

## AGREEMENT

THIS AGREEMENT (the "Agreement") is made and entered into by and between the Champaign County Board of County Commissioners (the "County") and the Village of Mechanicsburg (the "Village").

WHEREAS, the Village recognizes its responsibility under the laws of the State of Ohio and the United States of America to provide legal counsel to indigent persons charged with a violation of a village ordinance for which the penalty or any possible adjudication includes the potential loss of liberty, and;

WHEREAS, the County has created an appointed counsel system for this municipality whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and;

WHEREAS, the County Commissioners, pursuant to Ohio Revised Code §120.33 and Ohio Administrative Code §120-1-09, may by resolution enter into a contract with a village to provide effective representation of indigent persons under which the village shall reimburse the county for counsel appointed to represent indigent persons charged with a violation of an ordinance of the village, and;

WHEREAS, the County has established a schedule of fees on an hourly basis to be paid to counsel for legal services provided hereunder, and;

WHEREAS, this Agreement has been authorized by Ordinance No. 20-01 of the Village Council of the Village of Mechanicsburg passed on the 6 day of JANUARY, 2020, and by Resolution of the Champaign County Board of County Commissioners passed on February 6, 2020

NOW, THEREFORE, in consideration of the mutual promises contained herein, intending to be legally bound, the parties agree as follows:

1. The Village and County agree that the judge of the municipal court may assign, by journal entry, recorded on the Court Docket, appointed counsel to represent indigent persons in the Municipal Court on or after the commencement date and during the term of this Agreement in which the defendant is indigent and charged with the commission of a criminal offense or act which is a violation of a village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
2. Indigency shall be determined in accordance with the standards of indigency and other rules and guidelines established by the Ohio Public Defender Commission and the State Public Defender pursuant to Ohio Revised Code §120.03, §120.05 and Ohio Administrative Code §120-1-03. In addition to indigency determination,

all rules, standards and guidelines issued by the Office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.

3. A major purpose of this Agreement is to enable the Village to obtain partial reimbursement from the Ohio Public Defender Commission of attorney fees and expenses for counsel appointed in the Municipal Court for indigent persons charged with the commission of a criminal offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty. Any question regarding terms or performance of this Agreement shall be resolved in favor of obtaining this result.
4. The Village agrees to reimburse the County for that portion of the costs not reimbursed by the State of Ohio for providing counsel to indigent persons charged with the commission of an offense or act which is a violation of village ordinance and for which the penalty or any possible adjudication includes the potential loss of liberty.
5. Payment by the Village for representation of such indigent persons in the Municipal Court shall not exceed the fee schedule in effect and adopted by the Champaign County Board of County Commissioners.
6. The duration of this Agreement shall be for the term of one year commencing on January 1, 2020 and ending on December 31, 2020.
7. If either the County or the Village shall fail to fulfill, in a reasonable, timely and proper manner, its obligations under this Agreement or if either party shall substantially violate any of the covenants, Agreements, or stipulations of this Agreement, then the aggrieved party shall have the right to terminate this Agreement by giving thirty days written notice of such termination. Termination by either party shall not constitute a waiver of any other right or remedy it may have in law or in equity for breach of this Agreement by the other party.
8. This Agreement may only be amended by written agreement signed by the parties and made a part hereof.
9. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against the application for such employment because of race, color, religion, sex, age, handicap or national origin. This provision shall apply to, but not be limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The County shall insert a similar provision in any subcontract for services covered by this Agreement.
10. No personnel of the parties or member of the governing body of any locality or other public official or employee of any such locality in which, or relating to

which, the work under this Agreement is being carried out, and who exercises any functions or responsibilities in connection with the review or approval of the understanding or carrying out of and such work, shall, prior to the completion of said work, voluntarily acquire any personal interest, direct or indirect, which is incompatible or in conflict with the discharge and fulfillment of his or her functions and responsibilities with respect to the carrying out of said work.

IN WITNESS WHEREOF, the parties have hereunto set their hands this  
February 6, 2020.

BOARD OF COUNTY COMMISSIONERS  
OF CHAMPAIGN COUNTY

Witness

Andrea Millican  
Natalie Benedell

by Bob E. Corbett  
by Stacy R. Hess  
by David E. Faulkner

VILLAGE OF MECHANICSBURG, OHIO

Attest

Amel Huggins Davis  
Clerk

by Myron Lopez

APPROVED AS TO FORM:

[Signature]  
Champaign County Prosecuting Attorney

Ohio Public Defender Commission

by T. J. [Signature] 03/03/2020

ORDINANCE NO. 20-02

AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2020 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF MECHANICSBURG, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the municipality are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs.

WHEREAS, American Legal Publishing Corporation publishes a Code of Ordinances suitable for adoption by municipalities in Ohio.

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE MUNICIPALITY OF MECHANICSBURG, OHIO:

- Section 1.** American Legal Publishing's Ohio Basic Code, 2020 Edition, as reviewed and approved by the Legislative Authority, is hereby adopted and enacted. Any prior version of the Ohio Basic Code which may have been previously adopted by the municipality is hereby repealed as obsolete and is hereby replaced in its entirety by this Ohio Basic Code, 2020 Edition.
- Section 2.** One copy of American Legal Publishing's Ohio Basic Code, 2020 Edition, certified as correct by the Mayor and Clerk of the Legislative Authority, as required by Ohio Revised Code § 731.23, shall be kept in its initial form on file in the office of the Clerk of the municipality and retained as a permanent ordinance record of the municipality. The Clerk of the municipality is authorized and directed to publish a summary of all new matters contained in the Code of Ordinances as required by Ohio Revised Code § 731.23. Such summary is attached hereto and marked as "Exhibit A".
- Section 3.** All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the Ohio Basic Code, 2020 Edition, as adopted in Section 1 hereof, are hereby repealed as of the effective date of this ordinance, except as follows:
- (A) The enactment of the Ohio Basic Code, 2020 Edition, shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and codification.

(B) The repeal provided above shall not affect:

- (1) The grant or creation of a franchise, license, right, easement or privilege;
- (2) The purchase, sale, lease or transfer of property;
- (3) The appropriation or expenditure of money or promise or guarantee of payment;
- (4) The assumption of any contract or obligation;
- (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
- (6) The levy or imposition of taxes, assessments or charges;
- (7) The establishment, naming, vacating or grade level of any street or public way;
- (8) The dedication of property or plat approval;
- (9) The annexation or detachment of territory;
- (10) Any legislation enacted subsequent to the adoption of this ordinance.
- (11) Any legislation specifically superseding the provision of the Ohio Basic Code.

**Section 4.** Whenever reference is made in any documents, publications, or signs of the municipality, including but not limited to traffic tickets and traffic-control signs, to a section as it existed in a former edition of the Ohio Basic Code, the reference shall extend and apply to the section referred to as subsequently amended, revised, recodified, or renumbered.

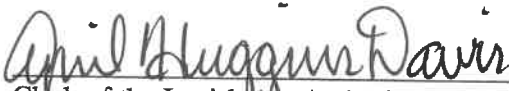
**Section 5.** This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

Date

Passed: 1-20-2020

Attest:

  
Mayor

  
Clerk of the Legislative Authority

## Exhibit A

### OHIO BASIC CODE, 2020 EDITION — SUMMARY OF CONTENTS

Notice is hereby given that on the 20 day of JANUARY, 2020, there was enacted by the Legislative Authority of the Municipality of MECHANICSBURG, Ohio, an ordinance entitled "An Ordinance Approving, Adopting and Enacting American Legal Publishing's Ohio Basic Code, 2020 Edition, as the Code of Ordinances for the Municipality of \_\_\_\_\_, Ohio."

A summary of the subjects, including all new matters contained in the Code of Ordinances, as adopted, are as follows. The majority of Basic Code provisions are based directly on state law.

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10.06	Conflicting provisions
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10.10	Ordinances repealed
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30.09	Records Commission
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- 31.018 Protest against excess of expenditures
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## TITLE V: PUBLIC WORKS

[Reserved]

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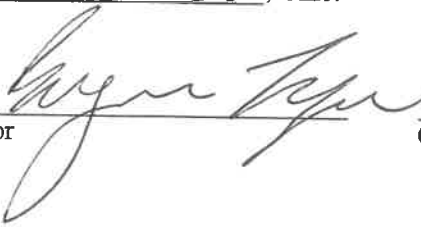
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This summary of contents has been verified and authorized for publication by the Legislative Authority of the Municipality of MECHANICSVILLE, Ohio.

Signed:

Mayor

  
Clerk of the Legislative Authority

  
Clerk of the Legislative Authority

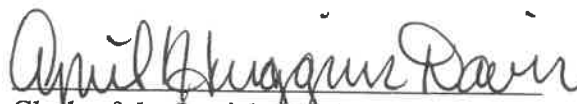




### CERTIFICATION OF CODIFIED ORDINANCES

We, BEN LAYNE, Mayor, and APRIL HUGGINS DAVIS, Clerk of the Legislative Authority, of the Municipality of MECHANICSBURG, Ohio, pursuant to Ohio Revised Code §§ 731.23 and 731.42, hereby certify that the general and permanent ordinances of the Municipality, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes and titles are correct as and constitute the Code of Ordinances for the Municipality of MECHANICSBURG, Ohio.

  
Mayor

  
Clerk of the Legislative Authority



**ORDINANCE NO. 20- 03**

**CHANGES TO THE ZONING MAP AND ZONING ORDINANCE OF  
THE VILLAGE OF MECHANICSBURG**

Whereas the Village Council Village of Mechanicsburg previously passed Ordinance 19-04, to change the zoning classification of specified parcels, in order to align the zoning map with actual long-standing but non-conforming use of said parcels; and

Whereas the Planning Commission of the Village of Mechanicsburg has identified two additional parcels which were inadvertently omitted from the previous list identified in Ordinance 19-04; and

Whereas the Planning Commission of the Village of Mechanicsburg has also recommended that two additional Definitions be added to Section 13 Of the Zoning Ordinance of the Village of Mechanicsburg, relating to the definition of "Storage Facilities" and "Storage Facilities- Personal", as shown in Exhibit 2:

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section I: The Zoning designation of the specified parcels shall be changed as shown in exhibit I.

Section II: The definition of **Storage Facility** shall be modified, and the definition of **Storage Facility – Personal** shall be established, and such storage buildings shall be allowed in M1 and M2 zoned areas and be a conditional use in areas zoned B2. as shown in exhibit II.

Section III: The above changes shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance and shall go into effect thirty (30) days after passage.

Section III: Following passage of this Ordinance, the specified zoning changes shall be entered upon the Official Zoning Map as required by Section 320 of the Zoning Ordinance of Mechanicsburg.

This Ordinance was passed at a regular meeting held APRIL 6, 2020, 2020 after three readings and a public hearing held on Monday APRIL 6, 2020, 2020.

First Reading: FEB 17, 2020

Second Reading: MARCH 7, 2020

Third Reading: MARCH 16, 2020

Vote: 6 yes 0 no \_\_\_ abstain

Date: APRIL 6, 2020

  
Benjamin Layne, Mayor

  
Charles E. Foss, President of Council

  
April Huggins-Davis, Clerk of Council

Summary Published : JUNE 23, 2020 and JUNE 30, 2020

**EXHIBIT I**

**CHANGES TO THE ZONING CODE OF THE VILLAGE OF MECHANICSBURG**

**New Zoning Ordinance Section 352**

A). The Zoning designation of the following parcel shall be changed from the current M-1 to B-3:

C072100011903900    [paved library parking lot]

B). The Zoning designation of the following parcel shall be changed from the current M-1 to R-2.    :

C072100011904101    [grassy lot ]

C). The above list constitutes a complete list of the zoning changes contained within this Section.

## **EXHIBIT 2:**

The following Definitions shall be added to Section 13 Of the Zoning Ordinance of the Village of Mechanicsburg,

**A, Storage Facility:** a building used by a business primarily for the holding of goods and merchandise.

The above definition shall replace the current definition of “Storage Facility” which currently is : A structure which is partially or fully enclosed in which animals, chattels, or property are stored or kept.

**B. Storage Facility – Personal:** A building or group of buildings in a controlled access compound that contains equal or varying sizes of individual compartmentalized and controlled access stalls or lockers which are leased or owned for the storage of residential customers’ goods or wares.

**C. Buildings meeting the definition of Storage Facility and Storage Facility – Personal** shall be Permitted Uses allowed in M1 and M2 zoned areas and shall be a conditional use in areas zoned B2. (Modification to Page 10 of Section 4 of the Zoning Ordinance of the Village of Mechanicsburg)

**ORDINANCE NO. 20-04**

**ORDINANCE DETERMINING THE PAY RATES FOR ALL EMPLOYEES OF  
THE VILLAGE OF MECHANICSBURG**

**WHEREAS**, the Village of Mechanicsburg employs salaried, full-time, and part-time hourly employees as well as volunteers.

**WHEREAS**, the pay ranges for the various employees for the employees are located in several different ordinances, passed during a period of several years, and all are in need of updating and revision, and said ordinances should therefore be repealed;

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE OF MECHANICSBURG, OHIO,  
THAT THE FOLLOWING PAY SCHEDULE IS ESTABLISHED::

**SECTION 1: Employee Classifications:**

1. Regular Fulltime Employees 40hrs: Work a minimum of 40 hours per week (2080 Annually) in an ongoing function and are eligible to receive applicable employment benefits.
2. Permanent Part time Employees: These employees generally are scheduled for 30-40 hours per week, but no more than 1820 hours annually and at least 1040 hours per calendar year in an ongoing function.
3. Part-time Seasonal: These employees work 40 hours per week and a maximum of 19 weeks per year.
4. Part-time Annual: These employees generally are scheduled for 20-40 hours a week but no more than 1039 hours annually. The annual Pt. employee may have gaps between scheduled hours.

**SECTION 2: Maintenance Department Employees**

1. The rate of pay for **Utility Maintenance employees** shall be from minimum wage to \$20.00 per hour. This position shall be either part-time or full-time.
2. The rate of pay for **Equipment Operator** shall be \$30 - \$35 per hour. This position shall be a part-time, annual position.
3. The rate of pay for a **Licensed Water Operator** shall be \$18.00-\$28.00 per hour. This position shall be either part-time or full-time.
4. The rate of pay for a **Licensed Wastewater Operator** shall be \$18.00-\$28.00 per hour. This position shall be either part-time or full-time.

**SECTION 3: Police Department Employees**

1. The rate of pay for a **Captain** shall range from \$26.00 to \$28.00 per hour or \$54,080 to \$58,240.

2. The rate of pay for a **Lieutenant** shall range from \$24.00 to \$26.00 per hour or \$49,920 to \$54,080 annually.
3. The rate of pay for a **Sergeant** shall range from \$20.00 to \$22.00 per hour or \$41,600 to \$45,760 annually.
4. The rate of pay for a **Part-time Sergeant** shall range from \$16.00 to \$18.00 per hour or \$33,280 to \$37,440 annually.
5. The rate of pay for a **Patrolman** shall range from \$18.00 to \$20.00 per hour or \$37,440 to \$41,600 annually.
6. The rate of pay for a **Part-time Patrolman** shall range from \$14.00 to \$16.00 per hour or \$29,120 to \$33,280 annually.
7. The rate of pay for an **auxiliary Patrolman** shall be \$1.00 annually, payable December 31 of each year.
8. **Raise at close of probationary period:** Newly hired patrolmen shall be required to complete a six (6) month probationary period. Upon successful completion of the probationary period, a patrolman shall receive a \$.50 per hour increase in hourly rate of pay.

#### **SECTION 4: Fire and Emergency Medical Services Department Employees**

##### **1. Fire and EMS Officers.**

- a. The rate of pay for a Volunteer **Fire Chief** shall be \$3,000-\$5000.00 per year, payable annually in December, following one full calendar year of service.
- b. The rate of pay for a Volunteer **Assistant Fire Chief/EMS Chief** shall be \$2,000-\$4000.00 per year, payable annually in December, following one full calendar year of service.
- c. The rate of pay for a **Captain** shall be \$350 annually, in addition to run pay.
- d. The rate of pay for a **Lieutenant** shall be \$200 annually, in addition to run pay.

##### **2. Volunteer Fire Personnel.**

- a. The rate of pay for **volunteer fire personnel** shall be \$11.00 per fire run and for each training session or meeting initiated by the fire chief. Payment for attending training sessions and meeting shall not exceed \$22.00 per month for each volunteer. Payments of \$11.00 for each fire run are subject to limitation.

##### **3. Part-Time EMS Employees.**

- a. Part-time EMS employees may be paid in one of two arrangements:
  - i. On-call from home: EMS employees may be on-call from their home if they: reside in the Village, remain in the Village for the entire length of their shift, and can provide a maximum 5 minute response time. On-call pay shall be \$50 per shift, plus the employee 's normal hourly rate (from item (3)(b) below) for time actually spent on EMS



runs with a minimum of 2 hours pay for the first call, when one or more calls occur within a 2-hour time frame.

- ii. On-call at the station: EMS employees who remain on-call at the Village Fire/EMS station will be paid the employee's normal hourly rate (from item (b) below), subject to the hours limitations provided in (3) (b) below.

**b. Hourly rates for part-time EMS:**

- i. **Certified Emergency Medical Technician Basic (EMT-B)** rate of pay shall range from \$9.00 to \$16.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.
- ii. **Certified Emergency Medical Technician Intermediate (EMT-1)** rate of pay shall range from \$9.00 to \$16.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.
- iii. **Certified Emergency Technician Paramedics (EMT-P)** rate of pay shall range from \$9.00 to \$16.00 per hour, not to exceed 24 hours per week or 1,500 hours per year.

**Tiered structure** - Hourly pay rates for Part-Time EMS employees will be based on a tiered rate system, with at least a \$0.50 differential between each EMT level.

**5. Volunteer EMS Employees.**

- The rate of pay for a **Lieutenant** shall be \$200 annually.
- The rate of pay for **volunteer EMS personnel** shall be \$11.00 per EMS run and for each training session or meeting initiated by the fire chief. Payment for attending training sessions and meeting shall not exceed \$22.00 per month for each volunteer. Payments of \$11.00 for each EMS run are subject to limitation.

**SECTION 4: Fiscal/Billing/Clerical/Mayor's Court Employees**

1. **Clerical Staff** members shall be paid at a rate from minimum wage to \$20.00 per hour. This shall be either a part-time or full-time position.

**SECTION 5: Exempt Employees**

1. The rate of pay for the **Village Administrator** shall be \$30,000 to \$60,000 annually. This is a full-time position.
2. The rate of pay for the **Police Chief** shall be \$35,000 to \$60,000 annually. This is a full-time position.
3. The rate of pay for the **Fiscal Officer** shall be \$10,000 to \$30,000 annually. This is a part-time or full-time position.
4. The rate of pay for a **Licensed Water/Wastewater Operator Superintendent** shall be \$40,000 to \$85,000 annually. This is a full-time position.

**SECTION 6: Restriction on Volunteer Duties:** No full-time or part-time Village employees may volunteer for the Village in any capacity.

**SECTION 7: Prior/Payroll Ordinances and Resolutions**

This ordinance shall supersede and therefore repeal all prior payroll ordinances or resolutions for all departments whose rates have been established herein, including , but not limited to: 00-13, 01-03, 01-07, 05-06, 08-08, 08-09, 11-05, 13-05, 17-03, 19-07. Any future changes in employees' hourly pay ranges shall be approved by Council before implementation.

**SECTION 8:** This Ordinance shall take effect and be in full force from and upon its passage by council and approval by the mayor.

**EFFECTIVE DATE:** This Ordinance shall take effect the earliest period allowed by law.

This Ordinance was passed at a regular meeting held August 3, 2020 after three readings. .

**First Reading:** July 6, 2020


**Second Reading:** July 20, 2020

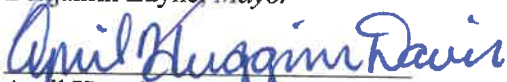
**Third Reading:** Aug 3, 2020

**Vote:** 6 yes \_\_\_\_ no \_\_\_\_ abstain

**Date Adopted:** Aug 3, 2020

  
Benjamin Layne, Mayor

  
Charles E. Foss, President of Council

  
April Huggins-Davis, Clerk of Council

Summary Published : Aug 11, 2020 and Aug 25, 2020

**ORDINANCE NO. 20-15**

**ORDINANCE AUTHORIZING AN AGENCY AGREEMENT WITH  
THE COMMUNITY IMPROVEMENT CORPORATION OF  
CHAMPAIGN COUNTY TO CONVEY TO HABITAT FOR  
HUMANITY PROPERTY AT 141 E. RACE STREET FOR HOME  
CONSTRUCTION**

WHEREAS, pursuant to Mechanicsburg Resolution No. 17-07, dated June 5, 2017, and as authorized by Ohio Revised Code Chapter 1724, the Village of Mechanicsburg, Ohio (the "Village") located in Champaign County, Ohio has designated the Community Improvement Corporation of Champaign County, Ohio aka the Champaign Economic Partnership (the "CEP") as its agent for industrial, commercial, distribution and research development within the Village and to manage abandoned land for the Village when further specifically authorized in an agreement relating to specific parcels of land as signed by representatives for both the Village and CEP; and

WHEREAS, the Village owns a parcel of land with address of 141 E. Race Street, Mechanicsburg, Ohio, which is identified as Permanent Parcel Number C07-21-00-01-15-014-00 (the "Property"); and

WHEREAS, the Village has determined that the Property constitutes surplus property and is no longer needed for public purposes; and

WHEREAS, the CEP is willing to act as the Village's agent in conveying the Property ("hereinafter, the "Development Project"), pursuant to Section 1724.10(B)(2) of the Ohio Revised Code and to an Economic Development Agency Agreement (the "Agency Agreement") to be executed contemporaneously hereto, in order to promote the health, safety, morals, and general welfare of the Village's inhabitants by providing development in the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT:

Article 1: The Council of the Village of Mechanicsburg (the "Council") hereby authorizes and directs the CEP to act as its agent for the Village regarding the Development Project, pursuant to the Agency Agreement.

Article 2. The Council hereby determines that the Property is surplus and is no longer needed and that the Property may be sold for the price of one dollar (\$1.00) to Habitat for Humanity of Champaign County, Ohio, pursuant to the terms of the Agency Agreement.

Article 3. The Council hereby approves the Agency Agreement as attached hereto as Exhibit A.

Article 4. Sale of the Property, for purpose of construction of a home, will promote the welfare of the people of the Village, stabilize the economy, provide employment, and assist in the development of industrial, commercial, distribution, and research activities to the benefit of the people of the political subdivision and provide additional opportunities for their gainful employment.


Article 5. The Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council, and 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 applicable legal requirements, including Section 121.22 of the Revised Code.

Vote Regarding Passage of Resolution: Vote: 5 yea 1 nay 1 abstain

Date: 11-16-2020

  
April Huggins-Davis, Clerk of Council

  
Ben Layne, Mayor

  
Charles E. Foss, President of Council

**Exhibit A**

**ECONOMIC DEVELOPMENT AGENCY AGREEMENT BETWEEN THE  
COMMUNITY IMPROVEMENT CORPORATION OF CHAMPAIGN COUNTY AND  
THE VILLAGE OF MECHANICSBURG REGARDING SALE AND DEVELOPMENT  
OF LAND**

WHEREAS, the Village of Mechanicsburg ("Village") desires to promote business and job growth and finds that such business and job growth is a public purpose which will increase tax revenue and promote the general welfare of the residents of the Village, and;

WHEREAS, the Village also desires to further the development of industrial, commercial, distribution, and research development uses, as well as development of vacant land through the sale of Village land determined not to be required for Village purposes, and;

WHEREAS, the Community Improvement Corporation of Champaign County, Ohio aka the Champaign Economic Partnership (the "CEP") is a nonprofit corporation formed and organized under R.C. Chapter 1724 to advance, encourage, and promote the industrial, economic, commercial, and civic development of Champaign County;

WHEREAS, by way of Resolution No. 17-7 dated June 5, 2017 and pursuant to R. C. Section 1724.10(A), the Village has designated the CEP as its agent for industrial, commercial, distribution and research development within the Village and to manage abandoned land for the Village when further specifically authorized in an agreement relating to specific parcels of land as signed by representatives for both the Village and CEP; and

WHEREAS, under R.C. Section 1724.10(B)(2), such designation provides the Village with the statutory authority to enter into agreements with the CEP to authorize it to sell or lease any real property owned by the Village and determined not to be required for the Village's purposes;

WHEREAS, the Village owns a parcel of land with address of 141 E. Race Street, Mechanicsburg, Ohio, which is identified as Permanent Parcel Number C07-21-00-01-15-014-00 (the "Property");

WHEREAS, pursuant to Ordinance No.20- 05 dated October 19, 2020, the Village has determined that the Properties constitute surplus property and are no longer needed for public purposes, and

WHEREAS, the Village desires that CEP act as the Village's agent in facilitating the sale and development of the Property pursuant to the terms of this Economic Development Agency Agreement (the "Agency Agreement").

NOW THEREFORE, IT IS AGREED, by and between the Village and the CEP as follows:

Section 1 – Services of CEP. CEP agrees to do the following in relation to the Properties:

- (A) Facilitate the sale to Habitat for Humanity of Champaign County, Ohio for the price of one dollar (\$1.00), with buyer to pay all closing and recording costs.

Section 2-CEP Administrative Fee. CEP shall receive from the Village an administrative fee of three percent (3%) of the price at which the Property is sold to a third party.

Section 3-Execution of Development Agreement and Sale Agreements on Behalf of the Village. Pursuant to R.C. 1724.10(B)(2), the CEP, acting through its officers and on behalf and as agent of the Village, shall execute the Sale Agreement and necessary instruments, including deeds conveying the title of the Properties, to accomplish the sale and development of the Property. Such conveyance shall be made without advertising and receipt of bids.

Section 4-Recording of this Agreement. A copy of this Agreement shall be recorded in the office of the County Recorder of Champaign County, Ohio, prior to the recording of a deed executed pursuant to this Agreement.

Section 5 – Term and Amendment. The term of this Agreement shall commence on the date of its making and shall continue in effect until the earlier of either: a) the sale of the Property, or b) one (1) year. The Parties may extend the term of the Agreement or modify its terms by written agreement of the Parties.

THIS AGREEMENT ENTERED INTO THIS DAY THE \_\_\_\_\_ day of \_\_\_\_\_, 2020.

COMMUNITY IMPROVEMENT CORPORATION OF CHAMPAIGN COUNTY

By: \_\_\_\_\_  
Marcia Bailey, Executive Director

VILLAGE OF MECHANICSBURG

By: \_\_\_\_\_

Ben Layne, Mayor

Approved by Ordinance 20- 05 on this 16 day of NOVEMBER, 20 20.

April Huggins-Davis  
April Huggins-Davis, Clerk of Council

Approved as to Form: \_\_\_\_\_

Joseph V. Jimenez, Village Solicitor

FISCAL OFFICER'S CERTIFICATION

The undersigned, fiscal officer of the Village of Mechanicsburg, Ohio hereby certifies in connection with the Economic Development Agency Agreement between the CEP and the Village, that:

The amount required to meet the contract, obligation, or expenditure for the attached Agreement during the current fiscal year, has been lawfully appropriated for that purpose, and is in the treasury or in process of collection to the credit of the General Fund, free from any outstanding obligation or encumbrance.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of NOVEMBER, 2020.

VILLAGE OF MECHANICSBURG, OHIO

By: \_\_\_\_\_

Fiscal Officer

**ORDINANCE 20- 06**

**ORDINANCE TO VACATE PORTION OF UNIMPROVED ALLEY  
BETWEEN 93 LYNN ST. AND 95 LYNN ST.**

Whereas, it appears beneficial to vacate a portion of the unimproved alley between 93 Lynn Street and 95 Lynn Street (also known as parcels C072100011202700 and C072100011202800), and

WHEREAS publication notice of such action is not required because all abutting owners have consented, per ORC 723.06, and

Whereas, there is no current or foreseen need for said portion of alley; and

Whereas, Council is satisfied that there is good cause for such vacation, that such vacation will not be detrimental to the general interest, and such vacation ought to be made;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF  
MECHANICSBURG, STATE OF OHIO:**

Section 1. That the portion of the unimproved alley between 93 Lynn Street and 95 Lynn Street (also known as parcels C072100011202700 and C072100011202800), is hereby vacated.

Section 2. That the Village Clerk is hereby directed to cause this vacation ordinance with attached plat to be recorded in the office of the Recorder of Campaign County, Ohio.


Section 3. That this Ordinance be and remain in force from and after the earliest period allowed by law.

Date of First Reading: 10-19-2020  
Date of First Second Reading: 11-2-2020  
Date of First Third Reading: 11-16-2020

Vote: 5 yea 1 nay 1 abstain

Date: 11-16-2020

  
Ben Layne, Mayor

  
Charles E. Foss, Council President

  
April Huggins-Davis, Clerk of Council



**ORDINANCE NO. 20 - 07**

**CHANGES TO THE ZONING MAP AND ZONING ORDINANCE OF  
THE VILLAGE OF MECHANICSBURG**

Whereas the Alan and Shawn Wolfe, property owners of parcel C07-21-00-01-20-066-00 have petitioned the Mechanicsburg Village Council to change the zoning classification of said parcel from R1 to B2, to allow their conditional use as storage facilities (which also requires application to the Board of Zoning Appeals); and

Whereas Helen Blakeman, owner of adjacent property parcel C07-21-00-01-20-069-00 would also benefit from a similar change from R1 to B2; and

Whereas the Planning Commission of the Village of Mechanicsburg has reviewed and approved both contemplated zoning changes;

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, IN CHAMPAIGN COUNTY, IN THE STATE OF OHIO, THAT

Section I: The Zoning designation of parcels C07-21-00-01-20-066-00 and parcel C07-21-00-01-20-069-00 shall be changed from R1 to B2.

Section III: The above changes shall be adopted and incorporated into the existing Mechanicsburg Village Zoning Ordinance and shall go into effect thirty (30) days after passage.

Section III: Following passage of this Ordinance, the specified zoning changes shall be entered upon the Official Zoning Map as required by Section 320 of the Zoning Ordinance of Mechanicsburg.

This Ordinance was passed at a regular meeting held DECEMBER 7, 2020 after three readings and a public hearing held on Monday December 7, 2020.

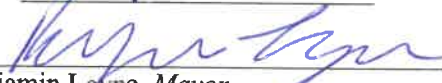
First Reading: 10-19-2020

Second Reading: 11-2-2020

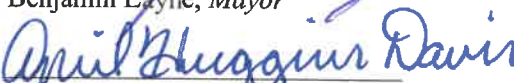
Third Reading: 11-16-2020

Vote: 6 yes \_\_\_ no \_\_\_ abstain

Date: 12-7-2020

  
Benjamin Layne, Mayor

  
Charles E. Foss, President of Council

  
April Huggins-Davis, Clerk of Council

Summary Published : 12-10-2020, 2020 and 12-17-2020, 2020

**ORDINANCE 20 - 08**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN LANDS OWNED BY THE VILLAGE TO THE BOARD OF TRUSTEES OF GOSHEN TOWNSHIP AND DECLARING AN EMERGENCY.**

WHEREAS, the Board of the Maple Grove Cemetery, being a union cemetery, has indicated that it wishes to disband and to transfer all funds and property it holds to the underlying public entities,

WHEREAS, the village does not wish to maintain Maple Grove Cemetery as a village cemetery but to transfer the cemetery property to the Board of Trustees of Goshen Township pursuant to R.C. 759.19, who has agreed to accept the transfer and control and maintain Maple Grove Cemetery, and

WHEREAS, the village is aware that Goshen Township has passed a levy to establish a fund for the maintenance and operation of Maple Grove Cemetery going forward,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, OHIO:

SECTION 1. That all property in the name of the village and used or intended for use as lands of Maple Grove Cemetery shall be transferred to the Board of Trustees of Goshen Township, without cost except for county transfer and recording fees, if applicable.

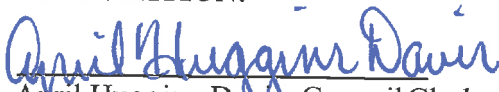
SECTION 2. The Solicitor of the village is hereby authorized to prepare a deed proper for the transfer of the described lands, including the proper legal description, and the Mayor and Fiscal Officer are authorized to execute all necessary documents to transfer said premises in accordance with the law.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare, the particular necessity being the immediate need to provide an active burial cemetery for the residents. Therefore, this Ordinance shall go into immediate effect upon passage.

Date of Emergency reading: Dec 7, 2020

Passed this 7 day of December, 2020

**ATTESTATION:**

  
April Huggins-Davis, Council Clerk

  
Benjamin Layne, Mayor

  
Daniel Eck, Fiscal Officer

Publication Date #1 (Title only) DECEMBER 10, 2020

Publication Date #2 ((Title only) DECEMBER 17, 2020