Legislative Session Minutes

October 25, 2021

COMMITTEE MEETINGS

- Committee Meeting Schedule

5:40 - 5:58 p.m.	Chronic nuisance properties	Planning & Zoning Hillier
5:58 - 6:17 p.m.	Community Reinvestment Area	Planning & Zoning Hillier
6:17-6:44 p.m.	Employee compensation	Employee & Community Relations Scoles
6:45-7:25 p.m.	Executive session (employee discipline)	Council as a Whole
7:40 p.m.	City Council Legislative Meeting	Ref: Agenda

RESULT: **ANNOUNCED**

- Ordinance No. 2019-07
- Ordinance No. 2019-27

EXECUTIVE SESSION ON EMPLOYEE DISCIPLINE

Scoles made a motion to go into executive session to discuss employee discipline. Woods seconded the motion, which passed by a roll-call vote of 7-0. Council went into executive session at 6:45 p.m.

Scoles made a motion to adjourn executive session, with a second by Woods. Motion passed by a roll-call vote of 7-0. Council adjourned executive session at 7:25 p.m. Resolution No. 2021-100 was added to the legislative agenda as a result of the executive session.

CALL TO ORDER

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

<RollCallList Status="Absent">

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

INVOCATION

Pastor Susan Stevens from Epworth United Methodist Church and Ebenezer UMC Church

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Oct 11, 2021 7:30 PM

Seavolt made a motion to accept the minutes from the Council's Legislative Session of Oct. 11, 2021, with a second by Woods. Motion passed by voice vote.

RESULT:	**ACCEPTED [UNANIMOUS]**
AYES:	Francis, Hillier, Seavolt, Scoles, Woods, Warga, Keener

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

- Planning & Zoning Committee Meeting Minutes (1)

Council received the minutes for the Oct. 11, 2021, Planning & Zoning Committee meeting on PCDD zoning without comment.

- Planning & Zoning Committee Meeting Minutes (2)

Council received the minutes for the Oct. 11, 2021, Planning & Zoning Committee meeting on a Community Reinvestment Area without comment.

LIQUOR CONTROL LICENSE

- Liquor License-Bob Evans

No hearing was requested.

- Liquor License-Speedway

No hearing was requested.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

Francis asked to add Resolution No. 2021-100 to the agenda. Resolution added without comment or objection.

RESOLUTIONS FOR THIRD READING

RESOLUTIONS FOR SECOND READING

RESOLUTION NO. 2021-94

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY SERVICE DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION TO

PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION CAPITAL IMPROVEMENT PROGRAM FOR FUNDING FOR THE MANSFIELD AVENUE SIGNALS PROJECT; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Warga, Francis

Warga made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-94, with a second by Francis. Motion to suspend passed by a roll-call vote of 7-0. Warga made a motion to adopt Resolution No. 2021-94, with a second by Francis. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Julia Warga, At Large
SECONDER:	John Francis, Second Ward
AYES:	Francis, Hillier, Seavolt, Scoles, Woods, Warga, Keener

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2021-96

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

Finance and Budget: Francis, Hillier

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-96, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-96, with a second by Hillier. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2021-97

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

Finance and Budget: Francis, Hillier

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-97, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-97, with a second by Hillier. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2021-98

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LAUREN HEFFELFINGER TO THE RECREATION BOARD; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Scoles, Woods

Scoles made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-98, with a second by Woods. Motion to suspend passed by a roll-call vote of 7-0. Scoles made a motion to adopt Resolution No. 2021-98, with a second by Woods. Mayor Matt Starr commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

RESOLUTION NO. 2021-99

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR ADDITIONAL INTERIM RISK REDUCTION MEASURES AT THE KNOX CATTLE COMPANY DAM, AND DECLARING AN EMERGENCY.

Finance and Budget: Francis, Hillier

Resolution No. 2021-99 was given a first reading. The Finance and Budget Committee chair has asked for a 15-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**FIRST READING**	**Next: 11/8/2021 7:30 PM**

RESOLUTION NO. 2021-100

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO TRANSFER A LAW ENFORCEMENT CANINE.

Finance and Budget: Francis, Hillier

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-100, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-100, with a second by Hillier. Safety-Service Rick Dzik commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

ORDINANCES FOR THIRD READING

ORDINANCE NO. 2021-38

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE AUGUST 2021 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, Keener

Hillier made a motion to adopt Ordinance No. 2021-38, with a second by Keener. Council Clerk Todd Hill commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Amber Keener, At Large
AYES:	Warga, Woods, Francis, Keener, Scoles, Hillier, Seavolt

ORDINANCE NO. 2021-39

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF MOUNT VERNON, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL

Planning and Zoning: Hillier, Keener

Hillier made a motion to amend Ordinance No. 2021-39 to state, in Section 6, that, "The 'Community Reinvestment Area Housing Council" (the 'Housing Council') established by the City pursuant to Ordinance No. 2002-12 shall be the Housing Council responsible for the CRA." Keener seconded the motion to amend, which passed by a roll-call vote of 7-0. Hillier made a motion to adopt Ordinance No. 2021-39 as amended, with a second by Keener, which passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Amber Keener, At Large
AYES:	Warga, Woods, Francis, Keener, Scoles, Hillier, Seavolt

ORDINANCES FOR SECOND READING

O R D I N A N C E N O . 2 0 2 1 - 4 0

AN ORDINANCE ESTABLISHING THE COMPENSATION MODEL FOR NON-BARGAINING UNIT EMPLOYEES OF THE CITY AND DECLARING AN EMERGENCY

Employee and Community Rel.: Scoles, Woods

Ordinance No. 2021-40 was given a second reading. The Employee & Community Relations chair has asked for a 30-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

O R D I N A N C E N O . 2 0 2 1 - 4 1

AN ORDINANCE TO CREATE THE POSITIONS OF ASSISTANT CITY ENGINEER AND ENGINEERING PROJECT MANAGER IN THE CITY ENGINEERING DEPARTMENT, AND DECLARING AN EMERGENCY

Employee and Community Rel.: Scoles, Woods

Ordinance No. 2021-41 was given a second reading.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

O R D I N A N C E N O . 2 0 2 1 - 4 3

AN ORDINANCE TO SET THE SALARIES OF THE PUBLIC UTILITIES DIRECTOR AND PUBLIC UTILITIES ASSISTANT DIRECTOR, AND DECLARING AN EMERGENCY

Employee and Community Rel.: Scoles, Woods

Ordinance No. 2021-43 was given a second reading.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

ORDINANCES FOR FIRST READING

O R D I N A N C E N O . 2 0 2 1 - 4 4

AN ORDINANCE ACCEPTING THE ANNEXATION OF 1.185 ACRES FROM MONROE TOWNSHIP INTO THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Keener

Ordinance No. 2021-44 was given a first reading. The Planning and Zoning Committee chair has asked for a 10-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**FIRST READING**	**Next: 11/8/2021 7:30 PM**

REMARKS FROM THE ADMINISTRATION

Mayor Matt Starr discussed the suggested disbursements for the American Rescue Plan Act (ARPA) of 2021 funds. Auditor Terry Scott also discussed the suggested ARPA disbursements. Law Director Robert Broeren noted that with the passage of Ordinance No. 2021-39, Council will need to choose two members to serve on the Housing Council, and that they don't have to be members of Council.

REMARKS FROM COUNCIL

Hillier asked that the Police and Fire Chiefs present their quarterly reports to Council at Council's meetings in November. Hillier also commented on the suggested ARPA disbursements in regards to Catherine Street. Francis advised residents to be cautious during Trick-or-Treat on the evening of Oct. 30, and advised registered voters to cast their ballots on Election Day Nov. 2. Scoles thanked Auditor Terry Scott for being an advocate for Food for the Hungry of Knox County, and asked Mayor Matt Starr about the placement of the City's first two electric vehicle charging stations in the Municipal Parking Garage. Warga recognized the Knox Alliance for Racial Equity for its civil rights walking tour in the City, and wished her husband a happy anniversary. Keener thanked Jeff Gottke and Sam Filkins of the Knox County Area Development Foundation for their work on the City's new Community Reinvestment Area. Hawkins commented on the winter sanctuary for the homeless, and noted that "A Christmas Carol" will be performed at the Woodward Opera House on Dec. 2-5.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn the meeting, with a second by Keener. Motion to adjourn passed by voice vote. Meeting adjourned at 8:45 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 20, 2021

Mount Vernon City Council
Committee Meeting Schedule
October 25, 2021

5:40 – 5:55 p.m.	Chronic nuisance properties	Planning & Zoning Hillier
5:55 – 6:15 p.m.	Community Reinvestment Area	Planning & Zoning Hillier
6:15-6:45 p.m.	Employee compensation	Employee & Community Relations Scoles
6:45-7:15 p.m.	Executive session (employee discipline)	Council as a Whole
7:30 p.m.	City Council Legislative Meeting	Ref: Agenda

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 01/28/19 7:30 PM
Dept: Planning and Zoning
Vail, Menapace
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 1825 G

ORDINANCE 2019-07

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF CHAPTERS 1302, 1303, AND 1305 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON REGARDING PROPERTY MAINTENANCE AND DECLARING AN EMERGENCY.

WHEREAS, a single property can be injurious to an entire neighborhood and to the city as a whole; and

WHEREAS, a review of the Property Maintenance Code disclosed changes that would make the Property Maintenance Code more effective.

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

SECTION 1: That Section 1302.01(a)(33) of the Codified Ordinances be amended to read as follows:

"Structure" means anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Structures include, but are not limited to, buildings, mobile homes, walls, ~~and~~ fences, **and signs.**

SECTION 2: That Section 1305.01 of the Codified Ordinances be amended to read as follows:

The exterior of a structure shall be maintained in a clean, safe, secure, and sanitary condition so as not to pose a nuisance problem or to adversely affect the neighborhood. **Exterior property areas, including Exterior Surfaces, of all premises in the City shall be kept free of objects, materials, or conditions that create a health, accident, or fire hazard and must not constitute a public or neighborhood nuisance, blighting, or deteriorating influence upon the neighborhood. Broken glass, filth, garbage, rubbish, junk, and debris shall not be permitted to remain on any property.**

SECTION 3: That Section 1305.09 of the Codified Ordinances be amended to read as follows:

~~All exterior walls shall be free from holes, breaks and loose or rotting materials. Exterior walls shall be maintained to be weather proof and shall be properly surface coated where required to prevent deterioration. All siding and masonry joints, including those between the building envelope and the perimeter of windows, doors, and skylights, shall be maintained to be weather resistant and watertight.~~

Communication: Ordinance No. 2019-07 (Committee Meetings)

All exterior surfaces, including but not limited to doors, windows, window frames, cornices, porches, trim, balconies, and decks shall be maintained in good condition. All exterior surfaces shall be free from holes, breaks, and loose or rotting materials. Peeling, flaking, or chipped paint shall be eliminated and surfaces repainted, properly coated and maintained to be weather proof to prevent deterioration, and maintained in a clean and sanitary condition, free from mold, mildew, filth, and graffiti.

SECTION 4: That Section 1305.25 of the Codified Ordinances be amended to read as follows:

Sofas, recliners, mattresses, and other household furniture and furnishings shall be prohibited from being placed or stored in any yard area contiguous to any structure or on any porch, deck, or other open and unenclosed outdoor structure for a period of time in excess of 48 hours. This prohibition does not apply to furniture or rugs which are designed for outdoor use. Sofas, recliners, mattresses, and other household furniture that has become damaged may be moved outside the dwelling, unit, but must be removed from the exterior of the property within five (5) days of notification to the property owner or occupant.

SECTION 5: That Section 1303.06 of the Codified Ordinances be amended to read as follows:

The fees for Property Maintenance Enforcement shall be set as follows:

(a) In any instance where the City incurs expenses because of a property owner or tenant's non-compliance with the Maintenance Ordinances, the expenses incurred, plus an administrative fee equal to the expenses incurred shall be recovered from the property owner or tenant as applicable. If a building is demolished at City expense due to the property owner's non-compliance, the administrative fee shall be $1,000.00.

(b) In instances where a property owner or tenant is in violation of the same Ordinance section on the same property on more than one occasion in a 24 month period; and it is necessary for the City to again incur expenses, the property owner or tenant will be assessed a penalty in addition to the expenses and fees in subsection (A) above. The penalties shall be as follows:

(1) $ 50.00 for the second occurrence
(2) $ 100.00 for the third occurrence
(3) $ 150.00 for any subsequent occurrence in a 24 month period

(c) In instances where a property owner or tenant receives three notices for being in violation of any Ordinance section of the Maintenance Ordinances on the same property in one calendar year (January 1 - December 31), a penalty not to exceed $1,000 will be assessed with receipt of the third violation notice. This penalty is in addition to any other actions that may be taken against the property owner or tenant.

(d) In instances where a property owner or tenant fails to remedy their violations in the time period prescribed, the Property Maintenance Enforcement Officer may assess the property owner or tenant a penalty in the amount of $100 per day until the violation is corrected. This penalty is in addition to any other actions that may be taken against the

Communication: Ordinance No. 2019-07 (Committee Meetings)

property owner or tenant.

~~(c)~~ **(e)** Any person making an appeal to the Property Maintenance Appeals Board must pay an administrative fee of $100.00 at the time the appeal is filed, unless it is an appeal of an emergency order under Section 1303.08(e).

~~(d)~~ **(f)** If a property owner removes a placard declaring that a building has been condemned by the Property Maintenance Appeals Board, the property owner shall be charged a fee of $100.00 for re-placarding the property.

~~(e)~~ **(g)** Fees and penalties may be waived, if in the judgment of the Property Maintenance Appeals Board, the fees and penalties are not warranted by the circumstances.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and to protect the property of all residents in the City, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

_____
Bruce E. Hawkins, President of Council

PASSED: _____January 28_____, 2019

ATTEST: _____
Tanya Newell, Clerk of Council

APPROVED: _____, 2019

_____
Richard K. Mavis, Mayor

Communication: Ordinance No. 2019-07 (Committee Meetings)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 05/28/19 7:30 PM
Dept: Planning and Zoning
Vail, Menapace
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 1926 A

ORDINANCE 2019-27

AN ORDINANCE ESTABLISHING CHAPTER 551 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON FOR THE PURPOSE OF CREATING A PROCESS TO ABATE CHRONIC NUISANCE PROPERTIES; AND DECLARING AN EMERGENCY.

WHEREAS, Chronic nuisance properties present health, safety, and welfare concerns to the City, and have a negative impact upon the quality of life, safety, and health of the neighborhoods in which they are located. This chapter is enacted to remedy nuisance activities that occur throughout the City and affect citizens by providing a process for abatement.

WHEREAS, Chronic nuisance properties are a financial burden to the City due to the calls for service for nuisance activities that occur repeatedly on these properties. This chapter is a means to lessen that burden and hold accountable those persons responsible for such properties.

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

SECTION 1: Part Five of the Codified Ordinances of the City of Mount Vernon be amended by the addition of new Chapter 551 (Chronic Nuisance Properties) as follows:

551.01 Definitions.

551.02 Violation.

551.03 Procedure.

551.04 Burden of proof; affirmative defenses.

551.05 .Impact.

551.06 Other penalties.

551.01 DEFINITIONS.

(a) CHRONIC NUISANCE PROPERTY.

(1) Property on which three or more nuisance activities and/or two felony drug activities have occurred during any six month period; or

(2) Property on which any person associated with the property has engaged in three or more nuisance activities within any six month period.

(b) NUISANCE ACTIVITIES. Any of the following activities, behaviors, or criminal conduct:

Communication: Ordinance No. 2019-27 (Committee Meetings)

(1) Any falsification violation under § 525.02, obstruction of official business violation under §525.07, obstructing justice violation under § 525.08, resisting arrest violation under § 525.09, compliance with lawful order of Police Officer - fleeing violation under § 303.01, misuse of 9-1-1 System violation under- § 537.12, failure to disclose personal information violation under § 525.17 of the Codified Ordinances;

(2) Any alcohol violations under Chapter 529 of the Codified Ordinances;'

(3) Any animal violations under Chapter 505 of the Codified Ordinances;

(4) Any drug violation under Chapter 513 of the Codified Ordinances;

(5) Any gambling violation under Chapter 517 of the Codified Ordinances;

(6) Any offense against another person under Chapter 537 of the Codified Ordinances, excluding any Chapter 537 offenses where the person in charge or person associated with the property is a victim of the offense and not the perpetrator;

(7) Any violation under § 521.14 of the Codified Ordinances, illegal distribution of cigarettes or other tobacco products;

(8) Any disorderly conduct, disturbance of the peace, or other violation under Chapter 509 of the Codified Ordinances;

(9) Any health, safety, or sanitation violation under Chapter 521 of the Codified Ordinances;

(10) Any sex offense under Chapter 533 of the Codified Ordinances;

(11) Any weapons, explosives, firearm, or handgun violation under Chapter 549 of the Codified Ordinances;

(12) Any activity or violation indicated to be a public nuisance anywhere in the Codified Ordinances; or

(13) Any activity or violation listed above under the corresponding sections of the Ohio Revised Code.

(c) PERMIT. To suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to the doing of an act.

(d) PERSON. Any natural person, agent, association, firm, partnership, or corporation capable of owning, occupying, or using property.

(e) PERSON IN CHARGE, Any person, in actual or constructive possession of a property, including but not limited to an owner or occupant of a property under his or her dominion, ownership, or control.

Communication: Ordinance No. 2019-27 (Committee Meetings)

(f) PERSON ASSOCIATED WITH Any person who, on the occasion of a nuisance activity, has entered, patronized, visited, or attempted to enter, patronize, or visit a property or person present on a property, including without limitation any officer, director, customer, agent, employee, or any independent contractor of a property, person in charge, or owner thereof.

(g) PROPERTY or PREMISES. These terms may be used interchangeably in this chapter. Any public or private building, lot, parcel, dwelling, rental unit, real estate or land or portion thereof including property used as a residential or commercial property, Property consisting of more than one unit shall be limited to the unit or portion of the property on which any nuisance activity occurs.

(h) FELONY DRUG ACTIVITY. Any violation charged under Ohio R.C. Chapters 2925 or 3917, the penalty for which includes the possibility of incarceration in a penitentiary. This includes, but is not limited to, possession of a controlled substance, permitting drug abuse, trafficking drugs, corrupting another with drugs, illegal manufacture of drugs, and illegal assembly of chemicals.

§ 551.02 VIOLATION.

(a) Any property which is a chronic nuisance property is in violation of this section and subject to its remedies.

(b) Any person in charge who permits property to be a chronic nuisance property shall be in violation of this section and subject to its remedies.

§ 551.03 PROCEDURE.

(a) The Chief of Police or his designee, upon finding that two or more nuisance activities, or one felony drug activity, declared in this section have occurred within any six month period, may cause a written notice and order to be served on the owner of the property declaring that such property is a nuisance property. The notice shall contain the following information:

(1) The street address or a legal description sufficient to identify the property.

(2) A statement detailing the nature of the nuisances, the estimated costs to abate any future nuisances, and that the owner may avoid being charged the costs of abatement by taking steps to prevent any further nuisance activity as set forth in this section.

(3) A statement that if a third or subsequent nuisance activity or second felony drug activity as declared in this section occurs, within six months of the dates of the first two nuisance activities or first felony drug activity, the City may abate the nuisance by responding to the activities using administrative and law enforcement actions, and the costs of such abatement shall be assessed on the nuisance property.

(b) Notice shall be deemed properly served by the following methods:

(1) Sent by first class mail to the address of the owner as listed in the County Auditor's office; and

(2) Posted on the front door or other conspicuous location of the property that is subject to the notice; or

(3) Delivered in person to the owner.

(c) Return of service shall be made by affidavit of the person serving, mailing or posting such notice, and when notice is given by mail, such affidavit shall identify the property by County Auditor's parcel number and shall show the name and address of the person to whom the notice was mailed and the date of mailing.

(d) If within six months after the two nuisances or first felony drug activity referred to in division (a) of this section has occurred, a third nuisance activity or second felony drug activity as declared in this section occurs, the City shall notify the owner that the property has been deemed a chronic nuisance property and direct the owner to abate the nuisance. If the owner has not done so within thirty days, the City may abate the nuisance by responding to the activity using administrative and law enforcement actions.

(1) Notice shall be posted on the premises or at the site of the nuisance directing the responsible party to abate the nuisance. A copy of the notice shall be forwarded by first class mail to the address of the owner as listed in the County Auditor's office. Personal service may be used in lieu of posting and mailing.

(2) The notice to abate shall contain:

A. The street address or a legal description sufficient to identify the property.

B. A direction to abate the nuisance within thirty calendar days from the date of the notice.

C. A description of the nuisance.

D. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement shall be charged to the owner or assessed against the property, or both.

(e) The owner of a nuisance property who receives a notice from the Chief of Police or his designee pursuant to this section may appeal such notice by submitting a written request for reconsideration to the Safety-Service Director within thirty days of the date of the notice. If the Safety-Service Director finds that the facts presented do not support the declaration of a nuisance, the Director shall rescind the notice. Otherwise, the Safety-Service Director shall deny the request. Any appeal from the decision of the Safety-Service Director shall proceed pursuant to Chapter 2506 of the Ohio Revised Code. Any such appeal shall not stay any actions by the City to abate any subsequent nuisance activity.

Communication: Ordinance No. 2019-27 (Committee Meetings)

551.04 BURDEN OF PROOF; AFFIRMATIVE DEFENSES.

(a) In an action under this section, the City shall have the initial burden of proof to show by a preponderance of the evidence that a violation under that section has occurred.

(b) The City shall be deemed to have failed to have met this standard if the owner demonstrates by a preponderance of the evidence that:

(1) He or she was not the owner at the time of any of the nuisance activity that is the basis of the notice;

(2) He or she has knowledge of the nuisance activity, but has promptly and vigorously taken all actions necessary to abate each nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9); or

(3) He or she had no knowledge of the nuisance activity and could not, with reasonable care and diligence; have known of the nuisance activity; and upon receipt of the notice of the declaration of the property as a nuisance property, he or she promptly took all actions necessary to abate the nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A) (9).

(c) If the owner performed a background check prior to leasing and is in the process of eviction, either at the time of the third nuisance/second felony drug activity or as a result of the third nuisance/second felony drug activity, the City shall not deem the property a chronic nuisance.

§ 551.05 IMPACT.

(a) Once a property has been determined to be a chronic nuisance property, the owner of that property shall be charged for the actual cost of each subsequent service by the City for a nuisance or felony drug activity for that property.

(b) The Chief of Police or his or her designee shall also assess a civil penalty against an owner who violates any provision of this chapter or fails to obey any order to abate a chronic nuisance. Assessments for nuisance activities shall be imposed based on the number of nuisance or felony drug activities that occur on that property after it has been deemed a chronic nuisance property. The assessment shall be issued as follows:

(1) For the first nuisance or felony drug activity, a civil penalty against the owner of one hundred and fifty dollars ($150.00) shall be imposed;

(2) For the second nuisance or felony drug activity, a civil penalty against the owner of two hundred and fifty dollars ($250.00) shall be imposed;.

(3) For the third nuisance or felony drug activity, a civil penalty against the owner of five hundred dollars ($500.00) shall be imposed;

(4) For the fourth nuisance or felony drug activity, a civil penalty against the owner of seven hundred and fifty dollars ($750.00) shall be imposed;

Communication: Ordinance No. 2019-27 (Committee Meetings)

(5) For each nuisance or felony drug activity after the fourth, a civil penalty against the owner of one thousand dollars ($1,000) shall be imposed.

(c) The determination that a premises is a chronic nuisance subject to remittance for the cost of enforcement pursuant to this section and subject to civil penalties or criminal prosecution pursuant to this chapter shall be effective for a two year period beginning with the date the property is declared to be a chronic nuisance property.

(1) If at any point during that two-year period another nuisance activity or felony drug activity occurs at.the property, the two year period shall restart from the date of that activity. The two year period shall restart for any subsequent nuisance or felony drug activity.

(d) In addition to other relief ordered, a court of competent jurisdiction may authorize the City to physically secure the property against all access, use or occupancy in the event that the owner fails to do so within the time specified by the court. In the event that the City is authorized to secure the property, all costs reasonably incurred by the City to physically secure the property shall be paid to the City by the owner and maybe included in the City's money judgment, including court costs. The court may in its discretion, award attorney fees to the prevailing party.

§551.06 OTHER PENALTIES.

(a) Whoever violates the provisions of this chapter is guilty of a minor misdemeanor and shall be fined one hundred and fifty dollars ($150,00).

(b) A separate offense shall be deemed committed each day on which a violation occurs or continues.

(c) Permits, including those for occupancy, health, etc., granted to the owner may be subject to revocation based on the declaration that a property is a chronic nuisance property.

(d) The declaration of a nuisance property, an order to abate a nuisance, or the assessment of costs by the City on a property do not affect or limit the City's right or authority to bring a criminal prosecution or other legal action against any person for violation of the City’s ordinances or the Ohio Revised Code, including those provided for in Ohio R.C. 3767.06.

SECTION 2: If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3: This City Council finds and determines that all formal actions of this City Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council and that all deliberations of this City Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Communication: Ordinance No. 2019-27 (Committee Meetings)

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to expedite actions against certain chronic problem properties, 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.

_____
Bruce E. Hawkins, President of Council

PASSED: _____June 24_____, 2019

ATTEST: _____
Tanya Newell, Clerk of Council

APPROVED: _____, 2019

_____
Richard K. Mavis, Mayor

MountVernon

Planning and Zoning Committee Meeting Minutes
Committee Meeting
October 11, 2021 – 6:35 p.m. to 6:45 p.m.

COUNCIL PRESENT:	Bruce E. Hawkins, President Samantha Scoles, First Ward John Francis, Second Ward Tammy Woods, Third Ward Mike Hillier, Fourth Ward Janis Seavolt, At-Large Amber Keener, At-Large Julia Warga, At-Large
ABSENT:	None
OTHERS IN ATTENDANCE:	Matthew T. Starr, Mayor Rick Dzik, Safety Service Director Terry Scott, Auditor Rob Broeren, Law Director Brian Ball, Engineer Todd Hill, Council Clerk Knox Pages Robert K. Morgan, Police Chief Jeff Gottke and Sam Filkins, ADF

The committee discussed Planned Commercial Development District zoning. Jeff Gottke of the Knox County Area Development Foundation explained how the zoning would work, particularly in regards to Cooper Progress Park. Law Director Broeren, Council President Hawkins, and Council Persons Francis, Hillier and Scoles also spoke on the issue.

Ordinance No. 2021-34, to create Codified Ordinance Chapter 1185-Planned Commercial Development District, was up for a second reading at Council's legislative meeting later in the evening.

Respectfully submitted,

_____
Mike Hillier, Chair
Planning and Zoning Committee
Mount Vernon City Council

MH/lnh

Communication: Planning & Zoning Committee Meeting Minutes (1) (Receive Committee Reports)

MountVernon

Planning and Zoning Committee Meeting Minutes
Committee Meeting
October 11, 2021 – 6:45 p.m. to 7:15 p.m.

COUNCIL PRESENT:	Bruce E. Hawkins, President Samantha Scoles, First Ward John Francis, Second Ward Tammy Woods, Third Ward Mike Hillier, Fourth Ward Janis Seavolt, At-Large Amber Keener, At-Large Julia Warga, At-Large
ABSENT:	None
OTHERS IN ATTENDANCE:	Matthew T. Starr, Mayor Rick Dzik, Safety Service Director Terry Scott, Auditor Rob Broeren, Law Director Brian Ball, Engineer Todd Hill, Council Clerk Knox Pages Robert K. Morgan, Police Chief Jeff Gottke and Sam Filkins, ADF

The committee discussed Ordinance No. 2021-39, implementing sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a Community Reinvestment Area in the City of Mount Vernon, designating a housing officer to administer the program, and creating a Community Reinvestment Housing Council. Sam Filkins of the Knox County Area Development Foundation gave an overview of the CRA, and two amendments to the ordinance were discussed. The ordinance was up for a second reading at Council's legislative meeting later in the evening. A 20-minute committee meeting on the matter was planned for Oct. 26.

Respectfully submitted,

_____

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

MH/lnh

NOTICE TO LEGISLATIVE AUTHORITY

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

03207030525 PERMIT NUMBER	NEW TYPE	TO BOB EVANS RESTAURANTS LLC DBA BOB EVANS RESTAURANT 563 1624 COSHOCTON AVE MT VERNON OH 43050
ISSUE DATE		
10 14 2021 FILING DATE		
D2 PERMIT CLASSES		
42 TAX DISTRICT / 077 / B	D21085 RECEIPT NO.	FROM 10/18/2021

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

MAILED 10/18/2021 RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/18/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES B NEW 0320703-0525
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

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

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

DLC 4052 REV. 03/09

Communication: Liquor License-Bob Evans (Liquor Control License)

Ohio | Department of Commerce

Rev 2/10/2021

Division of Liquor Control

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

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

- Notify the Division whether you object and want a hearing or not; or
- Ask for your one-time only, 30-day extension.
  - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered timely, your above response must be:

FAXED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can fax your response to: (614) 644 – 3166

EMAILED to the Division no later than 30 days after the "mailed" date (this is the date listed after the "responses must be postmarked no later than." You can email your response to: LiquorLicensingMailUnit@com.state.oh.us

POSTMARKED, if mailed, no later than the date listed on the notice after "responses must be postmarked no later than." You can mail your response to

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

In an effort to speed up processing times and reduce paper, the Division respectfully asks that you either fax or email the above notice. In a similar effort, please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

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

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

Communication: Liquor License-Bob Evans (Liquor Control License)

Licensing Section
6606 Tussing Road
Fax 614-728-1281

NOTICE TO LEGISLATIVE AUTHORITY

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

84189940715 PERMIT NUMBER	STCK TYPE	TO SPEEDWAY LLC DBA SPEEDWAY 9193 1 COLUMBUS RD MT VERNON OHIO 43050
ISSUE DATE		
01 17 2021 FILING DATE		
C2 C2X PERMIT CLASSES		
42 077 B TAX DISTRICT	F26446 RECEIPT NO.	FROM 10/19/2021

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

MAILED 10/19/2021 RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/19/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES B STCK 8418994-0715
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

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

(Signature) (Title)- ☐ Clerk of County Commissioner (Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

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

Communication: Liquor License-Speedway (Liquor Control License)

DLC 4052 REV. 03/09

Check #530085 $2

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE $100.00
CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name: Speedway LLC

Permit Premises Address: Every Location in Ohio

Liquor Permit Number(s): F026210 AK

Federal Tax ID Number:

Email Address: licensing@speedway.com

Attorney's Name, Address and Telephone Number (If represented):
Richard Blau c/o GrayRobinson, P.A., 401 E. Jackson Street, Suite 2700, Tampa, FL 33602; 813-273-5000

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) MPC Investment LLC	FEIN.	Member	☐ Managing Member ☐ Voting interest ____ % ☑ Membership interest 100 %	N/A
2) Timothy T. Griffith	SSN	President	☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
3) Glenn M. Plumby	SSN	Executive Vice President	☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
4) David E. Ball	SSN:		☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) SEI Speedway Holdings, LLC	FEIN	Member	☐ Managing Member ☐ Voting interest ____ % ☑ Membership interest 100 %	N/A
2) Timothy T. Griffith	SSN	President	☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
3) Glenn M. Plumby	SSN:	Executive Vice President	☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
4) David E. Ball	SSN	General Counsel/ Secretary	☑ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	

Communication: Liquor License-Speedway (Liquor Control License)

Office Hours
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS

PROCESSING FEE $100.00

CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name:		Permit Premises Address:
Speedway LLC		Every Location in Ohio
Liquor Permit Number(s):	Federal Tax ID Number:	

Email Address: licensing@speedway.com

Attorney's Name, Address and Telephone Number (If represented):

Richard Blau c/o GrayRobinson, P.A., 401 E. Jackson Street, Suite 2700, Tampa, FL 33602; 813-273-5000

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Carina Eckard Duffy	SSN:	Treasurer	☒ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
2)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
3)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
4)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Carina Eckard Duffy	SSN:	Treasurer	☒ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
2)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
3)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	
4)			☐ Managing Member ☐ Voting interest ____ % ☐ Membership interest ____ %	

Communication: Liquor License-Speedway (Liquor Control License)

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Streets and Public Buildings
Warga, Francis
Category: Streets
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3410

RESOLUTION 2021-94

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY SERVICE DIRECTOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION CAPITAL IMPROVEMENT PROGRAM FOR FUNDING FOR THE MANSFIELD AVENUE SIGNALS PROJECT; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety Service Director for the City of Mount Vernon is authorized and directed to apply to the Ohio Public Works Commission (Issue 1) Capital Improvement Program for funding assistance for the Mansfield Avenue Signals Project.

SECTION 2: The Safety Service Director is further authorized and directed to enter into any agreements as may be necessary for obtaining financial assistance.

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 applications for funds must be submitted by November 5, 2021, 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:

10/11/21	**City Council**	**FIRST READING**

Resolution No. 2021-94 was given its first reading.

COMMENTS - Current Meeting:

Warga made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-94, with a second by Francis. Motion to suspend passed by a roll-call vote of 7-0. Warga made a motion to adopt Resolution No. 2021-94, with a second by Francis. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Julia Warga, At Large
SECONDER:	John Francis, Second Ward
AYES:	Francis, Hillier, Seavolt, Scoles, Woods, Warga, Keener

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2021-96

Meeting: 10/25/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3420 A

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 101.1786.54311, Training/Travel, in the amount of $1,690.00.
2. To Account 101.1786.53111, Dues/Supplies, in the amount of $835.00
   (Grant - Ohio Office of Criminal Justice-Probation Dept.)
3. To Account 204.3100.51112, Cemetery-Clerk & Employees, in the amount of $9,000.00.
4. To Account 204.3100.52121, Cemetery-P.E.R.S., in the amount of $8,600.00.
5. To Account 204.3100.53214, Cemetery-Fuel, in the amount of $1,000.00.
   (Reimbursements from State of Ohio for Indigent Burials)
6. To Account 101.1510.51111, Victims Advocate-Personnel, in the amount of $41,115.96.
   (Ohio Attorney General - VOCA Grant)
7. To Account 219.1300.54492, Services Received, in the amount of $43,000.00.
   (Exceeded Estimated Revenue for 2021 - Lodging Excise Tax)

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:

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-96, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-96, with a second by Hillier. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3421

RESOLUTION 2021-97

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

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

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

1. Transfer from Account 224.2100.54311, Training/Travel, to Account 224.2100.53113, Telephone, in the amount of $2,000.00.
2. Transfer from Account 710.3210.53111, Materials & Supplies, to Account 710.3210.54118, Environmental Consultants, in the amount of $66,000.00.
3. From Account 224.1900.55511, Equipment, to Account 224.1900.52127, Uniforms, in the amount of $10,000.00.
4. Transfer from Account 224.1900.54423, Insurance Deductible, to Account 224.1900.53113, Telephone, in the amount of $1,000.00.
5. From Account 224.1900.55511, Equipment, to Account 224.1950.54111, Impound Lot Towing, in the amount of $1,500.00.
6. From Account 101.2500.51112, P B & L Employees, to Account 101.2500.53312, Maintenance & Repairs, in the amount of $50,000.00.
7. From Account 101.2500.51113, PBL-Seasonal Employees, to Account 101.2500.53312, Maintenance & Repairs, in the amount of $13,000.00.
8. From Account 701.2780.52125, Employee Insurance, to Account 701.2780.51111, Final Employee Payoff, in the amount of $17,000.00.
9. From Account 701.2780.54486, Transfer to Water Reserve, to Account 701.2720.53211, Water Plant-Chemicals, in the amount of $33,000.00.
10. From Account 720.2820.54211, Plant Utilities, to Account 720.2820.53211, Plant-Chemicals, in the amount of $15,000.00.

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:

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-97, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-97, with a second by Hillier. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Appointment
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3419

RESOLUTION 2021-98

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF LAUREN HEFFELFINGER TO THE RECREATION BOARD; 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 Lauren Heffelfinger, 14 Kenyon Street, Mount Vernon, Ohio to the Recreation Board, fulfilling the unexpired term of Brock Evans, commencing immediately, and expiring on February 20, 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:

Scoles made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-98, with a second by Woods. Motion to suspend passed by a roll-call vote of 7-0. Scoles made a motion to adopt Resolution No. 2021-98, with a second by Woods. Mayor Matt Starr commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 10/25/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Contract
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3423

RESOLUTION 2021-99

A RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR ADDITIONAL INTERIM RISK REDUCTION MEASURES AT THE KNOX CATTLE COMPANY DAM, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mount Vernon is a party to litigation regarding the Knox Cattle Company Dam currently pending in the Knox County Court of Common Pleas; and

WHEREAS, it is necessary to undertake certain Additional Interim Risk Reduction Measures ("IRRMs") to protect residents and property near the dam; and

WHEREAS, the City contemplates that the Knox County Court of Common Pleas will issue an order requiring the City to undertake the IRRMs. The order will require the City to be reimbursed for any costs expended for the IRRMs at the end of the litigation.

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

SECTION 1: Upon receipt of an order from the Knox County Court of Common Pleas requiring the City to undertake certain Additional Interim Risk Reduction Measures ("IRRMs") at the Knox Cattle Company Dam that the Safety Service Director for the City of Mount Vernon be authorized and directed to enter into contract for the IRRMs as directed by the order.

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 enable the construction to commence as soon as possible, 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:

Resolution No. 2021-99 was given a first reading. The Finance and Budget Committee chair has asked for a 15-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**FIRST READING**	**Next: 11/8/2021 7:30 PM**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Finance and Budget
Francis, Hillier
Category: Finance
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3424

RESOLUTION 2021-100

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO TRANSFER A LAW ENFORCEMENT CANINE.

WHEREAS, the Ohio Constitution grants certain Home Rule powers to municipalities, including the ability to transfer municipal property.

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

SECTION 1: That the Council finds that the City of Mount Vernon Fire Department owns the following property that is no longer needed for public use: 1 law enforcement canine ("DJ"). Council also finds that the value of the property is in excess of $1,000.00.

SECTION 2: That the Safety Service Director for the City of Mount Vernon be authorized and directed to sell the law enforcement canine ("DJ") to R. Matthew Jones for five thousand dollars and no cents ($5.000.00).

SECTION 3: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason of expediting the transfer of this property is in the best interests of all concerned parties, 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:

Francis made a motion to suspend the rule requiring three separate readings of Resolution No. 2021-100, with a second by Hillier. Motion to suspend passed by a roll-call vote of 7-0. Francis made a motion to adopt Resolution No. 2021-100, with a second by Hillier. Safety-Service Rick Dzik commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

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

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Planning and Zoning
Hillier, Keener
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3400

ORDINANCE 2021-38

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE AUGUST 2021 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:

Ord. No.	Date	C.O. Section		
2021-12	4-26-21	2021 Replacement Pages		
2021-21	6-14-21	141.04		
2021-22	6-14-21	359.02(e)		
2021-30	8-23-21	129.031		
2021-31	8-9-21	183.013		
2021-33	8-9-21	1141.03	to	1141.06

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

301.183 Low-Speed Micromobility Device. (Added)
301.22 Pedestrian. (Amended)
301.51 Vehicle. (Amended)
331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amended)
331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
333.03 Maximum Speed Limits. (Amended)
335.02 Permitting Operation Without Valid License; One License Permitted. (Amended)
335.021 Ohio Driver's License Required for In State Residents. (Amended)
335.04 Certain Acts Prohibited. (Amended)
335.09 Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
371.13 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)
371.14 Low-Speed Micromobility Devices. (Added)
373.13 Motorized Bicycle Operation. (Amended)
373.16 Electric Bicycles. (Amended)

General Offenses Code

501.99 Penalties for Misdemeanors. (Amended)
505.071 Cruelty to Companion Animals. (Amended)
509.07 Making False Alarms. (Amended)
513.01 Drug Abuse Control Definitions. (Amended)
525.13 Interfering with Civil Rights. (Amended)
529.01 Liquor Control Definitions. (Amended)
533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)
533.09 Soliciting. (Amended)
533.091 Loitering to Engage in Solicitation. (Amended)
533.10 Prostitution. (Amended)
537.02 Vehicular Homicide and Manslaughter. (Amended)
541.04 Criminal Mischief. (Amended)
541.05 Criminal Trespass. (Amended)
541.051 Aggravated Trespass. (Amended)
545.03 Property Exceptions as Felony Offense. (Amended)
549.02 Carrying Concealed Weapons. (Amended)
549.06 Unlawful Transactions in Weapons. (Amended)
553.04 Railroad Vandalism. (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:

09/27/21 **City Council** **FIRST READING**

Ordinance No. 2021-38 was given a first reading.

10/11/21 **City Council**

Ordinance No. 2021-38 was given a second reading.

COMMENTS - Current Meeting:

Hillier made a motion to adopt Ordinance No. 2021-38, with a second by Keener. Council Clerk Todd Hill commented on the legislation. Motion to adopt passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Amber Keener, At Large
AYES:	Warga, Woods, Francis, Keener, Scoles, Hillier, Seavolt

City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

Meeting: 10/25/21 7:30 PM
Dept: Planning and Zoning
Hillier, Keener
Category: Finance
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3407

ORDINANCE 2021-39

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF MOUNT VERNON, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL

WHEREAS, the Council of the City of Mount Vernon (hereinafter "Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage residential development in specific areas of the City of Mount Vernon that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, a survey of housing, a copy of which is on file in the office of the Mayor as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area (CRA); and

WHEREAS, the maintenance of existing residential and construction of new residential structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing residential structures or the construction of new residential structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

Now therefore, be it Ordained by the Council of the City of Mount Vernon, State of Ohio, that:

Section 1: That the area designated as the Mount Vernon Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged:

Section 2: That pursuant to ORC Section 3735.66, the Mount Vernon Community Reinvestment Area, is hereby established in the following described area:

All parcels currently within the corporation limits of the City of Mount Vernon as shown on the map attached hereto and incorporated herein by reference as **"Exhibit A."**

A. The Community Reinvestment Area is attached to this Ordinance (see **Exhibit A**) and by this reference incorporated herein.

B. Only residential properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

Section 3: That all residential properties identified in **"Exhibit A"** as being within the designated Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Mount Vernon intends to undertake supporting public improvements in the designated area.

Section 4: That for residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods and percentages:

Percentage determination: The percentage of tax exemption for a given property is determined based on the low-moderate income levels (LMI score) in each census block as scored in **Exhibit B**. The higher the percentage of low-moderate income residents within a census block the higher the percentage between 50%-100%. These scores will be updated as new census data becomes available and instated on the next calendar year.

Exemption period (**Exhibit C**):

a. Ten (10) years, for the remodeling of every residential dwelling unit, either one (1) housing unit, or containing not more than two (2) housing units and upon which the cost of remodeling is at least $15,000, as described in ORC Section 3735.67, and with such exemption being 50% or 75% depending on block LMI score, for each of the ten (10) years.

b. Twelve (12) years, for the remodeling of every residential dwelling unit containing more than three (3) housing units and upon which the cost of remodeling is at least $15,000, as described in ORC Section 3735.67, and such exemption being 50% or 75% depending on block LMI score for each of the twelve (12) years.

c. Fifteen (15) years, for the construction of dwellings containing not more than one (1) housing unit, as described in ORC Section 3735.67, on existing lots with existing utility services present, with such exemption being 50% or 75% depending on block LMI score for each of the fifteen (15) years.

d. Fifteen (15) years, for the construction of dwellings containing more than three (3) housing units, as described in ORC Section 3735.67, on existing lots with existing utility services present, with such exemption being 100%; provided, however, that in order to receive a 100% exemption, the property owner shall agree to make annual payments in lieu of taxes ("PILOTs") to the Mount Vernon City School District (the School District") and the Knox County Career Center (the "Career Center") equal to the amount of taxes that each would have received from the development with respect to any emergency levies in effect for the appropriate tax year had the exemption not been granted. The PILOTs shall be

described in additional detail in a written agreement among the property Owner, the School District and the Career Center. If the property owner does not agree to make the PILOTs, the exemption shall be 50% or 75%, depending on block LMI score for each of the fifteen (15) years.

e. The period of exemption for a dwelling described in item a or b of this section may be extended by City Council for up to an additional ten (10) years if the dwelling is a structure of historical or architectural significance or is a certified historic structure that has been subject to federal tax treatment under 26 U.S.C. 47 and 170(h).

For the purposes of the above described Community Reinvestment Area, structures exclusively used for residential purposes shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 5: That to administer and implement the provisions of this Ordinance, the City Safety Service Director is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

Section 6: The "Community Reinvestment Area Housing Council" (the "Housing Council") established by the City pursuant to Ordinance No. 2002-12 shall be the Housing Council responsible for the CRA. The Housing Council shall make an annual inspection of the properties within the CRA for which an exemption has been granted under R.C. Section 3735.67. The Housing Council shall also hear appeals under R.C. Section 3735.70.

Section 7: That City Council reserves the right to re-evaluate the designation of the Mount Vernon Community Reinvestment Area after an initial three (3) year period and thereafter every five (5) years, at which time City Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

Section 8: That the Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The CRA Housing Council shall also hear appeals under 3735.70, of the ORC.

Section 9: That City Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 10: That the Mayor of the City of Mount Vernon is hereby directed and authorized to petition the Director of the Ohio Department of Development to confirm the findings contained within this Resolution.

Section 11: That this ordinance shall take effect and be enforce from and after the earliest period allowed by land and upon confirmation by the Director of the Ohio Department of Development of the findings in this Resolution.

HISTORY:

09/27/21 City Council FIRST READING

Ordinance No. 2021-39 was given a first reading. A 30-minute committee meeting will be scheduled prior to Council's next legislative meeting on Oct. 11.

10/11/21 City Council

Ordinance No. 2021-39 was given a second reading. The Planning & Zoning Committee has asked for a 20-minute meeting on the matter before the next Council meeting on Oct. 27.

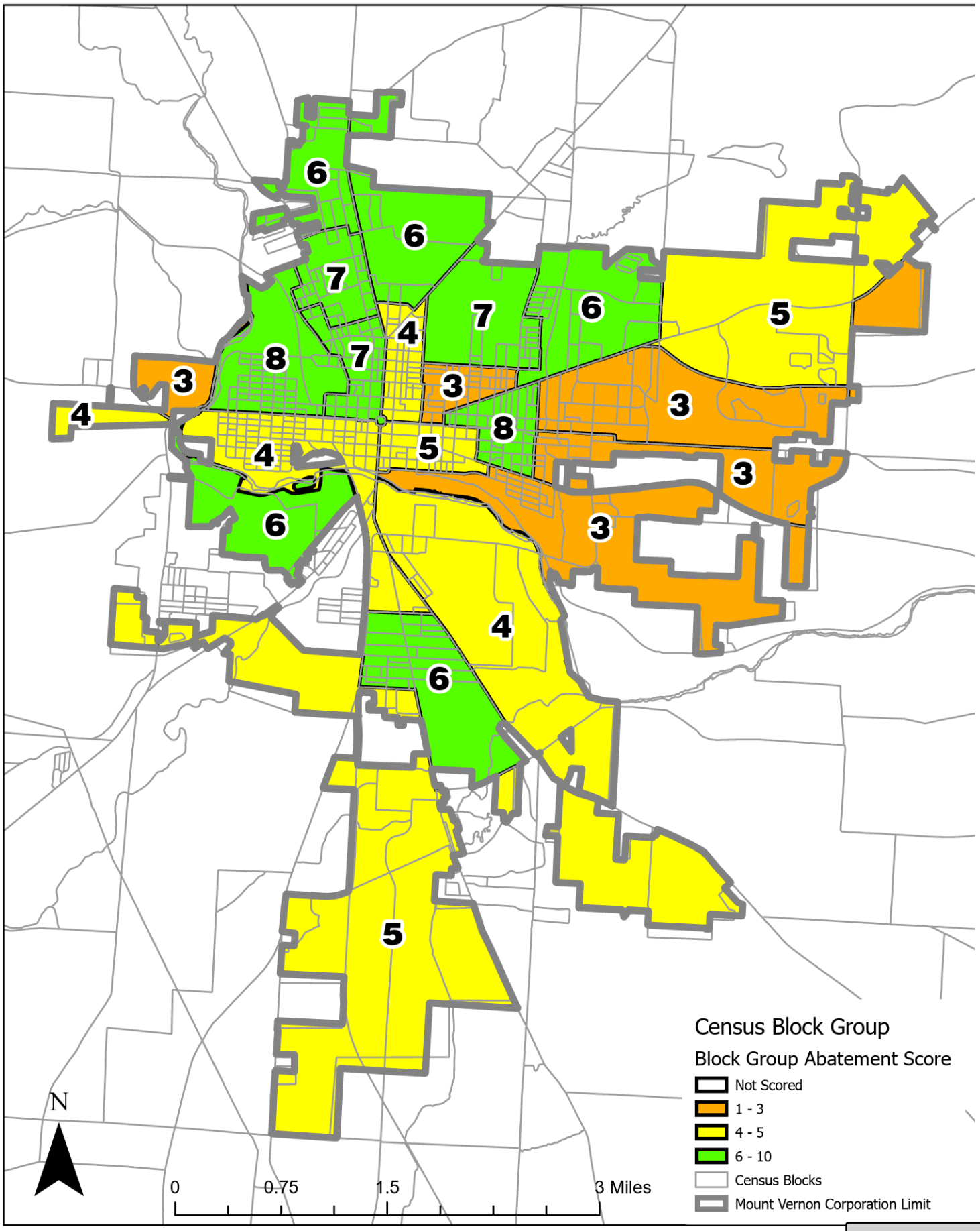
COMMENTS - Current Meeting:

Hillier made a motion to amend Ordinance No. 2021-39 to state, in Section 6, that, "The 'Community Reinvestment Area Housing Council" (the 'Housing Council') established by the City pursuant to Ordinance No. 2002-12 shall be the Housing Council responsible for the CRA." Keener seconded the motion to amend, which passed by a roll-call vote of 7-0. Hillier made a motion to adopt Ordinance No. 2021-39 as amended, with a second by Keener, which passed by a roll-call vote of 7-0.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mike Hillier, Fourth Ward
SECONDER:	Amber Keener, At Large
AYES:	Warga, Woods, Francis, Keener, Scoles, Hillier, Seavolt

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



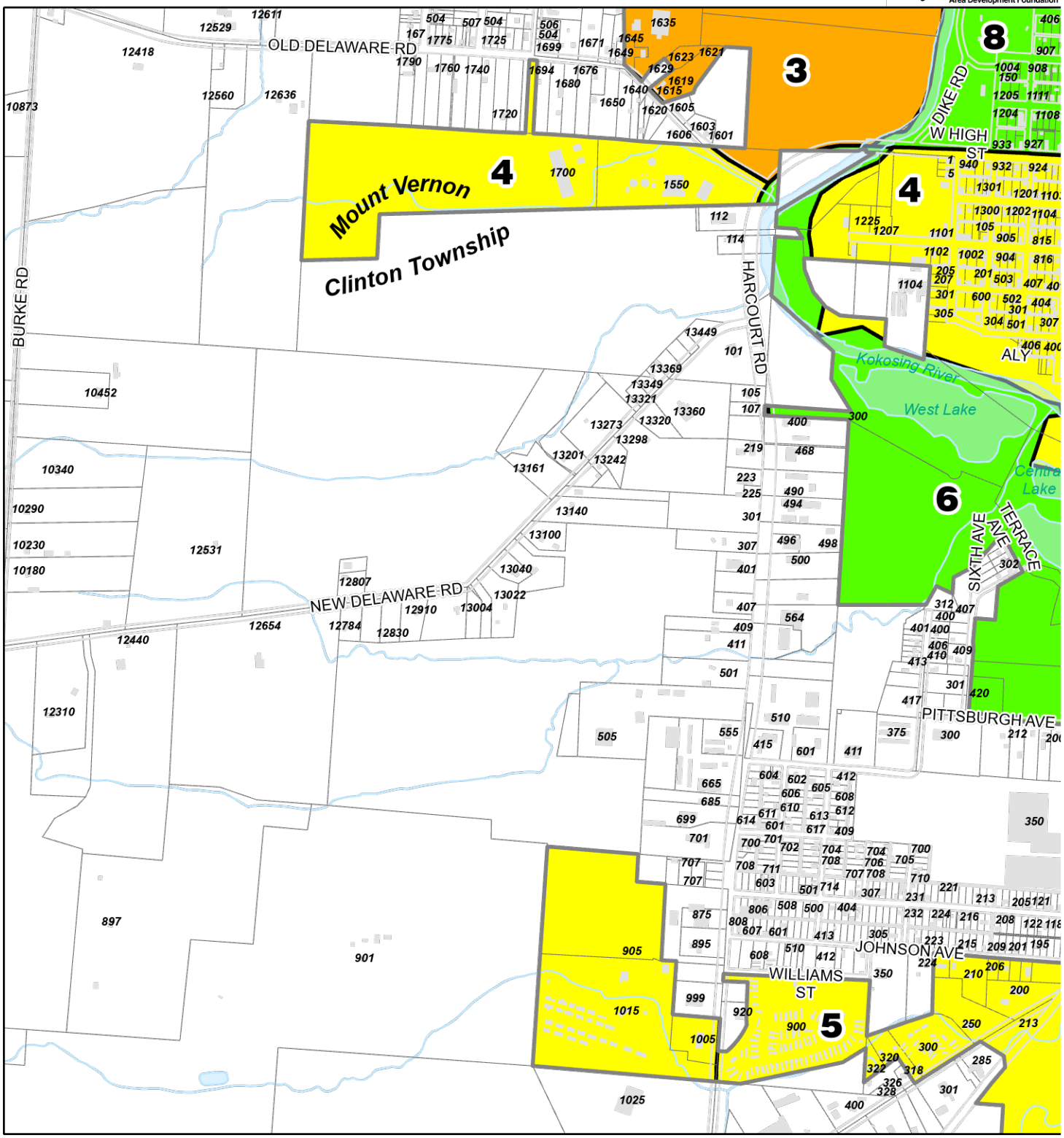
Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

KNOX COUNTY Area Development Foundation



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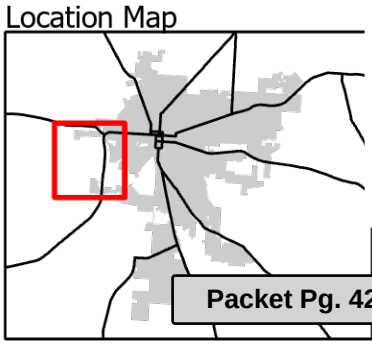


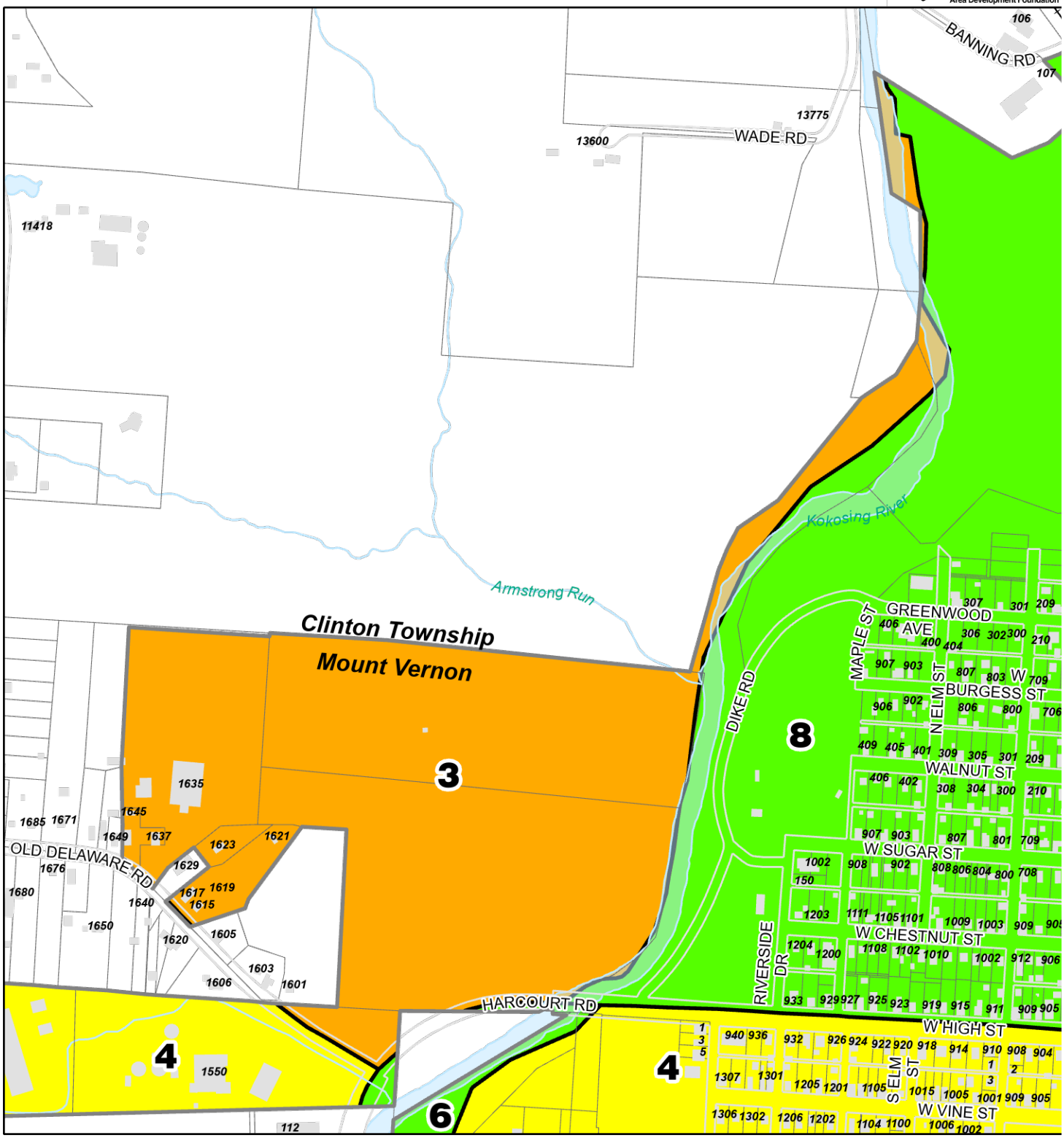
Block Group: 390830070002
Score: 4
Page 1 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



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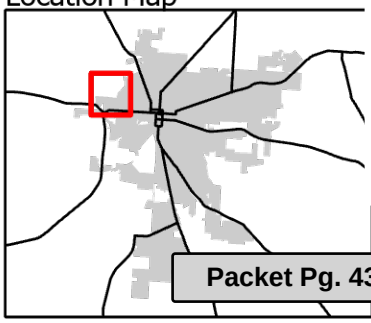


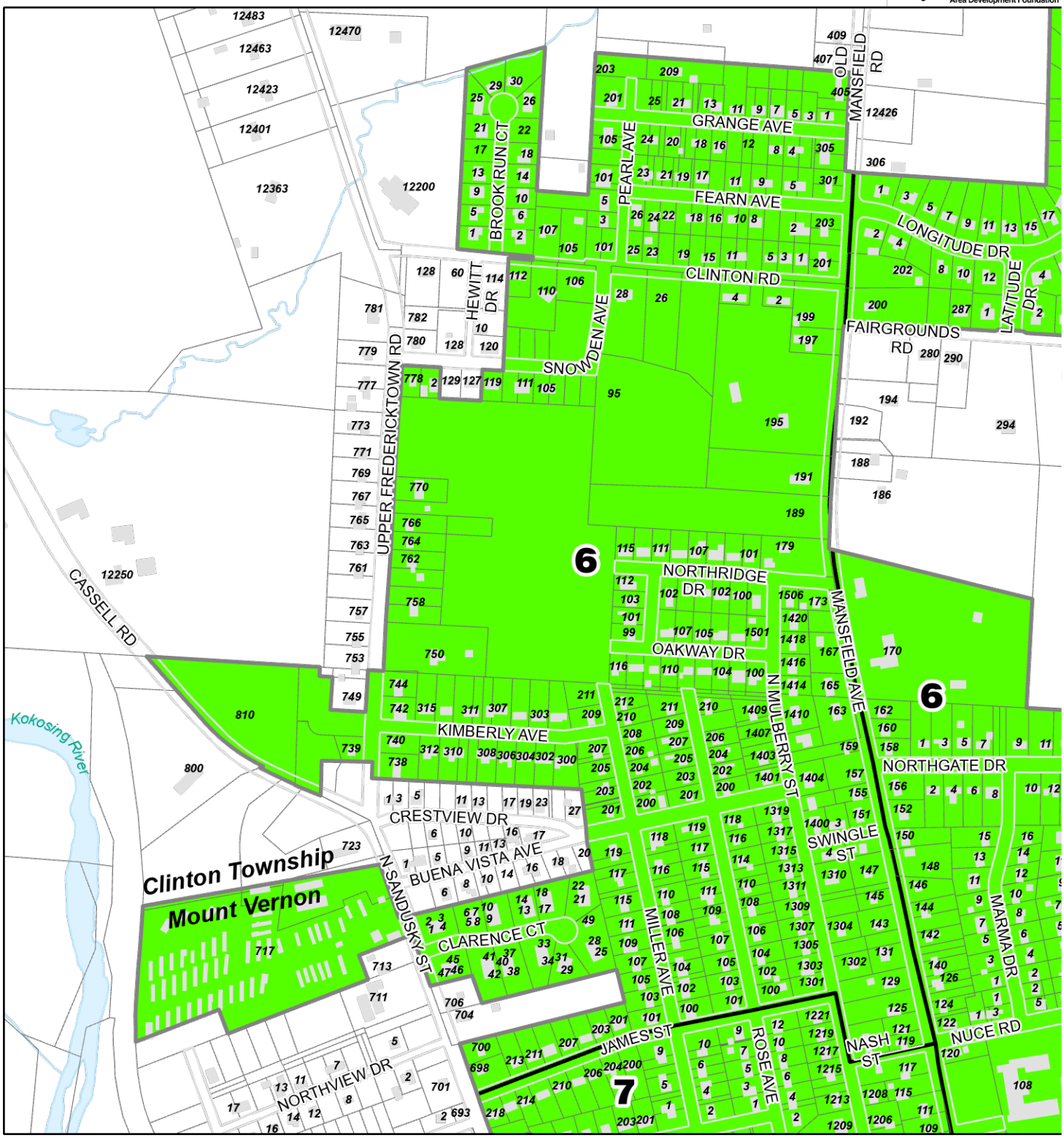
Block Group: 390830070003
Score: 3
Page 2 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



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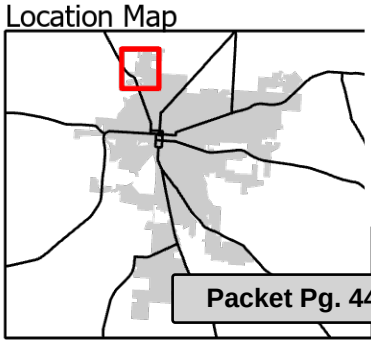
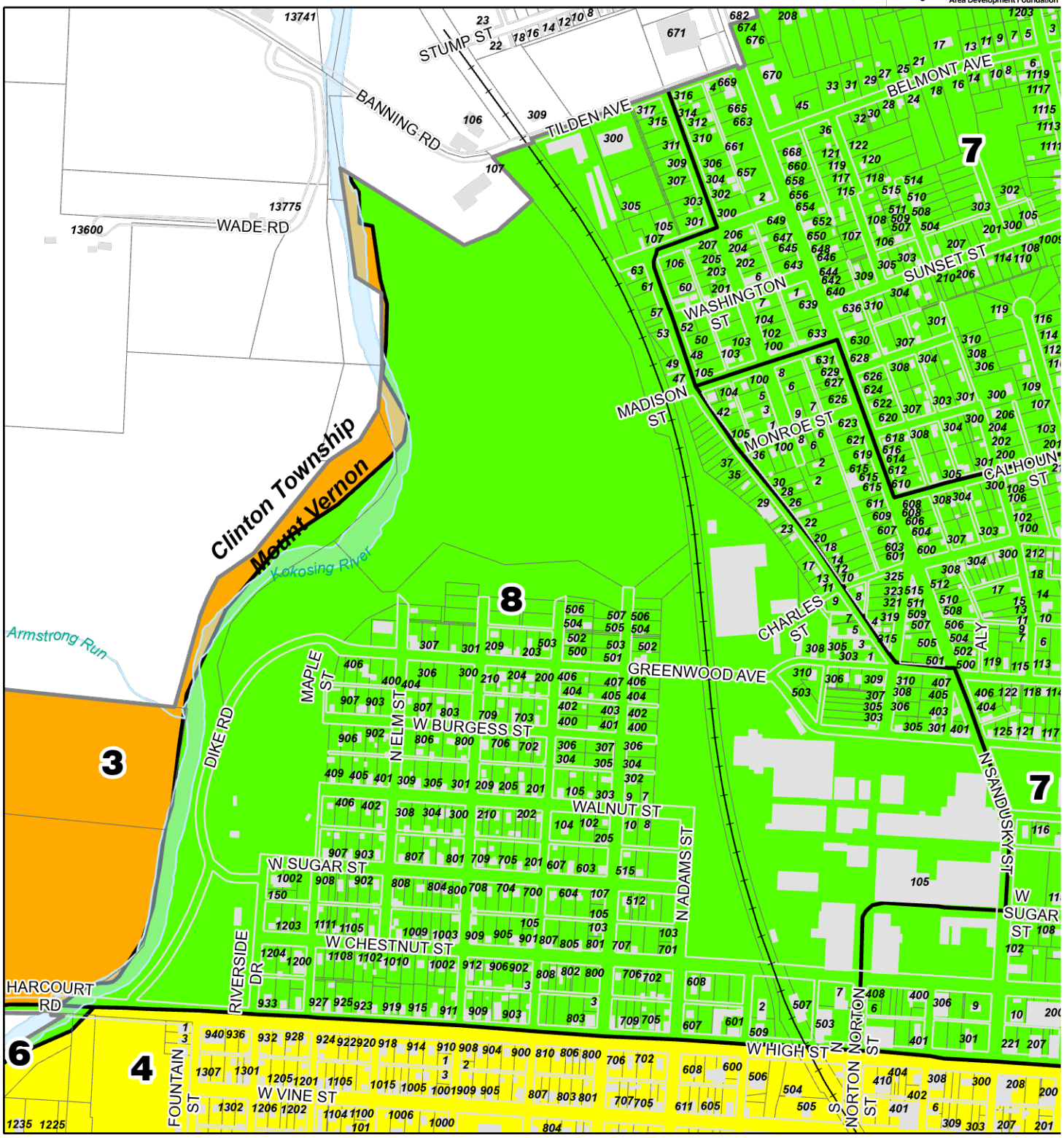


Block Group: 390830071001
Score: 6
Page 3 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



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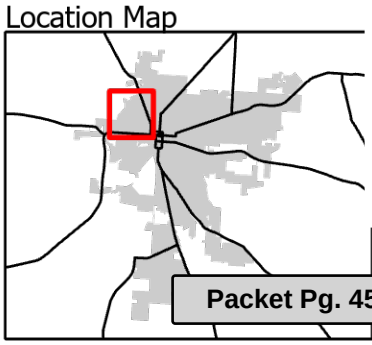
Location Map

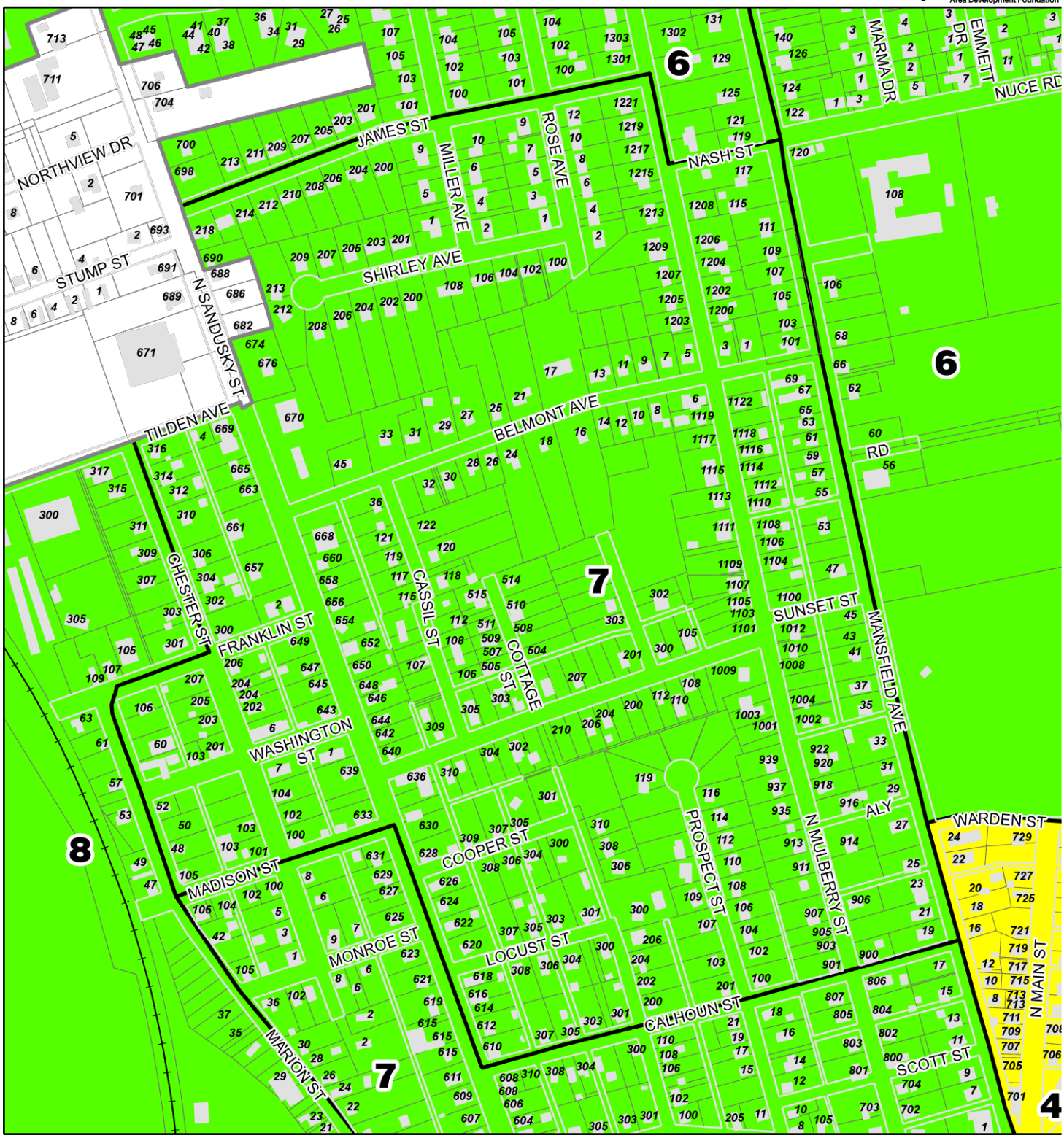


Block Group: 390830071002
Score: 8
Page 4 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



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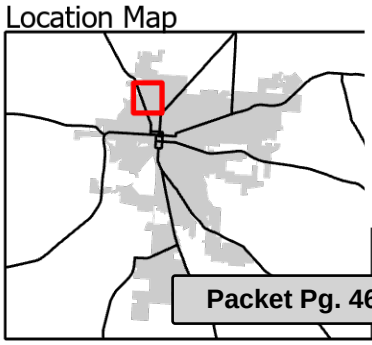
Location Map



Block Group: 390830071003
Score: 7
Page 5 of 22

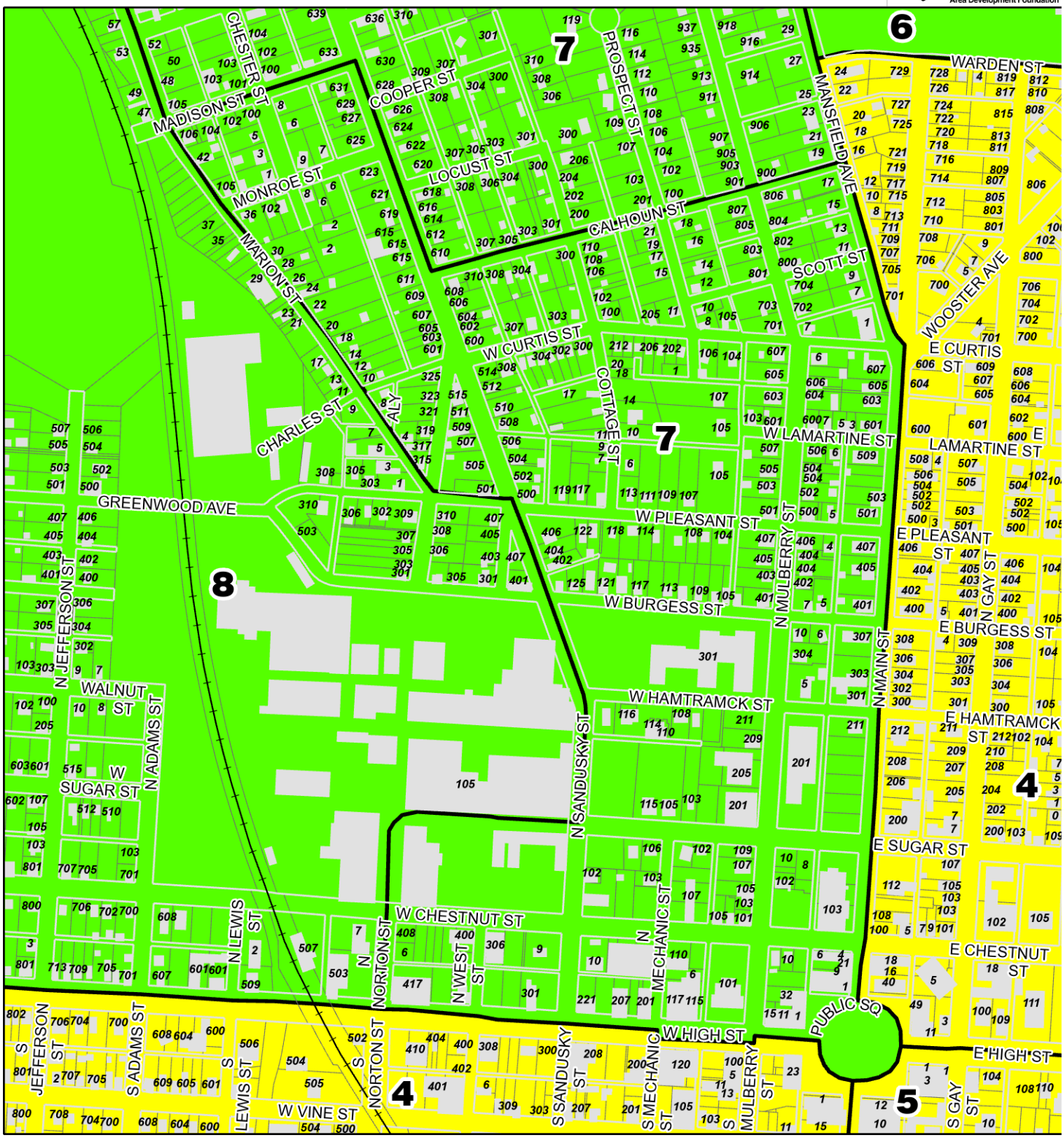
Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

KNOX COUNTY Area Development Foundation



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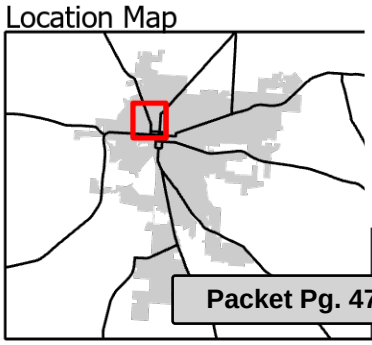
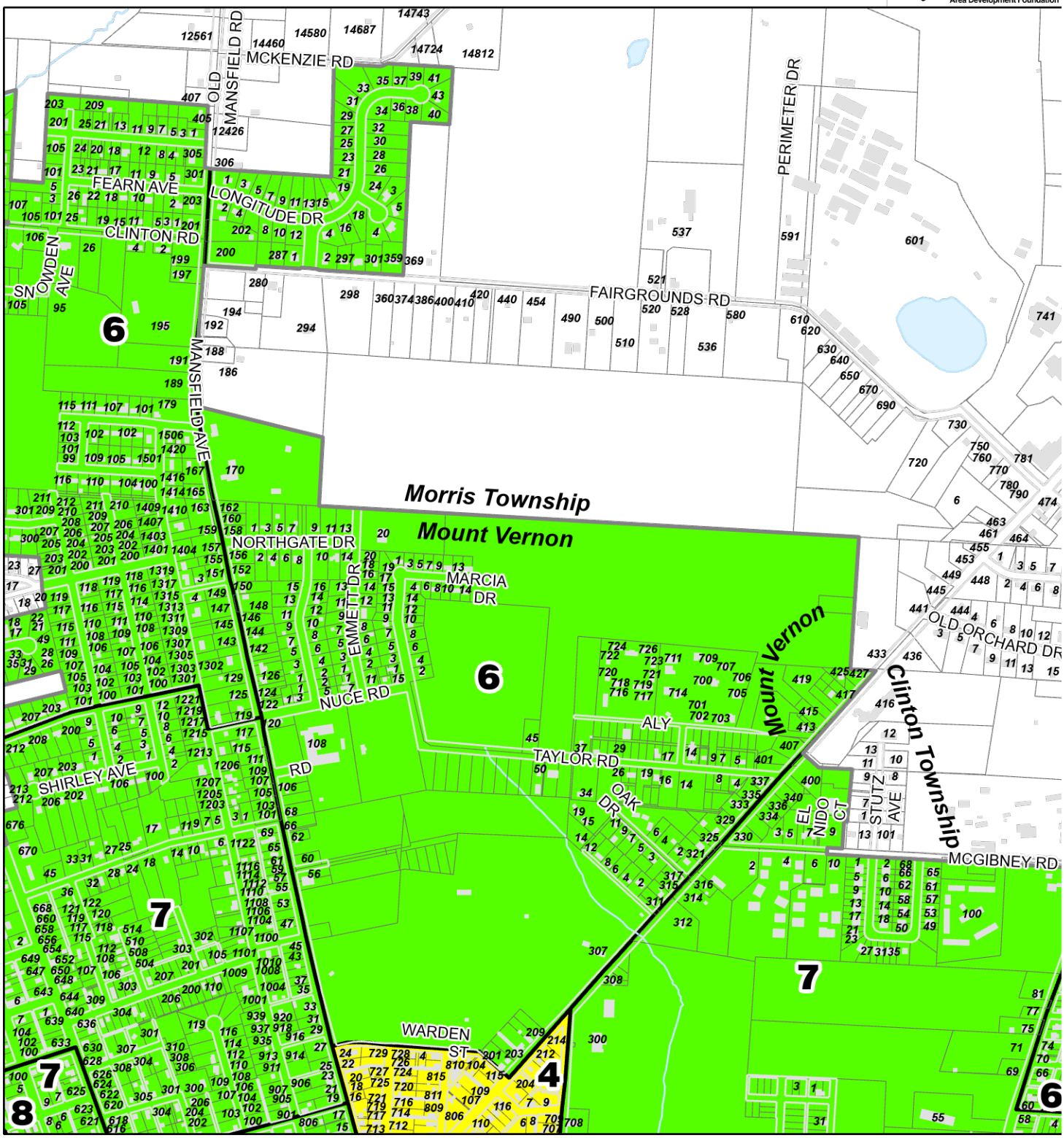


Block Group: 390830071004
Score: 7
Page 6 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



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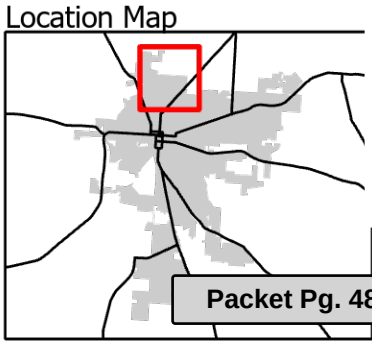
Location Map



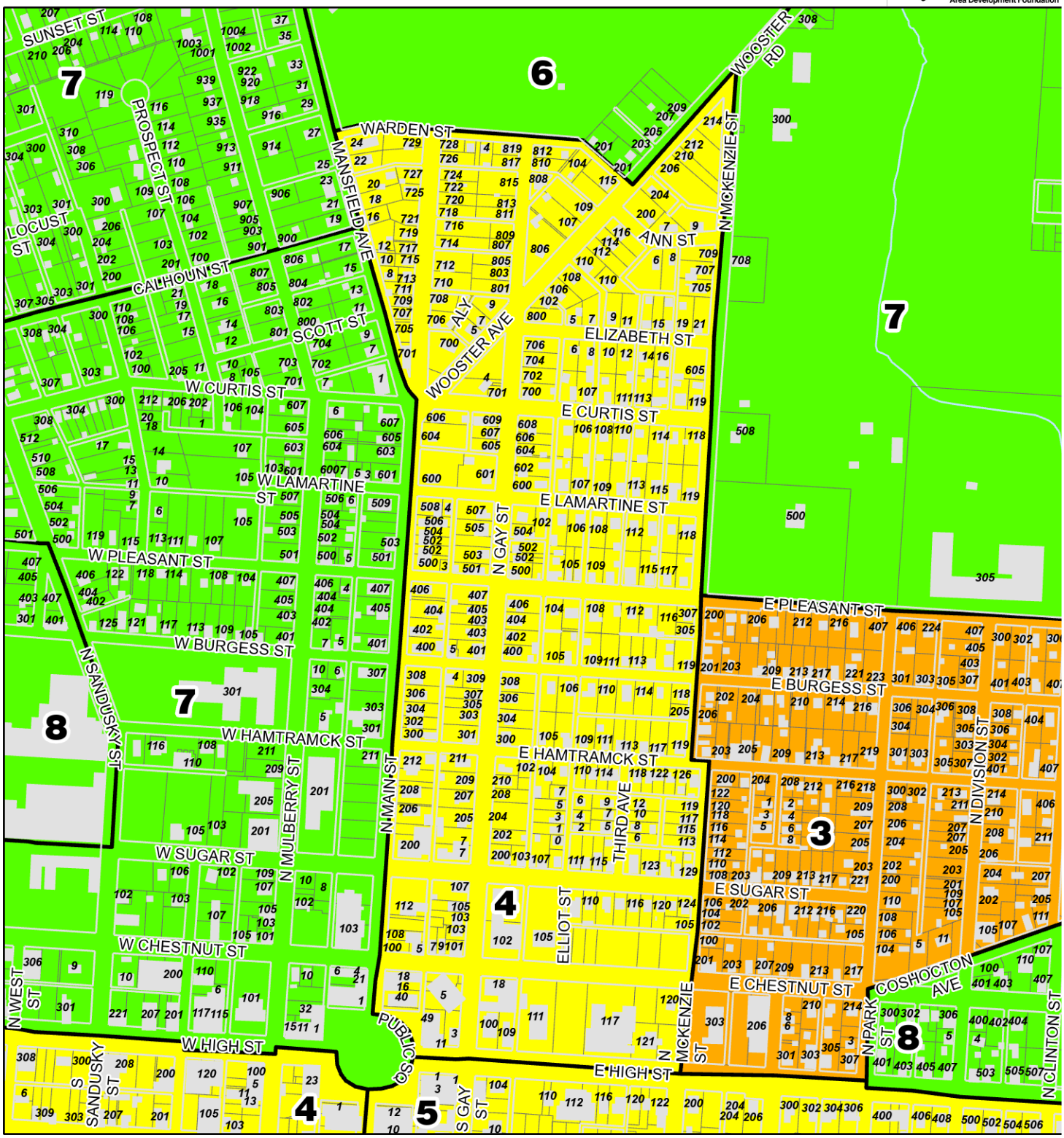
Block Group: 390830072001
Score: 6
Page 7 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio



N

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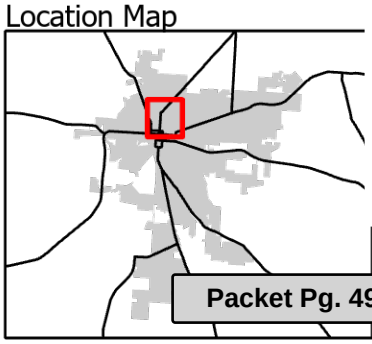
Location Map

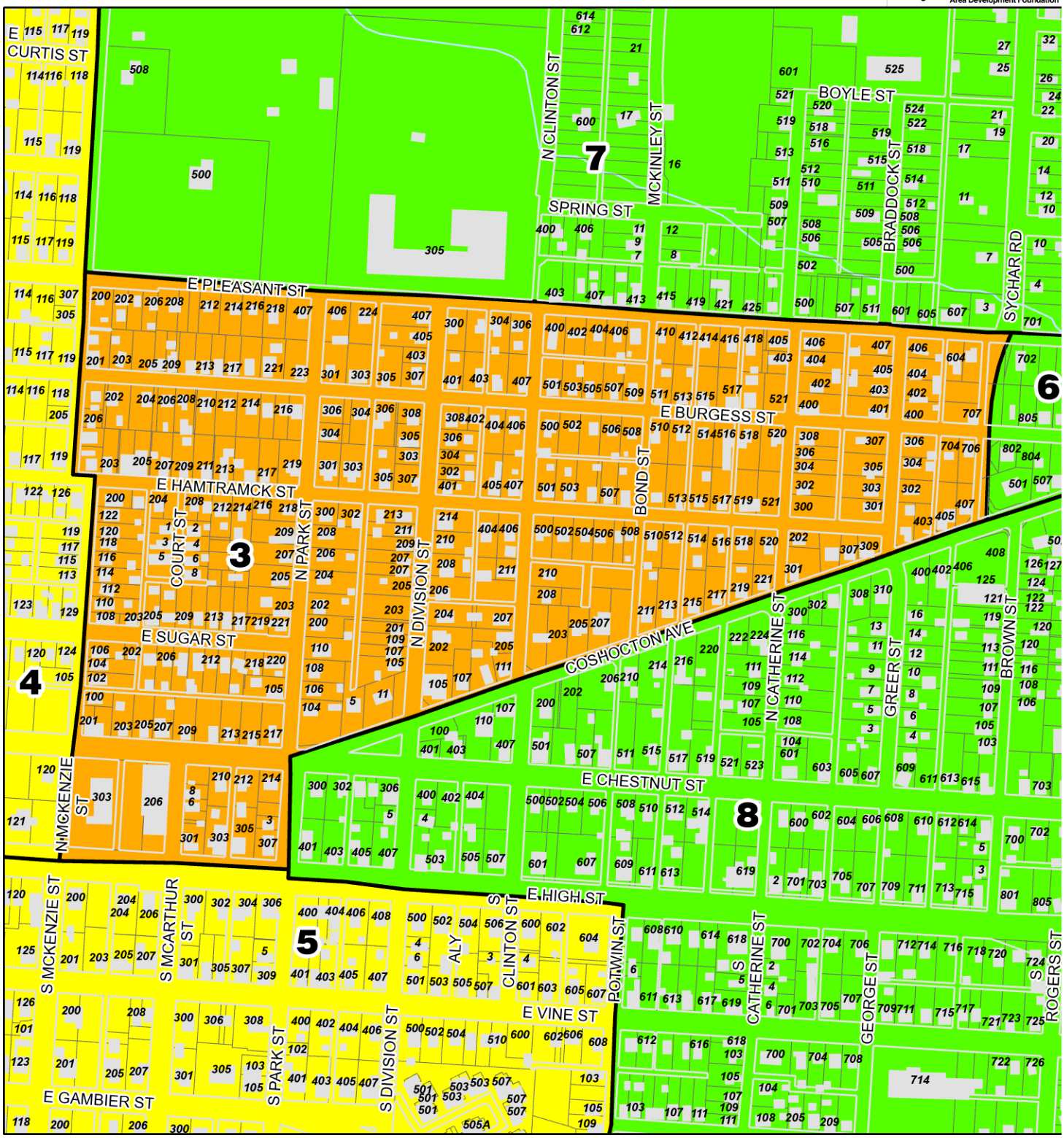


Block Group: 390830072002
Score: 4
Page 8 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

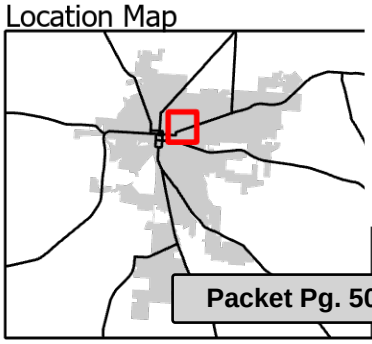
Area Development Foundation, Mount Vernon, Ohio



N

0 0.07 0.15 0.3 Miles

Location Map



Block Group: 390830072003
Score: 3
Page 9 of 22

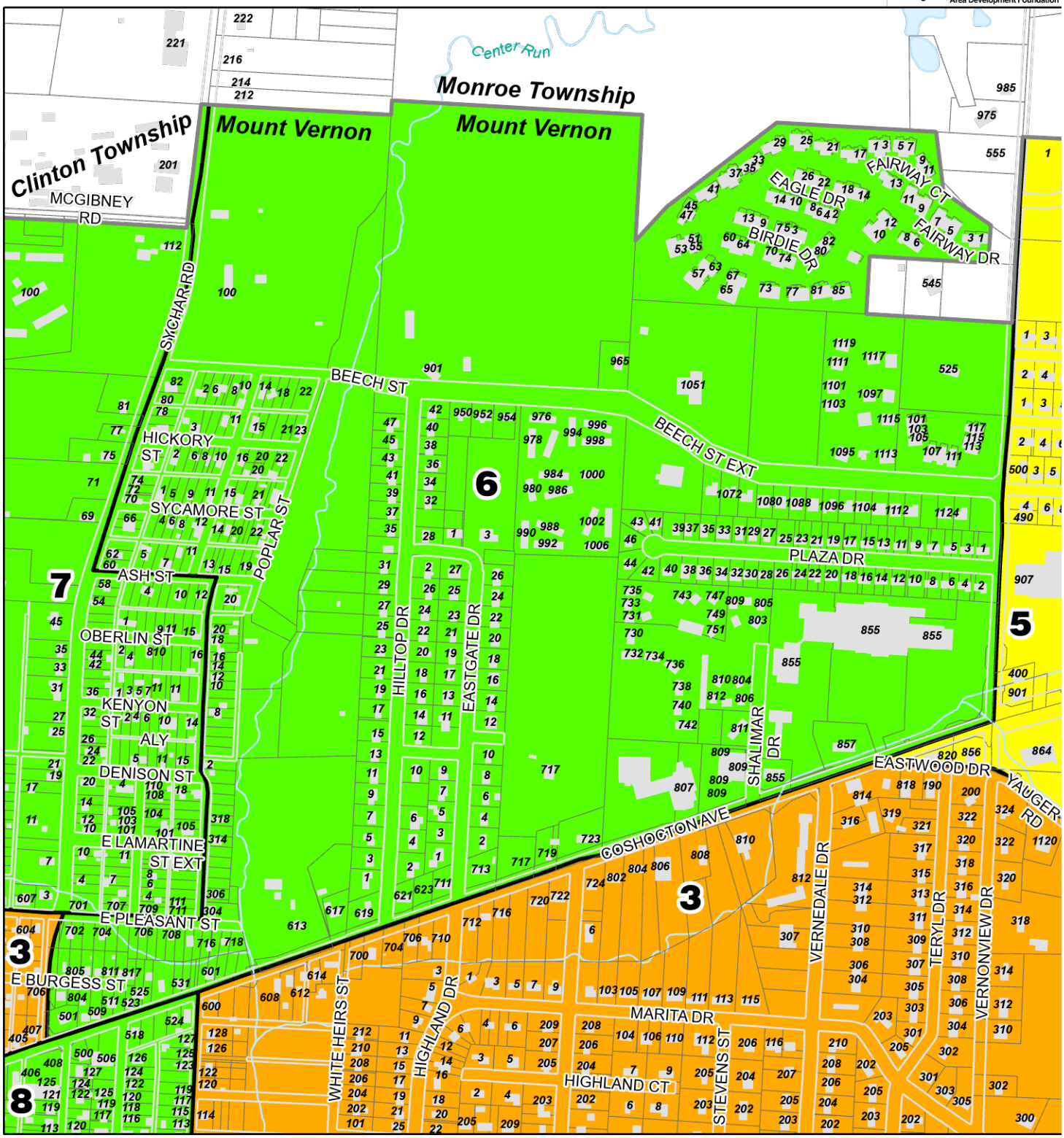
Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

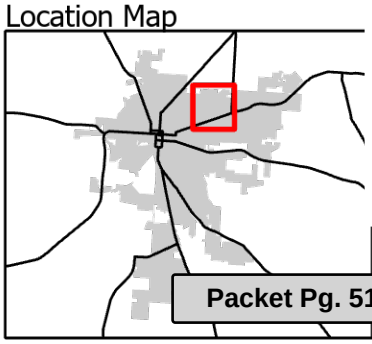
KNOX COUNTY Area Development Foundation



N

0 0.13 0.25 0.5 Miles

Location Map



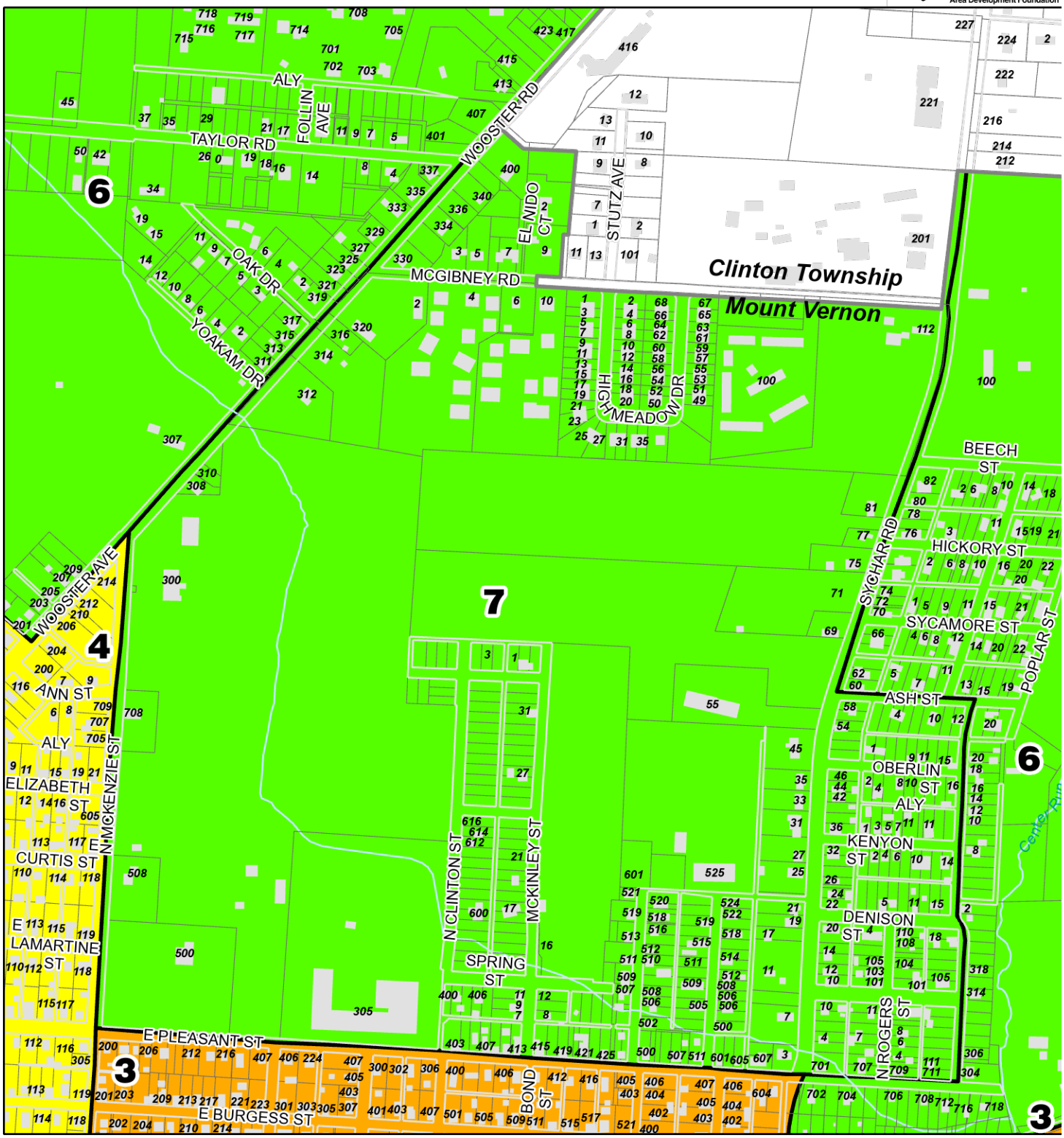
Block Group: 390830072004
Score: 6
Page 10 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

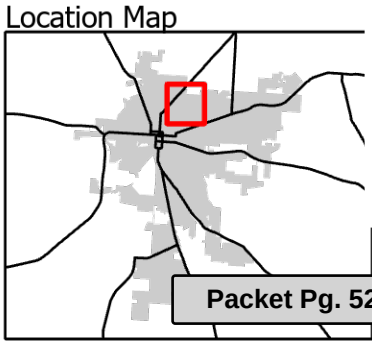
KNOX COUNTY Area Development Foundation



N

0 0.1 0.2 0.4 Miles

Location Map



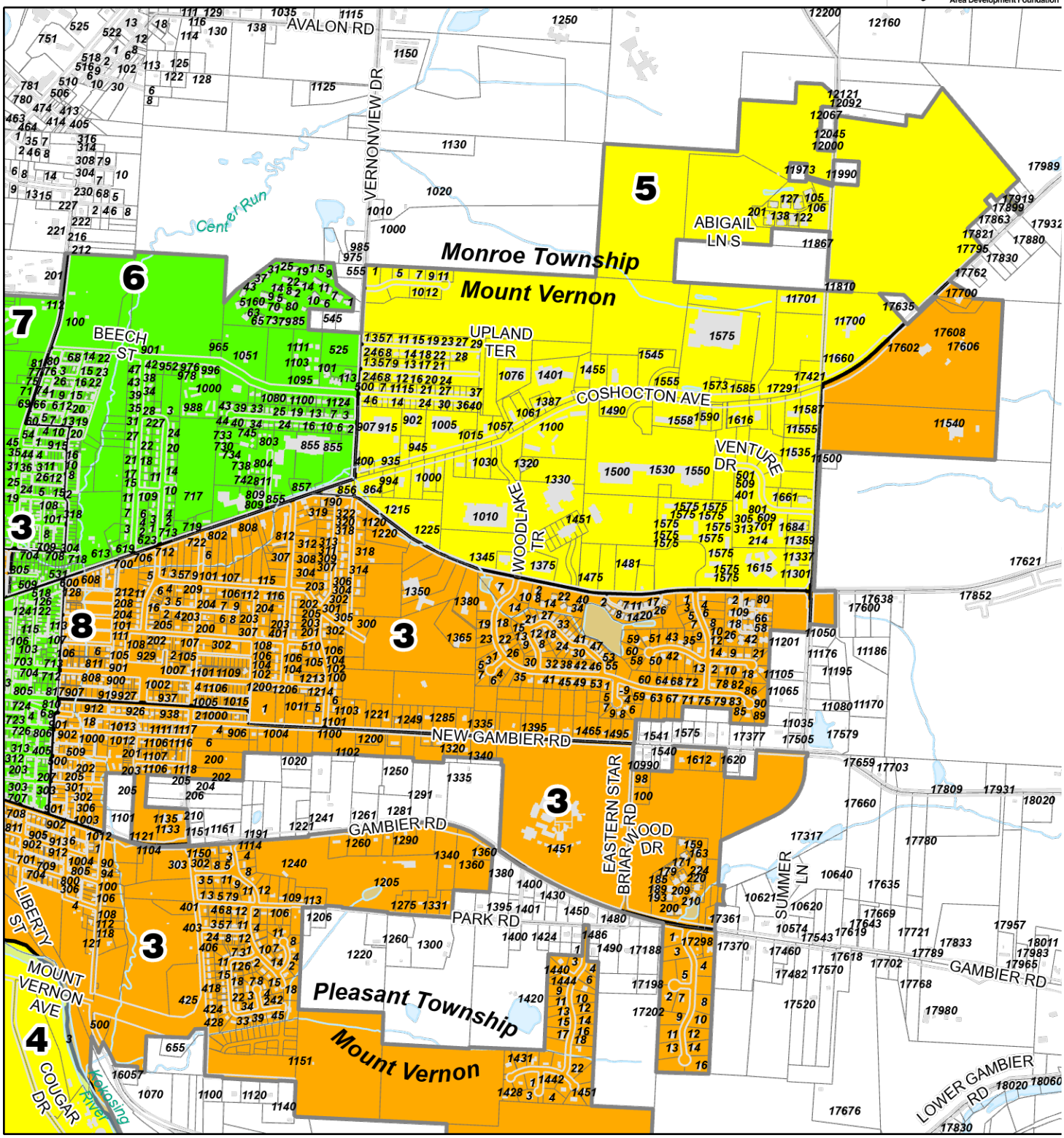
Block Group: 390830072005
Score: 7
Page 11 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

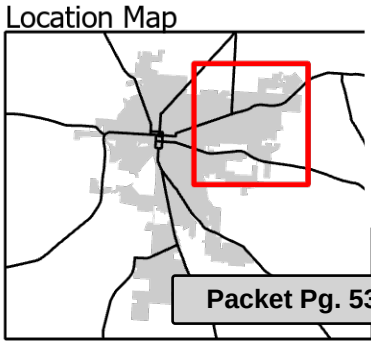
KNOX COUNTY Area Development Foundation



N

0 0.35 0.7 1.4 Miles

Location Map



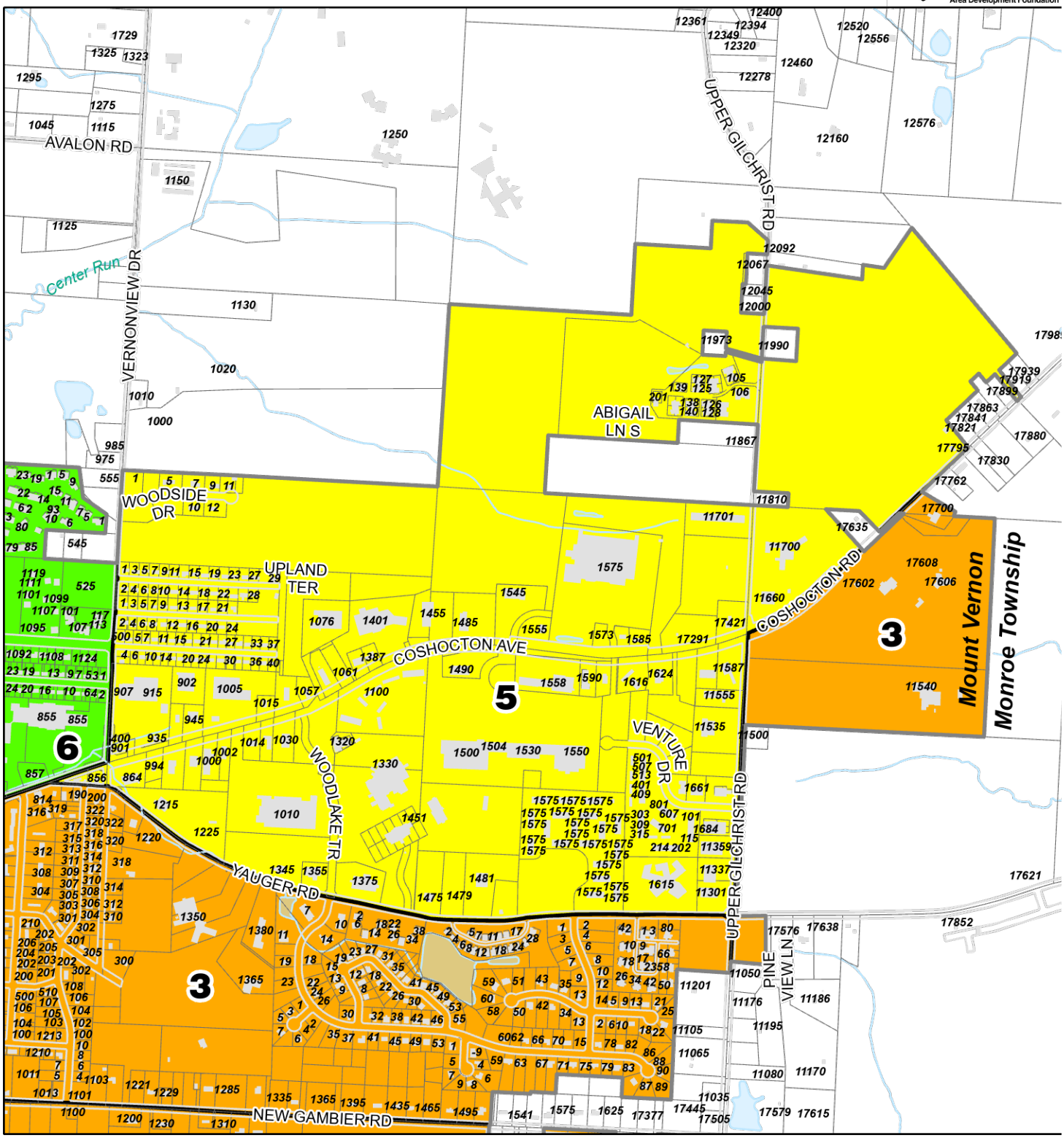
Block Group: 390830073002
Score: 3
Page 12 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

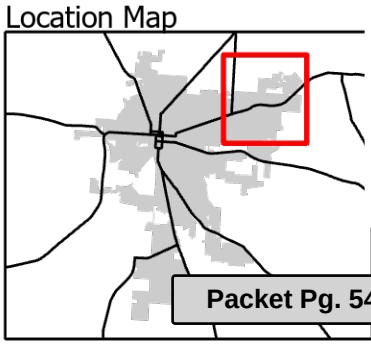
KNOX COUNTY Area Development Foundation



N

0 0.25 0.5 1 Miles

Location Map



Block Group: 390830073003
Score: 5

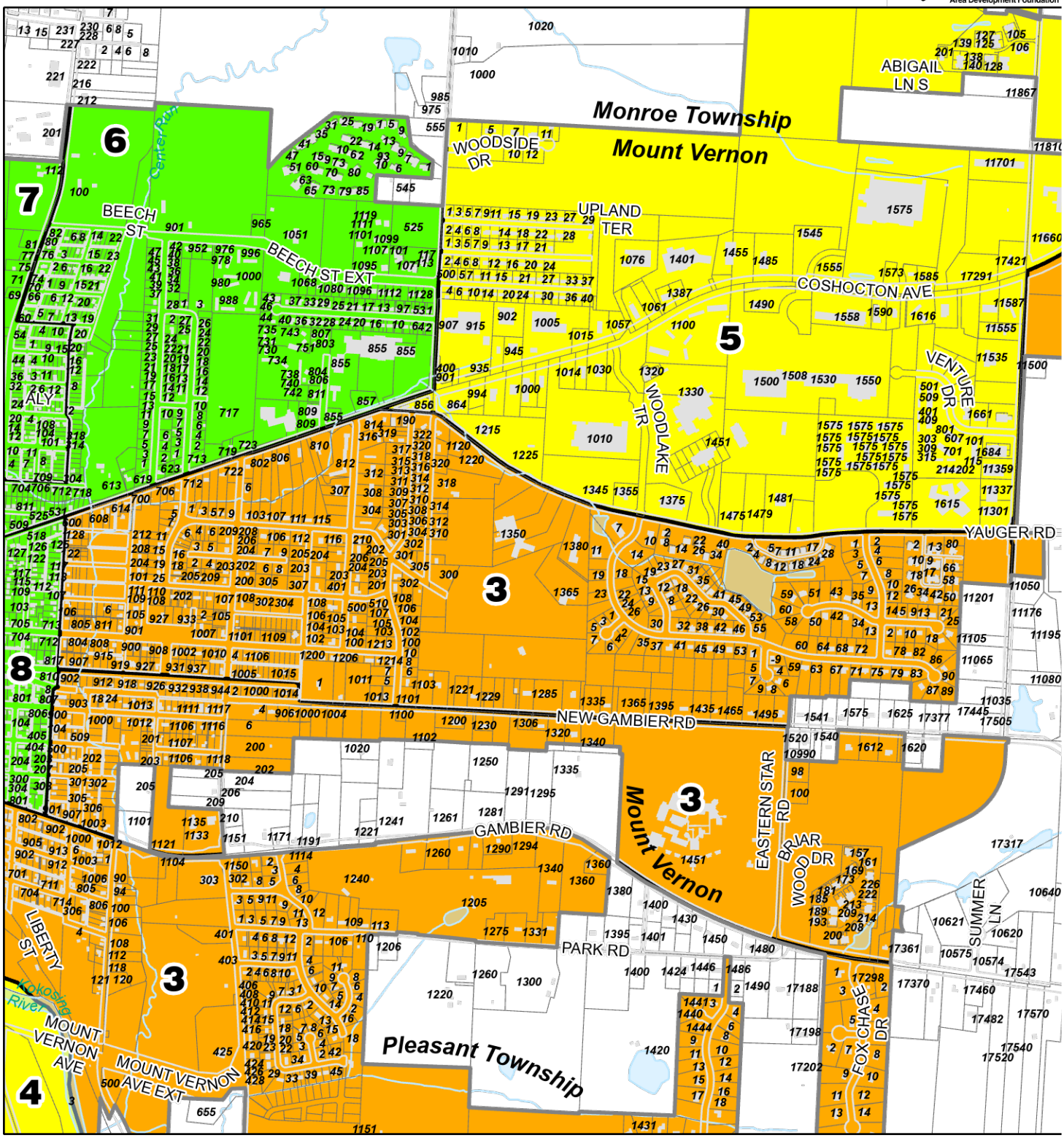
Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Attachment: Ex A & B - CRA ordinance - Knox County ADF - Grant Abatement Score Map Book - 25 MAR 21 (2021-39 : Citywide CRA)

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

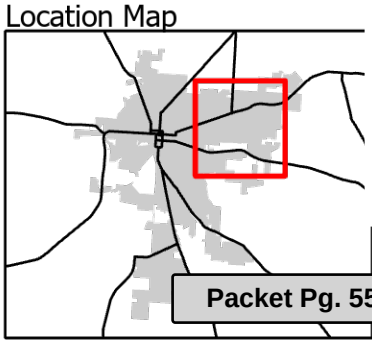
KNOX COUNTY
Area Development Foundation



N

0 0.28 0.55 1.1 Miles

Location Map



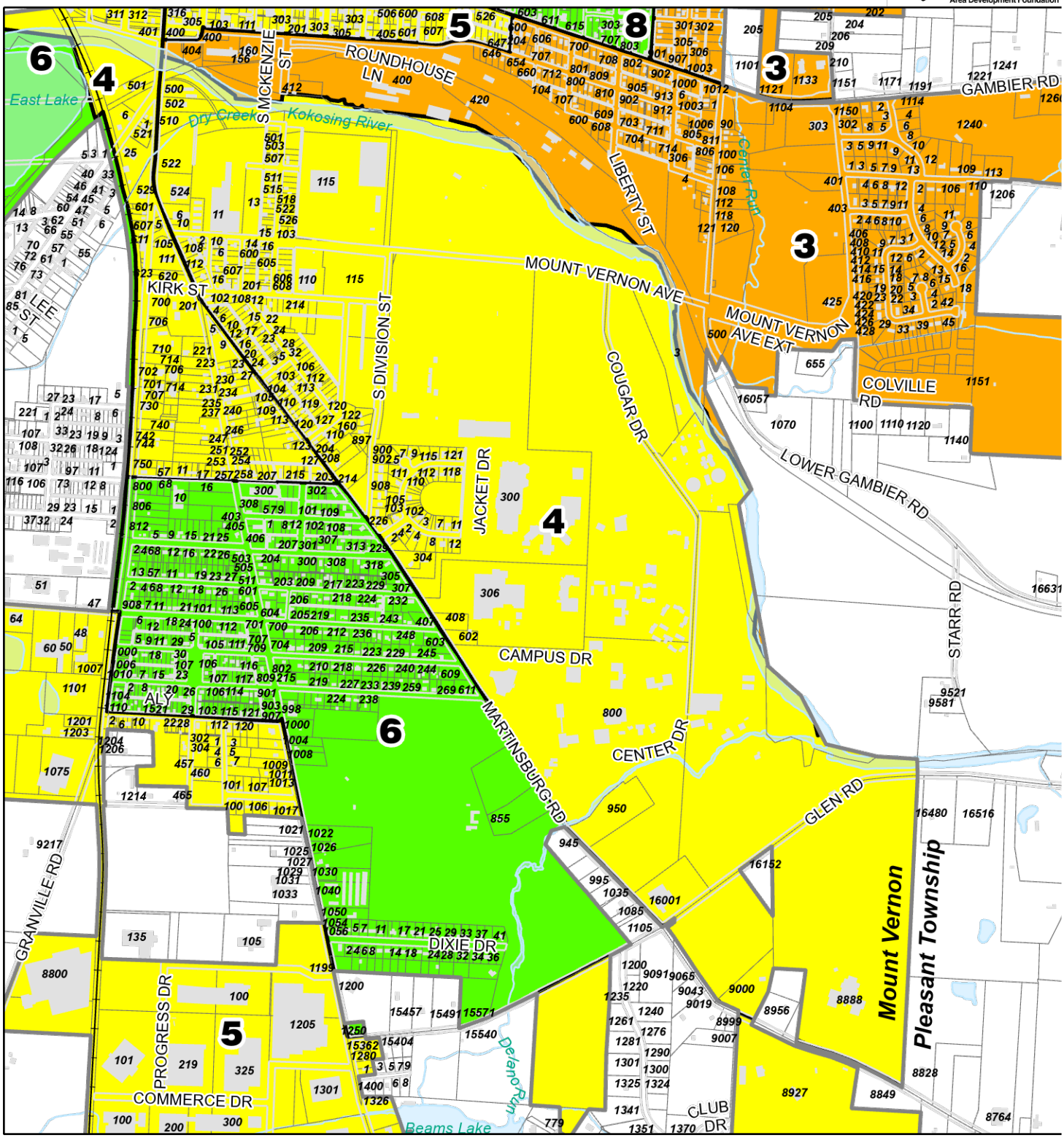
Block Group: 390830073004
Score: 3

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

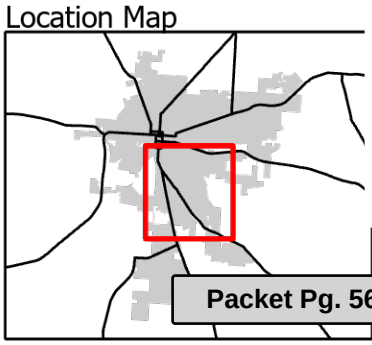
KNOX COUNTY
Area Development Foundation



N

0 0.28 0.55 1.1 Miles

Location Map



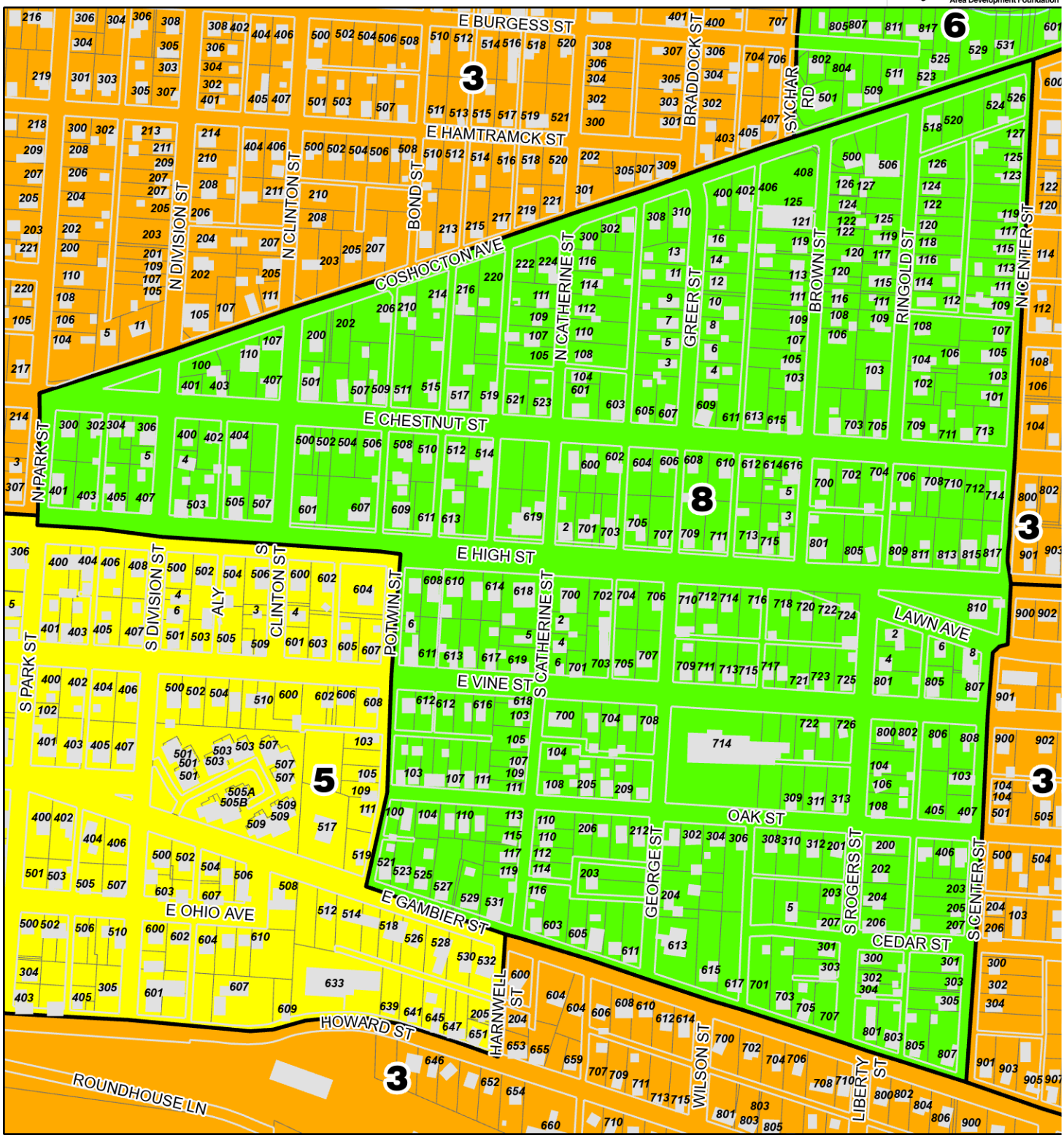
Block Group: 390830075001
Score: 4
Page 15 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

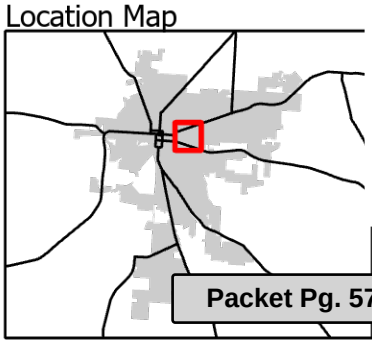
KNOX COUNTY Area Development Foundation



N

0 0.07 0.15 0.3 Miles

Location Map



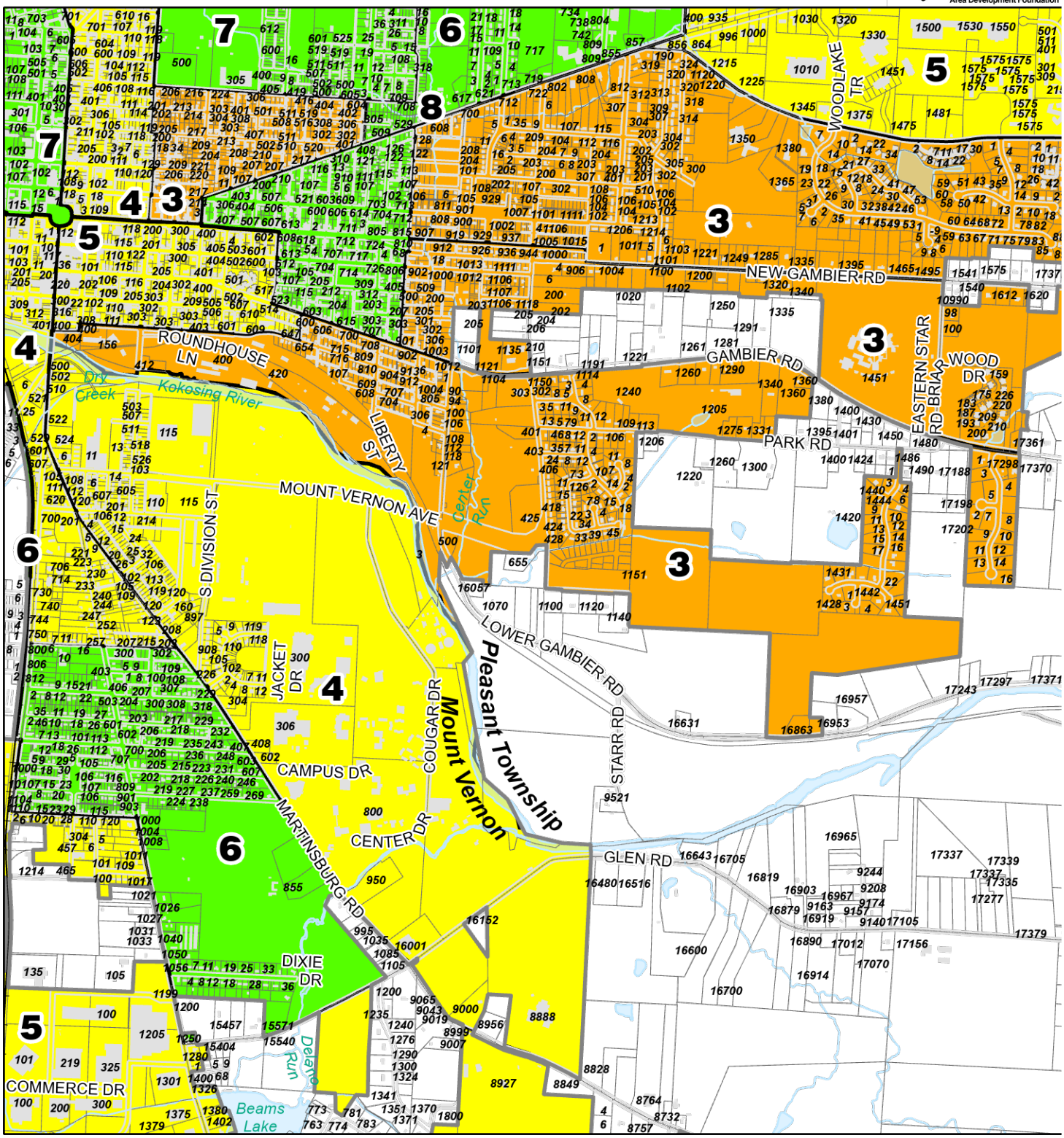
Block Group: 390830075002
Score: 8

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

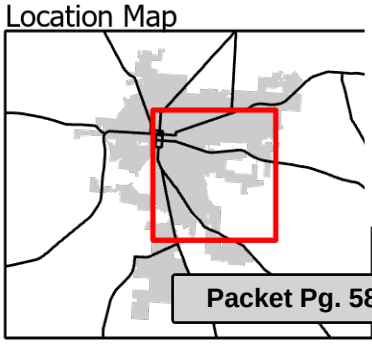
KNOX COUNTY
Area Development Foundation



N

0 0.38 0.75 1.5 Miles

Location Map

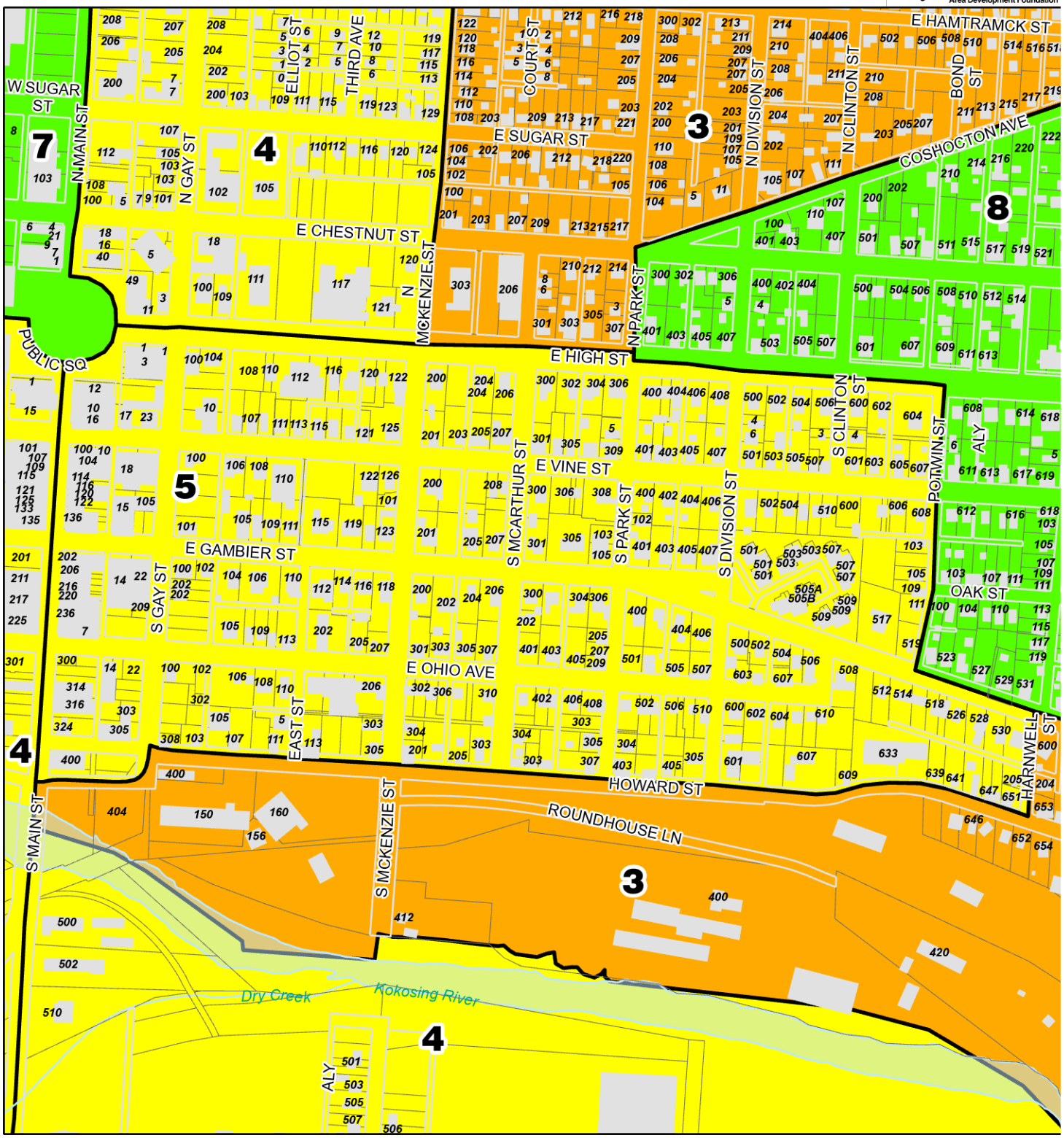


Block Group: 390830075003
Score: 3

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

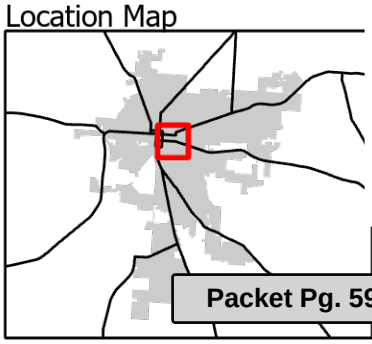
Area Development Foundation, Mount Vernon, Ohio



N

0 0.07 0.15 0.3 Miles

Location Map



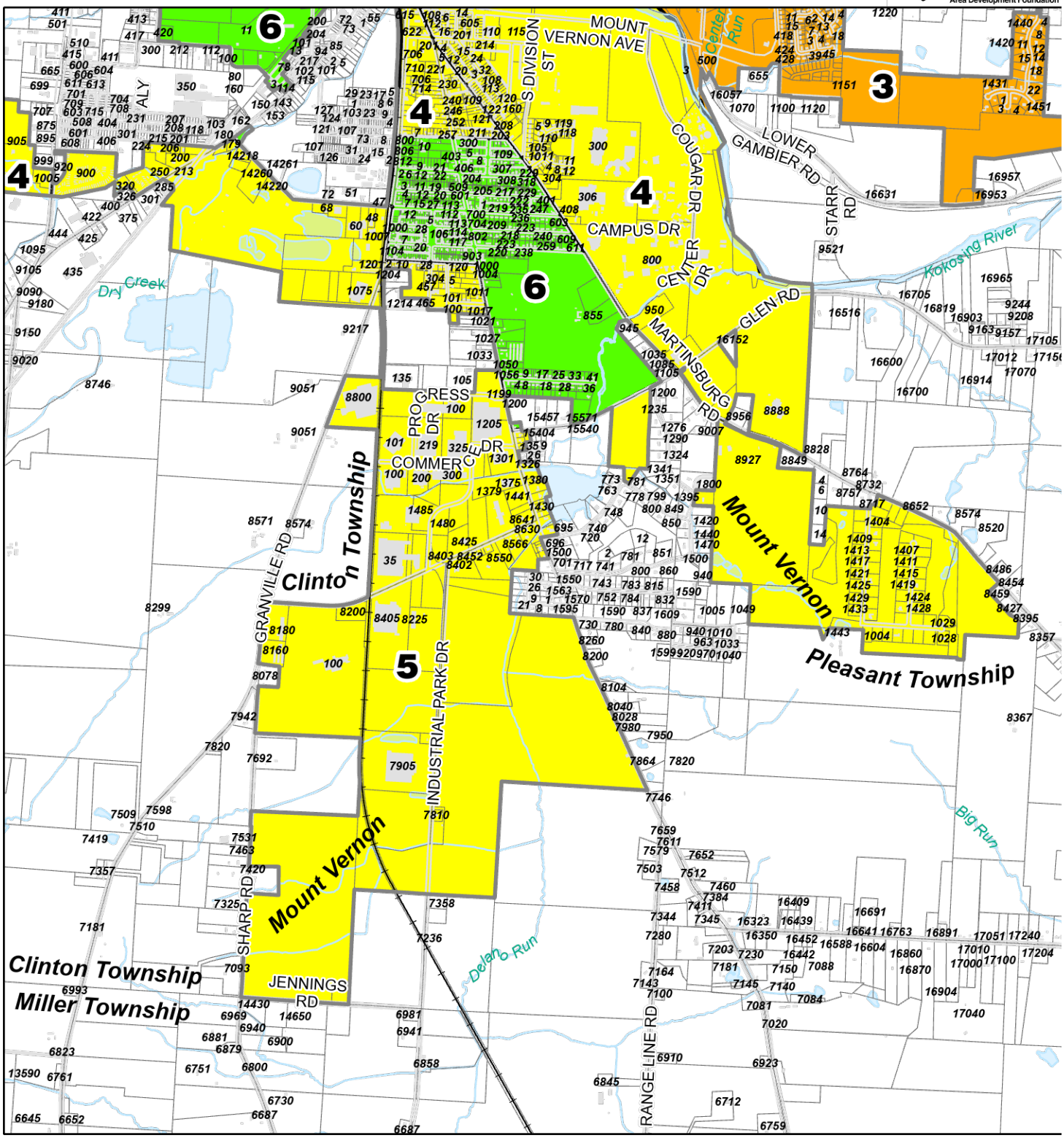
Block Group: 390830075004
Score: 5
Page 18 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

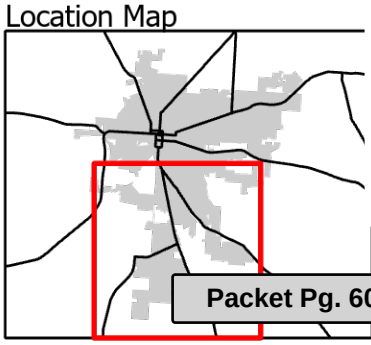
KNOX COUNTY
Area Development Foundation



N

0 0.5 1 2 Miles

Location Map

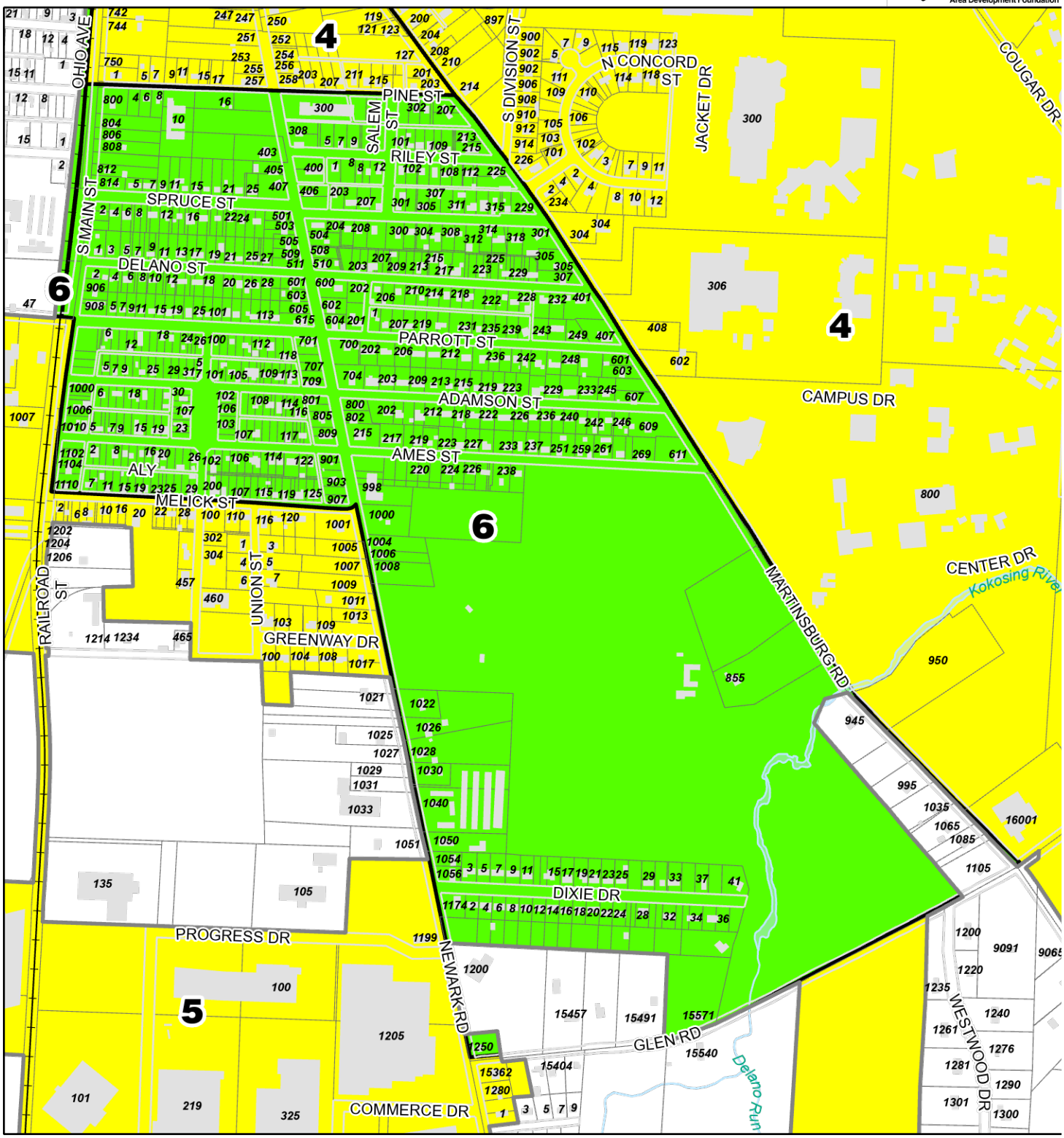


Block Group: 390830076001
Score: 5

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

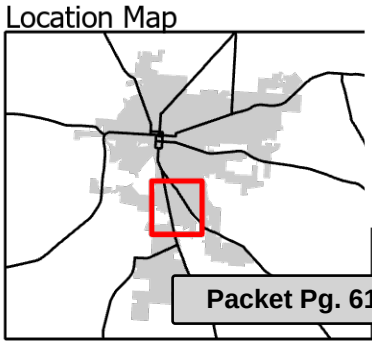
Area Development Foundation, Mount Vernon, Ohio



N

0 0.15 0.3 0.6 Miles

Location Map



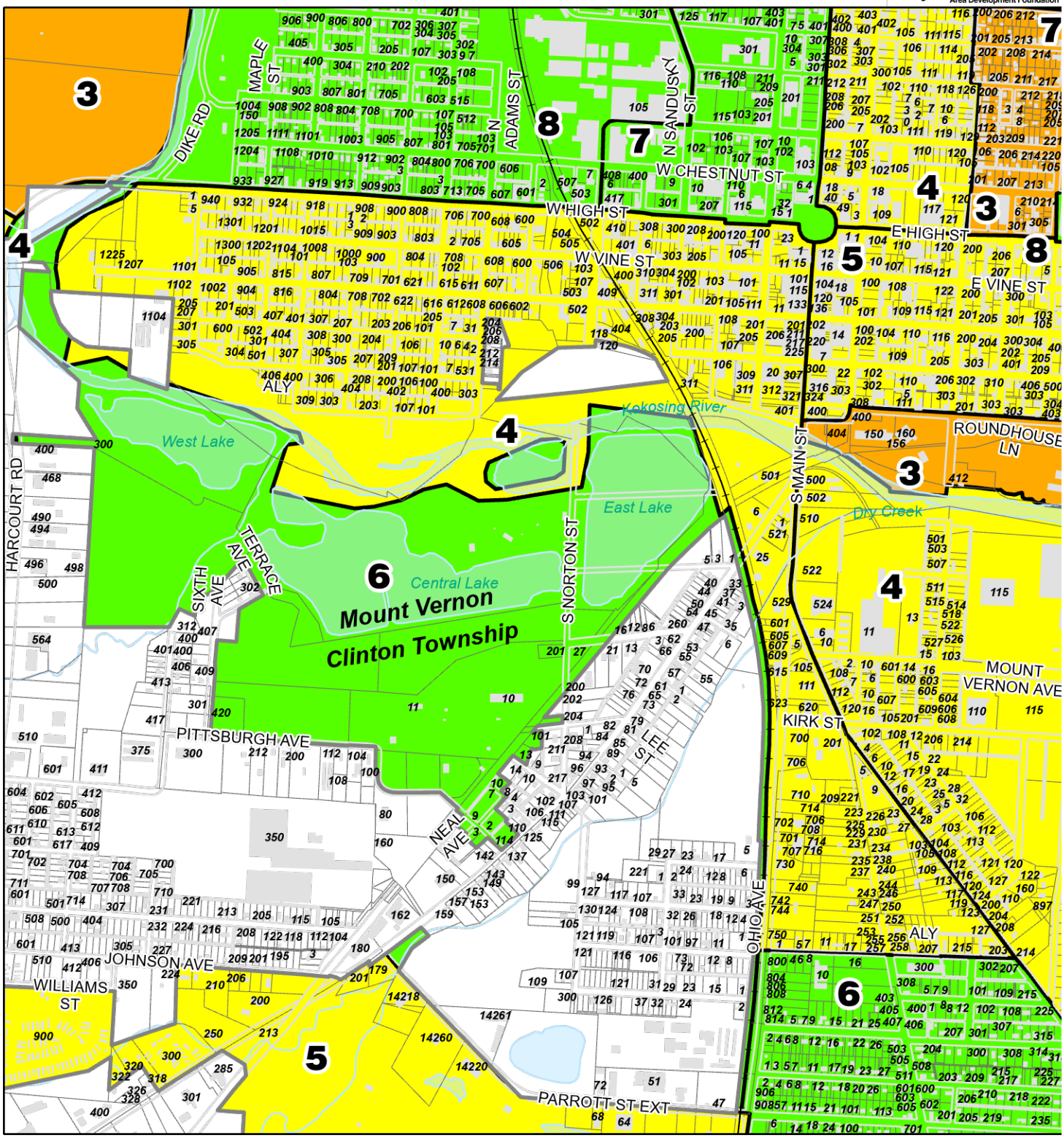
Block Group: 390830076002
Score: 6
Page 20 of 22

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

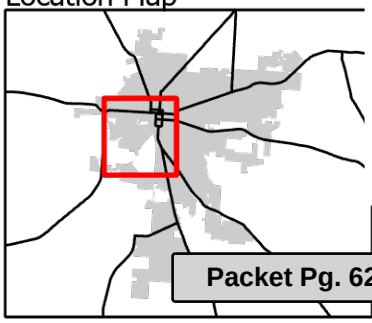
KNOX COUNTY Area Development Foundation



N

0 0.23 0.45 0.9 Miles

Location Map



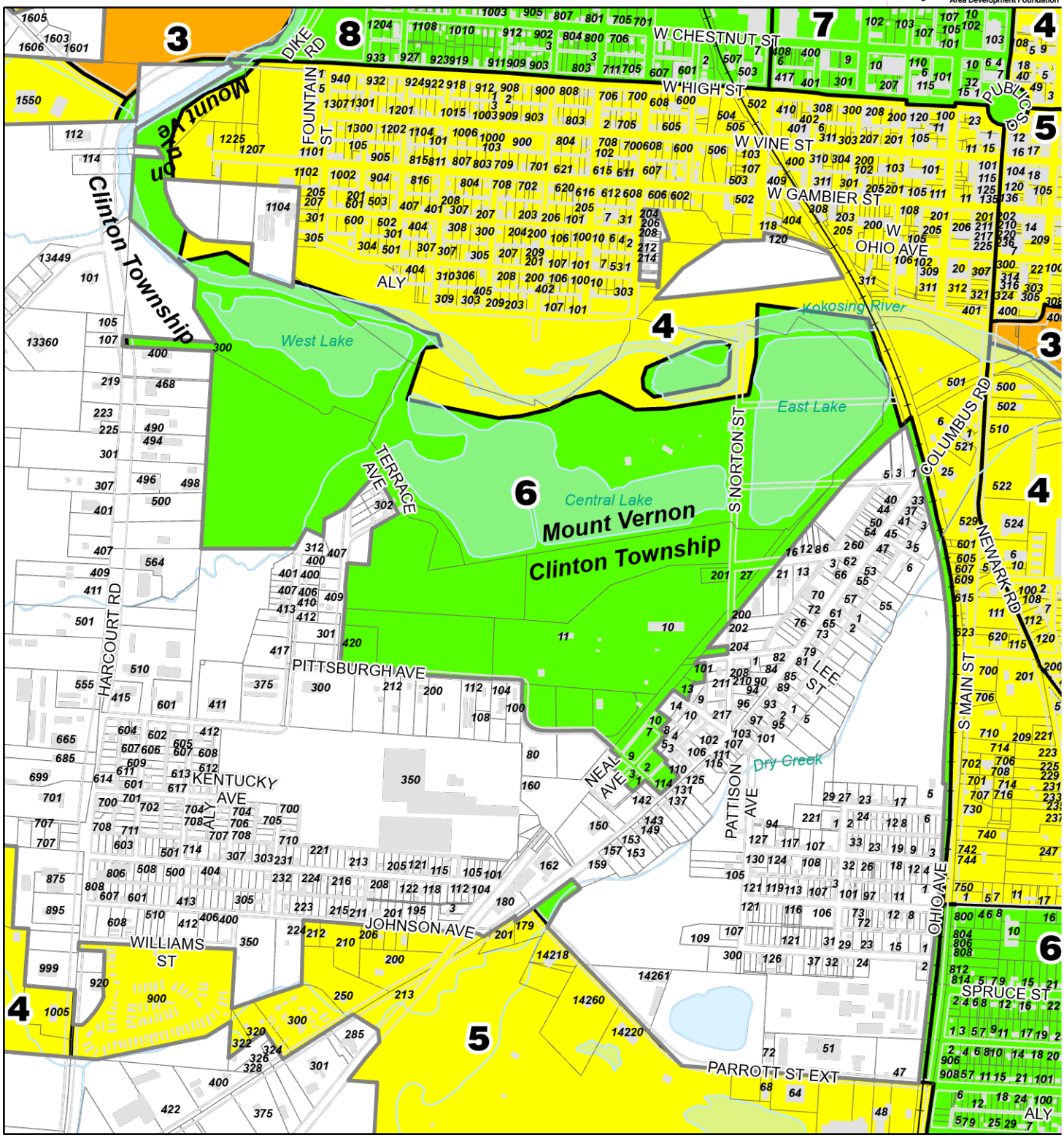
Block Group: 390830076003
Score: 4

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Grant Abatement Scores by Census Block Group

Area Development Foundation, Mount Vernon, Ohio

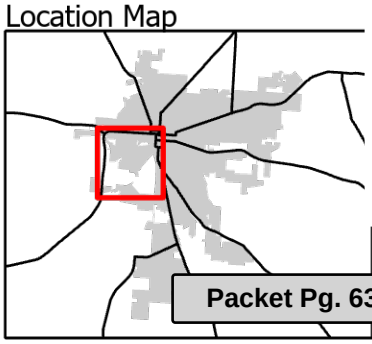
KNOX COUNTY
Area Development Foundation



N

0 0.2 0.4 0.8 Miles

Location Map



Block Group: 390830076004
Score: 6

Mount Vernon Engineering Department (SRB), 3/25/2021
Sources: U.S. Census Bureau, Knox County ADF

Program Incentive Matrix

Type of Housing Project	Location Within City		
	Neighborhood Score Based on Block Group Income Stats		
	1-3	**4-5**	**6-10**
New home on an infill lot	50% for 15 Years	75% for 15 Years	75% for 15 Years
New Multi-Family Construction	50% for 15 Years	75% for 15 Years	75% for 15 Years*
Renovation of Home or Duplex	50% for 10 Years	75% for 10 Years	75% for 10 Years
Renovation of Multi-Family Units	50% for 12 Years	75% for 12 Years	75% for 12 Years
Renovation of Historic Home	75% for 20 Years	75% for 20 Years	75% for 20 Years
*could be 100% if a PILOT program is agreed upon for the Emergency Levy millage			

Examples of Improvements that may and may not Qualify for Abatement

Not all improvements will qualify for an abatement because the improvements must increase the residential property's assessed value by at least $15,000. This value is determined by a reassessment of the property by the Knox County Auditor once the project is completed.

Improvements that may qualify for tax abatement	Improvements that may not qualify for tax abatement
Build a new porch	Scrape and paint interior or exterior
Add a garage	Landscaping or outdoor lighting
Remodel attic into a living area	Repair or replacement of steps, railings, siding, or gutters
Install sunroom	Installing storm doors/replacement windows
New additions to the structure	Install a new roof
New construction	Remodel kitchen or bathroom
Structural improvements	Install, repair, replace driveway/sidewalk

Several minor maintenance items in conjunction with each other (complete rehab)	Interior work such as replacing electrical, plumbing, mechanicals, or floors

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 10/25/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3411

ORDINANCE 2021-40

AN ORDINANCE ESTABLISHING THE COMPENSATION MODEL FOR NON-BARGAINING UNIT EMPLOYEES OF THE CITY AND DECLARING AN EMERGENCY

WHEREAS, the City seeks to reward merit, retain its employees and recruit high-quality candidates for employment; and

WHEREAS, the City seeks to provide compensation comparable to other cities in the municipal market; and

WHEREAS, the City contracted with Clemens, Nelson and Associates to complete a compensation analysis for its non-bargaining unit staff, develop a compensation model for the City, and align Mount Vernon's compensation with similar communities.

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

SECTION 1: The following pay grades are adopted:

Position	Pay Grade
Safety Service Director	10
City Engineer	10
Chief of Fire Dept & Emergency Services	10
Police Chief	10
Public Utilities Director	9
Assistant City Engineer	9
Public Works Director	8
Assistant Law Director I	8
Human Resources Director	8
Assistant Law Director II	7
Assistant Director of Distribution/Collection	7
Assistant Director of Water	7
Assistant Director of Wastewater	7
Police Captain	7
CARD Director	7
Project Engineer	7
Public Works Assistant Director	6
Public Works Assistant Director	6
Public Works Assistant Director	6
Income Tax Administrator	5

Victim Advocate	5
Project Manager	4
Deputy Auditor	4
Development Service Manager	4
Property Maintenance Enforcement Officer	4
Merit System Administrator	4
Assistant Deputy Auditor	2
Legal Assistant	1
Income Tax Assistant	1
Executive Secretary / Administrative Assistant	1

SECTION 2: The wages for the following personnel will be set as follows:

Position	Compensation
Safety Service Director	$87,942.40 annually
Administrative Assistant Mayor	$21.16 /hr
Administrative Assistant SSD	$21.16 /hr
Human Resources Director	$74,713.60 annually
Merit System Administrator	$13,436.60 annually
City Engineer	$90,604.80 annually
Project Engineer	$62,254.40 annually
Development Service Manager	$52,561.60 annually
Property Maintenance Enforcement Officer	$50,523.20 annually
Chief of Fire Dept & Emergency Services	$87,256.00 annually
Executive Secretary Fire	$22.93 /hr
Police Chief	$85,092.80 annually
Police Captain	$80,683.20 annually
Executive Secretary Police (DB)	$24.11 /hr
Executive Secretary Police (CJ)	$22.93 /hr
Public Works Director	$74,692.80 annually
Public Works Assistant Director Cemetery/PBL	$61,547.20 annually
Public Works Assistant Director Streets/Storm	$61,547.20 annually
Public Works Assistant Director Parks/Rec	$61,547.20 annually
Assistant Law Director I	$76,772.80 annually
Legal Assistant (JH)	$22.93 /hr
Legal Assistant (KP)	$21.83 /hr
Legal Assistant (CD)	$21.16 /hr
Income Tax Administrator	$66,414.40 annually
Income Tax Assistant (HB)	$22.93 /hr
Income Tax Assistant (DC)	$23.20 /hr
Deputy Auditor	$24.88 /hr

Assistant Deputy Auditor	$23.03 /hr

SECTION 3: The normal work week for non-exempt personnel shall be forty (40) hours in pay status work on five (5) consecutive eight (8) hour days, Monday through Friday, exclusive of the time allotted for meals, during the period starting at 12:01 A. M. Sunday to 12:00 P. M. Midnight, Saturday. Exempt employees are expected to work as necessary, including outside of normal business hours, in the completion of their duties. Exempt employees will work with their supervisor in establishing their work schedule

SECTION 4: These positions shall be entitled to the benefits outlined in Section E of the Mount Vernon Employee Handbook, unless the employee is appointed by an elected office holder other than the Mayor. All employees appointed by an elected office holder other than the Mayor shall be entitled to those benefits outlined by their appointing authority.

SECTION 5: The salary authorized by this Ordinance shall be payable bi-weekly.

SECTION 6: Any provision in legislation previously adopted which is in conflict with this Ordinance is repealed.

SECTION 7: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that an emergency exists in the usual daily operation of the department of allowing the Auditor's office to proceed with 2021 payroll, 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:

10/11/21 City Council

Ordinance No. 2021-40 was given a first reading. The Employee & Community Relations Committee has asked for a 30-minute meeting on the matter before the next Council meeting on Oct. 27.

COMMENTS - Current Meeting:

Ordinance No. 2021-40 was given a second reading. The Employee & Community Relations chair has asked for a 30-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 10/25/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3413

ORDINANCE 2021-41

AN ORDINANCE TO CREATE THE POSITIONS OF ASSISTANT CITY ENGINEER AND ENGINEERING PROJECT MANAGER IN THE CITY ENGINEERING DEPARTMENT, AND DECLARING AN EMERGENCY

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

SECTION 1: That the following exempt positions in the Engineering Department are authorized within the salary range listed below:

Assistant City Engineer - $70,000.00 to $80,000.00
Engineering Project Manager - $48,000.00 to $55,000.00

SECTION 2: Exempt employees are expected to work as necessary, including outside of normal business hours, in the completion of their duties. Exempt employees will work with their supervisor in establishing their work schedule.

SECTION 3: These positions shall be entitled to the benefits outlined in Section E of the Mount Vernon Employee Handbook, unless the employee is appointed by an elected office holder other than the Mayor. All employees appointed by an elected office holder other than the Mayor shall be entitled to those benefits outlined by their appointing authority.

SECTION 4: The salaries authorized by this Ordinance shall be payable bi-weekly.

SECTION 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason to alleviate the overwork in the Engineering Department, 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:

10/11/21 **City Council**

Ordinance No. 2021-41 was given a first reading.

COMMENTS - Current Meeting:

Ordinance No. 2021-41 was given a second reading.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 10/25/21 7:30 PM
Dept: Employee and Community Rel.
Scoles, Woods
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3415

ORDINANCE 2021-43

AN ORDINANCE TO SET THE SALARIES OF THE PUBLIC UTILITIES DIRECTOR AND PUBLIC UTILITIES ASSISTANT DIRECTOR, AND DECLARING AN EMERGENCY

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

SECTION 1: That the salaries for the following exempt positions are authorized within the listed ranges:

Public Utilities Director - $70,000.00 to $80,000.00
Public Utilities Assistant Director - $60,000.00 to $70,000.00

SECTION 2: Exempt employees are expected to work as necessary, including outside of normal business hours, in the completion of their duties. Exempt employees will work with their supervisor in establishing their work schedule.

SECTION 3: These positions shall be entitled to the benefits outlined in Section E of the Mount Vernon Employee Handbook.

SECTION 4: The salaries authorized by this Ordinance shall be payable bi-weekly.

SECTION 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason to alleviate the overwork in the Water and Wastewater Department, 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:

10/11/21 **City Council**

Ordinance No. 2021-43 was given a first reading.

COMMENTS - Current Meeting:

Ordinance No. 2021-43 was given a second reading.

RESULT:	**SECOND READING**	**Next: 11/8/2021 7:30 PM**

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

Meeting: 10/25/21 7:30 PM
Dept: Planning and Zoning
Hillier, Keener
Category: Annexation
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3422

ORDINANCE 2021-44

AN ORDINANCE ACCEPTING THE ANNEXATION OF 1.185 ACRES FROM MONROE TOWNSHIP INTO THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

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

WHEREAS, on August 17, 2021, the Knox County Board of Commissioners approved the petition of the owner of 1.185 acres located in Monroe Township to annex the property into the City of Mount Vernon under the Expedited Type 2 process; and

WHEREAS, Revised Code sections 709.04 and 709.10 require the City to accept or reject the approved annexation petition in no less than 60 and no more than 120 days after the approval of the petition by the Knox County Board of Commissioners.

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

SECTION 1: That pursuant to Revised Code Section 709.10, the City of Mount Vernon accepts the annexation of 1.185 acres located in Monroe Township proposed in the owner's petition and approved by the Knox County Board of Commissioners on August 17, 2021 (attached as Exhibit A).

SECTION 2: That the annexation is subject to the conditions set for in Ord. 2021-28, adopted by Council on August 9, 2021.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that Revised Code section 709.04 requires Council to act on the annexation within a short window, therefore, it become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

COMMENTS - Current Meeting:

Ordinance No. 2021-44 was given a first reading. The Planning and Zoning Committee chair has asked for a 10-minute committee meeting on the matter before the next Council meeting on Nov. 8.

RESULT:	**FIRST READING**	**Next: 11/8/2021 7:30 PM**

Knox County Board of Commissioners

Teresa A. Bemiller Thom Collier Bill Pursel

County Administrator Jason E. Booth
Administrative Assistant/Clerk Penny Doyle
Fiscal Office Assistant Robin Santo

August 17, 2021

RESOLUTION 2021-700--APPROVE ANNEXATION OF 1.185 ACRES FROM MONROE TOWNSHIP TO THE CITY OF MOUNT VERNON, ANDREW P. BROWER OF MILLER, MAST & MASON, LTD., AGENT.

Mrs. Teresa Bemiller moved the adoption of the following resolution:

WHEREAS, the Board of Knox County Commissioners proceeded the 17TH day of August, 2021, to hear the petition of Andrew P. Brower of Miller, Mast & Mason, LTD, Agent, to obtain annexation of territory consisting of 1.185 acres in Monroe Township, in the County of Knox, and adjacent to the City of Mount Vernon, finds that said petition meets the conditions listed in ORC 709.023; that its statements are true; that the territory sought to be annexed is adjacent to the City of Mount Vernon; that the petition contains a full description of said territory; that the map of said territory attached to the petition is accurate; and that it is right and proper that said petition should be granted;

THEREFORE, BE IT RESOLVED, by the Board of Knox County Commissioners of Knox County, Ohio, that the prayer of the petition be granted, specifically being that the territory situated in the Township of Monroe, County of Knox, and State of Ohio, be annexed to the City of Mount Vernon;

FURTHER, BE IT RESOLVED, that all orders and proceedings of this Board relative to said petition and map attached thereto and all papers on file relating to said matter, be deposited with the City of Mount Vernon.

A copy of said annexation is attached to Journal No. 2021.

Mr. Thom Collier seconded the adoption of the foregoing resolution and upon roll call, the vote resulted as follows:

Mrs. Teresa A. Bemiller, Aye
Mr. Thom Collier, Aye
Mr. Bill Pursel, Aye

CERTIFICATION

I, Penny R. Doyle, the duly appointed Clerk/Administrative Assistant of the Board of Knox County Commissioners of Knox County, Ohio, do hereby certify the above to be a true and correct copy of a resolution adopted at a regular session of the Board of Knox County Commissioners held on Tuesday, August 17, 2021, and entered into Commissioner's Journal No. 2021.

Penny R Doyle

Penny Doyle, Clerk/Administrative Assistant
Board of Knox County Commissioners

117 East High Street, Suite #161 • Mount Vernon, Ohio 43050
(740) 393-6703 • Fax (740) 393-6705
www.co.knox.oh.us

MountVernon

City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2021-28

Meeting: 07/26/21 7:30 PM 1st 7 0/2
Dept: Planning and Zoning 2nd
Hillier, Keener
Category: Annexation 3rd 8 '21
Prepared By: Rob Broeren
Initiator: Lindsay Hoar
DOC ID: 2364 A

AN ORDINANCE CONSENTING TO THE ANNEXATION OF 1.185 ACRES FROM MONROE TOWNSHIP INTO THE CITY OF MOUNT VERNON; PROVIDING FOR CERTAIN CITY SERVICES TO THE ANNEXED PARCEL AND PROVIDING PROTECTIONS AGAINST INCOMPATIBLE USES UNDER EXISTING TOWNSHIP ZONING; AND DECLARING AN EMERGENCY.

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

WHEREAS, on June 15, 2021 the owner of 1.185 acres located in Monroe Township filed a petition with the Knox County Board of Commissioners to annex the property into the City of Mount Vernon under the Expedited Type 2 process.

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

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

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

a) Police Protection
b) Fire Protection
c) Emergency Medical Services
d) Potable Water Service
e) Wastewater Service

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

Attachment: Ex A - Certified Resolution 2021-700 Approve Annexation of 1.185 Acres from Monroe Township to City of MtV (2021-44 :

SECTION 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that Revised Code Section 709.023(C) requires the City to act within 20 days of the filing of the annexation petition to state what municipal services it will provide to a parcel annexed through this process, therefore, it become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Bruce E. Hawkins, President of Council

PASSED: August 9, 2021

ATTEST: Lindsay Hoar
Lindsay Hoar, Assistant Clerk of Council

APPROVED: 10 August, 2021

Matthew T. Starr, Mayor

I hereby certify that this is an exact copy of the original on file in office.

Lindsay Hoar
Asst. CLERK OF COUNCIL
CITY OF MOUNT VERNON, OHIO