

Legislative Session Minutes

October 23, 2023

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
October 23, 2023

6:35-6:51 p.m.	Omni Fiber project	Streets & Public Buildings Severns
6:51-7:02 p.m.	Coshocton Avenue TIF	Planning & Zoning Hillier
7:02-7:19 p.m.	Food truck regulations	Planning & Zoning Hillier

- 10-23-23 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

<RollCall list Status="Absent">		
{ Attendee(*)}:First Last}	{ Attendee(*)}:Title	Absent

INVOCATION

Pastor Doug Pummell, Mulberry Church, performed the invocation.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Oct 9, 2023 7:30 PM

Seavolt made a motion to accept the minutes from Council's Legislative Session of Oct. 9, 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

Council accepted without comment the minutes for the Streets and Public Buildings Committee and Planning and Zoning Committee meetings of Oct. 9, 2023.

- 10-09-23 Streets and Public Buildings Committee Meeting Minutes
- 10-09-23 Planning and Zoning Committee Meeting Minutes

LIQUOR CONTROL LICENSE

None.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Zachary McGee, a Kenyon College professor, thanked the City for allowing his government class to come and observe the Council meeting.

Caleb McCoy and Kurt Hinterschied spoke about pickleball, asking that six additional courts at Riverside Park be budgeted for 2024. They added that lighting would be helpful as many residents would like to play pickleball at night.

Zach Green, Knox Public Health Commissioner, provided a quarterly report from his agency. He noted that Lyme disease cases for the year to date are up to 114, 40 higher than a year ago, and urged awareness and education about the disease. He added that flu season has arrived and that vaccinations are available, and called Council's attention to Ohio House Bill 257, which would authorize certain public bodies to meet virtually.

Don Carr suggested that much of the legislation before Council should not be considered with an emergency clause, particularly that concerning housing developments.

Don Lang asked that certification of the dike on the Kokosing River be a top priority for the City along with other matters on the west side.

Gary Culbertson spoke about donating two property parcels he owns on Prospect Street to the City as green space, adding that they are not suitable for development.

Robert Beck spoke against Ordinance No. 2023-42, amending the classification of parcel #71-00050.000, also known as 0 Upper Gilchrist Road, from the present zoning of R1 -- Single Family District, to PND -- Planned Neighborhood District.

James Hurley called Council's attention to "ghost kitchens" proliferating on food-delivery services like Door Dash, in which chain restaurants pretend to be smaller, independent operations.

Charlotte Klein, Tonja Kent and John Snow asked that the City prioritize certification of the dike on the Kokosing River, and asked what the City is doing on the matter. Mayor Matthew Starr responded that the City is working with the Federal Emergency Management Agency on the issue and stressed that it won't be an overnight fix. He added that the City is in the process of gathering information before planning begins in earnest, with surveying to begin once the trees are bare.

RESOLUTIONS FOR THIRD READING

None.

RESOLUTIONS FOR SECOND READING

None.

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2023-87

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ACCEPT THE DONATION OF PROPERTY FROM THE WESLEY L. KLINE TRUST, AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Resolution No. 2023-87 was given a first reading. Hillier requested a 15-minute meeting of the Planning and Zoning Committee on the legislation for Nov. 13, 2023.

RESULT: FIRST READING

Next: 11/13/2023 7:30 PM

RESOLUTION NO. 2023-88

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LAURA DE LEON TO THE SHADE TREE AND BEAUTIFICATION COMMISSION FOR A THREE (3) YEAR TERM; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-88, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-88, with a second by Hillier. Mayor Matthew Starr spoke about the qualifications of Laura De Leon to serve on the Shade Tree and Beautification Commission. 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

RESOLUTION NO. 2023-89

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PROCURE PLAYGROUND EQUIPMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM FOR INSTALLATION RELATED TO THE DAN EMMETT AREA COMMUNITY DEVELOPMENT BLOCK

**GRANT (CDBG) NEIGHBORHOOD REVITALIZATION GRANT; AND
DECLARING AN EMERGENCY.**

Parks and Lands: Keener, Woods

Keener made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-89, 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. 2023-89, with a second by Woods. Engineer Brian Ball spoke about the legislation, noting that a deadline is approaching to procure playground equipment related to the Dan Emmett area Community Development Block Grant Neighborhood Revitalization Grant. 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. 2023-90

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO A CONTRACT WITH BRITTANY LONSINGER AND CHRISTOPHER CURPHEY, DBA CLIPPED LLC, TO ALLOW BRITTANY LONSINGER AND CHRISTOPHER CURPHEY, DBA CLIPPED LLC, TO LEASE THE PROPERTY LOCATED AT 5 EAST HIGH STREET; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

Severns made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-90, with a second by Ruckman. Motion to suspend passed by a roll-call vote of 7-0. Severns made a motion to adopt Resolution No. 2023-90, with a second by Ruckman. Engineer Brian Ball explained that the tenant for 5 E. High St. is ready to move in immediately, and that the lease would not be for the long term. 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. 2023-91

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. 2023-91, 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. 2023-91, with a second by Mahan. Auditor Terry Scott detailed 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

RESOLUTION NO. 2023-92

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. 2023-92, 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. 2023-92, with a second by Mahan. Auditor Terry Scott detailed the legislation, noting that funds need to be transferred for a new grid layout at Moundview Cemetery.

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

RESOLUTION NO. 2023-93

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO
ACCEPT THE DONATION OF A THERMAL IMAGING CAMERA FROM
THE ALADDIN SHRINERS HOSPITAL ASSOCIATION FOR CHILDREN,
INC., BALDWIN SHRINE CLUB, AND DECLARING AN EMERGENCY.

Fire, Police and Civil Defense: Mahan, Seavolt

Mahan made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-93, with a second by Seavolt. Motion to suspend passed by a roll-call vote of 7-0. Mahan made a motion to adopt Resolution No. 2023-93, with a second by Seavolt. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2023-94

A RESOLUTION REQUESTING DESIGNATION OF A SCHOOL ZONE; AND
DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

Severns made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-94, with a second by Ruckman. Motion to suspend passed by a roll-call vote of 7-0. Severns made a motion to adopt Resolution No. 2023-94, with a second by Ruckman. Engineer Brian Ball explained that the City is coordinating with the Ohio Department of Transportation to extend the school zone on Martinsburg Road, but that first the City needs to codify the school zone that is currently there. He added that grants will be sought to fund school crossing signs. 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

ORDINANCES FOR THIRD READING

None.

ORDINANCES FOR SECOND READING

None.

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2023-40

AN ORDINANCE TO AMEND CERTAIN PROVISION OF THE CODIFIED ORDINANCES REGARDING PUBLIC NOTICES; AND DECLARING AN EMERGENCY

City Council:

Ordinance No. 2023-40 was given a first reading. Hawkins requested a five-minute meeting of Council as a Whole on the legislation for Nov. 13, 2023.

RESULT:	FIRST READING	Next: 11/13/2023 7:30 PM
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ORDINANCE NO. 2023-41

AUTHORIZING AN AMENDMENT TO ORDINANCE 1999-07 TO EXTEND THE TERM OF THE TAX INCREMENT FINANCING PROGRAM FOR THE COSHOCTON AVENUE TIF FOR AN ADDITIONAL THIRTY (30) YEARS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B) AND 5709.51; AUTHORIZING OTHER RELATED ACTIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, AND RELATED LAWS; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Ordinance No. 2023-41 was given a first reading.

RESULT:	FIRST READING	Next: 11/13/2023 7:30 PM
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ORDINANCE NO. 2023-42

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #71-00050.000, ALSO KNOWN AS 0 UPPER GILCHRIST ROAD, FROM THE PRESENT ZONING OF R1 - SINGLE FAMILY DISTRICT, TO PND - PLANNED NEIGHBORHOOD DISTRICT; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Ordinance No. 2023-42 was given a first reading. Hillier requested a 20-minute meeting of the Planning and Zoning Committee on the legislation for Nov. 13, 2023.

RESULT: FIRST READING

Next: 11/13/2023 7:30 PM

REMARKS FROM THE ADMINISTRATION

Mayor Matthew Starr thanked the Kenyon College government class for attending the meeting, reminded residents that trick-or-treat is on Tuesday, Oct. 31, from 5:30 to 7:00 p.m., welcomed new Recreation Director Jeff Derr, and mentioned attending the Ohio Municipal League's annual conference.

Safety-Service Director Tanner Salyers mentioned that Moundview Cemetery is working on a new grid layout as it expands, noted that he and the Mayor will be walking the school crosswalk zone on Martinsburg Road on Friday morning, and detailed Teddy Bear Day on Saturday.

REMARKS FROM COUNCIL

Woods clarified that Council did not recently pass legislation committing the City to the elimination of fossil fuels for renewable sources of energy, suggested applying for a grant to fund an indoor pickleball court, thanked the evening's speakers for attending, and thanked City officials for acting quickly on expanding the school crosswalk on Martinsburg Road.

Seavolt thanked the Kenyon College government class for attending, and welcomed new Safety-Service Director Tanner Salyers.

Saverns thanked the evening's speakers for attending, welcomed new Safety-Service Director Tanner Salyers and thanked City officials for acting quickly on expanding the school crosswalk on Martinsburg Road.

Ruckman thanked the evening's speakers for attending and welcomed new Safety-Service Director Tanner Salyers.

Mahan thanked City officials for acting quickly on expanding the school crosswalk on Martinsburg Road, welcomed new Safety-Service Director Tanner Salyers and thanked the evening's speakers for attending. He also clarified why he was recently in the west end of the City with a Police Officer.

Keener welcomed new Safety-Service Director Tanner Salyers and thanked the evening's speakers for attending.

Hillier suggested that more people could fit into Council Chambers if some chairs were removed, and thanked Mayor Matthew Starr for informing attendees about where things stand with the de-certified dike on the Kokosing River.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn, with a second by Keener. Meeting adjourned at 9:23 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 18, 2023

Mount Vernon City Council Committee Meeting Schedule October 23, 2023

6:35-6:50 p.m.	Omni Fiber project	Streets & Public Buildings Severns
6:50-7:05 p.m.	Coshocton Avenue TIF	Planning & Zoning Hillier
7:05-7:15 p.m.	Food truck regulations	Planning & Zoning Hillier

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



2022-2023

**Streets and Public Buildings Committee Meeting Minutes
October 9, 2023 – 5:45 p.m. to 5:56 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
Aaron Reinhart, Utilities Director
Todd Hill, Clerk
Cheryl Splain, Knox Pages

Engineer Brian Ball provided an update about brick street repairs and reconstruction and on paving projects in the City. He noted that spot brick repairs have been done on Hamtramck and Burgess streets, while work on North Main Street will be more of a preservation effort. He also noted that South Mechanic Street is in poor shape, but that his department is waiting to see what changes need to be made to underground utilities before beginning work there. In addition, paving has begun in the industrial park. No further meetings were requested on this matter.

Respectfully submitted,

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



**Planning and Zoning Committee Meeting Minutes
October 9, 2023 – 5:56 p.m. to 6:10 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 how food truck vendors are regulated in the City, and whether additional regulation could be justified. Law Director Rob Broeren noted that these vendors must have a peddler's license to operate in the City, and must comply with zoning regulations that prohibit them from operating in residential areas. Mayor Matthew Starr added that the City is not routinely checking whether food truck vendors operating in the City have a peddler's license. Mahan noted that food trucks serve a need in the community, and Hawkins asked who would enforce additional regulations. The chair requested a 10-minute committee meeting on the matter for Oct. 23, 2023.

Respectfully submitted,

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-87

Meeting: 10/23/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Lands
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3894

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ACCEPT THE DONATION OF PROPERTY FROM THE WESLEY L. KLINE TRUST, AND DECLARING AN EMERGENCY.

WHEREAS, the Wesley L. Kline Trust desires to donate to the City of Mount Vernon two parcels of property.

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 is authorized and directed to accept the donation of two parcels of property from the Wesley L. Kline Trust known as Parcel No. 66-03989.010 and Parcel No. 66-03989.011.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the orderly transfer of property before the end of the calendar year, the 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:

Resolution No. 2023-87 was given a first reading. Hillier requested a 15-minute meeting of the Planning and Zoning Committee on the legislation for Nov. 13, 2023.

RESULT: FIRST READING

Next: 11/13/2023 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 10/23/23 7:30 PM
Dept: Employee and Community Rel.
Woods, Hillier
 Category: Appointment
 Prepared By: Todd Hill
 Initiator: Todd Hill
DOC ID: 3895

ADOPTED

RESOLUTION 2023-88

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LAURA DE LEON TO THE SHADE TREE AND BEAUTIFICATION COMMISSION FOR A THREE (3) YEAR TERM; 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 Council for the City of Mount Vernon confirms the Mayor's appointment of Laura De Leon, 204 N. Division St., Mount Vernon, Ohio, to the Shade Tree and Beautification Commission, for a three (3) year term, commencing immediately, and ending October 24, 2026.

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

COMMENTS - Current Meeting:

Woods made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-88, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Woods made a motion to adopt Resolution No. 2023-88, with a second by Hillier. Mayor Matthew Starr spoke about the qualifications of Laura De Leon to serve on the Shade Tree and Beautification Commission. 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

ADOPTED

RESOLUTION 2023-89

Meeting: 10/23/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Contract
Prepared By: Todd Hill
Initiator: Lindsay Hoar
DOC ID: 3896

**A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PROCURE
PLAYGROUND EQUIPMENT THROUGH THE SOURCEWELL COOPERATIVE
PURCHASING PROGRAM FOR INSTALLATION RELATED TO THE DAN EMMETT AREA
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) NEIGHBORHOOD
REVITALIZATION GRANT; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Mount Vernon received \$750,000 in PY 2022 Community Development Block Grant (CDBG) Neighborhood Revitalization Grant funds; and

WHEREAS, the City Council in 2022 authorized the Safety-Service Director to join Sourcewell, a national government cooperative purchasing program, and from time to time as may be beneficial to the City to obtain appropriate goods or services through their procurement service which meet the exceptions recognized under Ohio Revised Code Section 9.48 for a Joint Purchasing Program.

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

SECTION 1: That the Safety-Service be authorized to procure playground equipment at a cost of approximately \$90,000 through the Sourcewell cooperative purchasing program to Mid States Recreation for installation related to the Dan Emmett area CDBG Neighborhood Revitalization Grant.

SECTION 2: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason to allow the City to benefit from lower prices on certain items purchased through Sourcewell, and shall therefore be 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. 2023-89, 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. 2023-89, with a second by Woods. Engineer Brian Ball spoke about the legislation, noting that a deadline is approaching to procure playground equipment related to the Dan Emmett area Community Development Block Grant Neighborhood Revitalization Grant. 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 2023-90

Meeting: 10/23/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
Category: Contract
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3897

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO A CONTRACT WITH BRITTANY LONSINGER AND CHRISTOPHER CURPHEY, DBA CLIPPED LLC, TO ALLOW BRITTANY LONSINGER AND CHRISTOPHER CURPHEY, DBA CLIPPED LLC, TO LEASE THE PROPERTY LOCATED AT 5 EAST HIGH STREET; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mount Vernon, State of Ohio owns the property located at 5 East High Street in the City of Mount Vernon; and

WHEREAS, Almost Famous Sweets and Sodas, LLC has decided not to utilize 5 East High Street and has found the City a replacement tenant in Brittany Lonsinger and Christopher Curphey, dba Clipped LLC.

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 Brittany Lonsinger and Christopher Curphey, dba Clipped LLC, for lease of the property located at 5 East High Street in the City of Mount Vernon, Ohio.

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 tenant to immediately use the property, pay the utilities on the property, and pay rent to the City, and said Resolution shall therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

COMMENTS - Current Meeting:

Severns made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-90, with a second by Ruckman. Motion to suspend passed by a roll-call vote of 7-0. Severns made a motion to adopt Resolution No. 2023-90, with a second by Ruckman. Engineer Brian Ball explained that the tenant for 5 E. High St. is ready to move in immediately, and that the lease would not be for the long term. 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 2023-91

Meeting: 10/23/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3900

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 227.1300.54111, Services Received, in the amount of \$276,000.00. (Ohio Dept. of Safety - Ohio EMA ARPA First Responders Retention Incentives - Employee Retention Credit)

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. 2023-91, 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. 2023-91, with a second by Mahan. Auditor Terry Scott detailed 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

Meeting: 10/23/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3901 C

ADOPTED

RESOLUTION 2023-92

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 204.3100.55515, to Account 204.3100.53312, Maintenance & Repairs, in the amount of \$20,000.00.
2. From Account 224.2100.55511, Fire-Equipment, to Account 224.2100.53214, Fire-Maintenance of Equipment, in the amount of \$6,000.00.
3. From Account 224.2100.54311, Fire-Training/Travel, to Account 224.2100.53214, Fire-Maintenance of Equipment, in the amount of \$6,000.00.
4. From Account 101.3600.52125, Employee Insurance, to Account 101.3600.54494, Networking Systems, in the amount of \$19,500.00.
5. From Account 101.3600.54492, Transfer to Parking Fund, to Account 101.3600.54421, Insurance-Liability, in the amount of \$9,800.00.
6. From Account 101.3600.54492, Transfer to Parking Fund, to Account 101.3600.54424, Insurance-Property, in the amount of \$9,850.00.
7. From Account 701.2720.53111, Dues/Supplies, to Account 701.2720.55511, Water Plant Equipment, in the amount of \$20,000.00.
8. From Account 701.2720.54115, Services Received, to Account 701.2720.55511, in the amount of \$6,000.00.

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-92, 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. 2023-92, with a second by Mahan. Auditor Terry Scott detailed the legislation, noting that funds need to be transferred for a new grid layout at Moundview Cemetery.

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

Meeting: 10/23/23 7:30 PM
Dept: Fire, Police and Civil Defense
Mahan, Seavolt
Category: Fire
Prepared By: Rob Broeren
Initiator: Lindsay Hoar
DOC ID: 3899

ADOPTED

RESOLUTION 2023-93

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ACCEPT THE DONATION OF A THERMAL IMAGING CAMERA FROM THE ALADDIN SHRINERS HOSPITAL ASSOCIATION FOR CHILDREN, INC., BALDWIN SHRINE CLUB, AND DECLARING AN EMERGENCY.

WHEREAS, the Aladdin Shriners Hospital Association for Children, Inc., Baldwin Shrine Club, desires to donate to the City of Mount Vernon Fire Department a thermal imaging camera.

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 is authorized and directed to accept the donation of a Bullard TSX thermal imaging camera and accessories from the Aladdin Shriners Hospital Association for Children, Inc., Baldwin Shrine Club.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow the Fire Department to immediately use this new piece of lifesaving equipment, the 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:

Mahan made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-93, with a second by Seavolt. Motion to suspend passed by a roll-call vote of 7-0. Mahan made a motion to adopt Resolution No. 2023-93, with a second by Seavolt. Motion to adopt passed by a roll-call vote of 7-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-94

Meeting: 10/23/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
Category: Streets
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3902

A RESOLUTION REQUESTING DESIGNATION OF A SCHOOL ZONE; AND DECLARING AN EMERGENCY.

WHEREAS, a request has been made by the City of Mount Vernon Engineering Department to the Ohio Department of Transportation (ODOT) to extend the school zone on Martinsburg Road (State Route 586) to the existing crosswalk at the intersection of Martinsburg Road and Pine Street; and

WHEREAS, children use this crosswalk during arrival and dismissal from the Mount Vernon Middle School, Mount Vernon High School, and Knox County Career Center; and

WHEREAS, the request to ODOT confirms that a school zone may be warranted at a length of approximately three hundred (300) feet from each approach of the intersection of Martinsburg Road and Pine Street.

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

SECTION 1: By virtue of the provisions of Section 4511.21(B)(1)(d) of the Ohio Revised Code, the Director of Highways for the State of Ohio is hereby requested to review the engineering and traffic at the intersection of Martinsburg Road and Pine Street to determine the need for a school zone in the City of Mount Vernon.

SECTION 2: If the Director of Highways considers necessary upon investigation to designate a school zone at Martinsburg Road and Pine Street that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours that such signage and pavement markings shall be erected for this purpose.

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 to improve pedestrian safety at Martinsburg Road and Pine Street in a timely manner, the 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:

Severns made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-94, with a second by Ruckman. Motion to suspend passed by a roll-call vote of 7-0.

Severns made a motion to adopt Resolution No. 2023-94, with a second by Ruckman. Engineer Brian Ball explained that the City is coordinating with the Ohio Department of Transportation to extend the school zone on Martinsburg Road, but that first the City needs to codify the school zone that is currently there. He added that grants will be sought to fund school crossing signs. 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

Meeting: 10/23/23 7:30 PM
Dept: City Council

SCHEDULED

Category: N/A
Prepared By: Rob Broeren
Initiator: Rob Broeren

ORDINANCE 2023-40

DOC ID: 3892

AN ORDINANCE TO AMEND CERTAIN PROVISION OF THE CODIFIED ORDINANCES REGARDING PUBLIC NOTICES; AND DECLARING AN EMERGENCY

WHEREAS, the 135th General Assembly enacted HB33 which expanded the ways statutory municipal corporations may provide public notice of ordinances, resolutions and all statements, orders, proclamations, notices, and reports required by law or ordinance; and

WHEREAS, a municipal corporation may now use its web site and social media accounts to provide public notices.

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

Section 1. That Section 111.01(d) of the Codified Ordinances be amended to read as follows:

(d) Notice. Notice shall be given of the time, place and date of all regular meetings of this Council and its committees by publication of said notice **on the City's website and social media accounts** ~~in the Mount Vernon News~~ on at least one occasion on or before the sixth day of January of each and every year.

Section 2. That Section 359.04(a) of the Codified Ordinances be amended to read as follows:

(a) Public Auction. If a vehicle is to be disposed of at public auction, it shall be sold only by the Chief of Police, or a licensed auctioneer, after giving notice of the sale by **publication on the City's website and social media accounts** ~~advertisement, published once a week~~ for two successive weeks ~~in a newspaper of general circulation in the County~~. Prior to the sale, the owner or person in control of the lot which the Chief of Police designated as the place of storage for a vehicle ordered to be removed by the Chief of Police shall file with the Clerk of Courts of Knox County an affidavit showing compliance with the requirements of this section and the section under which the vehicle was impounded or ordered into storage. Upon presentation of the affidavit, the Clerk of Courts shall issue a certificate of title, free and clear of all liens and encumbrances, to the owner or person in control of the lot which the Chief of Police designated as the place of storage for a vehicle ordered to be removed by the Chief of Police. The certificate of title shall be issued without charge only to the Chief of Police.

Section 3. That Section 783.04(a) of the Codified Ordinances be amended to read as follows:

(a) If the proposed location for a trailer camp or tourist camp is in a residential district, as defined by the Planning and Zoning Code of the City, the Clerk to the Council shall thereupon give public notice ~~by publication~~ of a public hearing to be held by Council upon such

application, such notice to be given **by publication on the City's website and social media accounts** ~~in a newspaper of general circulation in the City, once a week~~ for two consecutive weeks and such public hearing shall be held at either the third or fourth regular Council meeting after the first publication thereof. The costs of such publication, **if any**, shall be prepaid by the applicant at the time of the filing of the application with the Clerk. The hearing shall be open to the public and the question before Council shall be whether or not the location proposed may be used for such purpose.

Section 4. That Section 783.16(e) of the Codified Ordinances be amended to read as follows:

(e) Upon receipt of an application as set forth herein, the Recording Secretary of the Board of Zoning Appeals shall thereupon give public notice, ~~by publication,~~ of the public hearing to be held by the Board upon such application. Such a public hearing shall be held at either the first or the second regular Board of Zoning Appeals Meeting after the first publication thereof. The hearing shall be open to the public and the question before the Board shall be whether or not the location proposed may be used for the purpose as proposed in the application. Such notice shall be **made by publication on the City's website and social media accounts** ~~given in one or more newspapers of general circulation of the City~~ at least ten (10) days before the date of said hearing. The notice shall set forth the time and the place of the public hearing and the nature of the proposed variance. Failure of **the webhost of the City's website and social media accounts** ~~a newspaper~~ to accurately or timely publish a properly **uploaded** ~~submitted~~ notice does not invalidate the granting or denial of a variance.

Section 5. That Section 911.07(t) of the Codified Ordinances be amended to read as follows:

(t) Publication of Users in Significant Noncompliance. The Director shall publish annually, **on the City's website and social media accounts** ~~in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW,~~ a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates subsections (t)(3), (4), or (5) hereof and shall mean:

Section 6. That Section 911.08(g) of the Codified Ordinances be amended to read as follows:

(g) Publication of Users in Significant Non-Compliance. The Director shall publish annually, **on the City's website and social media accounts** ~~in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by The City of Mount Vernon POTW,~~ a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates subsections (g)(3), (4) or (8) of this Section) and shall mean:

Section 7. That Section 1155.17 of the Codified Ordinances be amended to read as follows:

1155.17 NOTICE OF PUBLIC HEARING ~~IN NEWSPAPER.~~

Before holding the public hearing required in Section 1155.16, notice of such hearing shall be **made on the City's website and social media accounts** ~~given in one or more newspapers of general circulation of the City~~ at least ten (10) days before the date of said hearing. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance. Failure of **the webhost of the City's website and social media accounts** ~~a newspaper~~ to accurately or timely publish a properly **uploaded** ~~submitted~~ notice does not invalidate the granting or denial of a variance.

Section 8. That Section 1155.18 of the Codified Ordinances be amended to read as follows:

Before holding the public hearing required in Section 1155.16, written notice of such hearing shall be mailed by the chairman of the Board of Zoning Appeals, by first class mail, at least ten (10) days before the day of the hearing to all parties in interest. "All parties in interest" shall include, but not be limited to, the following: applicant, adjacent property owners, and person(s) making the appeal. The notice shall consist of the same information as required of notices published **on the City's website and social media accounts** ~~in newspapers~~ as specified in Section 1155.17. Failure of any such property owner to receive mail notice does not invalidate the granting or denial of a variance.

Section 9. That Section 1155.28 of the Codified Ordinances be amended to read as follows:

Upon receipt of the application for a conditional use permit specified in Section 1155.23, the Board shall hold a public hearing, publish notice **on the City's website and social media accounts** ~~in a newspaper~~, and give written notice to all parties in interest according to the procedures specified in Sections 1155.16 through 1155.18.

Section 10. That Section 1155.31(b) of the Codified Ordinances be amended to read as follows:

(b) The Board shall give notice **on the City's website and social media accounts** ~~in newspaper of general circulation~~ as specified under Section 1155.17.

Section 11. That Section 1156.03(b) of the Codified Ordinances be amended to read as follows:

(b) Publication of Notice of Hearing. Notice of the hearing before the Planning Commission shall be published **on the City's website and social media accounts** ~~once in one or more newspapers of general circulation in the City~~, at least seven days prior to the date fixed for the hearing. The notice shall include the place, time and date of the hearing and the nature of the proposed amendment. Failure of **the webhost of the City's website and social media accounts** ~~a newspaper~~ to accurately or timely publish a properly submitted notice does not invalidate adoption of the proposed amendment as an amending ordinance.

Section 12. That Section 1156.04(b) of the Codified Ordinances be amended to read as follows:

(b) Notice setting forth the time and place of the public hearing and a summary of the proposed change or amendment shall be given once by the City Council by publication **on the City's website and social media accounts** ~~in one or more newspapers of general circulation in~~

~~the City~~ at least thirty (30) days before the date of the public hearing. During such thirty (30) days the text or copy of such text, ordinance, measure, or regulation, together with the maps or plans or copies thereof forming part of or referred to in such ordinance, measure, or regulation and the maps, plans, and reports submitted by the Planning Commission shall be on file for public examination, in the office of the Clerk of Council or in such other office as may be designated by Council.

Section 13. That Section 1169(A).02(a)(3) of the Codified Ordinances be amended to read as follows:

(a) Procedure for Site Plan Review.

(3) After reviewing an application for completeness, and determining that the proposed site plan is complete, a public hearing shall be held. Notice of the Hearing shall be made **on the City's website and social media accounts** ~~in a newspaper~~, and written notice shall be given to all parties in interest (including all abutting property owners) according to the procedures specified in Sections 1155.16 through 1155.18. The Zoning Enforcement Officer shall transmit copies of the site plan and application to the members of the Planning Commission along with other departments and agencies as deemed necessary. If all information required is not provided, the Zoning Enforcement Officer shall promptly notify the applicant of the items needed. Within thirty (30) days following the public hearing, the Planning Commission shall meet and consider the proposed site plan, and shall make a decision concerning:

Section 14. That Section 1172.03(c) of the Codified Ordinances be amended to read as follows:

(c) Upon receipt of an application for a certificate of appropriateness, which is accompanied by the material required by the provisions of subsection (b) hereof, the Zoning Enforcement Officer or his designee shall place the application on the agenda for the Commission at its next regular meeting following ten days from the date the application is filed. The Zoning Enforcement Officer or his designee shall further cause to be published **on the City's website and social media accounts** ~~in a newspaper of general circulation in the City~~, a public notice of the scheduled hearing the application together with a general description of the nature of the application. The applicant shall be notified by mail of the date of the hearing.

In addition, there shall be a notice placard posted on the subject property stating that an application has been filed and the date of the hearing.

Section 15. That Section 1182.09 of the Codified Ordinances be amended to read as follows:

The Zoning Enforcement Officer shall notify in writing the Board of Zoning Appeals whenever he has reason to believe that the operation of an amusement arcade has resulted in a violation of any provision of this Zoning Ordinance. Within ten (10) days from said notification the Board of Zoning Appeals shall hold a public hearing to determine whether the conditional use permit should be revoked. Notice of this hearing shall be served on the amusement arcade exhibitor and, if the Zoning Enforcement Officer referral to the Board of Zoning Appeals originated from a complaint by any resident, similar notice shall be served on the complainant at least five (5) days before the hearing. The Board of Zoning Appeals may also give such other notice as it deems appropriate, including notice to property owners and notice **on the City's website and social media accounts** ~~a newspaper of general circulation~~. The Board of Zoning Appeals shall make a

decision within five (5) days after the hearing and shall notify the amusement arcade exhibitor and, if applicable, the complainant. The decision of the Board of Zoning Appeals may be appealed to City Council within ten (10) days of its issuance of said decision. The City Council shall hold a public hearing within twenty (20) days of its receipt of such appeal, after giving public notice of such hearing **on the City's website and social media accounts** ~~in a newspaper of general circulation~~ at least five (5) days prior to the date of the hearing, and shall make a final determination on the revocation of the conditional use permit within a reasonable time.

Section 16. 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 reduce expenditures that are no longer required by the Revised Code, 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.

COMMENTS - Current Meeting:

Ordinance No. 2023-40 was given a first reading. Hawkins requested a five-minute meeting of Council as a Whole on the legislation for Nov. 13, 2023.

RESULT: FIRST READING

Next: 11/13/2023 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-41

Meeting: 10/23/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Finance
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3893

AUTHORIZING AN AMENDMENT TO ORDINANCE 1999-07 TO EXTEND THE TERM OF THE TAX INCREMENT FINANCING PROGRAM FOR THE COSHOCTON AVENUE TIF FOR AN ADDITIONAL THIRTY (30) YEARS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B) AND 5709.51; AUTHORIZING OTHER RELATED ACTIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, AND RELATED LAWS; AND DECLARING AN EMERGENCY.

WHEREAS, on January 25, 1999 this City Council (the “Council”) of the City of Mount Vernon, Ohio (the “City”) adopted Ordinance No. 1999-07 (the “Original TIF Ordinance”) in accordance with Ohio Revised Code (“R.C.”) Section 5709.40(B) declaring the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of the Original TIF Ordinance (the “Improvements”) with respect to the parcels comprising the “Coshocton Avenue TIF” (each a “Parcel” as is depicted on Exhibit A to the Original TIF Ordinance and as are more fully depicted and described as Exhibit A to this Ordinance) to be a public purpose; and

WHEREAS, the Original TIF Ordinance exempted One Hundred Percent (100%) of the Improvements with respect to each Parcel for a period of up to twenty five (25) years (the “Original TIF Exemption”), commencing on the effective date of the Original TIF Ordinance and ending on the earlier of (a) “the date on which (1) the aggregate of all amounts received the City as Service Payments, and (2) the aggregate amount paid by the City to the School District and the Career Center equals the sum of (i) the aggregate principal amount of all Public Financing; (ii) the Debt Service; and (iii) Issuance Costs,” or (b) “more than twenty-five (25) years from the effective date of this Ordinance;” and

WHEREAS, pursuant to the Original TIF Ordinance and R.C. Section 5709.40(B), the City required the owner or owners of each Parcel to make annual Service Payments (as defined herein) to the Knox County Treasurer on or before the final dates for payment of real property taxes; and

WHEREAS, the City and the Board of Education of the Mount Vernon City School District executed a TIF and Compensation Agreement on January 25, 1999 (the “Original Compensation Agreement”), by which the City agreed to pay to the Mount Vernon City School District, Service Payments (as defined herein) equal to twenty-five percent (25%) of the real property taxes which would have been paid for the Improvements, if the Exemption had not been granted; and

WHEREAS, the Original TIF Ordinance was passed by this Council on January 25, 1999 and prior to changes to R.C. Section 5709.40(D), pursuant to Ohio House Bill No. 153 of the 129th General Assembly and effective September 29, 2011, thus not requiring the City to compensate the

joint vocational school district (here the Knox County Career Center or the “JVSD” and together with the Mount Vernon City School District the “School Districts”) within which the Parcels are located at the same rate and under the same terms as received by the Mount Vernon City School District under the Original Compensation Agreement with respect to the Original TIF Exemption; and

WHEREAS, as adopted by the 135th Ohio General Assembly, pursuant to Amended Substitute House Bill 33, with pertinent provisions effective as of October 3, 2023, R.C. Section 5709.51 has afforded the City and the Council a limited opportunity to extend the Original TIF Exemption for an additional period of not more than thirty (30) years (the “TIF Law Change”), so long as each condition of the TIF Law Change is met; and

WHEREAS, with respect to ordinances adopted under R.C. Section 5709.51 prior to January 1, 2024, including this Ordinance, the TIF Law Change provides for waiver of the requirements of R.C. Section 5709.51(A)(2) otherwise requiring that service payments made pursuant to R.C. Section 5709.42 by the owners of the parcels with respect to such an ordinance did not exceed One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) in any calendar year before the calendar year immediately preceding the adoption of such an ordinance; and

WHEREAS, the City has determined that the Service Payments made with respect to the Original TIF Exemption exceeded One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) in tax year 2021 payable in calendar year 2022 (which such calendar year is the calendar year immediately preceding the effective date of this Ordinance); and

WHEREAS, the City has determined that each condition of the TIF Law Change is met and this Council is therefore desirous of extending the term of the Original TIF Exemption by an additional thirty (30) years (the “Extended TIF Exemption”) to capture additional tax increment financing revenue to finance the various Public Improvements identified in Section 6 of the Original TIF Ordinance (as the same are further clarified by this Ordinance and its Exhibit B); and

WHEREAS, in order to affect the Extended TIF Exemption, and pursuant to amended R.C. Section 5709.40(D) effective after September 29, 2011, the City is now required to compensate the JVSD with respect to the Extended TIF Exemption, at the same rate and under the same terms received by the Mount Vernon City School District; and

WHEREAS, it is therefore the intention of the City that the Treasurer of Knox County, pursuant to R.C. 5709.42, pay to the affected School Districts all of the taxes that they would have otherwise received if this Extended TIF Exemption were not authorized; therefore, the Treasurer of Knox County shall pay a portion of the Service Payments available after the twenty-fifth (25th) year of the Original TIF Exemption applicable to each Parcel to (i) the Mount Vernon City School District in the amount of the taxes that would have been payable to the Mount Vernon City School District if the Improvements had not been exempted from taxation for all periods after the twenty-fifth (25th) year of the Original TIF Exemption applicable to each Parcel, as provided in this Ordinance, and (ii) the JVSD at the same rate and under the same terms received by the Mount Vernon City School District; and

WHEREAS, pursuant to R.C. 5709.51(A)(3) and R.C. 5709.40(D)(1), the approval of the Board of Education of the Mount Vernon City School District is not required where the Ordinance declaring Improvements to a Parcel to be a public purpose specifies that Service Payments shall be paid to the School Districts in which the Parcels are located in the amount of the taxes that would have been payable to the School Districts if the Improvements had not been exempted from taxation; and

WHEREAS, notwithstanding that the approval of the School Districts is not required, each of the School Districts have received a notice of this Extended TIF Exemption and the proposed text of this Ordinance at least fourteen (14) days in advance of the date on which this Council intends to consider formal adoption of this Ordinance, pursuant to R.C. Sections 5709.40(D)(1) and 5709.83; and

WHEREAS, notwithstanding the Extended TIF Exemption, all other terms and conditions of the Original TIF Ordinance and the Original TIF Exemption are to remain the same, unless specifically stated otherwise in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mount Vernon, Ohio, by authority of R.C. Sections 5709.40(B) and 5709.51, as follows:

SECTION 1. That this Council hereby determines that each condition of the TIF Law Change required to cause the Extended TIF Exemption is met because: (i) pursuant to R.C. 5709.51(A)(1), the Service Payments made pursuant to R.C. Section 5709.42 by the owners of the Parcels with respect to the Original TIF Ordinance and the Original TIF Exemption exceeded One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) for tax year 2021 real property taxes that were payable in calendar year 2022 (which such calendar year is the calendar year immediately preceding the effective date of this Ordinance); (ii) this Ordinance is adopted prior to January 1, 2024 providing for the waiver of the provisions of R.C. 5709.51(A)(2) requiring that Service Payments made pursuant to R.C. Section 5709.42 by the owners of the Parcels with respect to the Original TIF Ordinance and the Original TIF Exemption did not exceed One Million Five Hundred Thousand Dollars and Zero Cents (\$1,500,000.00) in any calendar year before the calendar year immediately preceding the adoption of this Ordinance; and (iii) pursuant to R.C. 5709.51(A)(3), this Ordinance provides for compensation to the School Districts in which the Parcels are located equal in value to the amount of taxes that would be payable to the School Districts if the Improvements had not been exempted from taxation but for the Extended TIF Exemption.

SECTION 2. That in accordance with R.C. Section 5709.40(B), this Council hereby declares that Improvements to the Parcels subsequent to the effective date of the Original TIF Ordinance were at the time of the Original TIF Ordinance and remain as of the date of this Ordinance a public purpose and that the Original TIF Ordinance authorizing the Original TIF Exemption, under the authority of R.C. Section

5709.40(B), is hereby amended pursuant to R.C. 5709.51 for the purpose of extending the Original TIF Exemption from taxation of the Improvements to the Parcels designated under the Original TIF Ordinance for an additional period of not more than thirty (30) years according to the requirements set forth under the TIF Law Change.

SECTION 3. That notwithstanding anything in the Original TIF Ordinance, this Council reaffirms and clarifies that:

(a) the Original TIF Ordinance and this Ordinance authorize the Original TIF Exemption and the Extended TIF Exemption, respectively, as tax increment financing programs under R.C. Section 5709.40(B); and

(b) the Public Improvements described in Section 6 and Exhibit B of the Original TIF Ordinance that, once made, will directly benefit the Parcels include, but are not limited to, those Public Improvements described in the Original TIF Ordinance, as the same are further amended and clarified in Exhibit B attached hereto; and

(c) as provided in R.C. Section 5709.42, for the effective duration of the Original TIF Exemption and the Extended TIF Exemption, the owner of any portion of any Parcel shall be required to, and shall make, Service Payments with respect to the Improvement allocable thereto to the Treasurer of Knox County on or before the final due dates for payment of real property taxes; that each Service Payment shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against such Parcel as if it were not exempt from taxation pursuant to the Original TIF Ordinance and this Ordinance; that if any reduction in the levies otherwise applicable to such Parcel is made by the Knox County budget commission under R.C. Section 5705.31, the amount of the Service Payments shall be calculated as if the reduction in levies had not been made; that any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto (the “Penalties and Interest”); that each owner shall make any other payments in respect of such parcel which are received by the Treasurer of Knox County in connection with any reduction required by R.C. Section 319.302, as the same may be amended from time to time, or any successor provisions thereto (the “Property Tax Rollback Payments,” together with the Service Payments, and the “Penalties and Interest,” are collectively referred to herein as the “Service Payments”); and that the Service Payments shall be allocated and distributed in accordance with Section 4 hereof; and

(d) the term and percentage rate of the Extended TIF Exemption for each Parcel shall be One Hundred Percent (100%) of the Improvements and shall be exempt from taxation commencing for each Parcel on the twenty-fifth (25th) anniversary of the commencement date of the Original TIF Exemption (as described in the

Original TIF Ordinance) applicable to each Parcel and ending on the earlier of (A) the fifty-fifth (55th) anniversary of the commencement date for each Parcel or (B) the date on which the cost of the Public Infrastructure Improvements are paid in full from the TIF Fund (as defined herein).

SECTION 4. This Council established, pursuant to the Original TIF Ordinance and in accordance with the provisions of R.C. Section 5709.43, a Municipal Public Improvement Tax Increment Equivalent Fund (the “TIF Fund”), which shall continue to be maintained with respect to the Extended TIF Exemption. The City Auditor may create one or more accounts or sub-accounts within the TIF Fund as appropriate to distinguish the Service Payments received with respect to the Original TIF Exemption authorized pursuant to the Original TIF Ordinance and the Extended TIF Exemption authorized pursuant to this Ordinance, and to distinguish such Service Payments from Service Payments with respect to any tax increment financing programs that may be established by the City in the future, and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. As used in this Ordinance, “the TIF Fund” shall refer to the specific fund or account that receives the Service Payments provided for in the Original TIF Ordinance and this Ordinance. The TIF Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City.

Pursuant to R.C. 5709.42, the Treasurer of Knox County shall distribute Service Payments in the TIF Fund first to the School Districts, in an amount equal to the amount of real property taxes (including the applicable portion of any Property Tax Rollback Payments) derived from the Improvements that the School Districts would have received had the Improvements not been exempt from taxation pursuant to, and only pursuant to, the Original TIF Ordinance and this Ordinance. The City, at any time following payment of such funds as are required to be paid to the School Districts, shall use (a) Service Payments received with respect to the Original TIF Exemption, and (b) Service Payments received with respect to the Extended TIF Exemption solely for the purposes authorized under R.C. Sections 5709.40, 5709.42, 5709.43, including, but not limited to, paying any costs of the Public Infrastructure Improvements, in a manner that is consistent with the Original TIF Ordinance and this Ordinance.

For purposes of the Original TIF Ordinance and this Ordinance, “costs” of the Public Infrastructure Improvements payable from the TIF Fund shall also include the items of “costs of permanent improvements” set forth in R.C. Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and

debt service on any bonds issued to finance the Public Infrastructure Improvements. The TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City's General Fund, all in accordance with R.C. Section 5709.43(D).

Service Payments received by the City in any year shall be applied to pay the costs of the Public Infrastructure Improvements at the sole discretion of the City.

SECTION 5. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to all affected School Districts, including the Mount Vernon City School District and the JVSD in accordance with R.C. Sections 5709.40 and 5709.83, and hereby ratifies the giving of that notice.

Pursuant to R.C. Section 5709.40(I), the Clerk of this Council is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen (15) days after its adoption. On or before March 31 of each year that the Extended TIF Exemption remains in effect, the County Auditor or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under R.C. Section 5709.40(I).

SECTION 6. In accordance with R.C. Section 5709.832, this Council hereby determines that no employer located on the Parcels subject to the Extended TIF Exemption shall deny any individual employment based solely on race, religion, sex, disability, color, national origin, or ancestry.

SECTION 7. The City has created the Mount Vernon Tax Incentive Review Council (the "TIRC") with the membership of the TIRC constituted in accordance with R.C. Section 5709.85. The TIRC shall, in accordance with R.C. Section 5709.85, review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before the TIRC, all in accordance with R.C. Section 5709.85.

SECTION 8. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any decision-making bodies of the City that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of R.C. Section 121.22.

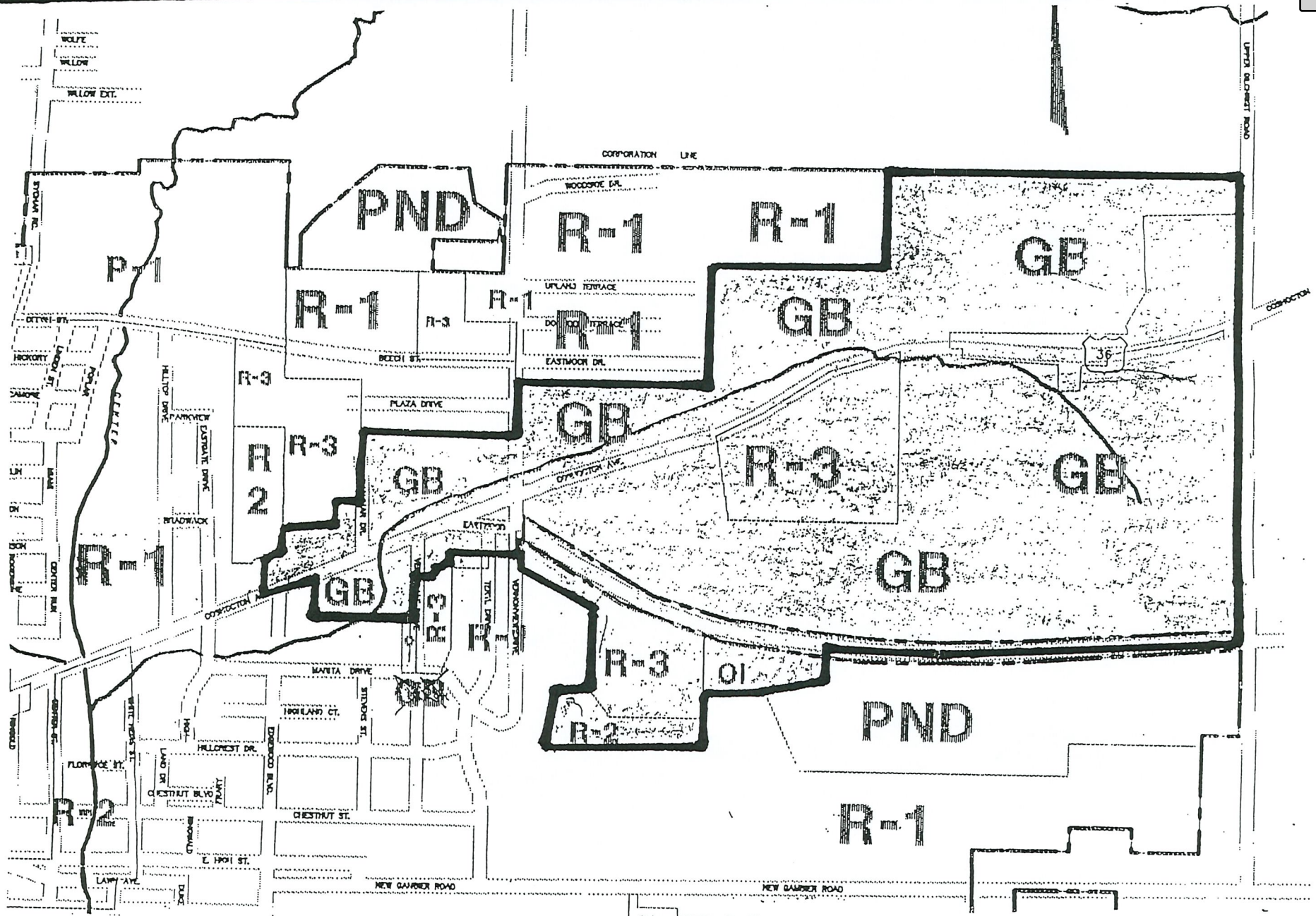
SECTION 9. That this Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that an emergency exists in the usual daily operation of

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

COMMENTS - Current Meeting:

Ordinance No. 2023-41 was given a first reading.

RESULT: FIRST READING**Next: 11/13/2023 7:30 PM**



Attachment: Ex. A - Mt. Vernon TIF Map (2023-41 : Coshocton Ave TIF Renewal)

PROPOSED T.I.F. DISTRICT



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-42

Meeting: 10/23/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3898

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #71-00050.000, ALSO KNOWN AS 0 UPPER GILCHRIST ROAD, FROM THE PRESENT ZONING OF R1 - SINGLE FAMILY DISTRICT, TO PND - PLANNED NEIGHBORHOOD DISTRICT; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Mount Vernon has received an application for rezoning certain property within the City of Mount Vernon, specifically Parcel #71-00050.000, also known as 0 Upper Gilchrist Road; and

WHEREAS, the Municipal Planning Commission for the City of Mount Vernon met on October 12, 2023 and voted unanimously to approve the zoning change for Parcel #71-00050.000 from R1 - Single Family District, to PND - Planned Neighborhood District.

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

SECTION 1: That the City of Mount Vernon hereby amends the zoning classification of Parcel #71-00050.000, also known as 0 Upper Gilchrist Road. The zoning will be as indicated:

<u>PARCEL NO.</u>	<u>PROPOSED ZONING</u>
#71-00050.000	PND - Planned Neighborhood District

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

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

COMMENTS - Current Meeting:

Ordinance No. 2023-42 was given a first reading. Hillier requested a 20-minute meeting of the Planning and Zoning Committee on the legislation for Nov. 13, 2023.

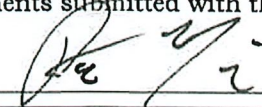
RESULT: FIRST READING

Next: 11/13/2023 7:30 PM



City of Mount Vernon, Ohio

Application for Zoning Amendment

<i>Applicant's Information</i>			
Owner's Name, Address, Phone, and Email Address Casey's Way LLC PO Box 45, Mount Vernon, OH 43050 Phone: 614.206.5861 Email: logosrealty@gmail.com			
Agent's Name, Address, Phone, and Email Address Lemmon Acquisition & Holding Co. LLC 811 S. Main Street, North Canton, OH 44720 Phone: 330.497.8686 Email: tperez@lemmondev.com			
<i>Site Information</i>			
Site Address 17795 Coshocton Road Mount Vernon, OH 43050		Legal Description Please see attached	
Parcel Number 71-00050.000		Deed Volume and Page Number 1944/320	
<i>Use of Property</i>			
Present Use Agriculture		Present Zoning District R-1 Single Family District PND Planned Neighborhood District	
Proposed Use Residential		Proposed Zoning District PND Planned Neighborhood District	
<i>Documents to be Submitted</i>			
The following documents must also be submitted with this application: 1. A statement of the reason(s) for the proposed amendment. 2. A vicinity map at a scale approved by the Zoning Enforcement Officer showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Enforcement Officer may require. 3. A statement on the ways in which the proposed amendment relates to the comprehensive plan. 4. The \$150.00 filing fee as established by ordinance.			
I hereby certify that the information submitted on this application and on any sketches, drawings or other documents submitted with this application is true and exact. Date:  By: 8/27/2023			
<i>Filing Information</i>			
Filing Date	Fee deposit \$200.00	Date Paid	Receipt Number

This form revised 04-11-2023

Attachment: Application for Amendment (2023-42 : Rezone 0 Upper Gilchrist Road Parcel)



DATE: August 25, 2023
 TO: Lacie Blankenhorn, Development Services Manager
 FROM: Patrick Mackie, Director of Operations
 RE: Application for Zoning Amendment – Additional Information

USE OF PROPERTY: PROPOSED USE

The proposed community will consist of age-targeted, single-story villa units. Each unit will feature a universal design and amenities catered toward the active adult market. Multiple unit floorplans will include modern open floor plans, wide hallways, zero entry garage, and doors. Additionally, residents will be afforded maintenance-free living. The goal is to create an environment where residents can enjoy the benefits of living at home without all the maintenance responsibilities, permitting them to lead an active and engaged lifestyle.

A STATEMENT OF THE REASON(S) FOR THE PROPOSED AMENDMENT

Currently, parcel 71-00050.000 is broken up into two zoning districts, with the majority of the parcel being zoned as a Single-Family District (R-1). The remainder of the parcel is zoned as a Planned Neighborhood District (PND). The R-1 designation is specific to single-family dwellings, and its development standards do not meet our criteria. If granted the PND designation, we will complete our comprehensive development plan for the community. A PND district provides the Municipal Planning Commission and City Council a control and oversight level for what they approve.

A STATEMENT ON THE WAYS IN WHICH THE PROPOSED AMENDMENT RELATES TO THE COMPREHENSIVE PLAN

The amendment to rezone aligns with several considerations included in the Knox County Comprehensive Plan – 2018 Update.

- Key Plan Considerations
 - *With single-family homes the predominant housing type in Knox County, we should consider diversifying our community's housing stock in the face of changing population demographics or financial burdens.*
- Chapter 3: Ensure Responsible Growth
 - *As we can expect development to occur in Knox County in the future, it makes sense to direct such development into areas of Knox County already served by existing utility and roadwork infrastructure.*
 - *A better, more sustainable development approach is to encourage those growth opportunities that do not require extensive – and expensive - roadwork and utility extensions.*
 - *Encouraging development in the built environment (i.e., already-served by existing infrastructure) coincides with residential development patterns observed since the Great Recession. Market forces now are demanding that housing be located in closer proximity to restaurant, grocery, entertainment, and cultural amenities. Traditional housing developments built during the mid to late- 20th Century may not satisfy changing housing demands. Rising energy costs, changing household size and composition,*



emerging technologies and design concepts, and a growing desire for mixed-use, higher-density locations, are all contributing to major shifts in the Columbus Region's housing market (Urban Land Institute Columbus, 2012). It is reasonable to expect similar housing pressures in Knox County, albeit at much smaller scale.

- *Knox County's residents are aging and will face challenges in the future as Baby Boomers leave the workforce and enter retirement. This is true for all of Ohio. Data clearly show the 55+ age cohort in Knox County is increasing.*
- *the Columbus Region's development patterns are likely to be dramatically different from the past, with a spike in the number of single-person households and a drop in the number of nuclear families with children*
- Chapter 5: Strengthening Quality of Life
 - *For residents of Knox County and beyond, a high quality of life requires the ability to afford a quality home with easy access to all of a family's basic needs*
 - *A number of trends at the national and regional levels are shaping changes in residential development patterns. As first discussed in Chapter 3, principal shifts include a growing number of households without children, an increasing proportion of senior households, and a growing preference for living in denser, walkable communities*
 - *Affordability, changes in household size, an aging population, and a growing preference for walkability, will all continue to reshape Knox County's residential development patterns moving forward. An attractive, high-quality, and safe housing stock is important for retaining and attracting residents.*
 - *Assisted living facilities integrated into mixed-use neighborhoods can provide an elevated quality of life for residents. Development projects that feature these types of characteristics should be encouraged moving forward.*