



**City Council
Legislative Session**

Agenda

**April 22, 2024
7:30 PM**

COMMITTEE MEETINGS

Mount Vernon City Council
Committee Meeting Schedule
April 22, 2024

6:00-6:05 p.m.	Riverside Park splash pad	Parks & Recreation Miller
6:05-6:10 p.m.	Fire Department fees	Fire, Police & Civil Defense Mahan
6:10-6:25 p.m.	Police Dept. quarterly update	Fire, Police & Civil Defense Mahan
6:25-6:35 p.m.	Chap. 551: Chronic Nuisance Properties	Fire, Police & Civil Defense Mahan
6:35-6:45 p.m.	Job creation/retention tax credit	Land Use & Development Keener
6:45-7:15 p.m.	Pub. Hear.: Lemmon Development CDP	Land Use & Development Keener

- 04-22-24 Committee Meeting Schedule

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - Apr 8, 2024 7:30 PM

RECEIVE PETITIONS AND COMMUNICATIONS

None.

RECEIVE COMMITTEE REPORTS

- 04-08-24A Employee and Community Relations Committee Meeting Minutes

- 04-08-24 Parks and Recreation Committee Meeting Minutes
- 04-08-24B Employee and Community Relations Committee Meeting Minutes

LIQUOR CONTROL LICENSE

None.

PROCLAMATION

None.

PERSONS SPEAKING ON MATTERS OF CITY CONCERN

None.

RESOLUTIONS FOR THIRD READING**RESOLUTION NO. 2024-37**

A RESOLUTION APPROVING THE PND COMPREHENSIVE DEVELOPMENT PLAN AS SUBMITTED BY LEMMON DEVELOPMENT AND APPROVED BY THE MOUNT VERNON MUNICIPAL PLANNING COMMISSION FOR PARCEL #71-00050.000 ON UPPER GILCHRIST ROAD; AND DECLARING AN EMERGENCY.

Land Use and Development: Keener, Mahan

RESOLUTIONS FOR SECOND READING

None.

RESOLUTIONS FOR FIRST READING**RESOLUTION NO. 2024-44**

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF A VEHICLE IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Woods

RESOLUTION NO. 2024-45

A RESOLUTION TO SUBMIT AN APPLICATION FOR PY 2024 COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD REVITALIZATION, CRITICAL INFRASTRUCTURE AND ALLOCATION FUNDS; AND DECLARING AN EMERGENCY.

Finance and Budget: Seavolt, Woods

RESOLUTION NO. 2024-46

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF BRIAN BALL AND LACIE BLANKENHORN TO THE OHIO PUBLIC WORKS

COMMISSION (OPWC) DISTRICT 17 INTEGRATING COMMITTEE, PER OHIO REVISED CODE 164.04(6); AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Woods, Keener

RESOLUTION NO. 2024-47

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

Finance and Budget: Seavolt, Woods

RESOLUTION NO. 2024-48

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ACCEPT FROM THE ARIEL CORPORATION THE GIFT OF FUNDING FOR CONSTRUCTION AND MAINTENANCE OF A SPLASH PAD AT RIVERSIDE PARK; AND DECLARING AN EMERGENCY.

Parks and Recreation: Miller, Severns

RESOLUTION NO. 2024-49

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CONSTRUCTION OF A SPLASH PAD AT RIVERSIDE PARK; AND DECLARING AN EMERGENCY.

Parks and Recreation: Miller, Severns

ORDINANCES FOR THIRD READING

None.

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2024-18

AN ORDINANCE REPEALING CHAPTER 551 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON, STATE OF OHIO.

Fire, Police and Civil Defense: Mahan, Seavolt

ORDINANCE NO. 2024-19

AN ORDINANCE ESTABLISHING THE MOUNT VERNON JOB CREATION AND RETENTION TAX CREDIT PROGRAM AND MAKING RELATED AUTHORIZATIONS.

Land Use and Development: Keener, Mahan

ORDINANCE NO. 2024-20

AN ORDINANCE TO AUTHORIZE THE MOUNT VERNON FIRE DEPARTMENT TO COLLECT FEES FOR REQUIRED INSPECTIONS AND TESTS; AND DECLARING AN EMERGENCY.

Fire, Police and Civil Defense: Mahan, Seavolt

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2024-21

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #66-07961.000, ALSO KNOWN AS 0 VERNONVIEW DRIVE, FROM THE PRESENT ZONING OF R-1 - SINGLE FAMILY DISTRICT, TO PND - PLANNED NEIGHBORHOOD DISTRICT.

Land Use and Development: Keener, Mahan

ORDINANCE NO. 2024-22

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE FEBRUARY 2024 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Land Use and Development: Keener, Mahan

ORDINANCE NO. 2024-23

AN ORDINANCE AUTHORIZING THE REMOVAL OF A PARKING SPACE ALONG THE SOUTH SIDE OF EAST CHESTNUT STREET, AND DECLARING AN EMERGENCY.

Streets and Public Buildings: Severns, Ruckman

REMARKS FROM THE ADMINISTRATION

REMARKS FROM COUNCIL

ADJOURN AT THE CALL OF THE PRESIDENT



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
April 17, 2024

Mount Vernon City Council Committee Meeting Schedule April 22, 2024

6:00-6:05 p.m.	Riverside Park splash pad	Parks & Recreation Miller
6:05-6:10 p.m.	Fire Department fees	Fire, Police & Civil Defense Mahan
6:10-6:25 p.m.	Police Dept. quarterly update	Fire, Police & Civil Defense Mahan
6:25-6:35 p.m.	Codified Ord. Chap. 551: Chronic Nuisance Properties	Fire, Police & Civil Defense Mahan
6:35-6:45 p.m.	Job creation/retention tax credit	Land Use & Development Keener
6:45-7:15 p.m.	Public Hearing: Lemmon Development CDP	Land Use & Development Keener

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



**Employee and Community Relations Committee Meeting Minutes
Committee Meeting**

April 8, 2024 – 5:55 p.m. to 6:19 p.m.

COUNCIL PRESENT:

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

OTHERS IN ATTENDANCE:

The chair made a motion to go into executive session to discuss employee compensation at 5:55 p.m., with a second by Seavolt. Motion passed by a roll-call vote of 7-0. The committee exited executive session at 6:18 p.m.

Respectfully submitted,

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

TW/th



**Parks and Recreation Committee Meeting Minutes
April 8, 2024 – 6:20 p.m. to 6:26 p.m.**

COUNCIL PRESENT:

Bruce Hawkins, President
 Tammy Woods, Third Ward
 James Mahan, First Ward
 John Ruckman, Second Ward
 Mike Miller, 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
 Rob Broeren, Law Director
 Terry Scott, Auditor
 David Stuller, Treasurer
 Brian Ball, Engineer
 Chad Christopher, Fire Chief
 Robert Morgan, Police Chief
 Aaron Rinehart, Utilities Director
 Tom Hinkle, Public Works Director
 Denise Neff, Human Resources
 Todd Hill, Clerk
 Several additional City employees
 Cheryl Splain, Knox Pages

The chair requested quarterly updates from the Administration on the hiring of Parks staff, all planned Parks projects and activities, including planning and costs, as well as updates on the Kokosing River levee, all to facilitate better communication. He also requested quarterly updates from the Auditor and Treasurer. No further meetings on the matter were requested.

Respectfully submitted,

Mike Miller, Chair
 Parks and Recreation Committee
 Mount Vernon City Council

MM/th



**Employee and Community Relations Committee Meeting Minutes
Committee Meeting**

April 8, 2024 – 6:34 p.m. to 6:57 p.m.

COUNCIL PRESENT:

Bruce Hawkins, President
Tammy Woods, Third Ward
James Mahan, First Ward
John Ruckman, Second Ward
Mike Miller, 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
Rob Broeren, Law Director
Terry Scott, Auditor
David Stuller, Treasurer
Brian Ball, Engineer
Chad Christopher, Fire Chief
Robert Morgan, Police Chief
Aaron Rinehart, Utilities Director
Tom Hinkle, Public Works Director
Denise Neff, Human Resources
Todd Hill, Clerk
Several additional City employees
Cheryl Splain, Knox Pages

The committee discussed Ordinance No. 2024-14, fixing the number, wages and benefits of hourly, non-bargaining unit City employees, and Ordinance No. 2024-16, establishing compensation for supervisory and professional personnel. The chair noted that she intended to table the ordinances indefinitely because of issues with compensation data, timing and perception. Miller noted that he would like more information from the Auditor, Treasurer and Administration. Woods added that some of the compensation data in the legislation's supporting documentation is inaccurate, and Safety-Service Director Tanner Salyers and Human Resources Director Denise Neff agreed that some of the payroll data is inaccurate. Salyers expressed disappointment that members of Council had not met with the Administration on the legislation, and suggested the City would continue to have issues with retaining and recruiting employees if the legislation isn't adopted. He added that re-appropriations within departments to account for wage adjustments are routine. Woods asked what she should tell residents if the legislation were adopted, and Mahan spoke against tabling it. Miller suggested tabling the legislation to a specific date or scheduling a special meeting on it. No further meetings on the legislation were requested. Ordinance Nos. 2024-14 and 2024-16 were up for third readings at Council's Legislative Session later in the evening.

Respectfully submitted,

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-37

Meeting: 04/22/24 7:30 PM
Dept: Land Use and Development
Keener, Mahan
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 3994

A RESOLUTION APPROVING THE PND COMPREHENSIVE DEVELOPMENT PLAN AS SUBMITTED BY LEMMON DEVELOPMENT AND APPROVED BY THE MOUNT VERNON MUNICIPAL PLANNING COMMISSION FOR PARCEL #71-00050.000 ON UPPER GILCHRIST ROAD; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mount Vernon City Council approve the PND Comprehensive Development Plan as submitted by Lemmon Development and approved by the Municipal Planning Commission for Parcel #71-00050.000 on Upper Gilchrist Road. The general plan for the development is shown in Attachment "A" and made part of this Resolution.

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

HISTORY:

03/25/24 City Council FIRST READING

Resolution No. 2024-37 was given a first reading. Keener requested a 15-minute meeting of the Land Use and Development Committee on the legislation for April 8, 2024.

04/08/24 City Council SECOND READING

Resolution No. 2024-37 was given a second reading. A public hearing on the legislation has been scheduled for Monday, April 22, 2024, from 6:45 to 7:15 p.m.



City of Mount Vernon, Ohio

Development Services

40 Public Square

Mount Vernon, OH 43050

Phone 740-393-2033 | DSM@MountVernonOhio.org

To: Clerk of Council

March 18, 2024

Municipal Planning Commission

Meeting Date: March 14, 2024

Case Number: 2024-MPC-03

PND Comprehensive Development Plan for parcel number 71-00050.000 on Upper Gilchrist RD

A PND Comprehensive Development Plan was submitted for review to the Municipal Planning Commission for recommendation to Council by Lemon Development for parcel: 71-00050.000 on Upper Gilchrist Road.

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

Tanner Salyers made a motion to recommend to Council to approve the Comprehensive Development Plan. Anne Ellsworth seconded the motion.

**The motion passed with a unanimous 5-0, affirmative vote.
(Yes: Starr, Salyers, Ellsworth, Hawkins, Swallow)**

Per §1163.03 Council shall consider the recommendation of the Municipal Planning Commission for the Comprehensive Development Plan and determine the final approval or denial.

Warm Regards,

Lacie Blankenhorn

Lacie Blankenhorn
Development Services Manager

Attachment: 03-25-24 Attachment A (2024-37 : Upper Gilchrist PND Plan Approval)



DATE: February 29, 2024
 TO: City of Mount Vernon
 FROM: Patrick Mackie
 RE: Mt. Vernon Upper Gilchrist

1163.02 DEVELOPMENT STANDARDS.

(a) Lot Requirements in the Planned Neighborhood District are:

- (1) Lot area: No minimum lot area is required, but an area can be considered a Planned Neighborhood District only if a variety of different types of dwelling units are used.
Response: The project will consist of a variety of 2-unit, 4 unit, and 6-unit villas and 8 unit apartment buildings
- (2) Yards: No yard requirements or distances between buildings are established in order to enable creativity in design. The applicant shall arrange the buildings in such a way that adequate provision is guaranteed for all units to open space, air, light and exposure to sunshine. Zero lot line clusters and variations in building setbacks are encouraged.
Response: The buildings have been arranged to provide an open area behind the buildings. The plan establishes the building separations.
- (3) The maximum density shall not exceed five dwelling units per net acre. Densities can be increased as provided for in Section 1163.02 (3)C. hereof. Public right-of-way shall not be included in the computation of new area.
Response: The density of the development is 4.6 units/ac. which is less than the 5 units/ac. maximum density.
- (4) Single family developments which do not utilize zero lot line clusters or equally creative site design must conform to the R-1 single family development standards.
Response: N/A as this project is a multi-family project.

(b) Building Requirements in the Planned Neighborhood District are:

- (1) Maximum height: Except as provided in subsection 1163.02 (c)(3) hereof, no multiple family structure shall exceed thirty-five feet in height and single family and two-family structures shall not exceed thirty feet in height.
Response: All proposed structures are single story. The apartment buildings will not exceed 24 feet in height, and the villa units will not exceed 21 feet in height.
 - A. Minimum floor areas:
 1. Single family: 1,200 square feet.
 2. Two family: 900 square feet each unit.
 3. Multifamily: 700 square feet each unit.*Response: All villa units will exceed 1,200 square feet and all apartment units will exceed 700 square feet.*



(c) Site Development Requirements in the Planned Neighborhood District are:

- (1) All applicable subdivision regulations and parking, sign and landscaping regulations of this Zoning Ordinance must be satisfied.

Response: Per Section 1174.05 two parking spaces per unit are required or 312 spaces. The plan provides for a total of 528 spaces as indicated on the plan. Landscaping will be as shown on the preliminary landscape plan.

- (2) A comprehensive development plan must be approved by the Planning Commission which includes all of the following elements:

- A. Location and size of residential uses indicating the location of any types of dwellings, the density for each separate area of land to be developed, the overall number of units to be constructed, and the overall density of the proposed development.

Response: The development includes 108 villa units and 48 apartment units. The total density of the proposed development is 4.6 units/acre.

- B. Location, size and type of nonresidential uses such as open space, parks, playgrounds, community facilities and schools to be located in the land to be developed.

Response: Non-residential uses are shown on the plan. This includes open area, a club house, pickleball, and walking trails.

- C. Proposed phases of development of the land in terms of units, land area, streets, access and uses.

Response: The project is planned to be phased as shown on the plans.

- D. Traffic patterns, streets, bikeways, access, parking areas and pedestrian walkways. Conflict between the movement of pedestrians, bicycles and vehicles shall be minimized.

Response: The traffic patterns, parking areas and pedestrian walkways are as shown on the plan.

- E. Trash collection systems to be used, the location and type of trash containers, and the types of enclosures to be used to screen trash containers from view.

Response: Individual Unit Pickup will be utilized for trash collection.

- F. A preliminary plat conforming to the subdivision regulations and including at least twenty percent (20%) of the total acreage included in the comprehensive development plan.

Response: The Preliminary Plan includes applicable information from Section 1135.02.

- (3) Development incentives: Development incentives of increased densities and increased building heights may be recommended by the Planning Commission based on the following criteria:

- A. The development is directly adjacent to major thoroughfares as delineated in the Thoroughfare Plan and community services.

Response: N/A as no development incentives are being requested.



- B. Building design and site design is of high quality and includes the integration of buildings and structures with natural materials or well defined, and good design.

Response: N/A as no development incentives are being requested.

- C. A well-designed open space system is utilized that provides pedestrian and bicycle access to neighborhood facilities, parks, play areas and scenic areas, and the system includes provision for landscaping and outdoor furniture.

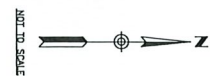
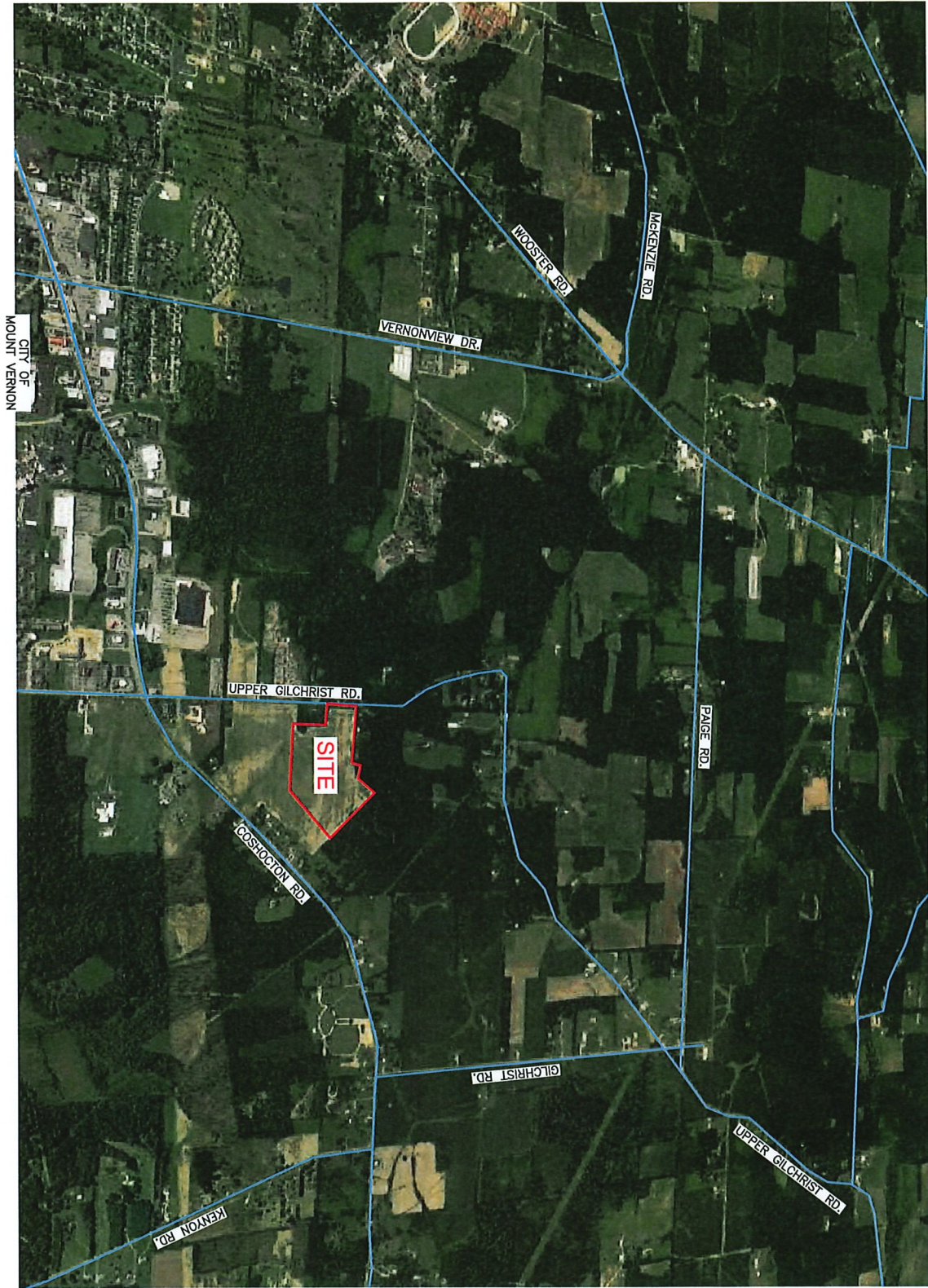
Response: N/A as no development incentives are being requested.

- D. Land is provided for major community facilities and schools.

Response: N/A as no development incentives are being requested.

- E. Total density shall not exceed eight dwelling units per acre. (Ord. 2005-34. Passed 12-12-05.)

Response: N/A as no development incentives are being requested.



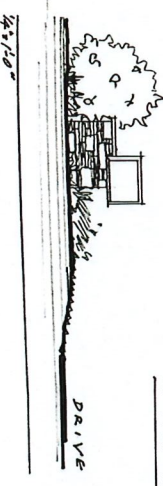
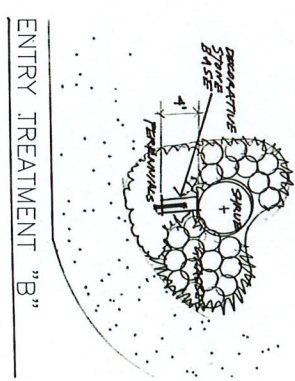
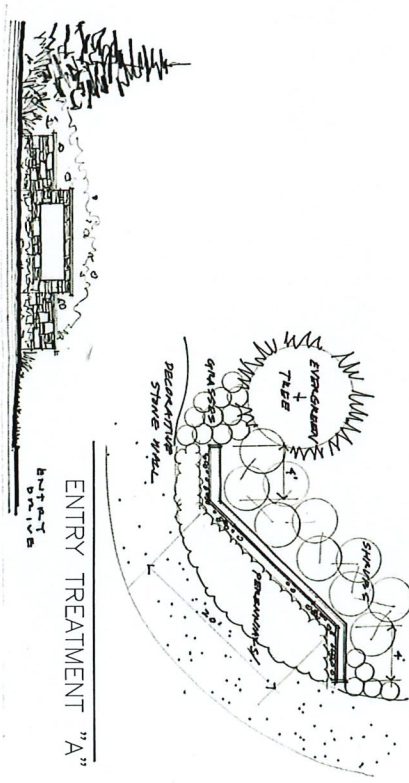
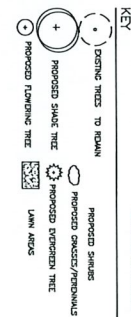
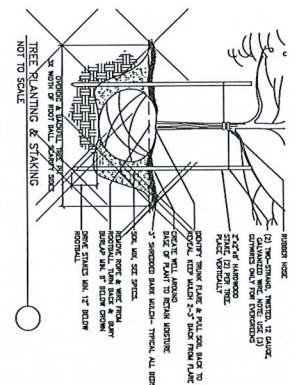
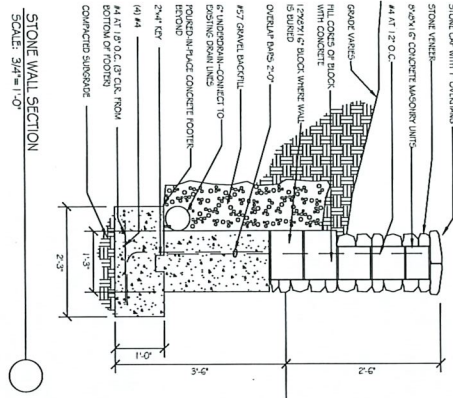
UPPER GILCHRIST
MT. VERNON, OHIO
REGIONAL MAP
DRAWN BY:
DATE:
PROJECT NO.
DRAWING NO.

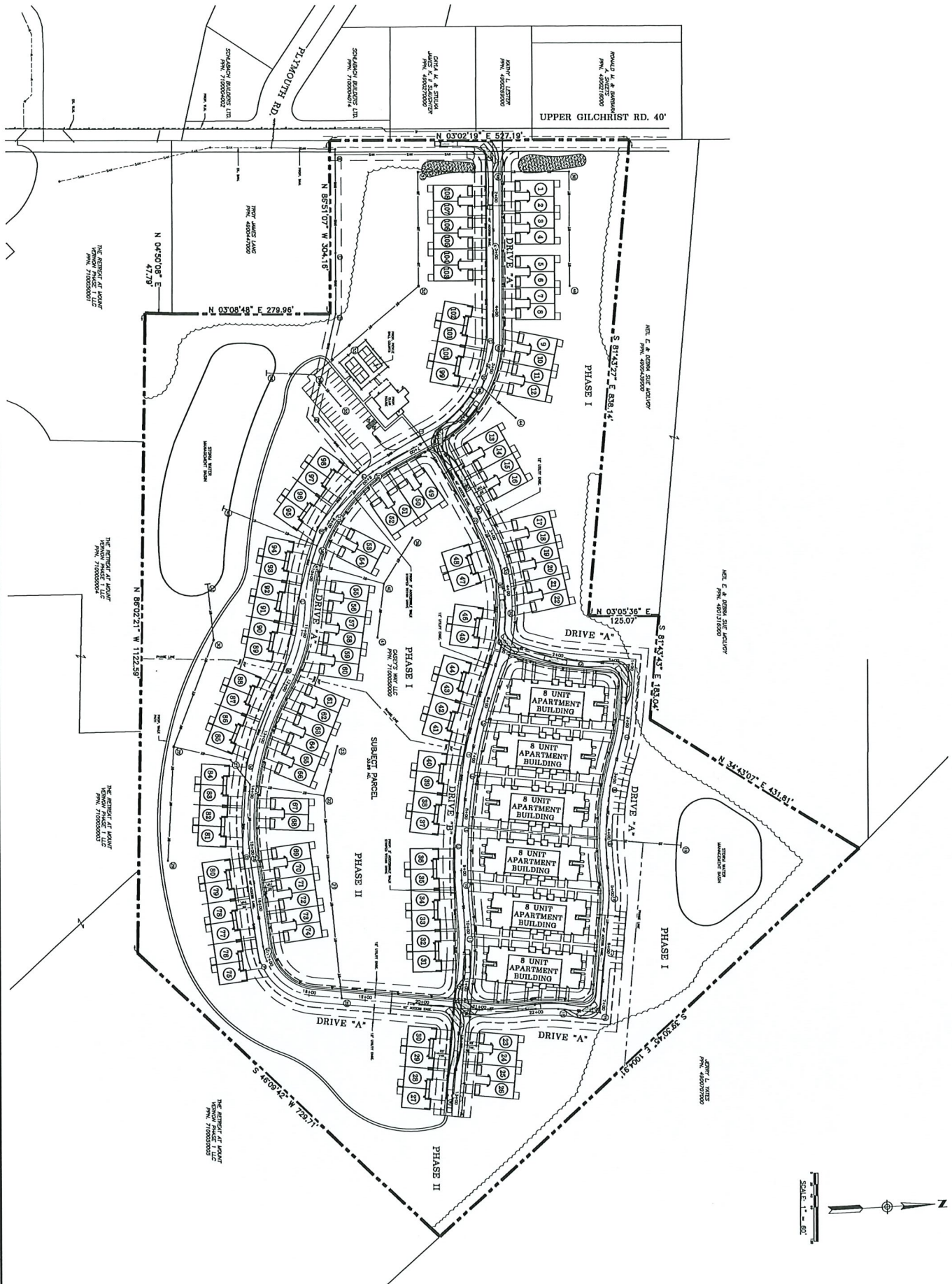
LEMMON DEVELOPMENT
811 S. MAIN ST.
NORTH CANTON, OHIO 44720

GBC DESIGN, INC.
555 White Pond Dr.
Phone 440-526-6188
Akron, OH 44320
www.gbcdesign.com

REVISED







ADJACENT PROPERTY OWNERS

PPN	PARCEL ADDRESS	OWNER	TAX MAILING ADDRESS
4900439000	UPPER GILCHRIST RD.	NEIL E. & DEBRA SUE MOILVOY	PO BOX 402, GAMBIER, OH 43022
4901316000	12092 UPPER GILCHRIST RD.	NEIL E. & DEBRA SUE MOILVOY	PO BOX 402, GAMBIER, OH 43022
4900707000	COSHOCKTON RD.	JERRY L. YATES	12576 UPPER GILCHRIST RD., MOUNT VERNON, OH 43050
7100050005	UPPER GILCHRIST RD.	THE RETREAT AT MOUNT VERNON LLC	999 POLARIS PKY., SUITE 200, COLUMBUS, OH 43240
7100050003	UPPER GILCHRIST RD.	THE RETREAT AT MOUNT VERNON LLC	999 POLARIS PKY., SUITE 200, COLUMBUS, OH 43240
7100050004	UPPER GILCHRIST RD.	THE RETREAT AT MOUNT VERNON LLC	999 POLARIS PKY., SUITE 200, COLUMBUS, OH 43240
7100050001	11850 UPPER GILCHRIST RD., MOUNT VERNON, OH 43050	THE RETREAT AT MOUNT VERNON PHASE 1 LLC	999 POLARIS PKY., SUITE 200, COLUMBUS, OH 43050
4900447000	11990 UPPER GILCHRIST RD.	TROY JAMES LANG	18484 NEW GAMBIER RD., MOUNT VERNON, OH 43050
7100004014	PLYMOUTH RD.	SCHLABACH BUILDERS LTD	6678 STATE ROUTE 241, MILLERSBURG, OH 44654
4900270000	12000 UPPER GILCHRIST RD.	CAYLA M. & STULKA JAMES K. II SLAUGHTER	THE HOME LOAN SAVINGS BANK ATTN: ESCROW DEPT, 413 MAIN ST. COSHOCTON, OH 43812
4900269000	12045 UPPER GILCHRIST RD.	KATHY L. LESTER	12045 UPPER GILCHRIST RD., MOUNT VERNON, OH 43050
4900216000	12067 UPPER GILCHRIST RD.	RONALD M. & BARBARA A. SHEETS	12067 UPPER GILCHRIST RD., MOUNT VERNON, OH 43050



RIDGE DUPLEX ELEVATION A



RIDGE DUPLEX ELEVATION B



RIDGE DUPLEX ELEVATION C

PLANNING SUBMISSION 03/01/24



JOHN D. ELSEY LICENSE #9492
EXPIRATION DATE 12/31/2025

PROJECT NO.	20006
DATE:	03/01/24
DRAWN BY:	JOHN D. ELSEY
CHECK:	JOHN D. ELSEY
FOUNDER'S GROVE UPPER GILCHRIST MT. VERNON, OHIO RIDGE DUPLEX VILLA	PPN: -
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GBC DESIGN, INC.
665 White Pond Dr. Akron, OH 44320
Phone 330-836-0228 www.gbcdesign.com



RIDGE QUADPLEX ELEVATION A



RIDGE QUADPLEX ELEVATION B



RIDGE QUADPLEX ELEVATION C

PLANNING SUBMISSION 03/01/24



FOUNDERS GROVE UPPER GILCHRIST MT. VERNON, OHIO RIDGE QUADPLEX VILLA	PPN: -	GBC DESIGN, INC. 665 White Pond Dr. Akron, OH 44320 Phone 330-836-0228 www.gbcdesign.com
DRAWING NO. A802	DATE: 03/01/24	PROJECT NO. 9492
DESIGNED BY: JOHN D. ELSEY	CHECKED BY: JOHN D. ELSEY	APPROVED BY: JOHN D. ELSEY



ROSE DUPLEX ELEVATION A



ROSE DUPLEX ELEVATION B



ROSE DUPLEX ELEVATION C

PLANNING SUBMISSION 03/01/24



FOUNDERS GROVE UPPER GILCHRIST MT. VERNON, OHIO	PPN: -
ROSE DUPLEX COPYRIGHT © 2024 GBC DESIGN, INC.	
DATE: 03/01/24	
PROJECT NO: 50068	
DRAWING NO: A804	

GBC DESIGN, INC.	
665 White Pond Dr. Akron, OH 44320 Phone 330-636-0228 www.gbcdesign.com	

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ROSE QUADPLEX ELEVATION B



ROSE QUADPLEX ELEVATION A



Attachment: 03-25-24 Attachment A (2024-37 : Upper Gilchrist PND Plan Approval)



JOHN D. ELSEY LICENSE #9492
EXPIRATION DATE 12/31/2025

PLANNING SUBMISSION 03/01/24

DRAWING NO. A805	DATE 03/01/24	PROJECT NO. 50005	DRAWN BY GBC	FOUNDER'S GROVE UPPER GILCHRIST MT. VERNON, OHIO ROSE QUADPLEX COPYRIGHT © 2024 GBC DESIGN, INC. ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM GBC DESIGN, INC.	PPN: -	GBC DESIGN, INC. 665 White Pond Dr. Akron, OH 44320 Phone 330-636-0228 www.gbcdesign.com	REVISIONS
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ROSE (6) UNIT ELEVATION



PLANNING SUBMISSION 03/01/24

DRAWING NO. A806	PROJECT NO. 50668	DATE 03/01/24	DRAWN BY JDE	FOUNDERS GROVE UPPER GILCHRIST MT. VERNON, OHIO ROSE (6) UNIT Copyright © 2024 GBC Design, Inc.	PPN: -	GBC DESIGN, INC. 665 White Pond Dr. Akron, OH 44320 Phone 330-836-0228 www.gbcdesign.com	REVISION

2024/03/01 11:01 PM S:\A\GBC\PROJECTS\UPPER GROVE\3D\RENDERING\APARTMENTS UNIT SIDE VIEW.PNG

APARTMENTS - (8) UNIT SIDE VIEW



APARTMENTS - (8) UNIT END VIEW



JOHN D. ELSEY LICENSE #94892
EXPIRATION DATE 12/31/2025

PLANNING SUBMISSION 03/01/24

DRAWING NO. A807	PROJECT NO. 58055	DATE 03/01/24	DESIGNER GBC	FOUNDERS GROVE UPPER GILCHRIST MT. VERNON, OHIO	PPN: -	GBC DESIGN, INC. 665 White Pond Dr. Akron, OH 44320 Phone 330-838-0228 www.gbcdesign.com	REVISIONS
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2024/01/24 11:47 PM - VIA GBC DESIGN, INC. - 663 White Pond Dr., Akron, OH 44320 - 330-836-0228 - www.gbcdesign.com

CLUBHOUSE FRONT



Attachment: 03-25-24 Attachment A (2024-37 : Upper Gilchrist PND Plan Approval)



JOHN D. ELSEY LICENSE #94892
EXPIRATION DATE 12/31/2025

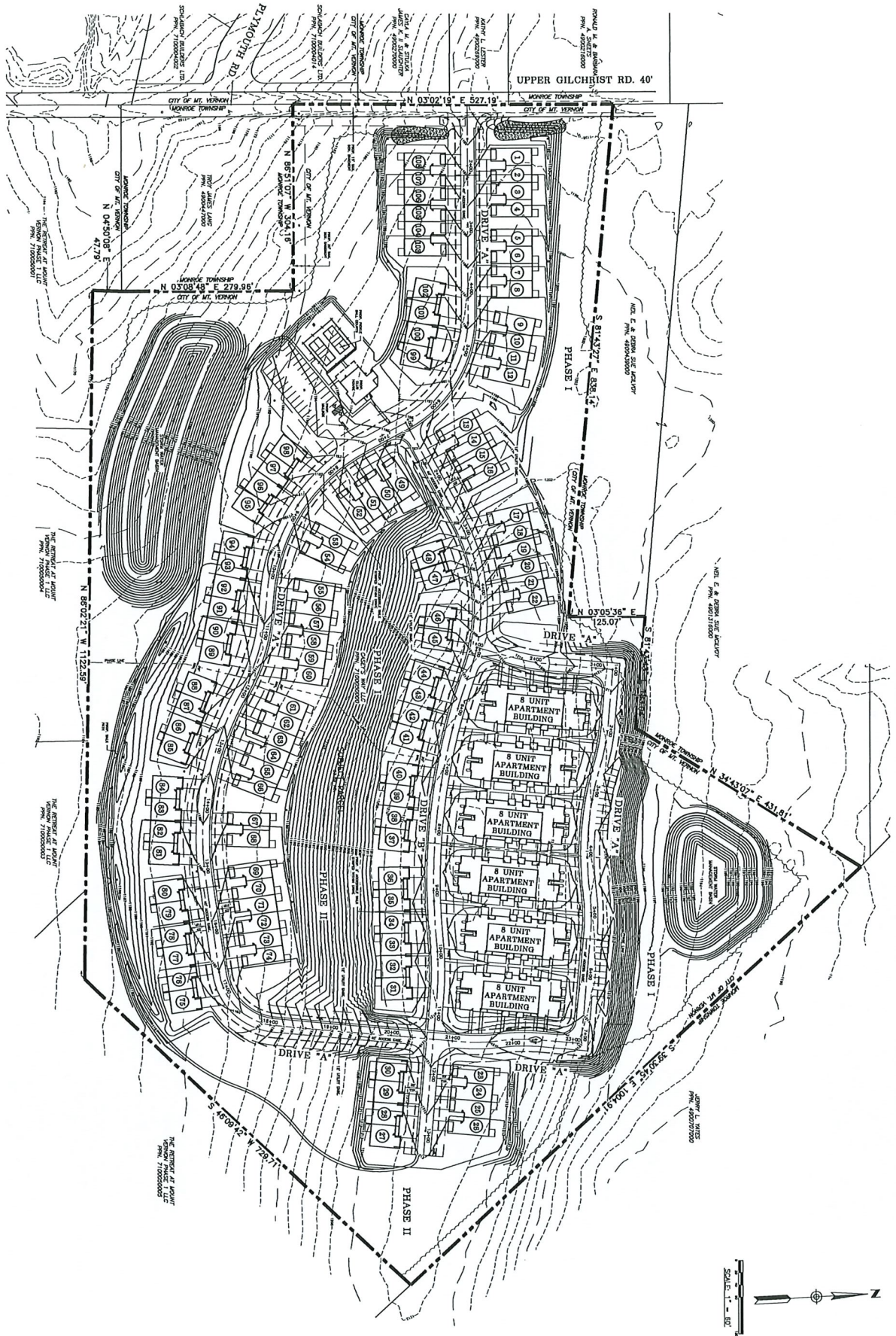
PLANNING SUBMISSION 03/01/24

DRAWING NO. A808	DATE 03/01/24	PROJECT NO. 50008	DRAWN BY GDC	FOUNDER'S GROVE UPPER GILCHRIST MT. VERNON, OHIO CLUBHOUSE PPN: -	GBC DESIGN, INC. 663 White Pond Dr. Akron, OH 44320 Phone 330-836-0228 www.gbcdesign.com	REVISIONS
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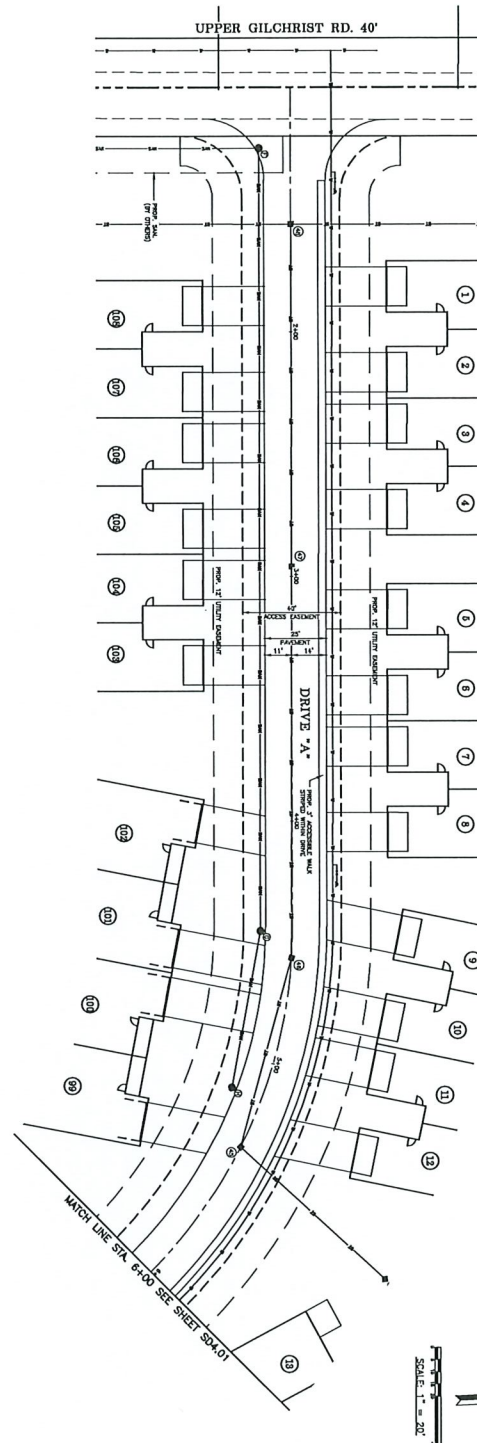
003100
DRAWING NO.
500000
PROJECT NO.
MARCH 11, 2024
DATE

FOUNDERS GROVE
UPPER GILCHRIST RD.,
MT. VERNON, OHIO
PRELIMINARY PLAT
GRADING PLAN

LEMMON DEVELOPMENT
811 S. MAIN ST.
NORTH CANTON, OHIO 44720

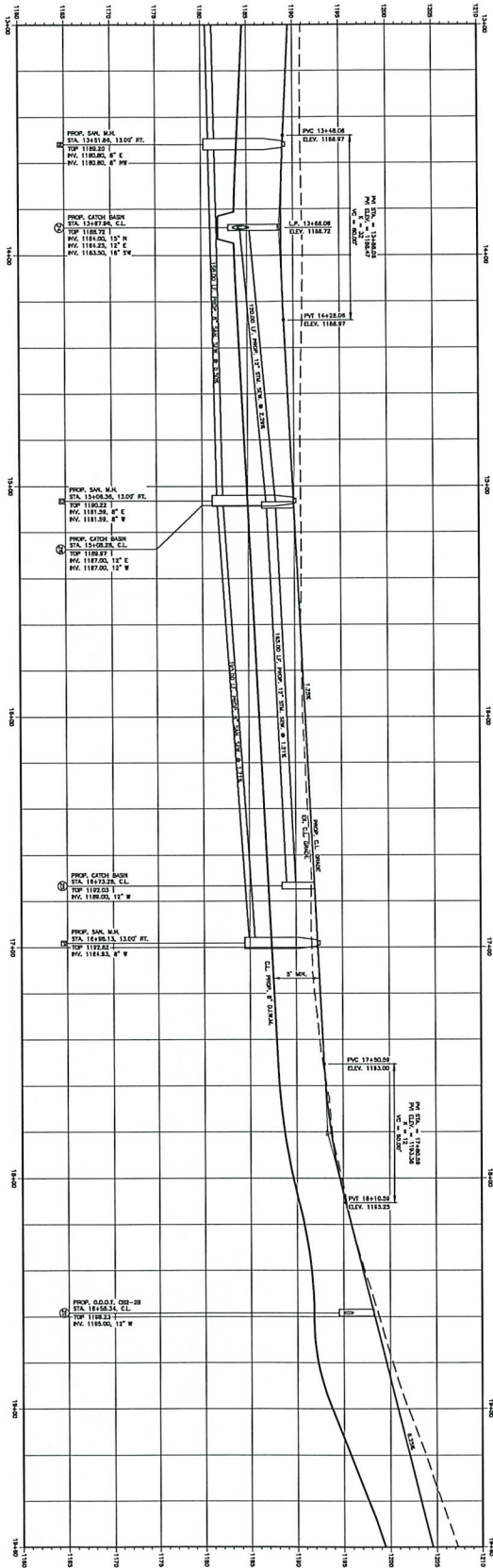
GBC DESIGN, INC.
555 W. 10th St. Ste. 100
Akron, OH 44308
Phone 330.855.8225
www.gbcdesign.com

NOT TO SCALE

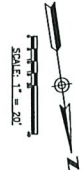
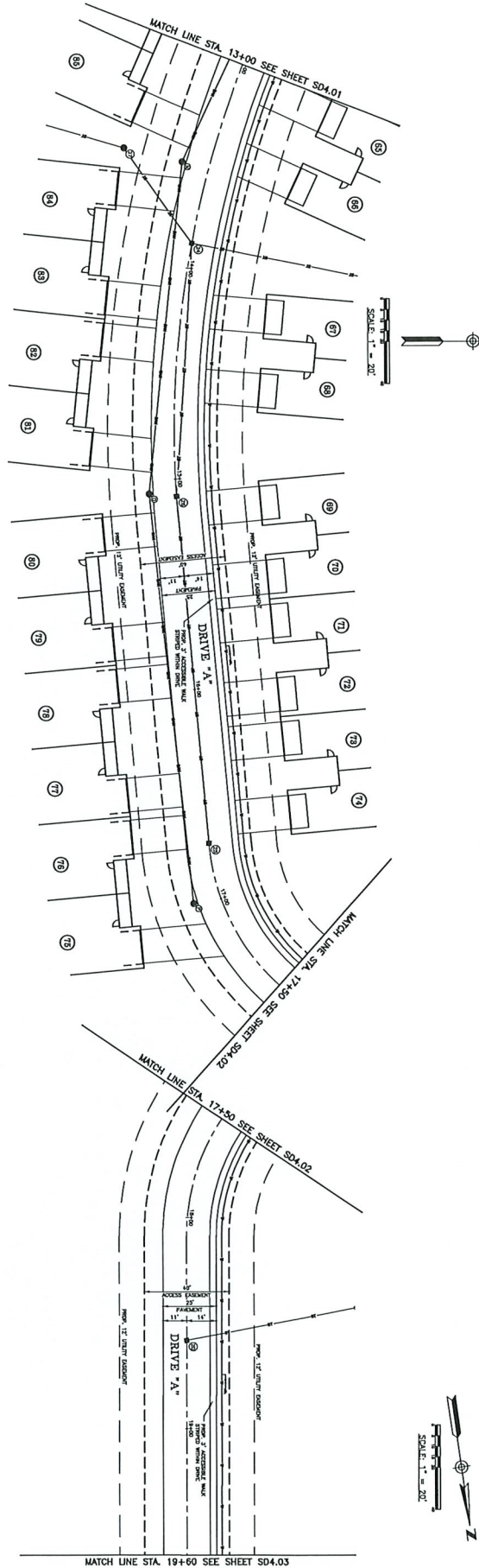


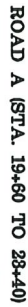
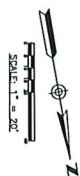
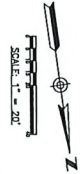


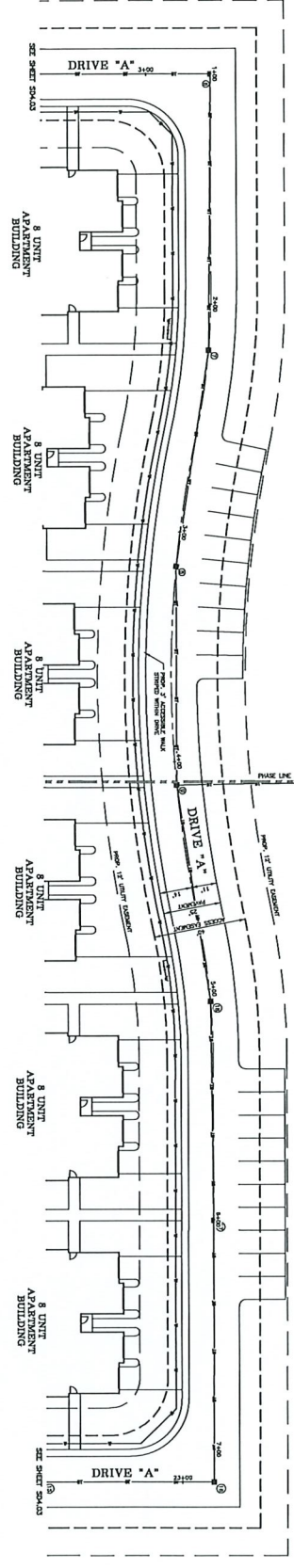
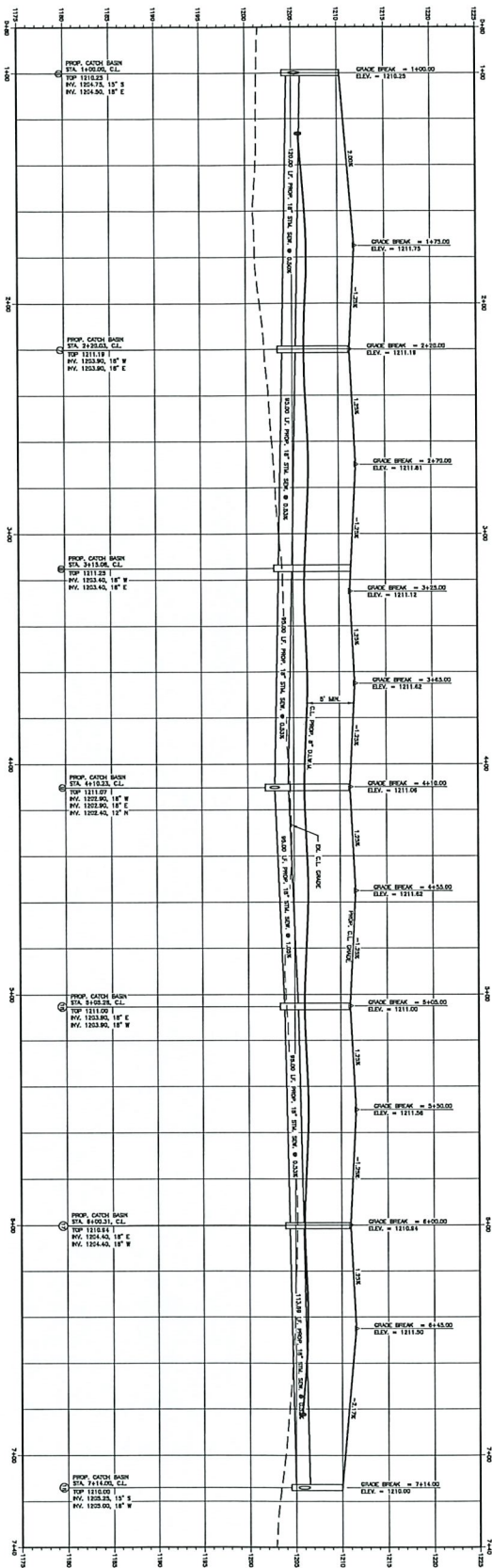
Packet Pg. 31



ROAD A (STA. 13+00 TO 19+60)



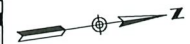




PHASE I

PHASE II

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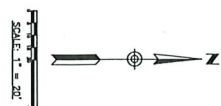
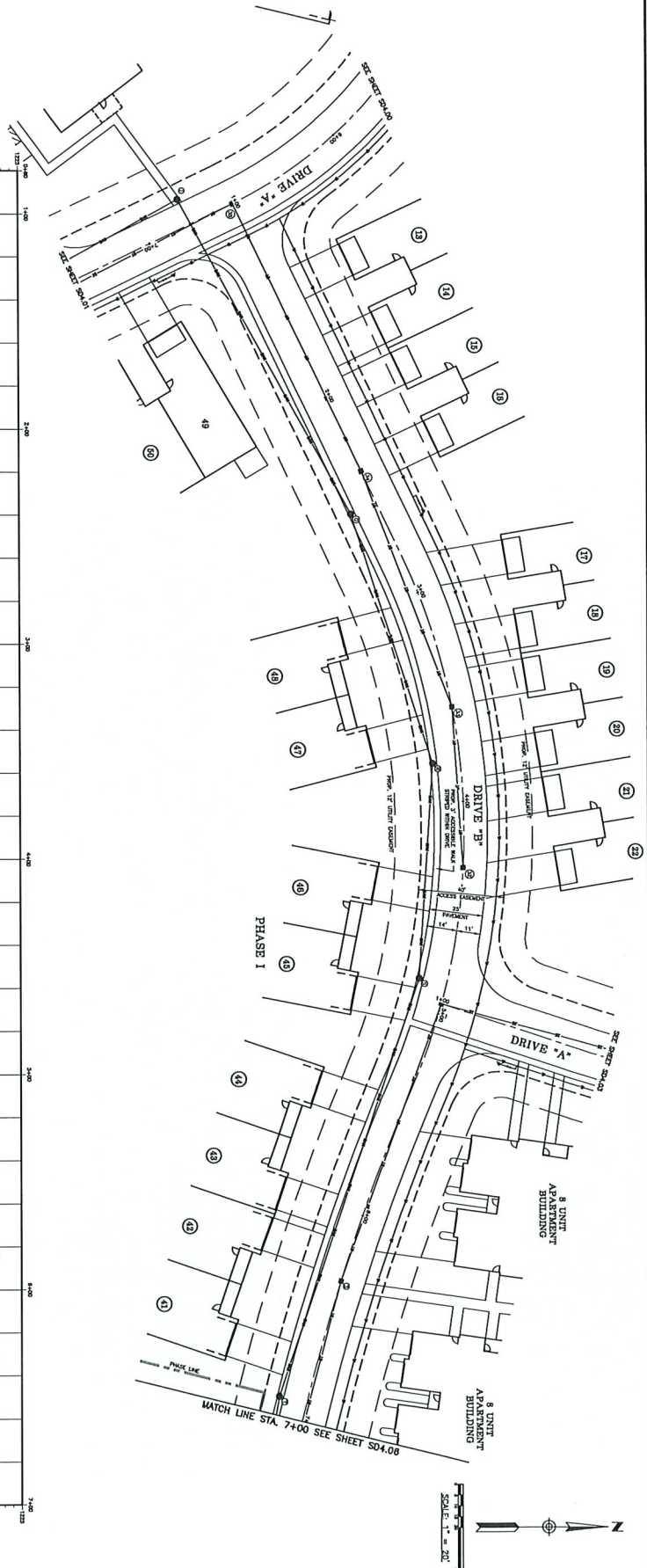
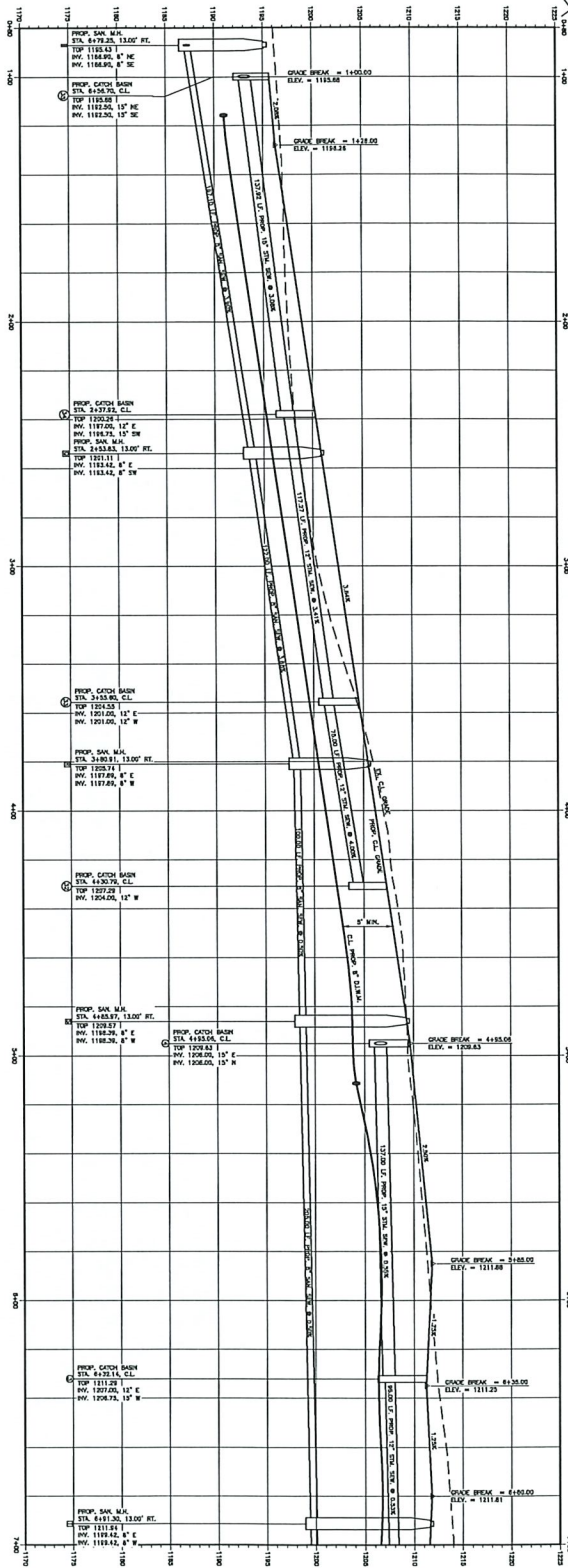


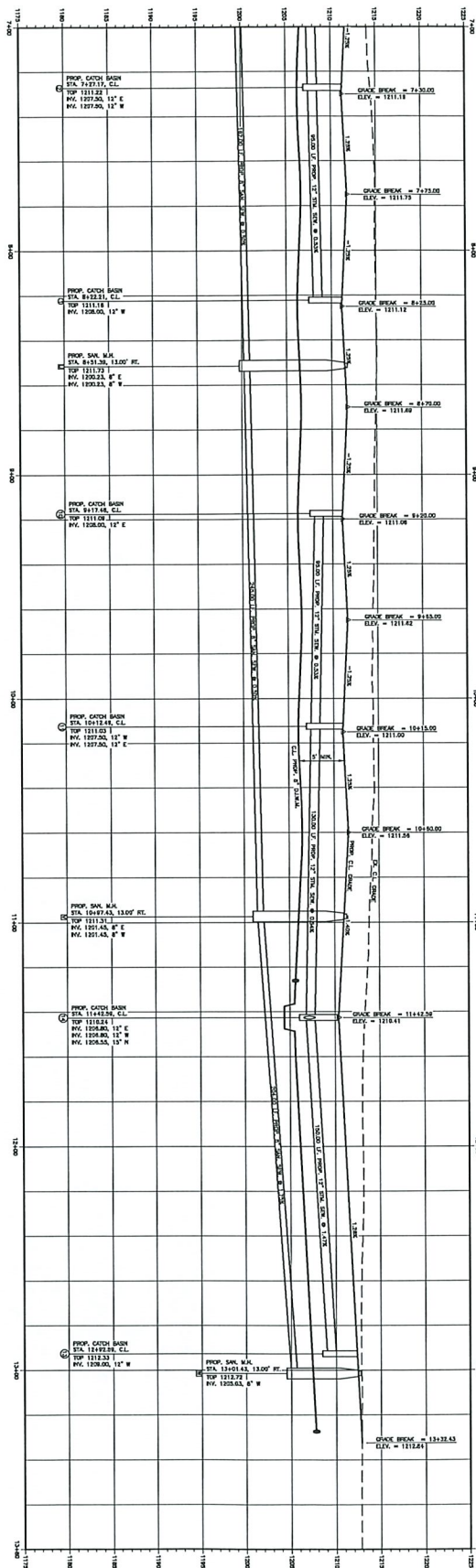
FOUNDERS GROVE
UPPER GILCHRIST RD.
MT. VERNON, OHIO
PRELIMINARY PLAN
PLAN & PROFILE

LEMMON DEVELOPMENT
811 S. MAIN ST.
NORTH CANTON, OHIO 44720

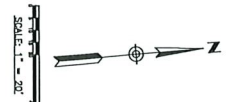
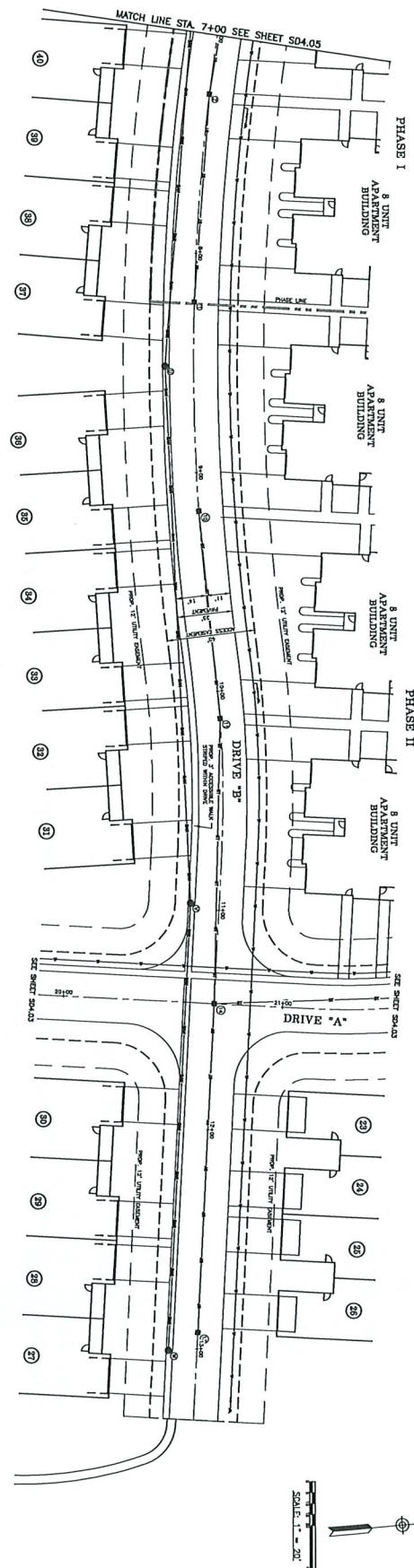
GBC DESIGN, INC.
308 WILSON ROAD DR.
ALBANY, OHIO 41700
Phone 330.556.0318
www.gbcdesign.com

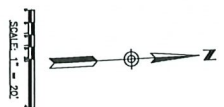
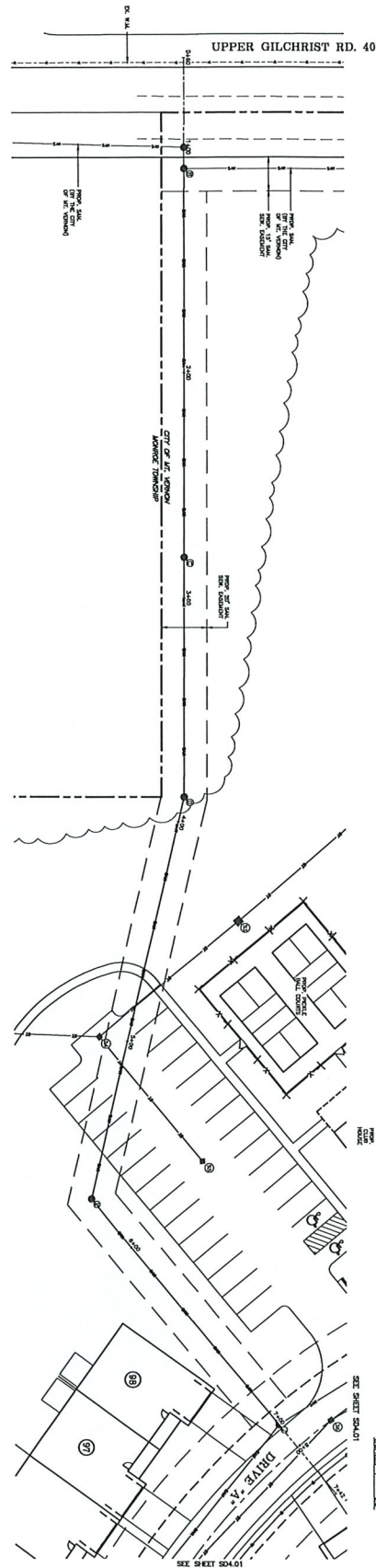
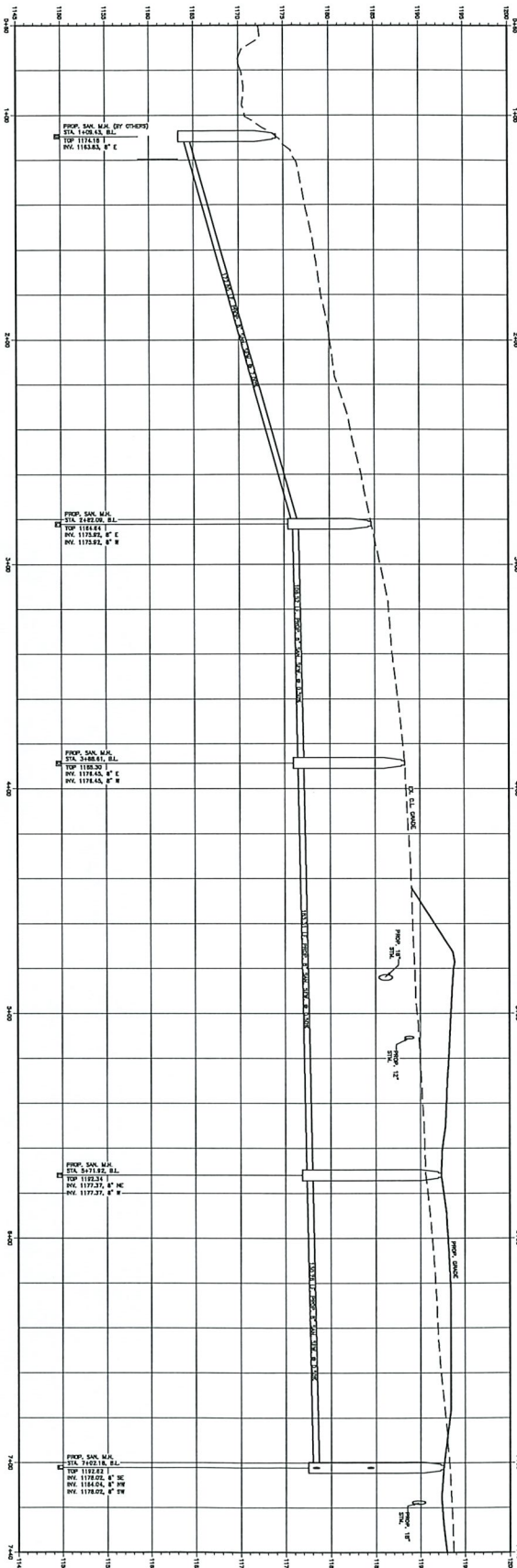
DRIVER: BT
CHECKER: BT
DATE: 03/25/24
PROJECT NO.: 2024
SHEET NO.: 12.1.a





ROAD B (STA. 7+00 TO 18+80)







City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-44

Meeting: 04/22/24 7:30 PM
Dept: Finance and Budget
Seavolt, Woods
Category: Finance
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 4008

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO DISPOSE OF A VEHICLE IN THE POLICE DEPARTMENT NOT NEEDED FOR PUBLIC USE BY THE CITY OF MOUNT VERNON; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 721.01 and 721.15 authorize municipalities to dispose of personal property and vehicles no longer needed for municipal use.

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 Police Department owns the following vehicle that is no longer needed for public use. Council also finds that the value of the vehicle is in excess of \$1,000.00.

2009 Suzuki Red Boulevard Motorcycle VIN: JS1VS55A592104929

SECTION 2: That the Safety-Service Director for the City of Mount Vernon be authorized and directed to sell or dispose of the vehicle pursuant to any method authorized by Revised Code Section 721.15.

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-45

Meeting: 04/22/24 7:30 PM
Dept: Finance and Budget
Seavolt, Woods
Category: Grant
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4009

A RESOLUTION TO SUBMIT AN APPLICATION FOR PY 2024 COMMUNITY DEVELOPMENT BLOCK GRANT NEIGHBORHOOD REVITALIZATION, CRITICAL INFRASTRUCTURE AND ALLOCATION FUNDS; AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio Department of Development has program year 2024 (PY 2024) funds available as part of the Community Development Block Grant (CDBG) Program, and

WHEREAS, the City of Mount Vernon is eligible to apply for up to \$750,000 in PY 2024 CDBG Neighborhood Revitalization Grant funds, providing the City meets all applicable requirements, and

WHEREAS, the City of Mount Vernon is eligible to apply for up to \$500,000 in PY 2024 CDBG Critical Infrastructure funds, providing the City meets all applicable requirements, and

WHEREAS, the City of Mount Vernon is eligible to apply for up to \$150,000 in PY 2024 CDBG Allocation funds, providing the City meets all applicable requirements.

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

SECTION 1: To hereby pass, as an official act, the filing of a PY 2024 Community Development Block Grant Neighborhood Revitalization Grant, Critical Infrastructure Grant and Allocation Grant.

SECTION 2: The City understands all conditions and requirements of the PY 2024 Community Development Block Grant programs and certifies that it will comply with all such assurances of the program.

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 the City must indicate its participation in this program no later than June 1, 2024 to be eligible for funding, 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.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-46

Meeting: 04/22/24 7:30 PM
Dept: Employee and Community Rel.
Woods, Keener
Category: Reappointment
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4012

A RESOLUTION CONFIRMING THE RE-APPOINTMENT OF BRIAN BALL AND LACIE BLANKENHORN TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) DISTRICT 17 INTEGRATING COMMITTEE, PER OHIO REVISED CODE 164.04(6); 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 re-appointment of Brian Ball, City Engineer, as a member of the OPWC District 17 Integrating Committee, for a three-year term, commencing May 31, 2024, and ending May 31, 2027.

SECTION 2: That the Council for the City of Mount Vernon confirms the Mayor's re-appointment of Lacie Blankenhorn, City Development Services Manager, as an alternate member of the OPWC District 17 Integrating Committee, for a three-year term, commencing May 31, 2024, and ending May 31, 2027.

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 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.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-47

Meeting: 04/22/24 7:30 PM
Dept: Finance and Budget
Seavolt, Woods
 Category: Finance
 Prepared By: Terry Scott
 Initiator: Todd Hill
DOC ID: 4015

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 701.2720.54118, Water Plant-Environmental Consultants, to Account 701.2740.55513, Line Improve or Extensions, in the amount of \$200,000.00.
2. From Account 710.3210.54118, Environmental Consultants, to Account 710.3210.55513, Lines, Channels, & Rivers, in the amount of \$350,000.00.
3. From Account 402.3600.54111, TIF-Improvements-Construction, to Account 402.3600.54115, TIF-Contract Engineer, in the amount of \$750,000.00.

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.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-48

Meeting: 04/22/24 7:30 PM
Dept: Parks and Recreation
Miller, Severns
Category: Parks
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4017

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ACCEPT FROM THE ARIEL CORPORATION THE GIFT OF FUNDING FOR CONSTRUCTION AND MAINTENANCE OF A SPLASH PAD AT RIVERSIDE PARK; AND DECLARING AN EMERGENCY.

WHEREAS, the Ariel Corporation, in a letter dated April 18, 2024, as seen in Exhibit A, desires to fund \$1,315,000.00 for construction of a splash pad at Riverside Park and associated parts, also including a restroom facility, a pumphouse to also be used as a covered patio, seating, landscaping and the appropriate level of contingency; and

WHEREAS, the Ariel Corporation, in the same letter, commits to reserving and covering 10 years of maintenance costs at \$15,000 per year, to be provided annually with the distribution method determined at a later point.

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

SECTION 1: That the Safety-Service Director of the City of Mount Vernon be and herewith is authorized and directed to accept the gift of this funding from the Ariel Corporation for the splash pad at Riverside Park, associated parts, and 10 years of maintenance costs at \$15,000 per year.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow bidding for the project to proceed as Ariel Corporation's funding commitment is contingent on completion of the project by May 11, 2025, the said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



April 18, 2024

Mayor Matt Starr
City Engineer Brian Ball
40 Public Square
Mount Vernon, OH 43050

Mayor / Brian –

Ariel Corporation is offering a commitment to fund \$1,315,000 (one million, three hundred and fifteen thousand dollars) for construction of a splash pad and associated parts. This would also include a restroom facility and pumphouse which is also used as a covered patio. Funding is also to cover other seating, landscaping and the appropriate level of contingency.

In addition to this funding Ariel Corporation commits to reserving and covering 10 years of maintenance costs at \$15,000 (fifteen thousand dollars) per year. This funding will be provided annually with the distribution method determined at a later point.

This project has great significance to the Wright Family and Ariel Corporation as it is done to honor the memory of Hunter Wright. As such the design of the splash pad would be a previously reviewed pirate theme with the name of Captain Hunter's Landing.

This commitment is contingent on completion by May 11, 2025. Should the project not be complete at this point any outstanding amounts will be withheld and the maintenance commitment withdrawn.

We look forward to partnering with the City on such a meaningful project.

Please contact me with any additional questions.

Sincerely,

Brian Huprich
Chief Financial Officer
Ariel Corporation
bhuprich@arielcorp.com
740.397.0311

Attachment: Ariel Splash Pad Commitment Letter 041824 (2024-48 : Accept Funding for Splash Pad)



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-49

Meeting: 04/22/24 7:30 PM
Dept: Parks and Recreation
Miller, Severns
Category: Bid/Contract
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4018

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACT FOR CONSTRUCTION OF A SPLASH PAD AT RIVERSIDE PARK; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Safety-Service Director for the City of Mount Vernon is hereby authorized and directed to advertise for bids and enter into contract for construction of a splash pad at Riverside Park.

SECTION 2: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason to allow bidding for the project to proceed as Ariel Corporation's funding commitment is contingent on completion of the project by May 11, 2025, the said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-18

Meeting: 04/22/24 7:30 PM
Dept: Fire, Police and Civil Defense
Mahan, Seavolt
 Category: Police
 Prepared By: Rob Broeren
 Initiator: Todd Hill
DOC ID: 3998

AN ORDINANCE REPEALING CHAPTER 551 OF THE CODIFIED ORDINANCES OF THE CITY OF MOUNT VERNON, STATE OF OHIO.

WHEREAS, Chapter 551 of the Codified Ordinances of the City of Mount Vernon was adopted by Ordinance 2019-27 on June 24, 2019 to regulate chronic nuisance properties within the City; and

WHEREAS, the Chief of Police, Chair of Council's Police and Fire Committee, and City Law Director reviewed Chapter 551 and determined that it is not able to be enforced as it was envisioned by Council; and

WHEREAS, after discussion, review and further consideration, Council deems it acceptable and appropriate to repeal Chapter 551 of the Codified Ordinances of the City of Mount Vernon, Knox County, State of Ohio in its entirety.

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

SECTION 1: That the entire Chapter 551 of the Codified Ordinances of the City of Mount Vernon, entitled Chronic Nuisance Properties, as set forth in the attached Exhibit A, is hereby repealed.

HISTORY:

04/08/24 City Council FIRST READING

Ordinance No. 2024-18 was given a first reading. Mahan requested a 10-minute meeting of the Fire, Police and Civil Defense Committee on the legislation for April 22, 2024.

CHAPTER 551

Chronic Nuisance Properties

- 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:

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

(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. (Ord. 2019-27. Passed 6-24-19.)

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.
- (Ord. 2019-27. Passed 6-24-19.)

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.
- (Ord. 2019-27. Passed 6-24-19.)

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. (Ord. 2019-27. Passed 6-24-19.)

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;
- (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. (Ord. 2019-27. Passed 6-24-19.)

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.

(Ord. 2019-27. Passed 6-24-19.)

CODIFIED ORDINANCES OF MOUNT VERNON



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-19

Meeting: 04/22/24 7:30 PM
Dept: Land Use and Development
Keener, Mahan
Category: Planning and Zoning
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3999

AN ORDINANCE ESTABLISHING THE MOUNT VERNON JOB CREATION AND RETENTION TAX CREDIT PROGRAM AND MAKING RELATED AUTHORIZATIONS.

WHEREAS, the City of Mount Vernon, Ohio (the “City”) desires to establish economic development tools that will result in the creation and retention of employment opportunities in the City; and

WHEREAS, in furtherance of those efforts, the City has created various property tax abatement and tax increment financing programs to incentivize the development of property throughout the City; and

WHEREAS, Ohio Revised Code (“R.C.”) Section 718.15 authorizes the City to establish a job creation tax credit program to provide refundable or non-refundable credits against the City’s income tax to entities that create job opportunities in the City; and

WHEREAS, R.C. Section 718.151 authorizes the City to establish a job retention tax credit program to provide refundable or non-refundable credits against the City’s income tax to entities that retain job opportunities in the City; and

WHEREAS, this Council desires to establish a job creation and retention tax credit program pursuant to R.C. Sections 718.15 and 718.151 to further the City’s economic development efforts and to create and retain job opportunities in the City;

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

SECTION 1: Program Establishment. The City hereby establishes the Mount Vernon Job Creation and Retention Tax Credit Program (the “Program”) pursuant to R.C. Sections 718.15 and 718.151 to be administered as provided in this Ordinance. The Program shall be made available to taxpayers in the City on a case-by-case basis, with tax credit terms negotiated and memorialized in a written agreement as specified herein.

SECTION 2: Tax Credit Terms. The maximum tax credit percentage shall be 50%, and the maximum tax credit term shall be ten (10) years. The City shall determine whether the tax credits offered are refundable or non-refundable on a case-by-case basis. The terms associated with any particular tax credit offered pursuant to the Program shall be at the discretion of the City based on the following factors:

- a. The number of full-time equivalent jobs being created and/or retained.
- b. The average hourly wage rate of employees being created and/or retained.

- c. The associated investment in land, building, machinery and/or infrastructure.
- d. The economic viability of the project.
- e. Any other factors reasonably determined by the City to be relevant.

SECTION 3: Limit on Job Retention Tax Credits. Preference shall be given to job creation tax credits. Credits for job retention projects shall be provided only in situations where, in the reasonable determination of the City, the credit is necessary to prevent a loss of jobs that would have an extraordinary negative impact on the City.

SECTION 4: Application; Tax Credit Agreement. Applicants for Program incentives shall complete an application (the “Application”) and enter into a written agreement (the “Agreement”) on forms developed by the City prior to signing a lease, purchasing a building or entering into a binding real estate contract. Each Application shall be reviewed by City staff, which shall make a recommendation to City Council for an appropriate term and tax credit percentage based on the factors described in Section 2 hereof. City Council shall then approve each Agreement based on such recommendation, with any changes made in Council’s sole discretion.

Each Agreement shall contain, at a minimum, the following:

- a. A requirement that the applicant make an investment in land, building, machinery and/or infrastructure in the City.
- b. A commitment to create and/or retain a defined number of full-time equivalent jobs in the City with a defined average hourly wage rate.
- c. A requirement that the applicant maintain operations at the site of the project for a term equal to at least half of the term of the tax credit after such tax credit expires (e.g., a recipient of an eight-year tax credit would need to maintain operations at the site for at least 12 years).
- d. A commitment to provide annual reporting information to the City as specified in Section 5 hereof.
- e. A cap on the overall maximum tax credits that may be claimed for each particular project.

SECTION 5: Annual Reporting; Tax Credit Certificate. Recipients of Program incentives shall provide information reasonably required by the City to calculate and award the tax credit. The City shall develop an annual report form that includes such information, which form shall be due from the taxpayer to the City no later than March 31st of the year following the calendar year to which the reporting information relates (e.g., the report filed on March 31, 2027 shall be based on job and payroll information as of December 31, 2026). The City shall then provide a tax credit certificate no later than thirty (30) days after receipt of the annual reports, which tax credit certificate shall be filed with the taxpayer’s return filed on December 31st.

SECTION 6: Effect of Failure to Materially Meet Obligations. If a recipient of Program incentives materially fails to meet its obligations under the Agreement, as reasonably determined by the City, the City may terminate the tax credit for some or all of the remaining years of the term of the tax credit specified in the Agreement. If a recipient fails to maintain operations at the

project site for the term specified in the Agreement, the recipient may be required to repay to the City all or a portion of the tax credits previously claimed. The remedies specified herein shall be included in each Agreement.

SECTION 7: Further Actions. The City Auditor, Law Director, Mayor or other appropriate officers of the City shall take such actions as may be necessary to implement the Program as provided in this Ordinance. This may include the preparation of Program guidelines that are consistent with the terms of this Ordinance for use by Program applicants.

SECTION 8: Open Meetings. 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 R.C. Section 121.22.

SECTION 9: Effective Date. That this Ordinance shall take effect and be enforce from and after the earliest period allowed by law.

HISTORY:

04/08/24

City Council

FIRST READING

Ordinance No. 2024-19 was given a first reading. Keener requested a 10-minute meeting of the Land Use and Development Committee on the legislation for April 22, 2024.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-20

Meeting: 04/22/24 7:30 PM
Dept: Fire, Police and Civil Defense
Mahan, Seavolt
 Category: Fire
 Prepared By: Rob Broeren
 Initiator: Todd Hill
DOC ID: 4006

AN ORDINANCE TO AUTHORIZE THE MOUNT VERNON FIRE DEPARTMENT TO COLLECT FEES FOR REQUIRED INSPECTIONS AND TESTS; AND DECLARING AN EMERGENCY.

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

SECTION 1: That the Mount Vernon Fire Department is authorized to collect fees for required inspections and tests. The party requesting the inspection of test shall pay a fee in accordance with a fee schedule fixed from time to time by the Board of Control in order to recover the Mount Vernon Fire Department's costs related to the required inspections and tests.

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 for the further reason to allow the City's Fire Department to collect fees for required inspections, 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:

04/08/24 City Council FIRST READING

Ordinance No. 2024-20 was given a first reading. Mahan requested a five-minute meeting of the Fire, Police and Civil Defense Committee on the legislation for April 22, 2024.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-21

Meeting: 04/22/24 7:30 PM
Dept: Land Use and Development
Keener, Mahan
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4010

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF PARCEL #66-07961.000, ALSO KNOWN AS 0 VERNONVIEW DRIVE, FROM THE PRESENT ZONING OF R-1 - SINGLE FAMILY DISTRICT, TO PND - PLANNED NEIGHBORHOOD DISTRICT.

WHEREAS, the Council of the City of Mount Vernon has received an application for rezoning certain property within the City of Mount Vernon, specifically Parcel #66-07961.000, also known as 0 Vernonview Drive; and

WHEREAS, the Municipal Planning Commission for the City of Mount Vernon met on April 11, 2024 and voted 4-1 to approve the zoning change for Parcel #66-07961.000 from R1 - Single Family District, to PND - Planned Neighborhood District.

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

SECTION 1: That the City of Mount Vernon hereby amends the zoning classification of Parcel #66-07961.000, also known as 0 Vernonview Drive. The zoning will be as indicated:

<u>PARCEL NO.</u>	<u>PROPOSED ZONING</u>
#66-07961.000	PND - Planned Neighborhood District

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



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-22

Meeting: 04/22/24 7:30 PM
Dept: Land Use and Development
Keener, Mahan
Category: Planning and Zoning
Prepared By: Todd Hill
Initiator: Todd Hill
DOC ID: 4011

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE FEBRUARY 2024 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2023-33	8-23-23	1155.03(d)
2023-44	12-11-23	187.02(a), 187.07 (e), 187.09, 187.14(g), (h), (I)

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

Traffic Code

301.35	School Bus. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Amended)
331.38	Stopping for School Bus; Discharging Children. (Amended)
331.46	Restrictions on the Operation of School Buses. (Added)

333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
333.11	Electronic Wireless Communication Device Use Prohibited While Driving.
	(Amended)
337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
337.26	Child Restraint System Usage. (Amended)
337.33	Lights and Sign on Transportation for Preschool Children. (Added)
341.04	Commercial Drivers Prohibitions. (Amended)
341.05	Criminal Offenses. (Amended)

General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
505.15	Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added)
509.06	Inducing Panic. (Amended)
509.09	Impeding Public Passage of an Emergency Service Responder. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
513.17	Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added)
529.07	Open Container Prohibited. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
537.16	Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products; Transaction Scans. (Amended)
549.10	Possessing Replica Firearm in School. (Amended)
549.12	Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (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 to align the City's codified ordinances with recent changes to the Ohio Revised Code, and said Ordinance shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

ORDINANCE 2024-23

Meeting: 04/22/24 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
 Category: Streets
 Prepared By: Rob Broeren
 Initiator: Todd Hill
DOC ID: 4016

AN ORDINANCE AUTHORIZING THE REMOVAL OF A PARKING SPACE ALONG THE SOUTH SIDE OF EAST CHESTNUT STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the Board of Commissioners of Knox County has requested the removal of a parking space behind the Knox County Courthouse along East Chestnut Street for security issues; and

WHEREAS, the Safety-Service Director has reviewed the proposed change and inquired about its effect upon nearby property owners; and

WHEREAS, the Council of the City of Mount Vernon has determined that it is appropriate to change the parking along East Chestnut based on this request.

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

SECTION 1: That the Safety-Service Director is authorized and directed to remove parking space number twenty-five (25) from the south side of East Chestnut Street in the block between North Gay Street and North McKenzie Street.

SECTION 2: That this Ordinance be recorded in Title III, Section 305 of Traffic Control, of the Codified Ordinances of the City of Mount Vernon.

SECTION 3: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason that to improve security surrounding the Knox County Courthouse area 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.