

Legislative Session Minutes

May 29, 2018

COMMITTEE MEETINGS

Communications Tower

ANC to Knox County Land Bank

MEETING WILL RECESS UNTIL 7:30 P.M.

CALL TO ORDER

Attendee	Title	Status
Sam Barone	First Ward	Present
John Francis	Second Ward	Present
Nancy Vail	Third Ward	Present
Janis Seavolt	At Large	Present
Christopher Menapace	At Large	Present
Jeff Gottke	Fourth Ward	Present
Matt Starr	At Large	Present
Bruce Hawkins	President	Present

Others in Attendance: Mayor Mavis, Auditor Terry Scott, Law Director Rob Broeren, Clerk Tanya Newell, Knox Pages Reporter Cheryl Splain, Mount Vernon News Reporter Samantha Scoles, Don Carr, Bill Pursell, Gary Koester and Bill Barton.

INVOCATION

Was given by Bill Barton from the Baptist Church.

PLEDGE OF ALLEGIANCE

All recited in unison.

ACCEPTANCE OF MINUTES

- City Council - Legislative Session - May 14, 2018 7:30 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Janis Seavolt, At Large
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RECEIVE PETITIONS AND COMMUNICATIONS

RECEIVE COMMITTEE REPORTS

LIQUOR CONTROL LICENSE

PROCLAMATION

PERSONS SPEAKING ON MATTERS NOT COVERED BY LEGISLATION

RESOLUTIONS FOR THIRD READING

RESOLUTIONS FOR SECOND READING

RESOLUTIONS FOR FIRST READING

RESOLUTION NO. 2018-62

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

Finance and Budget: Barone, Vail

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-62

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

Finance and Budget: Barone, Vail

Mr. Barone - We have 5 supplemental appropriations to consider.

Mr. Scott - The first 4 items are a return to the support of Ariel Coporation for the summer seasonal work program. We have 5 people now enrolled and they will be working in the parks and number 5 is a program coming by way of the Knox County Board of Health, but it's going to be administered through our probation department on the Bridges out of Poverty and Tactical Communications Training.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-63

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

Finance and Budget: Barone, Vail

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-63

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

Finance and Budget: Barone, Vail

Mr. Barone - We have 5 transfers and the one that sort of jumps out here is the \$27,000.

Mr. Scott - This is actually a correction, this is correcting an entry that was originally put in at \$3,000 for the concessions for the year, it should have been \$30,000, so that will correct that and all the other items combined are having to do with the civil service they have a number of tests going on with the placements of people moving around so we need some additional money for those.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-64

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.

Finance and Budget: Barone, Vail

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-64

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.

Finance and Budget: Barone, Vail

Mr. Barone - Then and now is asking permission for the auditor to, once it's after the fact, authorize payments that have been made that were lacking some documentation and in this case Terry we had something from the Sheriff's office for prisoners?

Mr. Scott - Yes.

Mr. Menapace - Didn't we just do one for the prisoners?

Mr. Scott - In their conversion actually we have to recall actually what is going on here this is there new line accounts that they got set-up in the new year. They're just getting started normally what we would do is what you adopted on the last meeting was the one from December, this one is January's so getting them into the new

accounting system because of the new funds that go them out of the general fund into their own, they didn't get everything going. They are up-to-date now.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-65

A RESOLUTION TRANSFERRING FEE SIMPLE TITLE TO ONE OR MORE PARCELS OF COMMERCIAL REAL PROPERTY OWNED BY THE CITY OF MOUNT VERNON TO THE KNOX COUNTY LAND REUTILIZATION CORPORATION FOR PURPOSES OF ECONOMIC DEVELOPMENT.

Parks and Lands: Starr, Francis

Add Section 3 to read:

SECTION 3: This Resolution is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and safety, and to allow the Knox County Land Reutilization Corporation to market the ANC property at the earliest possible time 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.

“AND DECLARING AN EMERGENCY” should be in the title.

RESULT:	AMENDED [UNANIMOUS]
MOVER:	Matt Starr, At Large
SECONDER:	John Francis, Second Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-65

A RESOLUTION TRANSFERRING FEE SIMPLE TITLE TO ONE OR MORE PARCELS OF COMMERCIAL REAL PROPERTY OWNED BY THE CITY OF MOUNT VERNON TO THE KNOX COUNTY LAND REUTILIZATION CORPORATION FOR PURPOSES OF ECONOMIC DEVELOPMENT.

Parks and Lands: Starr, Francis

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Matt Starr, At Large
SECONDER:	John Francis, Second Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-65

A RESOLUTION TRANSFERRING FEE SIMPLE TITLE TO ONE OR MORE PARCELS OF COMMERCIAL REAL PROPERTY OWNED BY THE CITY OF

MOUNT VERNON TO THE KNOX COUNTY LAND REUTILIZATION CORPORATION FOR PURPOSES OF ECONOMIC DEVELOPMENT.

Parks and Lands: Starr, Francis

Mr. Starr - This is the site that would involve the ANC plus whatever amount of acreage it is that is identified at the corner of Madison and Marion Ave. on the east side of the railroad tracks which will be included as a potential neighborhood park and we are ready to let the ADF begin clearing.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Matt Starr, At Large
SECONDER:	John Francis, Second Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

RESOLUTION NO. 2018-66

RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF A CELLULAR COMMUNICATIONS TOWER ON PROPERTY OWNED BY THE CITY OF MOUNT VERNON.

Parks and Lands: Starr, Francis

RESULT:	FIRST READING	Next: 6/25/2018 7:30 PM
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ORDINANCES FOR THIRD READING

ORDINANCES FOR SECOND READING

ORDINANCE NO. 2018-14

AN ORDINANCE AMENDING ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2016 (MOUNT VERNON NAZARENE UNIVERSITY) OF THE CITY OF MOUNT VERNON; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO LOAN AGREEMENT; AND DECLARING AN EMERGENCY.

Finance and Budget: Barone, Vail

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCE NO. 2018-14

AN ORDINANCE AMENDING ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2016 (MOUNT VERNON NAZARENE UNIVERSITY) OF THE CITY OF MOUNT VERNON; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO LOAN AGREEMENT; AND DECLARING AN EMERGENCY.

Finance and Budget: Barone, Vail

Mr. Barone - As you will recall this is an effort to allow a re-negotiation of the bonds for the interest rate of the development bonds at the Nazarene University. We were assured at the committee meeting when we first talked about this that this has no economic impact on the city.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCE NO. 2018-15

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2018 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Planning and Zoning: Vail, Menapace

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	Nancy R. Vail, Third Ward
SECONDER:	Christopher Menapace, At Large
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCE NO. 2018-15

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2018 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

Planning and Zoning: Vail, Menapace

Mrs. Vail - I have been through all of these to check those that are initiated by our council, many that are included in here are just simply changes that the state has made in traffic coverage in law enforcement.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Nancy R. Vail, Third Ward
SECONDER:	Christopher Menapace, At Large
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCES FOR FIRST READING

ORDINANCE NO. 2018-16

AN ORDINANCE ESTABLISHING THE HOURLY RATE OF PAY FOR THE 2018 SEASONAL EMPLOYEES HIRED AS PART OF THE SUMMER SEASONAL WORK PROGRAM FUNDED THROUGH AN ARIEL CORPORATION GRANT; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Barone

RESULT:	SUSPENSION OF THE RULES [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Sam Barone, First Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCE NO. 2018-16

AN ORDINANCE ESTABLISHING THE HOURLY RATE OF PAY FOR THE 2018 SEASONAL EMPLOYEES HIRED AS PART OF THE SUMMER SEASONAL WORK PROGRAM FUNDED THROUGH AN ARIEL CORPORATION GRANT; AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Barone

Mr. Francis - Mr. Scott, this is a seasonal thing funded through Ariel Foundation correct?
Mr. Scott - Yes and they have set the rate so we have to update from where we were.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Sam Barone, First Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr

ORDINANCE NO. 2018-17

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MOUNT VERNON, OHIO THE QUESTION "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?", AND DECLARING AN EMERGENCY.

Employee and Community Rel.: Francis, Barone

RESULT:	FIRST READING	Next: 6/25/2018 7:30 PM
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REMARKS FROM THE ADMINISTRATION

Mayor Mavis - Spoke about the Memorial Day Parade and thanked M.E. Carpenter's service as parade chair, mentioned N. Main Street is open, spoke about HUD funding for Vernon Ridge renovation, congratulated the high school graduates and spoke about the paving on Rt. 36.

REMARKS FROM COUNCIL

Mrs. Vail - Commended Cheryl Splain for walking across the state of Georgia.
Mrs. Seavolt - Mentioned the last day of school and drive carefully.
Mr. Francis - Mentioned the large turnout for the parade and program for Memorial Day and spoke about the successful turnout at Picnic in the Park.
Mr. Starr - Thanked the Seavolt's for hosting the float, thanked Mr. Francis organizing the Picnic in the Park and thanked council for the passing of the resolution to transfer ANC to the land bank, mentioned the event Drug Free Workplace and Second Chance Employment and spoke about the water park opening on Saturday.
Mr. Gottke - Spoke about his sophomore classes final exam and mentioned to the graduates to come back after they leave.
Mr. Barone - Echoed the sentiments about Memorial Day and the parade, mentioned the upgrades at the KCCC and also mentioned all the events at Ariel-Foundation Park.

Mr. Menapace - Spoke about the next council meeting and only having a 30-minute committee meeting on stormwater utility because Mathias isn't ready with the new software for billing and asked for a fact sheet for those calls about the water bills and he also spoke about the Vernon Ridge apartments and the renovations.

Mr. Hawkins - Asked about the painting and paving on Coshocton Avenue and he thanked the media and spoke about the video stream.

ADJOURN AT THE CALL OF THE PRESIDENT

Mrs. Vail made a motion to adjourn the meeting, Mrs. Seavolt, second, all in favor, the meeting was adjourned at 8:10 p.m.

Bruce E. Hawkins, President of Council

Tanya Newell, Clerk of Council

CD on file/tmn



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Finance and Budget
Barone, Vail
 Category: Finance and Budget
 Prepared By: Terry Scott
 Initiator: Tanya Newell
DOC ID: 1728 A

ADOPTED

RESOLUTION 2018-62

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 101.2650.51111, Personnel & Benefits, in the amount of \$27,950.00.
2. To Account 101.2650.52121, P.E.R.S., in the amount of \$ 3,920.00.
3. To Account 101.2650.52123, Workers' Compensation, in the amount of \$800.00.
4. To Account 101.2650.52126, Medicare & Social Security, in the amount of \$410.00.
(Ariel Corporation - Summer Seasonal Work Program)
5. To Account 101.1780.53114, Drug Testing/Probation Awareness, in the amount of \$2,974.70. (Bridges Out of Poverty & Tactical Communications Training Program- Knox County Board of Health)

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:

Mr. Barone - We have 5 supplemental appropriations to consider.

Mr. Scott - The first 4 items are a return to the support of Ariel Coporation for the summer seasonal work program. We have 5 people now enrolled and they will be working in the parks and number 5 is a program coming by way of the Knox County Board of Health, but it's going to be administered through our probation department on the Bridges out of Poverty and Tactical Communications Training.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Finance and Budget
Barone, Vail
Category: Finance and Budget
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 1729 A

ADOPTED

RESOLUTION 2018-63

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 101.2640.55511, New Pool Equipment to Account 101.2640.53112, Concessions, in the amount of \$27,000.00.
2. From Account 101.2100.53214, Maintenance of Equipment, to Account 101.1800.53115, Testing, in the amount of \$2,428.00.
3. From Account 101.1900.52127, Uniforms, to Account 101.1800.53115, Testing, in the amount of \$1,143.00.
4. From Account 101.1950.54111, Impound Lot-Towing, to Account 101.1800.53115, Testing, in the amount of \$990.00.
5. From Account 101.100.54311, Training/Travel, to Account 101.1800.53115, Testing, in the amount of \$726.00.

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:

Mr. Barone - We have 5 transfers and the one that sort of jumps out here is the \$27,000.

Mr. Scott - This is actually a correction, this is correcting an entry that was originally put in at \$3,000 for the concessions for the year, it should have been \$30,000, so that will correct that and all the other items combined are having to do with the civil service they have a number of tests going on with the placements of people moving around so we need some additional money for those.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sam Barone, First Ward
SECONDER:	Nancy R. Vail, Third Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Finance and Budget
Barone, Vail
Category: Finance and Budget
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 1730 B

ADOPTED

RESOLUTION 2018-64

A RESOLUTION AUTHORIZING AND DIRECTING THE AUDITOR OF THE CITY OF MOUNT VERNON TO PAY BILLS PURSUANT TO SECTION 5705.41 (D), THEN AND NOW CERTIFICATION.

WHEREAS, the Safety-Service Director for the City of Mount Vernon did make the necessary inquiries that these billed amounts as indicated are legitimate and proper and did approve payment in the amounts shown; and

WHEREAS, at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract or order was in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

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 pay bills as follows:

1. To Knox County Sheriff, in the amount of \$20,977.33, to be taken from Account 224.1900.53213, Sustainance of Prisoners.
2. To Browing Ferris, in the amount of \$9,079.31, to be taken from Account 101.3600.53313, Waste Removal (Clean Up).

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:

Mr. Barone - Then and now is asking permission for the auditor to, once it's after the fact, authorize payments that have been made that were lacking some documentation and in this case Terry we had something from the Sheriff's office for prisoners?

Mr. Scott - Yes.

Mr. Menapace - Didn't we just do one for the prisoners?

Mr. Scott - In their conversion actually we have to recall actually what is going on here this is there new line accounts that they got set-up in the new year. They're just getting started normally what we would do is what you adopted on the last meeting was the one from December, this one is January's so getting them into the new accounting system because of the

new funds that go them out of the general fund into their own, they didn't get everything going. They are up-to-date now.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Sam Barone, First Ward
SECONDER: Nancy R. Vail, Third Ward
AYES: Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



**City Council
City of Mount Vernon
Mount Vernon, OH 43050**

Meeting: 05/29/18 7:30 PM
**Dept: Parks and Lands
Starr, Francis**
Category: Land/Property Acquisition
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 1733 B

AMENDED

RESOLUTION 2018-65

A RESOLUTION TRANSFERRING FEE SIMPLE TITLE TO ONE OR MORE PARCELS OF COMMERCIAL REAL PROPERTY OWNED BY THE CITY OF MOUNT VERNON TO THE KNOX COUNTY LAND REUTILIZATION CORPORATION FOR PURPOSES OF ECONOMIC DEVELOPMENT.

WHEREAS, Mount Vernon City Council has acquired fee simple ownership of one or more parcels of commercial real property comprising ±28.117 acres of the former American National Can site, located at 201 Madison Street in the City, tax parcel IDs 66-02514.000 and 66-01212.000 (collectively, the “Subject Property”); and,

WHEREAS, the Knox County Land Reutilization Corporation, a county land reutilization corporation, as defined in Section 1724.01(A)(3) of the Ohio Revised Code (“ORC”) and operated for the purposes of exercising the essential governmental purposes provided for under Chapter 1724 and Chapter 5722 of the ORC (the “Land Bank”), has been authorized by its Board of Directors at its April 13, 2018 meeting to accept and receive fee simple title to the Subject Property for purposes of redevelopment and re-use as allowed by law; and,

WHEREAS, the City may transfer property for redevelopment without competitive bidding pursuant to ORC §721.28; and

WHEREAS, Mount Vernon City Council acknowledges the City’s interests are best served by having the Land Bank ready, or cause to be readied, the Subject Property for redevelopment and re-use, including site preparation and clearing, marketing, and negotiating with prospective end users; and,

WHEREAS, Mount Vernon City Council acknowledges the Land Bank will work directly with the Area Development Foundation, Inc. to conduct immediate site clearing and other measures to prepare the site for listing by a qualified commercial real estate broker for lease or sale, with the Area Development Foundation, Inc. to incur significant expense in completing such measures; and,

WHEREAS, the Mount Vernon City Council acknowledges the Land Bank will allow for the limited use as a public park, construction lay-down lot, and/or parking that portion of the Subject Property east of the railroad tracks comprising 1.057 acres of land for such time until a future end user expresses a need or desire for such property for industrial or commercial purposes; and,

WHEREAS, the Mount Vernon City Council acknowledges the Land Bank will allow for limited site access to City personnel and its authorized agents to the that portion of the Subject Property to be delineated under this Resolution for purposes of utility access and drainage; and,

WHEREAS, the City is desirous of ensuring Subject Property is again used by one or more industrial end users in the future, which such end users will employ local residents and

remit income taxes to the City.

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

SECTION 1: That the Mount Vernon City Council does hereby authorize and direct the Mayor, the Safety Service Director, the Auditor, and the Director of Law, and any other City official, as appropriate, to sign any documents, instruments, or certificates and to take such actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Resolution.

SECTION 2: That the Clerk of Council is hereby directed to deliver a copy of this Resolution to the President of the Land Bank, after its passage and upon request made by said representative.

COMMENTS - Current Meeting:

Mr. Starr - This is the site that would involve the ANC plus whatever amount of acreage it is that is identified at the corner of Madison and Marion Ave. on the east side of the railroad tracks which will be included as a potential neighborhood park and we are ready to let the ADF begin clearing.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Matt Starr, At Large
SECONDER:	John Francis, Second Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2018-66

Meeting: 05/29/18 7:30 PM
Dept: Parks and Lands
Starr, Francis
Category: Bid/Contract
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 1735 A

RESOLUTION AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF A CELLULAR COMMUNICATIONS TOWER ON PROPERTY OWNED BY THE CITY OF MOUNT VERNON.

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 a contract for the construction of a cellular telecommunications tower on property owned by the City of Mount Vernon.

RESULT: FIRST READING

Next: 6/25/2018 7:30 PM



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Finance and Budget
Barone, Vail
Category: Finance
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 1725 A

ADOPTED

ORDINANCE 2018-14

AN ORDINANCE AMENDING ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS, SERIES 2016 (MOUNT VERNON NAZARENE UNIVERSITY) OF THE CITY OF MOUNT VERNON; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO LOAN AGREEMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mount Vernon, Ohio (the "City"), by virtue of the laws of the State of Ohio, including Article VIII, Section 13 of the Constitution of Ohio and Chapter 165 of the Ohio Revised Code (collectively, the "Act"), issued tax-exempt bonds captioned "\$8,933,334 City of Mount Vernon, Ohio Economic Development Revenue Refunding Bonds, Series 2016 (Mount Vernon Nazarene University)," dated September 1, 2016 (the "Bonds"), which were purchased by First- Knox National Bank, Division of The Park National Bank (the "Bondholder"); and

WHEREAS, the proceeds of the Bonds were made available to Mount Vernon Nazarene University (the "Borrower"), an Ohio nonprofit corporation, for the purpose of refinancing a portion of the costs of the acquisition, construction, renovation, installation and equipping of a 65,000 square foot expansion to the Prince Student Union, which included a new arena and other intercollegiate athletic facilities, academic and office space and all necessary appurtenances thereto located on the real property of the Borrower located at 800 Martinsburg Road, Mount Vernon, Ohio for use in fulfilling the exempt purposes of the Borrower; and

WHEREAS, the Bonds are not general obligations, debt or bonded indebtedness of the City or the State of Ohio or any political subdivision thereof, and the Bondholder is not given the right, and has no right, to have excises or taxes levied by the City or the State of Ohio or any political subdivision thereof, for the payment of the debt service on such Bonds, and the Bondholder has acknowledged and agreed that the Bonds are the financial responsibility of the Borrower and not the City; and

WHEREAS, as a result of the Tax Cuts and Jobs Act of 2017 and the resulting reduction in the maximum federal corporate tax rate, the Bondholder and Borrower have determined that it is necessary to change the tax-exempt interest rate on the Bonds; and

WHEREAS, this Council (the "Issuing Authority") has determined to authorize an amendment to the Bonds and a corresponding amendment to the loan agreement relating to the tax-exempt interest rate on the Bonds, all at the request of the Borrower and the Bondholder; and

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

SECTION 1: That this Council, as the Issuing Authority, hereby determines that the tax-exempt interest rate shall be amended effective July 1, 2018 from 3.166% to 3.597%.

SECTION 2: That the Mayor and the Auditor, or either of them, be and they are hereby authorized and directed to execute and deliver on behalf of the City an amended bond form for such purposes, together with a First Amendment to Loan Agreement in substantially the form presented to this



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Planning and Zoning
Vail, Menapace
Category: Planning and Zoning
Prepared By: Tanya Newell
Initiator: Tanya Newell
DOC ID: 1718

ADOPTED

ORDINANCE 2018-15

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2018 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>
2017-08	3-27-17	351.98
2017-09	3-27-17	913.07, 919.07, 919.08, 919.09
2017-10	3-13-17	2017 Replacement Pages
2017-16	4-24-17	1155.03
2017-18	5-22-17	1172.04
2017-21	8-28-17	1151.10
2017-31	12-27-17	187.02, 187.07, 187.09, 187.14
2017-32	12-11-17	183.013
2018-03	3-12-18	183.03, 183.061, 183.063, 183.07, 183.10
2018-04	4-9-18	905.01 to 905.04, 905.99, 1175.01 to 1175.11

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

Traffic Code

- 303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 333.01 Driving Under the Influence. (Amended)
- 335.09 Display of License Plates. (Amended)
- 337.28 Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)

General Offenses Code

- 501.01 General Definitions. (Amended)
- 513.09 Controlled Substance or Prescription Labels. (Amended)
- 521.10 Nonsmoking Areas in Places of Public Assembly. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 529.08 Hours of Sale or Consumption. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 537.18 Contributing to Child Delinquency. (Amended)
- 541.02 Arson. (Amended)
- 549.01 Weapons Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

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

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

HISTORY:

05/14/18 City Council FIRST READING

COMMENTS - Current Meeting:

Mrs. Vail - I have been through all of these to check those that are initiated by our council, many that are included in here are just simply changes that the state has made in traffic coverage in law enforcement.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Nancy R. Vail, Third Ward
SECONDER: Christopher Menapace, At Large
AYES: Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Employee and Community Rel.
Francis, Barone
Category: Personnel
Prepared By: Terry Scott
Initiator: Tanya Newell
DOC ID: 1727 A

ADOPTED

ORDINANCE 2018-16

AN ORDINANCE ESTABLISHING THE HOURLY RATE OF PAY FOR THE 2018 SEASONAL EMPLOYEES HIRED AS PART OF THE SUMMER SEASONAL WORK PROGRAM FUNDED THROUGH AN ARIEL CORPORATION GRANT; AND DECLARING AN EMERGENCY.

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

SECTION 1: All seasonal workers employed as part of the Summer Seasonal Work Program funded through an Ariel Corporation Grant shall be paid as follows:

Special Seasonal Worker - \$10.75 per hour

SECTION 2: That Ordinance 2017-20, which previously set compensation for workers employed through this program, is hereby repealed.

SECTION 3: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and to ensure prompt and proper payment of these summer employees, 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:

Mr. Francis - Mr. Scott, this is a seasonal thing funded through Ariel Foundation correct?

Mr. Scott - Yes and they have set the rate so we have to update from where we were.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Francis, Second Ward
SECONDER:	Sam Barone, First Ward
AYES:	Barone, Francis, Vail, Seavolt, Menapace, Gottke, Starr



City Council
City of Mount Vernon
Mount Vernon, OH 43050

Meeting: 05/29/18 7:30 PM
Dept: Employee and Community Rel.
Francis, Barone
Category: Personnel
Prepared By: Rob Broeren
Initiator: Tanya Newell
DOC ID: 1731 C

SCHEDULED

ORDINANCE 2018-17

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MOUNT VERNON, OHIO THE QUESTION “SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?”, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution empowers electors of local municipalities to establish home rule through the adoption of a charter form of government; and

WHEREAS, pursuant to Article XVIII, Section 8 of the Ohio Constitution, the electors of the City of Mount Vernon have the authority to adopt a charter rather than be governed by the statutes of the State of Ohio; and

WHEREAS, as the first step in the charter process, the City of Mount Vernon desires to submit to the electors of Mount Vernon the following question: “Shall a commission be chosen to frame a charter?”; and

WHEREAS, Article XVIII, Section 8 of the Ohio Constitution requires that the question be submitted to the electors at the next regular municipal election if one shall occur not less than sixty (60) nor more than one hundred and twenty days (120) after its passage; otherwise the question shall be submitted to the electors at a special election not less than sixty (60) nor more than one hundred and twenty (120) days after the passage of the ordinance; and

WHEREAS, two-thirds (2/3) of all member concurring, City Council hereby finds and determines that the best interest of the community and citizens would be best served if the question establishing a Charter Commission was submitted to the electorate;

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

SECTION 1: The question “Shall a commission be chosen to frame a charter?” shall be submitted to a vote of the qualified electors of the City of Mount Vernon, Ohio at the general election to be held on November 6, 2018, at the regular places and hours in the City of Mount Vernon as established by the Board of Elections of Knox County, Ohio. The question shall be submitted in the following form:

“Shall a commission be chosen to frame a charter?”

To the left of such wording shall appear, in boxes with appropriate place of marking, the words “Yes” and “No” and each voter shall indicate his or her vote by placing an appropriate mark in one of the places so provided or otherwise clearly shown on the voting machines as the Knox County Board of Elections may determine.

SECTION 2: The ballot under which the question provided for in Section 1 shall be submitted shall bear no party designation. It shall have printed or written, thereon, the name of all electors who shall have been nominated as provided in Section 3, and such directions as will aid the elector, as “Vote for no more than fifteen” and the like, and certification of the election officers upon the back of the ballot as prescribed by law.

If a majority of the electors voting on the question “Shall a commission be chosen to frame a charter?” shall vote in the affirmative the fifteen (15) electors receiving the largest number of votes for members of the commission shall constitute a commission to frame a charter.

SECTION 3: All nominations for members of the Commission shall be made by nomination papers signed by not fewer than fifty (50) of the persons eligible to vote at regular municipal elections, and the nomination papers shall be filed with the Knox County Board of Elections no later than 4:00 pm on Tuesday, September 4, 2018. In all other respects, the nominating papers shall be signed, filed and certified in the same manner as is provided by law for the signing, filing and certification of the nomination papers of candidates for municipal offices, using form 3-P as prescribed by the Ohio Secretary of State.

SECTION 4: Pursuant to law, the whole number of ballots to be printed for the election of persons to act as members of the charter commission shall be divided equally by the number of candidates for said offices, and the quotient shall be the number of ballots in each series of ballots to be printed. The names of candidates shall be arranged in alphabetical order in the first series of ballots printed, and the process shall be repeated until each name shall have been first. The ballots shall then be combined in tablets, with no two having the same order of names together.

SECTION 5: The ballots shall be printed so as to give each elector a clear opportunity to designate his or her choice of candidates. Provisions shall be made on the ballot to allow the voter to write in the name or names of any person or persons not printed on the ballot for whom he or she desires to vote, provided write-in candidates comply with any applicable law or valid Knox County Board of Elections rule or regulation.

SECTION 6: The Clerk of Council is hereby directed to certify a copy of this Ordinance within seven (7) days passage to the Knox County Board of Elections.

SECTION 7: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, a vote of two-thirds (2/3) of more of voting members concurring; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements.

SECTION 8: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and for the further reason to allow the City to place the charter commission question on the ballot at the earliest possible date and to allow candidates for the charter commission a greater length of time to gather signatures, 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.

RESULT: FIRST READING

Next: 6/25/2018 7:30 PM