

Legislative Session Minutes

December 11, 2023

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
December 6, 2023

6:30-6:50 p.m.	Swearings-in of newly elected officials	Municipal Court Judge John Thatcher
7:00-7:10 p.m.	Middle school renovation	Planning & Zoning Hillier

- 12-11-2023 Committee Meeting Schedule

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

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

Woods made a motion to excuse Keener, with a second by Severns. Motion to excuse approved by a voice vote of 6-0.

INVOCATION

Captain Christine Moretz, Salvation Army, delivered the invocation.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Nov 27, 2023 7:30 PM

Seavolt made a motion to accept the minutes from Council's Legislative Session of Nov. 27, 2023, with a second by Woods. Motion to accept passed by a voice vote of 6-0.

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

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

Council accepted without comment the minutes for the Planning and Zoning Committee meeting and public hearing of Nov. 27, 2023.

- 11-27-23A Planning and Zoning Committee Meeting Minutes
- 11-27-23B Planning and Zoning Committee Public Hearing Minutes

LIQUOR CONTROL LICENSE

No hearing was requested on the D1 and D3 liquor permit transfers from Ricky G. Hall, dba Dry Creek Cafe, 201 Columbus Road and Patio, Mount Vernon to Tokio Marysville LLC, 201 Columbus Road and Patio, Mount Vernon.

- 12-11-23 Liquor Permit Transfer

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

None.

RESOLUTIONS FOR THIRD READING

None.

RESOLUTIONS FOR SECOND READING

None.

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2023-101

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN EQUIPMENT, MATERIALS, SUPPLIES AND SERVICES, AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-101, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt

Resolution No. 2023-101, with a second by Mahan. Safety-Service Director Tanner Salyers commented on the legislation, and Law Director Rob Broeren noted that the resolution to advertise for bids and enter into contract is for routine items that the City utilizes annually. Utilities Director Aaron Reinhart added that his department is still in the process of switching customers over to new water meters. Motion to adopt passed by a roll-call vote of 6-0.

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

RESOLUTION NO. 2023-102

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

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-102, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt Resolution No. 2023-102, with a second by Mahan. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 6-0.

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

RESOLUTION NO. 2023-103

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

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-103, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt Resolution No. 2023-103, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that the \$28,455.00 being transferred to Park Development is the most in several years. Motion to adopt passed by a roll-call vote of 6-0.

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

RESOLUTION NO. 2023-104

A RESOLUTION IN SUPPORT OF THE KOKOSING GAP TRAIL AND KNOX COUNTY PARK DISTRICT IN THEIR APPLICATION FOR AN OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION ALTERNATIVE PROGRAM GRANT, TO ASSIST WITH THE COST OF REPAVING THE KOKOSING GAP TRAIL; AND DECLARING AN EMERGENCY.

Parks and Lands: Keener, Woods

Resolution No. 2023-104 was given a first reading.

RESULT:	FIRST READING	Next: 12/27/2023 7:30 PM
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RESOLUTION NO. 2023-105

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO CONTRACT WITH ROAD TO FINISH LLC; AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

Resolution No. 2023-105 was given a first reading. Severns requested a 10-minute meeting of the Streets and Public Buildings Committee on the legislation for Dec. 27, 2023.

RESULT:	FIRST READING	Next: 12/27/2023 7:30 PM
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ORDINANCES FOR THIRD READING

ORDINANCE NO. 2023-43

AN ORDINANCE ACCEPTING THE ANNEXATION OF 4.325 ACRES, PARCEL NUMBERS 12-50046.000 AND 12-50054.000, FROM CLINTON TOWNSHIP INTO THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

Planning and Zoning: Hillier, Severns

Hillier made a motion to adopt Ordinance No. 2023-43, with a second by Severns. Law Director Rob Broeren noted that most of the property owned by the Knox County Historical Society is already within City limits. Motion to adopt passed by a roll-call vote of 6-0.

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

ORDINANCE NO. 2023-44

AN ORDINANCE AMENDING SECTION 187.02(A), OF CHAPTER 187 OF
THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON, OHIO;
AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Mahan

Seavolt made a motion to adopt Ordinance No. 2023-44, with a second by Mahan. Auditor Terry Scott noted that the Ariel-Foundation Park Conservancy is agreeable to the changes to Section 187.02(A) of Chapter 187 of the Codified Ordinances. Motion to adopt passed by a roll-call vote of 6-0.

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

ORDINANCES FOR SECOND READING

None.

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2023-45

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES OF
THE CITY OF MOUNT VERNON IN THE DIVISION OF WATER AND
WASTEWATER; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Ordinance No. 2023-45 was given a first reading. Woods requested a 15-minute meeting of the Employee and Community Relations Committee on the legislation for Dec. 27, 2023.

RESULT:	FIRST READING	Next: 12/27/2023 7:30 PM
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ORDINANCE NO. 2023-46

AN ORDINANCE TO CREATE THE POSITIONS OF ASSISTANT DIRECTOR
OF UTILITIES (WATER) AND ASSISTANT DIRECTOR OF UTILITIES
(MAINTENANCE) IN THE DIVISION OF WATER AND WASTEWATER;
AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Hillier

Ordinance No. 2023-46 was given a first reading.

RESULT: FIRST READING**Next: 12/27/2023 7:30 PM****REMARKS FROM THE ADMINISTRATION**

Safety-Service Director Tanner Salyers noted that Luke Whitacre and Lydia Grimes were sworn in as firefighter/paramedics earlier in the day.

REMARKS FROM COUNCIL

Severns, Woods and Seavolt wished everyone a Merry Christmas. Hillier asked that union input be solicited for Ordinances Nos. 2023-45 and 2023-46, which received first readings. He also noted that several streetlights are out across the City. Severns added that the City plans to send a crew around the City twice a year to identify streetlights that are out and report them to AEP. Mahan wished everyone a Merry Christmas, and recommended helping out neighbors via the Salvation Army or the City's Pour It Forward program with their water bills. Hawkins noted that some of the newest streetlights are exceptionally bright.

ADJOURN AT THE CALL OF THE PRESIDENT

Seavolt made a motion to adjourn, with a second by Woods. Meeting adjourned at 8:00 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

December 6, 2023

Mount Vernon City Council Committee Meeting Schedule December 6, 2023

6:30-6:50 p.m.	Swearings-in of newly elected officials	Municipal Court Judge John Thatcher
7:00-7:15 p.m.	Middle school renovation	Planning & Zoning Hillier

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



**Planning and Zoning Committee Meeting Minutes
November 27, 2023 – 6:15 p.m. to 6:27 p.m.**

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Tanner Salyers, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee discussed Resolution No. 2023-87, to accept the donation of property from the Wesley L Kline Trust. The two parcels, on Prospect Street, are not suitable for building because of the water discharge there. Safety-Service Director Tanner Salyers noted that the City would not assume a financial burden or liability if it assumed control of the property, and that its goal in owning the property would be to protect private properties downstream from excess water flow. No further meetings on the matter were requested. Resolution No. 2023-87 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

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



**Planning and Zoning Committee Public Hearing Minutes
November 27, 2023 – 6:45 p.m. to 7:20 p.m.**

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

Matthew Starr, Mayor
Tanner Salyers, Safety-Service Director
Robert Broeren, Law Director
Terry Scott, Auditor
Robert Morgan, Police Chief
Todd Hill, Clerk
Cheryl Splain, Knox Pages

The committee held a public hearing to discuss Ordinance No. 2023-42, amending the zoning classification of parcel #71-00050.000, also known as 0 Upper Gilchrist Road, from the present zoning of R1-Single Family District, to PND-Planned Neighborhood District. Patrick Mackie of Lemmon Development detailed a housing development proposed for the site, which would consist of 156 single-story units designed for people 55 and older. Neil McIlroy, Upper Gilchrist Road, asked if the developer is contemplating a buffer zone between the proposed development and neighboring properties, and if the City is prepared to beef up fire protection in the area. Safety-Service Director Tanner Salyers replied that the City has plans to increase Fire Department presence there. Rob Beck, Woodside Drive, asked if the senior housing could be changed to low-income, subsidized housing in the future. Ron Sheets, Upper Gilchrist Road, expressed concerns about traffic, and Mayor Matthew Starr responded that plans to widen Upper Gilchrist are in the design phase, using TIF funds. Sheets suggested making the development's approval contingent upon traffic improvements. Marsha Kelso, Upper Gilchrist Road, asked where tax revenue would come from with rentals, whether the housing would remain targeted for seniors, and expressed concerns about traffic. Don Carr, Upland Terrace, suggested the City build up its infrastructure before allowing development, and suggested the City needs single-family homes, not rentals. Gary Kester, Eastgate Drive, suggested the rezoning would ruin the character of the City, and that the City suspend all rezonings until it has a development plan in place. Jeff Gottke, president of the Knox County Area Development Foundation, suggested that the market dictates whether rental properties will be built, and that the community has many seniors wishing to downsize. No further meetings were requested on the matter. Ordinance No. 2023-42 was up for a third reading at Council's Legislative Session later in the evening.

Respectfully submitted,

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-101

Meeting: 12/11/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance and Budget
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3914

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CERTAIN EQUIPMENT, MATERIALS, SUPPLIES AND SERVICES, 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 be authorized and directed to advertise for bids and enter into contract for Water Meters, Waterline Repairs/Supplies, Fuel (Station Pump) and Fuel (Bulk), all in accordance with plans and specifications now on file in the Office of the Safety-Service Director.

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-101, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt Resolution No. 2023-101, with a second by Mahan. Safety-Service Director Tanner Salyers commented on the legislation, and Law Director Rob Broeren noted that the resolution to advertise for bids and enter into contract is for routine items that the City utilizes annually. Utilities Director Aaron Reinhart added that his department is still in the process of switching customers over to new water meters. Motion to adopt passed by a roll-call vote of 6-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-102

Meeting: 12/11/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3915

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

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

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

1. To Account 101.1780.53112, Electronic Monitoring, in the amount of \$4,941.00.
(Collections of Electronic Monitoring Services for Probationers)
2. To Account 101.3600.54490, Transfer to TIF District-Cosh Rd, in the amount of \$130,062.65.
(Establishing the Loan Repayment Appropriation for the Fire Equipment Acquisition)

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-102, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt Resolution No. 2023-102, with a second by Mahan. Auditor Terry Scott commented on the legislation. Motion to adopt passed by a roll-call vote of 6-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

RESOLUTION 2023-103

Meeting: 12/11/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3916

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

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

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

1. From Account 1011700.51113, Municipal Clerk Deputy Clerks, to Account 101.1700.53111, Dues/Supplies, in the amount of \$5,000.00.
2. From Account 101.3600.52125, Employee Insurance, to Account 101.1600.54465, Income Tax Refunds, in the amount of \$36,000.00.
3. From Account 101.3600.52125, Employee Insurance, to Account 101.2600.54490, Transfer to Park Development, in the amount of \$28,455.00.

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

COMMENTS - Current Meeting:

Seavolt made a motion to suspend the rule requiring three separate readings of Resolution No. 2023-103, with a second by Mahan. Motion to suspend passed by a roll-call vote of 6-0. Seavolt made a motion to adopt Resolution No. 2023-103, with a second by Mahan. Auditor Terry Scott commented on the legislation, noting that the \$28,455.00 being transferred to Park Development is the most in several years. Motion to adopt passed by a roll-call vote of 6-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-104

Meeting: 12/11/23 7:30 PM
Dept: Parks and Lands
Keener, Woods
Category: Grant
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3917

A RESOLUTION IN SUPPORT OF THE KOKOSING GAP TRAIL AND KNOX COUNTY PARK DISTRICT IN THEIR APPLICATION FOR AN OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION ALTERNATIVE PROGRAM GRANT, TO ASSIST WITH THE COST OF REPAVING THE KOKOSING GAP TRAIL; AND DECLARING AN EMERGENCY.

WHEREAS, the Kokosing Gap Trail is a paved, 14-mile recreational trail built on a former Pennsylvania Railroad line with endpoints in Mount Vernon and Danville, Ohio; and

WHEREAS, the Kokosing Gap Trail, which is owned by the Knox County Commissioners, is overseen by a 15-member volunteer board first appointed by the Commissioners in 1987 that's responsible for all day-to-day maintenance, development and special projects on the trail and must raise its own funds, in cooperation with the Knox County Park District; and

WHEREAS, the trail board received its nonprofit 501(c)(3) status in 1989, with this board, along with many volunteers, having used gifts and donations to enhance the park with improvements such as restrooms, water fountains, parking lots, benches, a playground and a restored steam locomotive and caboose, with donations also being used to purchase maintenance supplies and equipment; and

WHEREAS, the Kokosing Gap Trail and Knox County Park District are collaborating on applying for an ODOT Transportation Alternative Program grant to assist with the repaving of the trail, as the trail's asphalt will be 20 years old in 2024, with multiple engineers agreeing that it is time to plan for repaving.

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

SECTION 1: That the City of Mount Vernon supports the Kokosing Gap Trail and the Knox County Park District in its application for an ODOT Transportation Alternative Program grant to assist with the repaving of the trail to keep it in good working order for the many people who enjoy it as a recreational resource from the City of Mount Vernon, Knox County and beyond.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and to allow the Kokosing Gap Trail board to apply for a needed grant to continue to allow the trail to provide recreation to the citizens of the City of Mount Vernon 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. 2023-104 was given a first reading.

RESULT: FIRST READING

Next: 12/27/2023 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2023-105

Meeting: 12/11/23 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
 Category: Contract
 Prepared By: Todd Hill
 Initiator: Todd Hill
DOC ID: 3920

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF MOUNT VERNON, OHIO TO ENTER INTO CONTRACT WITH ROAD TO FINISH LLC; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon be and he herewith is authorized and directed to enter into contract with Road to Finish LLC to provide construction inspection services in 2024.

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:

Resolution No. 2023-105 was given a first reading. Severns requested a 10-minute meeting of the Streets and Public Buildings Committee on the legislation for Dec. 27, 2023.

RESULT: FIRST READING

Next: 12/27/2023 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 12/11/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Annexation
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3903

ADOPTED

ORDINANCE 2023-43

AN ORDINANCE ACCEPTING THE ANNEXATION OF 4.325 ACRES, PARCEL NUMBERS 12-50046.000 AND 12-50054.000, FROM CLINTON 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 September 5, 2023, the Knox County Board of Commissioners approved the petition of the owner of 4.325 acres located in Clinton 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 4.325 Acres, Parcel Numbers 12-50046.000 and 12-50054.000, located in Clinton Township proposed in the owner's petition and approved by the Knox County Board of Commissioners on September 5, 2023 (attached as Exhibit A).

SECTION 2: That the annexation is subject to the conditions set for in Ordinance 2023-28, adopted by Council on June 26, 2023.

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.

HISTORY:

11/13/23	City Council	FIRST READING
11/27/23	City Council	SECOND READING

COMMENTS - Current Meeting:

Hillier made a motion to adopt Ordinance No. 2023-43, with a second by Severns. Law Director Rob Broeren noted that most of the property owned by the Knox County Historical Society is already within City limits. Motion to adopt passed by a roll-call vote of 6-0.

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



Knox County Board of Commissioners

Teresa Bemiller

Thom Collier

Bill Pursel

Executive Assistant
Penny DoyleCounty Administrator
Jason BoothBudget Analyst
Robin Santo

September 5, 2023

RESOLUTION 2023-720--APPROVE TYPE 2 ANNEXATION OF 4.325 ACRES FROM CLINTON TOWNSHIP TO THE CITY OF MOUNT VERNON, OHIO, ZACHARY DIMARCO, ATTORNEY AT LAW WITH CRITCHFIELD, CRITCHFIELD & JOHNSTON, LTD., AGENT. PARCEL #12-50046.000 AND PARCEL #12-50054.000 -KNOX COUNTY HISTORICAL SOCIETY OF MOUNT VERNON, OHIO.

Mr. Bill Pursel moved the adoption of the following resolution:

WHEREAS, the Board of Knox County Commissioners proceeded the 5TH day of September, 2023, to hear the petition of Zachary DiMarco, Attorney at Law with Critchfield, Critchfield & Johnston, Ltd., Agent, to obtain annexation of territory consisting of 4.325 acres in Clinton Township, in the County of Knox, and adjacent to the City of Mount Vernon, Ohio, 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, Ohio; 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 Clinton, County of Knox, and State of Ohio, be annexed to the City of Mount Vernon, Ohio;

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, Ohio.

A copy of the City of Mount Vernon, Ohio, Ordinance 2023-28 consenting to the annexation petition and all supporting documents are attached to Journal No. 2023.

Mrs. Teresa Bemiller seconded the adoption of the foregoing resolution and upon roll call, the vote resulted as follows:

Mrs. Teresa Bemiller, Aye

Mr. Thom Collier, Aye

Mr. Bill Pursel, Aye

CERTIFICATION

I, Penny R. Doyle, the duly appointed Clerk/Executive 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, September 5, 2023, and entered into Commissioner's Journal No. 2023.

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

PETITION FOR ANNEXATION – EXPEDITED TYPE 2

Knox County Historical Society of Mount Vernon, being the owner of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Mount Vernon, Knox County, Ohio, being filed under **Sections 709.021(A) & 709.023(A)** of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as **Exhibit “A.”**

The petition meets all requirements set forth in section 709.021 of the Ohio Revised Code. The petitioners are the owners of the territory proposed for annexation and constitute all owners of the territory. The described territory is contiguous with the City of Mount Vernon, Ohio and does not exceed 500 acres. The described territory shares a contiguous boundary with the City of Mount Vernon for a continuous length of greater than 5% of the perimeter. The annexation of the described territory will not create an unincorporated area completely surrounded by territory to annex.

Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked **Exhibit “B.”**

Zachary H. DiMarco, attorney with Critchfield, Critchfield & Johnston, Ltd. is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refile, substitution, compromise,

increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

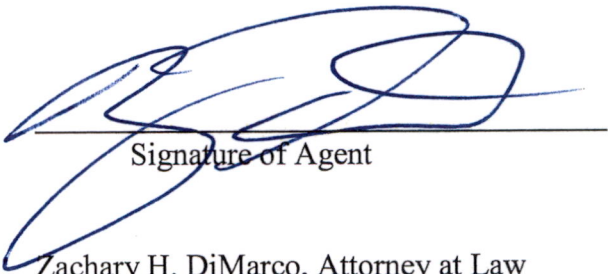
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Date: JUNE 6, 2023

Mark Ramser

Mark Ramser, President

ACCEPTANCE BY AGENT:



Signature of Agent

Zachary H. DiMarco, Attorney at Law
 Critchfield, Critchfield & Johnston, Ltd.
 10 S. Gay Street
 P.O. Box 469
 Mount Vernon, Ohio 43050
 Phone: 740-397-4040, Fax: 740-397-6775
dimarco@ccj.com

Exhibit A

Parcel 1:

Situated in the County of Knox, State of Ohio, and the City of Mount Vernon and bounded and described as follows:

The parcel herein described is known as being a part of the same lands conveyed to Buckeye Steel & Plumbing Supply, Inc. as described in Deed Volume 324 on Page 311 and is better known as being a part of Lot 14 in the second quarter of Clinton Township, Township 6 North in Range 13 West in the U.S. Military Lands of Knox County, Ohio.

It should be noted that the bearings used in this description are based on the center of State Routes 3 and 36 (Harcourt Road) as being South 4 deg. 57' 00" West.

Beginning at the Southeast corner of Leopold Dulene's Subdivision in the center of State Routes 3 & 36 (Harcourt Road); thence with the center of said road, South 4 degrees 57' 00" West, 160.38 feet to a point and the true point of beginning; thence continuing along the center of the said road, South 4 degrees 57' 00" West, 139.17 feet to the northeast corner of the Federal Land Bank Association's parcel; thence leaving the center of the said road and following the north line of the Federal Land Bank Association's parcel, North 85 degrees 30' 00" West, passing a found iron pipe at 55.00 feet, 313.22 feet to a found iron pipe; thence North 4 degrees 57' 00" East, 139.17 feet to a set iron pipe; thence South 85 degrees 30' 00" East, passing a set iron pipe at 258.22 feet, 313.22 feet to the center of State Routes 3 and 36 and the true point of beginning. Containing 1.000 acre and being subject to all legal roads, easements and restrictions of record.

I hereby certify that the above description is the true and correct results, to the best of my knowledge, of a survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Surveyor, Registration No. S-6512.

Parcel Number: 12-50046.000

Prior Instrument Reference: Deed Volume 386, Page 221

Parcel 2:

Situated in the County of Knox, in the State of Ohio, and in the Township of Clinton and bounded and described as follows:

Situate in Lot Number Fourteen (14), Quarter 2 of said Clinton Township and commencing at the intersection of the center of line of State Route No. 3 and the south line of said Lot No. 14, said point being 4 feet West of the Southeast corner of said Lot No. 14, running thence North 4 deg. 30' East along the center line of State Route 3 a distance of 844.5 feet to the northeast corner of the tract conveyed to the Farmers Production Credit Association of Ashland and a deed found in Volume 279 at Page 382 of the Knox County Deed Records, which point is also the beginning point of the tract herein described; running thence North 85 deg. 30' West a distance of 457.55 feet to a point; thence north 4 deg. 57' East a distance of 559.55 feet to a pipe, which pipe is the

southeast corner of the Leopold Delune's subdivision as found in Plat Book 2 at Page 177; thence South 84 deg. 00' East a distance of 457.55 feet to a point in the center line of State Route No. 3; thence South 4 deg. 57' West a distance of 547.55 feet to the point of beginning estimated to contain 5.82 acres, more or less. The premises described have been surveyed by Floyd W. Barnes, Registered Surveyor, on the 3rd day of November, 1973.

Subject to easements and restrictions of record.

SAVE AND EXCEPT:

The following real estate, situate in Lot 14, Quarter 2, Township 6, Range 13, Clinton Township, Knox County, Ohio and being described as follows:

Beginning at the southeast corner of Leopold Delune's subdivision, Plat Book 2, Page 177, in the center of Harcourt Road, the south line of said subdivision bears North 84 deg. 00' West running thence South 4 deg. 57' West, along the center of Harcourt Road, a distance of 299.55 feet to the northeast corner and beginning point of the parcel herein described; running thence and continuing South 4 deg. 57' West, along the center line of Harcourt Road, a distance of 208.00 feet, thence North 85 deg. 30' West, along the north line of a 40 foot right of way, passing through an iron pipe at 55 feet, a total distance of 313.00 feet to an iron pipe; thence North 4 deg. 57' East a distance of 208.00 feet to an iron pipe; found South 85 deg. 30' East, passing through an iron pipe at 258 feet, a total distance of 313.00 feet to the point of beginning containing 1.495 acres, more or less, as surveyed August 27, 1976 by Floyd W. Barnes, Surveyor #3917, Ohio but being subject to all easements and restrictions of record.

Being part of 5.82 acres described in Deed Volume 324, Page 311.

SAVE AND EXCEPT:

Beginning at the Southeast corner of Leopold Delune's Subdivision in the center of State Route 3 and 36 (Harcourt Road); thence with the center of the said road South 4 deg. 57' 00" West, 160.38 feet to a point and the true point of beginning; thence continuing along the center of the said road, South 4 deg. 57' 00" West, 139.17 feet to the northeast corner of the Federal Land Bank Assn.'s parcel thence leaving the center of the said road and following the north line of the Federal Land Bank Assn.'s parcel, North 85 deg. 30' 00" West, passing a found iron pipe at 55.00 feet, 313.22 feet to a found iron pipe; thence North 4 deg. 57' 00" East, 139.17 feet to a set iron pipe; thence South 85 deg. 30' 00" East, passing a set iron pipe at 258.22 feet, 313.22 feet to the center of State Routes 3 and 36 and the true point of beginning. Containing 1.00 acre and being subject to all legal roads, easements and restrictions of record.

I hereby certify that the above description is the true and correct results to the best of my knowledge of survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Survey, Registration No. S-6512.

Leaving after said exceptions, approximately 3.325 acres, more or less.

Parcel Number: 12-50054.000

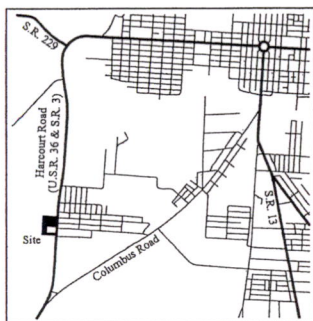
Prior Instrument Reference: Deed Volume 401, Page 141

EXHIBIT B

[INSERT PLAT]

ANNEXATION PLAT OF 4.325 ACRES FROM CLINTON TOWNSHIP TO THE CITY OF MOUNT VERNON

Lot 14, Quarter 2, Township 6 North,
Range 13 West, Clinton Township,
U.S.M.L., Knox County, Ohio



Vicinity Map
(Not to Scale)

North based on the centerline of Harcourt Road
per Survey Volume E, Page 110.



Date: May 1, 2023
Scale: 1" = 100'



CERTIFICATION:

This Annexation Plat was prepared by Amy Bernicken, Ohio Professional Surveyor Number 8571, from deeds of record as shown hereon, and is true and correct to the best of my knowledge and belief. This plat does not represent an actual field survey.

Amy Bernicken, Surveyor No. 8571

DAVID R. MILLS, PS
SURVEYOR #7157

AMY BERNICKEN, PS
SURVEYOR #8571

TRACY & MILLS, SURVEYORS

10 East Vine Street - P.O. Box 642
Mount Vernon, Ohio 43050
Tel.: 740-397-8324 Fax: 740-397-5910
tracyandmills@aol.com

FLOYD W. BARNES, PS
1921-2018

THOMAS M. TRACY, PS
1941-2002

Proposed Annexation of 4.325 Acres
to the City of Mount Vernon

The within map marked "Exhibit B" and made a part of the petition of annexation filed with the Board of Commissioners of Knox County, Ohio, on June 8, 2023, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

[Signature]
Agent for Petitioners

The Board of County Commissioners of Knox County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of Mount Vernon, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Knox County Commissioners

Petition Received: _____
_____, 20__

Petition Approved: _____
_____, 20__

Commissioner

Council for the City of Mount Vernon, Ohio, by ordinance _____ passed _____, 20__, and approved by the mayor on _____, 20__, did accept the territory shown hereon for annexation to the City of Mount Vernon, Ohio, a municipal corporation.

Mayor, City of Mount Vernon

Transferred this ____ day of _____, 20__, upon the duplicates of this office.

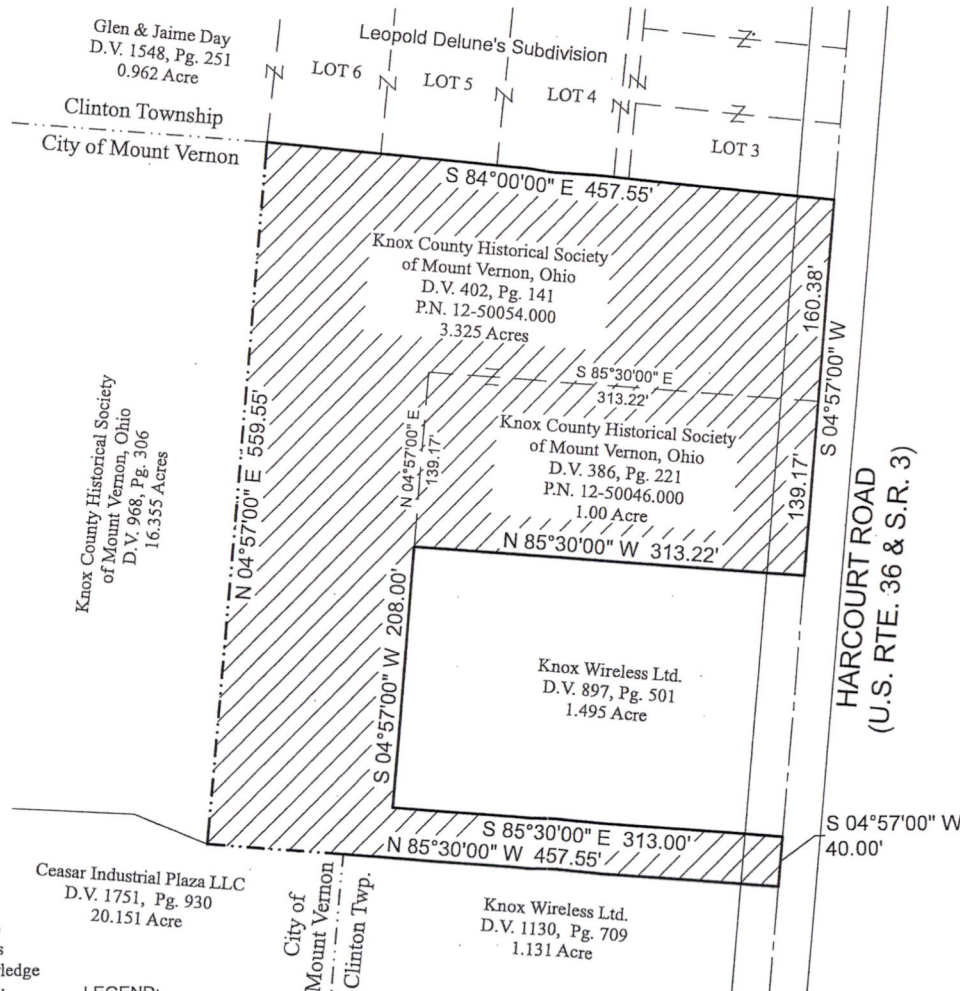
Containing _____ acres. Transfer Fee _____

Knox County Auditor

Received for Record _____, 20__, at _____ (AM-PM) and recorded _____, 20__, in Plat Book Volume _____, Page _____

Plat Fee _____ Ordinance, etc. Fee _____

Knox County Recorder



LEGEND:

- Existing Corporation Line
- New Corporation Line
- ▨ New Annexation Area

This exhibit is intended for annexation purposes only.
It was prepared from deeds of record, without fieldwork,
and does not represent an actual boundary survey.

UNITED TELEPHONE CO OF OHIO
1202604000

DAY GLEN F & JAIME
1202105003 ✓

DAY GLEN F & JAIME
1200365000 ✓

DAY GLEN F & JAIME
1202216000 ✓

DAY GLEN F & JAIME
1200363000 ✓

DAY GLEN F & JAIME
1200360000 ✓

DAY GLEN F & JAIME
1200361000 ✓

DAY GLEN F & JAIME
1200362000 ✓

KNOX COUNTY HISTORICAL SOCIETY
6600973000

Parcel
②
3.32
acre

KNOX COUNTY HISTORICAL SOCIETY
1250054000

Parcel
①
1 acre

KNOX COUNTY HISTORICAL SOCIETY
1250046000

KNOX WIRELESS LTD
1202293000

KNOX WIRELESS LTD
1201412001 ✓

CEASAR INDUSTRIAL PLAZA LLC
6600971000 ✓

EVAN MICHAEL ENTERPRISES LLC
1201412000

HARCOURT RD HARCOURT RD HARCOURT RD HARCOURT RD HARCOURT RD HARCOURT RD HARCOURT RD HARCOURT RD

ALY

Daugherty

12ROW

DOWN HOME RENTALS LLC
1250099000

DOWN HOME RENTALS LLC
1250099000

HAMILTON RONALD J
1200627000

HAMILTON RONALD J
1200628000

JOHNSON AVE

EARL & JOE'S PLACE LLC
1201099000

EARL & JOE'S PLACE LLC
1201098000

WILLIAMS ST

WESTGATE MOBILE HOME COMMUNITY LLC

Legend

- Section Line
- Road ROW
- Parcel Boundary
- Owner's Limit



1 inch = 100 feet

RECEIPT - DEPARTMENT COPY

June 08, 2023

Knox County, Ohio

117 E High St., Ste 120

Mount Vernon, OH 43050

From: C C & J

For: KNOX HISTORICAL SOCIETY AN

Receipt #:

PI-23-00137

Receipt Amt:

\$100.00

Account

101.1140.40603

Amount

\$100.00

Account**Amount****Account****Amount**Sarah Thorne M*Shelley Coon*

KNOX CO. TREASURER

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

CRITCHFIELD, CRITCHFIELD & JOHNSTON, LTD.
10 SOUTH GAY STREET BOX 469
MOUNT VERNON, OH 43050

FIRST-KNOX NATIONAL BANK
56-297/441

18480

6/8/2023

PAY TO THE
ORDER OF

Knox County Commissioners

\$ 100.00 -

One Hundred Dollars and 00/100

DOLLARS

PROTECTED AGAINST FRAUD

MEMO

ZHD

Annexation/Knox County Historical Society

⑈016486⑈ ⑆044102977⑆ 0143⑈178 8⑈01

RECEIPT

No. 492643

DATE

6-8-2023

FROM

Critchfield / Kennedy
One Hundred AirKey

\$ 100 -

DOLLARS

☐ FOR RENT☐ FOR

Type 2 Exp Annexation

ACCT.

PAID

DUE

☐ CASH☒ CHECK☐ MONEY ORDER☐ CREDIT CARD

FROM

TO

BY

Knox County Historical
Society
Penny Doyle Clerk

A-2501

T-46820



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2023-28

Meeting: 06/12/23 7:30 PM
Dept: Planning and Zoning
Hillier, Severns
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3835

AN ORDINANCE CONSENTING TO THE ANNEXATION OF 4.325 ACRES FROM CLINTON 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 8, 2023, the owner of 4.325 acres located in Clinton 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:

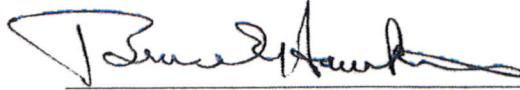
SECTION 1: That pursuant to Revised Code Section 709.023(D), the City of Mount Vernon consents to the annexation proposed in the owner's petition (attached as Exhibit A).

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
- f) Stormwater Service

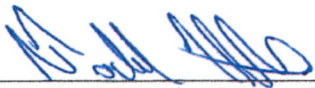
SECTION 3: That City Council finds that the annexation parcel is currently subject to Clinton Township Zoning, pursuant to Chapter 519 of the Revised Code. If the territory is annexed and becomes subject to zoning by the City of Mount Vernon, and City zoning permits uses in the annexed territory that 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.

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.

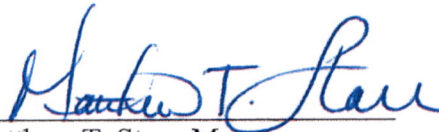


Bruce E. Hawkins, President of Council

PASSED: JUNE 26, 2023

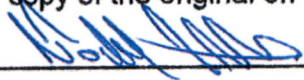
ATTEST: 
Todd Hill, Clerk of Council

APPROVED: June 26, 2023



Matthew T. Starr, Mayor

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



TODD HILL
CLERK OF COUNCIL
CITY OF MOUNT VERNON, OHIO

CRITCHFIELD

Attorneys at Law

June 8, 2023

Via Hand-Delivery

Todd Hill
Clerk of City of Mount Vernon
40 Public Square, Suite 206
Mount Vernon, Ohio 43050

RE: Knox County Historical Society of Mount Vernon
Petition for Annexation – City of Mount Vernon
Parcels: 12-50046.000 and 12-50054.000
Clinton Township, Knox County, Ohio

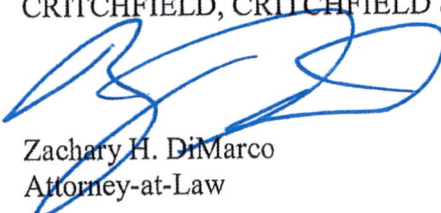
To the City of Mount Vernon:

You are being provided notice that the Knox County Historical Society of Mount Vernon has filed a petition for annexation of Knox County parcel numbers 12-50046.000 and 12-50054.000 to be annexed into the City of Mount Vernon with the Knox County Commissioners June 8, 2023 at 11:00 a.m.

Enclosed with this letter you will find a copy of the petition, along with all attachments and documents accompanying the petition as filed.

Very truly yours,

CRITCHFIELD, CRITCHFIELD & JOHNSTON, LTD.



Zachary H. DiMarco
Attorney-at-Law

Enclosure

Zachary H. DiMarco
dimarco@ccj.com

10 S. Gay Street
Mount Vernon, OH 43050

www.ccj.com

P: 740.397.4040
F: 740.397.6775

Attachment: Ex A - Approval of Type 2 Annexation Knox County Historical Society 09.05.2023 (2023-43 : Accepting Annexation of 4.325 Acres

PETITION FOR ANNEXATION – EXPEDITED TYPE 2

Knox County Historical Society of Mount Vernon, being the owner of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Mount Vernon, Knox County, Ohio, being filed under **Sections 709.021(A) & 709.023(A)** of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as **Exhibit “A.”**

The petition meets all requirements set forth in section 709.021 of the Ohio Revised Code. The petitioners are the owners of the territory proposed for annexation and constitute all owners of the territory. The described territory is contiguous with the City of Mount Vernon, Ohio and does not exceed 500 acres. The described territory shares a contiguous boundary with the City of Mount Vernon for a continuous length of greater than 5% of the perimeter. The annexation of the described territory will not create an unincorporated area completely surrounded by territory to annex.

Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked **Exhibit “B.”**

Zachary H. DiMarco, attorney with Critchfield, Critchfield & Johnston, Ltd. is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise,

increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

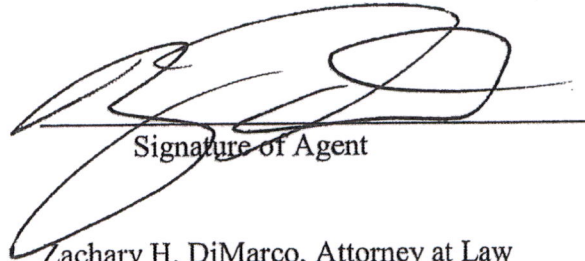
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Date: JUNE 6, 2023

Mark Ramser

Mark Ramser, President

ACCEPTANCE BY AGENT:



Signature of Agent

Zachary H. DiMarco, Attorney at Law
Critchfield, Critchfield & Johnston, Ltd.
10 S. Gay Street
P.O. Box 469
Mount Vernon, Ohio 43050
Phone: 740-397-4040, Fax: 740-397-6775
dimarco@ccj.com

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It should be noted that the bearings used in this description are based on the center of State Routes 3 and 36 (Harcourt Road) as being South 4 deg. 57' 00" West.

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I hereby certify that the above description is the true and correct results, to the best of my knowledge, of a survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Surveyor, Registration No. S-6512.

Parcel Number: 12-50046.000

Prior Instrument Reference: Deed Volume 386, Page 221

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southeast corner of the Leopold Delune's subdivision as found in Plat Book 2 at Page 177; thence South 84 deg. 00' East a distance of 457.55 feet to a point in the center line of State Route No. 3; thence South 4 deg. 57' West a distance of 547.55 feet to the point of beginning estimated to contain 5.82 acres, more or less. The premises described have been surveyed by Floyd W. Barnes, Registered Surveyor, on the 3rd day of November, 1973.

Subject to easements and restrictions of record.

SAVE AND EXCEPT:

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Being part of 5.82 acres described in Deed Volume 324, Page 311.

SAVE AND EXCEPT:

Beginning at the Southeast corner of Leopold Delune's Subdivision in the center of State Route 3 and 36 (Harcourt Road); thence with the center of the said road South 4 deg. 57' 00" West, 160.38 feet to a point and the true point of beginning; thence continuing along the center of the said road, South 4 deg. 57' 00" West, 139.17 feet to the northeast corner of the Federal Land Bank Assn.'s parcel thence leaving the center of the said road and following the north line of the Federal Land Bank Assn.'s parcel, North 85 deg. 30' 00" West, passing a found iron pipe at 55.00 feet, 313.22 feet to a found iron pipe; thence North 4 deg. 57' 00" East, 139.17 feet to a set iron pipe; thence South 85 deg. 30' 00" East, passing a set iron pipe at 258.22 feet, 313.22 feet to the center of State Routes 3 and 36 and the true point of beginning. Containing 1.00 acre and being subject to all legal roads, easements and restrictions of record.

I hereby certify that the above description is the true and correct results to the best of my knowledge of survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Survey, Registration No. S-6512.

Leaving after said exceptions, approximately 3.325 acres, more or less.

Parcel Number: 12-50054.000

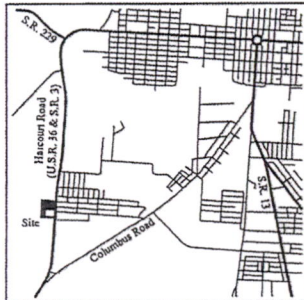
Prior Instrument Reference: Deed Volume 401, Page 141

EXHIBIT B

[INSERT PLAT]

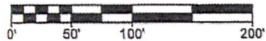
ANNEXATION PLAT OF 4.325 ACRES FROM CLINTON TOWNSHIP TO THE CITY OF MOUNT VERNON

Lot 14, Quarter 2, Township 6 North,
Range 13 West, Clinton Township,
U.S.M.L., Knox County, Ohio



Vicinity Map
(Not to Scale)

North based on the centerline of Harcourt Road
per Survey Volume E, Page 110.



Date: May 1, 2023
Scale: 1" = 100'



CERTIFICATION:

This Annexation Plat was prepared by Amy Bernicken, Ohio Professional Surveyor Number 8571, from deeds of record as shown hereon, and is true and correct to the best of my knowledge and belief. This plat does not represent an actual field survey.

[Signature]

Amy Bernicken, Surveyor No. 8571

DAVID R. MILLS, PS
SURVEYOR #7157

AMY BERNICKEN, PS
SURVEYOR #8571

TRACY & MILLS, SURVEYORS

10 East Vine Street - P.O. Box 642
Mount Vernon, Ohio 43050
Tel.: 740-397-8324 Fax: 740-397-5910
tracyandmills@aol.com

FLOYD W. BARNES, PS
1921-2018

THOMAS M. TRACY, PS
1941-2002

Proposed Annexation of 4.325 Acres
to the City of Mount Vernon

The within map marked "Exhibit B" and made a part of the petition of annexation filed with the Board of Commissioners of Knox County, Ohio, on June 8, 2023, under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code.

[Signature]
Agent for Petitioners

The Board of County Commissioners of Knox County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of Mount Vernon, Ohio, of the territory shown hereon and having given due consideration to the prayer of said petition, do hereby grant the same.

Board of Knox County Commissioners

Petition Received: _____
Commissioner _____, 20__

Petition Approved: _____
Commissioner _____, 20__

Commissioner _____

Council for the City of Mount Vernon, Ohio, by ordinance passed _____, 20__, and approved by the mayor on _____, 20__, did accept the territory shown hereon for annexation to the City of Mount Vernon, Ohio, a municipal corporation.

Mayor, City of Mount Vernon

Transferred this ____ day of _____, 20__, upon the duplicates of this office.

Containing ____ acres. Transfer Fee _____

Knox County Auditor

Received for Record _____, 20__, at _____ (AM-PM) and recorded _____, 20__, in Plat Book Volume _____, Page _____

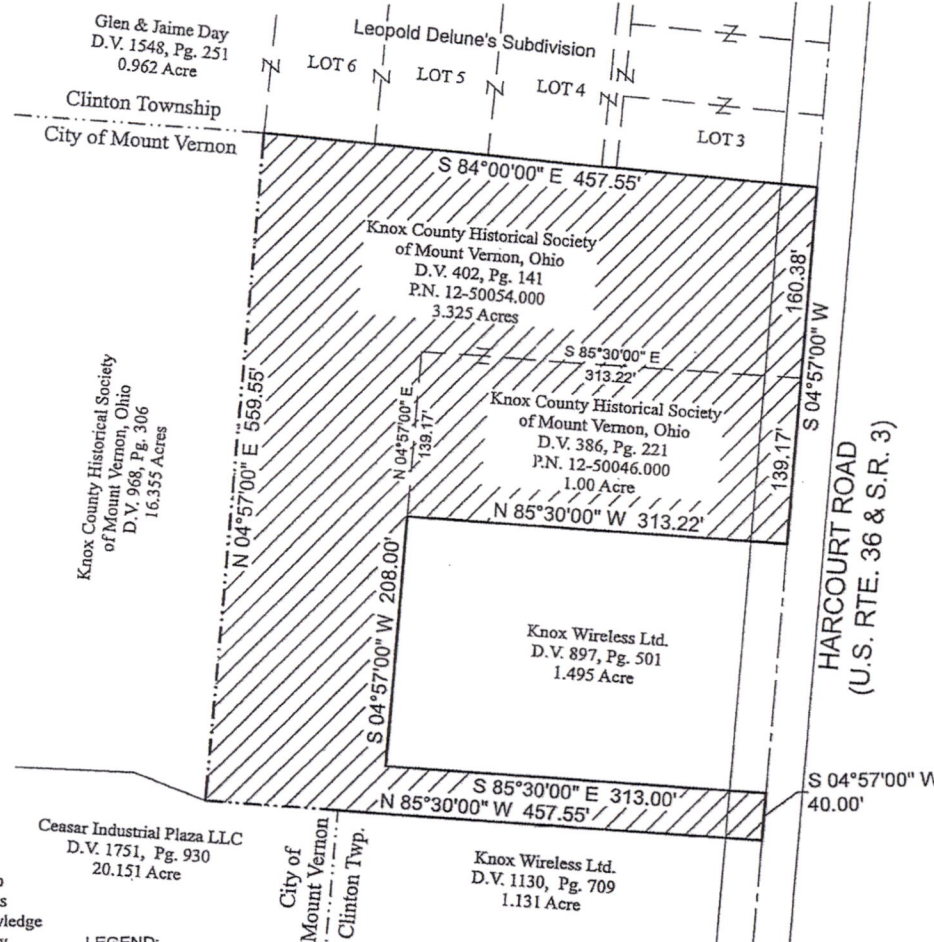
Plat Fee _____ Ordinance, etc. Fee _____

Knox County Recorder

LEGEND:

- Existing Corporation Line
- New Corporation Line
- ////// New Annexation Area

This exhibit is intended for annexation purposes only.
It was prepared from deeds of record, without fieldwork,
and does not represent an actual boundary survey.



Penny Doyle

From: Zachary H. DiMarco <dimarco@ccj.com>
Sent: Thursday, August 17, 2023 1:56 PM
To: Penny Doyle
Subject: annexation
Attachments: Adjoining owners.pdf; MV Service.pdf

Penny –

I'm attaching service documents for the adjoining landowners and the City of Mount Vernon for the Knox County Historical Society annexation.

Chip is looking at the service document for the Township, so I will forward as soon as that is signed off by the Township.

Thanks,

-Zac

CRITCHFIELD

Zachary H. DiMarco

Attorney at Law

P: [740.397.4040](tel:740.397.4040) | F: [740.397.6775](tel:740.397.6775) | dimarco@ccj.com

[10 South Gay Street, Mount Vernon, OH 43050](https://www.ccj.com/10-South-Gay-Street-Mount-Vernon-OH-43050)

Critchfield, Critchfield & Johnston, Ltd.

| <https://link.edgepilot.com/s/c149fae1/hlZ4EO9BTEmlYA72RN0yVQ?u=http://www.ccj.com/>

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List of Adjoining Property Owners

RE: Knox County Historical Society of Mount Vernon
Petition for Annexation – City of Mount Vernon
Parcels: 12-50046.000 and 12-50054.000
Clinton Township, Knox County, Ohio

NOTICE PROVIDED VIA REGULAR USPS MAIL ON JUNE 12, 2023 TO THE
FOLLOWING ADJACENT PROPERTY OWNERS AT TAX MAILING ADDREESS

Knox Wireless Ltd.
P.O. Box 511
Mount Vernon, Ohio 43050

Caesar Industrial Plaza, LLC
44140 Riverview Ridge
Clinton Township, MI 4803

Glen F. and Jaime Day
17538 Glen Road
Gambier, OH 43022

Down Home Rentals, LLC
306 E. High Street, Suite 2
Mount Vernon, Ohio 43050

Ronald J. Hamilton
808 Harcourt Road,
Mount Vernon, Ohio 43050

Kenny W. Daughriety Sr. and Pamela Daughriety
10452 Burke Road,
Mount Vernon, Ohio 43050

Earl and Joe's Place, LLC
900 Harcourt Road, Suite A
Mount Vernon, Ohio 43050

PETITION FOR ANNEXATION – EXPEDITED TYPE 2

Knox County Historical Society of Mount Vernon, being the owner of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Mount Vernon, Knox County, Ohio, being filed under **Sections 709.021(A) & 709.023(A)** of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as **Exhibit “A.”**

The petition meets all requirements set forth in section 709.021 of the Ohio Revised Code. The petitioners are the owners of the territory proposed for annexation and constitute all owners of the territory. The described territory is contiguous with the City of Mount Vernon, Ohio and does not exceed 500 acres. The described territory shares a contiguous boundary with the City of Mount Vernon for a continuous length of greater than 5% of the perimeter. The annexation of the described territory will not create an unincorporated area completely surrounded by territory to annex.

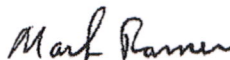
Petitioner has attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked **Exhibit “B.”**

Zachary H. DiMarco, attorney with Critchfield, Critchfield & Johnston, Ltd. is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise,

increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

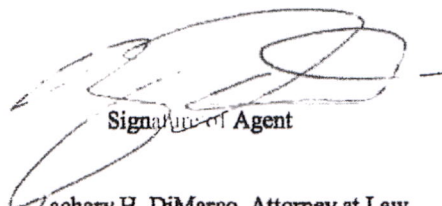
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Date: JUNE 6, 2023



Mark Ramser, President

ACCEPTANCE BY AGENT:



Signature of Agent

Zachary H. DiMarco, Attorney at Law
Critchfield, Critchfield & Johnston, Ltd.
10 S. Gay Street
P.O. Box 469
Mount Vernon, Ohio 43050
Phone: 740-397-4040, Fax: 740-397-6775
dimarco@ccj.com

Exhibit A**Parcel 1:**

Situated in the County of Knox, State of Ohio, and the City of Mount Vernon and bounded and described as follows:

The parcel herein described is known as being a part of the same lands conveyed to Buckeye Steel & Plumbing Supply, Inc. as described in Deed Volume 324 on Page 311 and is better known as being a part of Lot 14 in the second quarter of Clinton Township, Township 6 North in Range 13 West in the U.S. Military Lands of Knox County, Ohio.

It should be noted that the bearings used in this description are based on the center of State Routes 3 and 36 (Harcourt Road) as being South 4 deg. 57' 00" West.

Beginning at the Southeast corner of Leopold Dulene's Subdivision in the center of State Routes 3 & 36 (Harcourt Road); thence with the center of said road, South 4 degrees 57' 00" West, 160.38 feet to a point and the true point of beginning; thence continuing along the center of the said road, South 4 degrees 57' 00" West, 139.17 feet to the northeast corner of the Federal Land Bank Association's parcel; thence leaving the center of the said road and following the north line of the Federal Land Bank Association's parcel, North 85 degrees 30' 00" West, passing a found iron pipe at 55.00 feet, 313.22 feet to a found iron pipe; thence North 4 degrees 57' 00" East, 139.17 feet to a set iron pipe; thence South 85 degrees 30' 00" East, passing a set iron pipe at 258.22 feet, 313.22 feet to the center of State Routes 3 and 36 and the true point of beginning. Containing 1.000 acre and being subject to all legal roads, easements and restrictions of record.

I hereby certify that the above description is the true and correct results, to the best of my knowledge, of a survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Surveyor, Registration No. S-6512.

Parcel Number: 12-50046.000

Prior Instrument Reference: Deed Volume 386, Page 221

Parcel 2:

Situated in the County of Knox, in the State of Ohio, and in the Township of Clinton and bounded and described as follows:

Situate in Lot Number Fourteen (14), Quarter 2 of said Clinton Township and commencing at the intersection of the center of line of State Route No. 3 and the south line of said Lot No. 14, said point being 4 feet West of the Southeast corner of said Lot No. 14, running thence North 4 deg. 30' East along the center line of State Route 3 a distance of 844.5 feet to the northeast corner of the tract conveyed to the Farmers Production Credit Association of Ashland and a deed found in Volume 279 at Page 382 of the Knox County Deed Records, which point is also the beginning point of the tract herein described; running thence North 85 deg. 30' West a distance of 457.55 feet to a point; thence north 4 deg. 57' East a distance of 559.55 feet to a pipe, which pipe is the

southeast corner of the Leopold Delune's subdivision as found in Plat Book 2 at Page 177; thence South 84 deg. 00' East a distance of 457.55 feet to a point in the center line of State Route No. 3; thence South 4 deg. 57' West a distance of 547.55 feet to the point of beginning estimated to contain 5.82 acres, more or less. The premises described have been surveyed by Floyd W. Barnes, Registered Surveyor, on the 3rd day of November, 1973.

Subject to easements and restrictions of record.

SAVE AND EXCEPT:

The following real estate, situate in Lot 14, Quarter 2, Township 6, Range 13, Clinton Township, Knox County, Ohio and being described as follows:

Beginning at the southeast corner of Leopold Delune's subdivision, Plat Book 2, Page 177, in the center of Harcourt Road, the south line of said subdivision bears North 84 deg. 00' West running thence South 4 deg. 57' West, along the center of Harcourt Road, a distance of 299.55 feet to the northeast corner and beginning point of the parcel herein described; running thence and continuing South 4 deg. 57' West, along the center line of Harcourt Road, a distance of 208.00 feet, thence North 85 deg. 30' West, along the north line of a 40 foot right of way, passing through an iron pipe at 55 feet, a total distance of 313.00 feet to an iron pipe; thence North 4 deg. 57' East a distance of 208.00 feet to an iron pipe; found South 85 deg. 30' East, passing through an iron pipe at 258 feet, a total distance of 313.00 feet to the point of beginning containing 1.495 acres, more or less, as surveyed August 27, 1976 by Floyd W. Barnes, Surveyor #3917, Ohio but being subject to all easements and restrictions of record.

Being part of 5.82 acres described in Deed Volume 324, Page 311.

SAVE AND EXCEPT:

Beginning at the Southeast corner of Leopold Delune's Subdivision in the center of State Route 3 and 36 (Harcourt Road); thence with the center of the said road South 4 deg. 57' 00" West, 160.38 feet to a point and the true point of beginning; thence continuing along the center of the said road, South 4 deg. 57' 00" West, 139.17 feet to the northeast corner of the Federal Land Bank Assn.'s parcel thence leaving the center of the said road and following the north line of the Federal Land Bank Assn's parcel, North 85 deg. 30' 00" West, passing a found iron pipe at 55.00 feet, 313.22 feet to a found iron pipe; thence North 4 deg. 57' 00" East, 139.17 feet to a set iron pipe; thence South 85 deg. 30' 00" East, passing a set iron pipe at 258.22 feet, 313.22 feet to the center of State Routes 3 and 36 and the true point of beginning. Containing 1.00 acre and being subject to all legal roads, easements and restrictions of record.

I hereby certify that the above description is the true and correct results to the best of my knowledge of survey made by me on May 1, 1982 at the request of Thomas Butts. Paul J. Boeshart, Professional Land Survey, Registration No. S-6512.

Leaving after said exceptions, approximately 3.325 acres, more or less.

Parcel Number: 12-50054.000
Prior Instrument Reference: Deed Volume 401, Page 141

EXHIBIT B
[INSERT PLAT]

ANNEXATION PLAT OF 4.325 ACRES FROM CLINTON TOWNSHIP TO THE CITY OF MOUNT VERNON

Lot 14, Quarter 2, Township 6 North,
Range 13 West, Clinton Township,
U.S.M.L., Knox County, Ohio



Vicinity Map
(Not to Scale)

North based on the centerline of Harcourt Road
per Survey Volume E, Page 110.



Date: May 1, 2023
Scale: 1" = 100'



CERTIFICATION:
This Annexation Plat was prepared by Amy Bernicken, Ohio
Professional Surveyor Number 8571, from deeds of record as
shown hereon, and is true and correct to the best of my knowledge
and belief. This plat does not represent an actual field survey.

Amy Bernicken, Surveyor No. 8571

DAVID R. MILLS, PS
SURVEYOR #7157

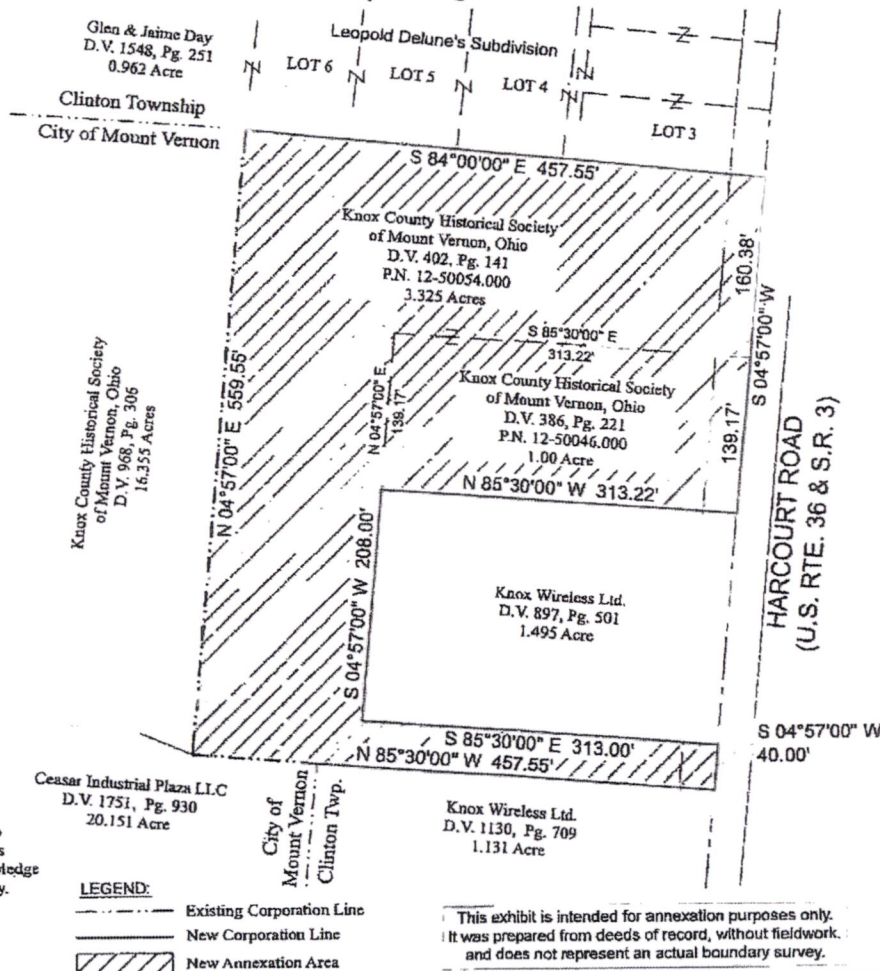
AMY BERNICKEN, PS
SURVEYOR #8571

TRACY & MILLS, SURVEYORS

10 East Vine Street - P.O. Box 642
Mount Vernon, Ohio 43050
Tel.: 740-397-8324 Fax: 740-397-5910
tracyandmills@aol.com

FLOYD W. BARNES, PS
1921-2018

THOMAS M. TRACY, PS
1941-2002



LEGEND:

- Existing Corporation Line
- New Corporation Line
- ▨ New Annexation Area

This exhibit is intended for annexation purposes only.
It was prepared from deeds of record, without fieldwork,
and does not represent an actual boundary survey.

Proposed Annexation of 4.325 Acres to the City of Mount Vernon

The within map marked "Exhibit B" and made a part of the petition
of annexation filed with the Board of Commissioners of Knox
County, Ohio, on June 8, 2023, under Chapter 709
of the Ohio Revised Code, is submitted as an accurate map of the
territory in said petition described under the provisions of said
Chapter 709 of the Ohio Revised Code.

Ag. for Petitioners

The Board of County Commissioners of Knox County, Ohio, having
received a petition bearing the signed names and addresses of the
parties interested in the annexation to the City of Mount Vernon,
Ohio, of the territory shown hereon and having given due
consideration to the prayer of said petition, do hereby grant the same.

Board of Knox County Commissioners

Petition Received: Commissioner
_____, 20____

Petition Approved: Commissioner
_____, 20____

Commissioner

Council for the City of Mount Vernon, Ohio, by ordinance
passed _____, 20____, and approved by the mayor on
_____, 20____, did accept the territory shown hereon for
annexation to the City of Mount Vernon, Ohio, a municipal corporation.

Mayor, City of Mount Vernon

Transferred this ____ day of _____, 20____, upon the
duplicates of this office.

Containing _____ acres. Transfer Fee _____

Knox County Auditor

Received for Record _____, 20____, at _____ (AM-PM) and
recorded _____, 20____, in Plat Book Volume _____, Page _____

Plat Fee _____ Ordinance, etc. Fee _____

Knox County Recorder

AFFIDAVIT OF SERVICE

Pursuant to Ohio Revised Code Section 709.023 (B), I, **Richard Mavis**, served upon Todd Hill, the Municipal Clerk of the City of Mount Vernon, Ohio, a copy of the annexation petition for the Knox County Historical Society of Mount Vernon for Knox County Parcel Numbers 12-50046.000 and 12-50054.000 on June 8, 2023.

Further affiant sayeth not:

Richard Mavis
Richard Mavis, Affiant

STATE OF OHIO) SS:
COUNTY OF KNOX)

Sworn to or affirmed and subscribed before me by Richard Mavis this 5th day of July, 2023.



Kayla Shelton
Notary Public, State of Ohio
My Commission Expires
February 20, 2028

Kayla Shelton
Notary Public

This instrument was prepared by:
Zachary DiMarco, Attorney-at-Law
10 S. Gay Street, P.O. Box 469
Mount Vernon, OH 43050
Telephone: 740-397-4040
Facsimile: 740-397-6775
Email: dimarco@ccj.com

Penny Doyle

From: Zachary H. DiMarco <dimarco@ccj.com>
Sent: Wednesday, August 30, 2023 5:49 PM
To: Penny Doyle
Subject: Potential Spam RE: annexation
Attachments: service TWP.pdf

The long awaited service document for the township is attached.

Thanks,

-Zac

CRITCHFIELD

Zachary H. DiMarco
 Attorney at Law

P: 740.397.4040 | F: 740.397.6775 | dimarco@ccj.com

10 South Gay Street, Mount Vernon, OH 43050

Critchfield, Critchfield & Johnston, Ltd.

| https://link.edgepilot.com/s/b975f09c/mXPgRT9YIU2_w-KyST9dyg?u=http://www.ccj.com/

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From: Penny Doyle <pennydoyle@co.knox.oh.us>
Sent: Monday, August 28, 2023 10:49 AM
To: Zachary H. DiMarco <dimarco@ccj.com>
Subject: RE: annexation

Hi Zac,
 Do you have any timeline on the Service Document for the Township?
 Thanks
 Penny

From: Zachary H. DiMarco <dimarco@ccj.com>
Sent: Thursday, August 17, 2023 1:56 PM
To: Penny Doyle <pennydoyle@co.knox.oh.us>
Subject: annexation

Penny –

Attachment: Ex A - Approval of Type 2 Annexation Knox County Historical Society 09.05.2023 (2023-43 : A Accepting Annexation of 4.325 Acres

I'm attaching service documents for the adjoining landowners and the City of Mount Vernon for the Knox County Historical Society annexation.

Chip is looking at the service document for the Township, so I will forward as soon as that is signed off by the Township.

Thanks,

-Zac

CRITCHFIELD

Zachary H. DiMarco

Attorney at Law

P: [740.397.4040](tel:740.397.4040) | F: [740.397.6775](tel:740.397.6775) | dimarco@ccj.com

[10 South Gay Street, Mount Vernon, OH 43050](#)

Critchfield, Critchfield & Johnston, Ltd.

| <https://link.edgepilot.com/s/c149fae1/hIZ4EO9BTEmlYA72RN0yVQ?u=http://www.ccj.com/>

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Penny Doyle

From: Zachary H. DiMarco <dimarco@ccj.com>
Sent: Monday, August 28, 2023 2:39 PM
To: Penny Doyle
Subject: Potential Spam RE: annexation

Chip told me on 8/18 that we should be receiving it "soon." The fiscal officer has told my staff multiple times since then that she was signing it and returning it to my office. I have a call into her again today to figure out where its at. I apologize this is taking so long.

-Zac

CRITCHFIELD

Zachary H. DiMarco

Attorney at Law

P: 740.397.4040 | F: 740.397.6775 | dimarco@ccj.com

[10 South Gay Street, Mount Vernon, OH 43050](#)

Critchfield, Critchfield & Johnston, Ltd.

| <https://link.edgепilot.com/s/320c4c65/1CSDVDcz40eskuddFbzp9g?u=http://www.ccj.com/>

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From: Penny Doyle <pennydoyle@co.knox.oh.us>
Sent: Monday, August 28, 2023 10:49 AM
To: Zachary H. DiMarco <dimarco@ccj.com>
Subject: RE: annexation

Hi Zac,
 Do you have any timeline on the Service Document for the Township?
 Thanks
 Penny

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Sent: Thursday, August 17, 2023 1:56 PM
To: Penny Doyle <pennydoyle@co.knox.oh.us>
Subject: annexation

Penny –

I'm attaching service documents for the adjoining landowners and the City of Mount Vernon for the Knox County Historical Society annexation.

Chip is looking at the service document for the Township, so I will forward as soon as that is signed off by the Township.

Thanks,

-Zac

CRITCHFIELD

Zachary H. DiMarco

Attorney at Law

P: [740.397.4040](tel:740.397.4040) | F: 740.397.6775 | dimarco@ccj.com

[10 South Gay Street, Mount Vernon, OH 43050](#)

Critchfield, Critchfield & Johnston, Ltd.

| <https://link.edgepilot.com/s/c149fae1/hIZ4EO9BTEmlYA72RN0yVQ?u=http://www.ccj.com/>

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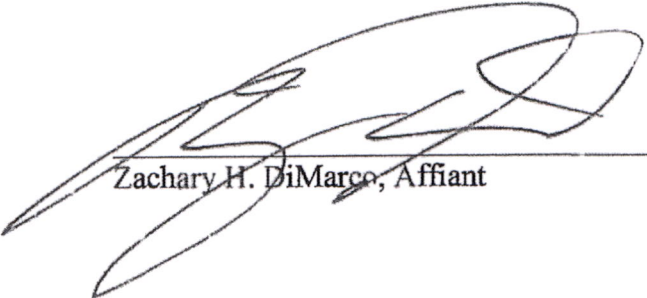
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AFFIDAVIT OF SERVICE

Pursuant to Ohio Revised Code Section 709.023 (B), I, **Zachary H. DiMarco**, served upon Jennifer Hubbard, the Fiscal Officer for Clinton Township, Knox County, Ohio, a copy of the annexation petition for the Knox County Historical Society of Mount Vernon for Knox County Parcel Numbers 12-50046.000 and 12-50054.000 on June 12, 2023.

Further affiant sayeth not:

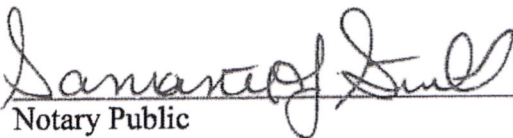

Zachary H. DiMarco, Affiant

STATE OF OHIO) SS:
COUNTY OF KNOX)

Sworn to or affirmed and subscribed before me by Zachary H. DiMarco this 30th day of August 30, 2023.



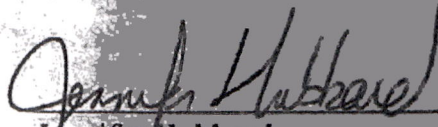
Samantha J Stull
Notary Public, State of Ohio
My Commission Expires
April 15, 2024


Notary Public

This instrument was prepared by:
Zachary DiMarco, Attorney-at-Law
10 S. Gay Street, P.O. Box 469
Mount Vernon, OH 43050
Telephone: 740-397-4040
Facsimile: 740-397-6775
Email: dimarco@ccj.com

CONFIRMATION OF SERVICE

I, **Jennifer Hubbard**, Fiscal Officer for Clinton Township, Knox County, Ohio, confirm by signing below that I was serviced with a copy of the annexation petition for the Knox County Historical Society of Mount Vernon for Knox County Parcel Numbers 12-50046.000 and 12-50054.000 on June 12, 2023.


Jennifer Hubbard



City Council
City of Mount Vernon
Mount Vernon, OH 43050

ADOPTED

ORDINANCE 2023-44

Meeting: 12/11/23 7:30 PM
Dept: Finance and Budget
Seavolt, Mahan
Category: Finance
Prepared By: Terry Scott
Initiator: Todd Hill
DOC ID: 3904

AN ORDINANCE AMENDING SECTION 187.02(A), OF CHAPTER 187 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON, OHIO; AND DECLARING AN EMERGENCY.

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

SECTION 1: That Section 187.02(a) of Chapter 187 of the Codified Ordinances of the City of Mount Vernon be amended to read as follows:

187.02 RATE AND DISTRIBUTION OF TAX

- (a) Commencing on January 1, 2006, or as soon thereafter as permitted by law, there is levied a tax of three percent (3%) on all rents received by a hotel for lodging furnished to transient guests, with total receipts applied as follows:
- (1) Five percent (5%) of the funds received shall be retained in the general fund.
 - (2) The remaining balance of tax receipts shall be deposited in a fund designated as Lodging Tax for distribution to agencies so designated by City Council to be used for the purposes of tourism destination marketing and tourism destination development to be granted to qualifying area not-for-profit organizations and projects.
 - (3) Each not-for-profit organization receiving Lodging Tax funding shall be responsible for reporting to City Council on a regular, but no less than an annual basis (report filed no later than February 1 after the close of the year) outlining the used of the funds and the performance of the organization based on the expectations outlined in the grant contract between the organization and the City of Mount Vernon.
 - (4) The City Council authorizes the Safety Service Director to enter into a grant contract with each of the following not-for-profit organizations for the Lodging Excise Tax fund to be distributed in the method and period of time designated:
 - A. Mount Vernon Parking Company - The contract period for the Mount Vernon Parking Company shall be for the period of January 1, **2024** through December 31, **2025**. The Mount Vernon Parking Company will receive ten percent (10%) of the total tax collected payable on a monthly basis.

- B. Heritage Centre Association, Inc. of Mount Vernon, Ohio, dba: Experience Mount Vernon - The contract period for the Heritage Centre Association, Inc., dba: Experience Mount Vernon, shall be for the period of January 1, 2024 through December 31, 2025. The Heritage Centre Association, Inc., dba: Experience Mount Vernon will receive thirty percent (30%) of the total tax collected payable on a monthly basis.
- C. Knox Partnership for Arts & Culture, Inc., dba: The Woodward Opera House Conservancy - The contract period for Knox Partnership for Arts & Culture, Inc., dba: The Woodward Opera House Conservancy shall be for the period of January 1, 2024 through December 31, 2025. The Knox Partnership for Arts & Culture, Inc., dba: The Woodward Opera House Conservancy will receive twenty-five percent (205%) of the total tax collected payable on a monthly basis.
- D. Knox County Convention & Visitors Bureau - The contract period for the Knox County Convention & Visitors Bureau shall be for the period of January 1, 2024 through December 31, 2025. The Knox County Convention & Visitors Bureau will receive twenty percent (20%) of the total tax collected payable on a monthly basis.
- ~~E. Foundation Park Conservancy - The contract period for the Foundation Park Conservancy shall be for the period of January 1, 2022 through December 31, 2023. The Foundation Park Conservancy will receive five percent (5%) of the total tax collected payable on a monthly basis.~~
- E.F. The remaining balance of tax receipts, ten percent (10%) shall be deposited in a fund created and designated as Available Petition Fund for distribution to not-for-profit agencies to be used for the purposes of tourism destination marketing and tourism destination development through an application process. The Greater Downtown Management Council (GDMC) will accept, review and give recommendation to the applications. The Mayor and the Auditor of the City of Mount Vernon, Ohio will have the authority to accept, modify, or reject the GDMC's recommendation of each application received.

SECTION 2: That Section 187.07(e), 187.09, 187.14, 187.14(g), 187.14(h), and 187.14(i) of Chapter 187 of the Codified Ordinances of the City of Mount Vernon be amended to read as follows:

187.07 PENALTIES AND INTEREST

(e) Penalties During Pendency of Hearing or Appeal. No penalty provided under the terms of this chapter shall be imposed during the pendency of any hearing provided for in

Section 187.08, nor during the pendency of any appeal to the Local Board of Tax Review provided for in Section 187.09.

187.09 APPEAL

Any operator aggrieved by any decision of the Auditor with respect to the amount of the tax, interest and penalties, if any, may appeal to the Local Board of Tax Review (as defined in Section 187.14 of the Codified Ordinances of the City of Mount Vernon, Ohio) by filing a notice of appeal with the Auditor within fifteen days of the serving or mailing of the determination of the tax due. The Board shall fix a time and place for hearing the appeal and shall give notice in writing to the operator at his last known place of address. The findings of the Board shall be served upon the appellant in the manner prescribed above for service of a notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

187.14 LOCAL BOARD OF TAX REVIEW

(g) Each Local Board of Tax Review created pursuant to this section shall adopt rules governing its procedures and shall keep a record of its transactions. Such records are not public records available for inspection under Ohio R.C. 149.43. Hearings requested by a taxpayer before a Local Board of Tax Review created pursuant to this section are not meetings of a public body subject to Ohio R.C. 121.22.

(h) The Local Board of Tax Review is hereby created, which shall consist of three members. The three members of the Local Board of Tax Review must be domiciled in the Municipality.

Two members shall be appointed by the legislative authority of the Municipality, and may not be employees, elected officials, or contractors with the Municipality at any time during their term or in the five years immediately preceding the date of appointment. One member shall be appointed by the top administrative official of the Municipality. This member may be an employee of the Municipality, but may not be the director of finance or equivalent officer, or the Tax Administrator or other similar official or an employee directly involved in municipal tax matters, or any direct subordinate thereof.

The term for members of the Local Board of Tax Review appointed by the legislative authority of the Municipality shall be two years. There is no limit on the number of terms that a member may serve should the member be reappointed by the legislative authority. The board member appointed by the top administrative official of the Municipality shall serve at the discretion of the administrative official.

Members of the Local Board of Tax Review appointed by the legislative authority may be removed by the legislative authority as set forth in Section 718.11(A)(4) of the Revised Code.

A member of the board who, for any reason, ceases to meet the qualifications for the position prescribed by this section shall resign immediately by operation of law.

A vacancy in an unexpired term shall be filled in the same manner as the original appointment within sixty days of when the vacancy was created. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. No vacancy on the board shall impair the power and authority of the remaining members to exercise all the powers of the board.

If a member is temporarily unable to serve on the board due to a conflict of interest, illness, absence, or similar reason, the legislative authority or top administrative official that appointed the member shall appoint another individual to temporarily serve on the board in the member's place. This appointment shall be subject to the same requirements and limitations as are applicable to the appointment of the member temporarily unable to serve.

No member of the Local Board of Tax Review shall receive compensation, fee, or reimbursement of expenses for service on the board.

- (i) The Local Board of Tax Review may adopt rules and regulations governing the conduct of its affairs that are consistent with Section 187.

SECTION 3: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and to continue the enforcement of lodging excise tax regulations within 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.

HISTORY:

11/13/23	City Council	FIRST READING
11/27/23	City Council	SECOND READING

COMMENTS - Current Meeting:

Seavolt made a motion to adopt Ordinance No. 2023-44, with a second by Mahan. Auditor Terry Scott noted that the Ariel-Foundation Park Conservancy is agreeable to the changes to Section 187.02(A) of Chapter 187 of the Codified Ordinances. Motion to adopt passed by a roll-call vote of 6-0.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 12/11/23 7:30 PM
Dept: Employee and Community Rel.
Woods, Hillier
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3918

SCHEDULED

ORDINANCE 2023-45

AN ORDINANCE FIXING THE NUMBER OF HOURLY EMPLOYEES OF THE CITY OF MOUNT VERNON IN THE DIVISION OF WATER AND WASTEWATER; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following positions are hereby authorized as indicated:

WASTEWATER PLANT:

1 Chief Wastewater Operator

9 Operations and Maintenance Technicians

WATER PLANT:

1 Chief Water Operator

7 6½ Operations and Maintenance Technicians

DISTRIBUTION AND COLLECTION

3 2 Utility Operations Crew Chiefs

Not more than **11 13** Public Utility Technicians

BILLING OFFICE

4 Customer Support Specialists II

Use of all above-mentioned said personnel is authorized as required to meet the work demands of the Division of Water and Wastewater as appropriated.

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

COMMENTS - Current Meeting:

Ordinance No. 2023-45 was given a first reading. Woods requested a 15-minute meeting of the Employee and Community Relations Committee on the legislation for Dec. 27, 2023.

RESULT: FIRST READING**Next: 12/27/2023 7:30 PM**



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 12/11/23 7:30 PM
Dept: Employee and Community Rel.
Woods, Hillier
Category: Personnel
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3919

SCHEDULED

ORDINANCE 2023-46

AN ORDINANCE TO CREATE THE POSITIONS OF ASSISTANT DIRECTOR OF UTILITIES (WATER) AND ASSISTANT DIRECTOR OF UTILITIES (MAINTENANCE) IN THE DIVISION OF WATER AND WASTEWATER; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the following supervisory positions are hereby authorized at the salaries listed:

Assistant Director of Utilities (Water).....\$72,500.00
Assistant Director of Utilities (Maintenance).....\$72,500.00

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

SECTION 2: The salaries listed are the base salaries for the positions. The positions are eligible for annual longevity increments:

For the first five (5) years, \$400.00.

Annual Longevity Increments after five (5) years:

Year 6	Year 7	Year 8	Year 9	Year 10
\$500.00	\$550.00	\$600.00	\$650.00	\$700.00

The effective date of eligibility for an annual longevity increment shall be the anniversary date of employment in that position.

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

SECTION 4: These positions shall be entitled to the benefits outlined in Section E of the Mount Vernon Employee Handbook effective August 2021, as amended.

SECTION 5: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason to provide needed supervision and certifications in the City's water and wastewater utility, and said

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

COMMENTS - Current Meeting:

Ordinance No. 2023-46 was given a first reading.

RESULT: FIRST READING

Next: 12/27/2023 7:30 PM