Suspension of Permit

(a) The City shall suspend a permit for a period not to exceed 30 days if the City determines that a permittee, or an employee of a permittee, has:

- (1) Violated or is not in compliance with any section of this chapter; or
 - (2) Been under the influence of alcoholic beverages while working in the massage parlor premises; or
 - (3) Refused to allow an inspection of the massage parlor premises as authorized by this chapter; or
 - (4) Knowingly permitted gambling by any person on the massage parlor premises; or
 - (5) Operated the massage parlor in violation of a building, fire, health, or zoning statute, code, ordinance or regulation, whether federal, state, or local, said determination being based on investigation by the division, department or agency charged with enforcing said rules or laws. In the event of such statute, code, ordinance or regulation violation, the city or its designee shall promptly notify the permittee of the violation and shall allow the permittee a seven day period in which to correct the violation. If the permittee fails to correct the violation before the expiration of the seven day period, the city or its designee, shall forthwith suspend the permit and shall notify the permittee of the suspension;
 - (6) Knowingly employs a person who does not have a valid license as required in Section 785.04 of this chapter;
- (b) The suspension shall remain in effect until the violation of the statute, code, ordinance or regulation in question has been corrected.
- (c) If permittee fails to suspend operation of the massage parlor upon notice of permit suspension, permittee agrees to pay to the city, \$500.00 for each day permittee operates the business under a suspended permit.

785.06 Penalty

Whoever violates any provision of this chapter, for which a penalty is not provided, is guilty of a misdemeanor of the first degree.

HISTORY:

09/25/23

City Council

FIRST READING

COMMENTS - Current Meeting:

Keener made a motion to suspend Ordinance No. 2023-39 indefinitely, with a second by Woods. Keener noted that she was making the motion in light of the 11 people who spoke in opposition to the legislation earlier in the meeting. Hillier asked Law Director Rob Broeren to look into whether a different ordinance pertaining to massage businesses would stand up in court in the event the City were sued over it. Motion to suspend indefinitely passed by a roll-call vote of 7-0.

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