

BILL #17-141

RESOLUTION # \_\_\_\_\_

BY: MR. VAN HARLINGEN

Authorizing the Director of Finance to make transfers, among the City's appropriated funds by classification within departments and sub departments, necessary to balance accounts for proper accounting purposes at year-end (as of December 31, 2017), and declaring an emergency.

**WHEREAS**, this Council has heretofore made appropriations by Ordinance and transfers by Resolution relating to expenses and expenditures of the City for the year 2017 based upon financial information available during the course of the year, and

**WHEREAS**, the City's year-end budgeting is being monitored by the Director of Finance as chief fiscal officer of the City, and said Director has indicated that some transfers of monies will be necessary to balance accounts for year-end.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Director of Finance be, and she is hereby, authorized to make such transfers, among the City's appropriated funds by classification, excluding Personal Services, and Employee Benefits except to transfer only between these, within departments and sub departments, in order to balance accounts for proper accounting as of December 31, 2017, provided that said Director shall furnish this Council with appropriate documentation to support each transfer made under this authorization.

SECTION 2. That by reason of the immediate necessity for authorizing the Finance Director to begin making the transfer described above in anticipation of year-end accounting procedures, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 1 August 2017  
1<sup>st</sup> Reading 15 August 2017  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 15 August 2017

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio

BY: MR. BRYANT

Appointing Chauncey Bragg to fill a vacant position on the Police Review and Community-Police Relations Commission, and declaring an emergency.

**WHEREAS**, there is now an impending vacancy in the 2<sup>nd</sup> Ward position, and

**WHEREAS**, Mr. Bragg, who previously served the 6<sup>th</sup> Ward, has moved and wishes to continue his role on the commission.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That pursuant to Section 175.01 of the Mansfield Codified Ordinances, this Council does hereby appoint the following citizens to the Police Review and Community-Police Relations Commission as indicated:

<u>WARD</u>	<u>INDIVIDUAL</u>	<u>TERM EXPIRATION</u>
2 <sup>nd</sup>	Chauncey Bragg	9/1/17-4/6/18

SECTION 2. That in order to maintain the current status of the Commission in effect at the earliest possible time, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>15 August 2017</u>
2 <sup>nd</sup> Reading	<u></u>
PASSED	<u>15 August 2017</u>

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio



BY: MR. MEARS

Authorizing payment of the claim of Kimberly A. Schamerloh 330 Fern Avenue Mansfield Ohio, 44903 and declaring an emergency.

**WHEREAS**, upon investigation by City employees and others and discussions and negotiations with the claimant, the Claims Committee of City Council has recommended partial payment of the claimed loss upon the terms hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

**SECTION 1.** That the Finance Director be, and she is hereby, authorized to draw her warrant on Fund Account 101-006-651.30-07 (Claims) in favor of Kimberly A. Schamerloh in the sum of Six Hundred Dollars (\$600.00) which shall constitute a full and complete satisfaction for any and all claims and damages which said Kimberly A. Schamerloh and her heirs, administrators, executors, successors and assigns ever had, now have or may hereafter have against the City of Mansfield for the damage to her door relating to a search warrant on or about March 29, 2017.

**SECTION 2.** That receipt of such draft of the City shall be conditioned upon execution of a full release from liability from any and all claims and damage which the claimant, her heirs, administrators, executors, successors and assigns ever had, now have, or may hereafter have against the City of Mansfield for damage, injury or loss to person or property caused as indicated in Section 1 above.

**SECTION 3.** That a copy of this Ordinance shall be served upon the claimant at the time of the delivery of said warrant.

**SECTION 4.** That by reason of the immediate need to expedite payment in order to complete settlement of this claim, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>		
1 <sup>st</sup> Reading	<u>15 August 2017</u>		
2 <sup>nd</sup> Reading	_____		
PASSED	<u>15 August 2017</u>	SIGNED	<u>/s/ Phillip E. Scott</u> President of Council
ATTEST	<u>/s/ Amy L. Yockey</u> Clerk of Council	APPROVED	<u>/s/ Timothy L. Theaker</u> Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio





BILL #17-146

ORDINANCE # \_\_\_\_\_

BY: MR. VAN HARLINGEN

Designating 46 Park Avenue West as a historic listed property upon the recommendation of the Historic Preservation Commission and the Mansfield City Planning Commission due to its interest or value as part of the heritage of the City.

**WHEREAS**, in considering the designating of any area, place, site, building, structure, object or work of art in the City as Historic District or listed property, the Historic Preservation Commission, the Planning Commission and Council have recognized this property due to its interest or value as part of the heritage of the City, and

**WHEREAS**, this Council having ensured the procedures of Mansfield Codified Ordinance § 1171.05 have been complied with now wish to formally designate the subject property as a listed property.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That this Council does hereby designate 46 Park Avenue West as a listed property upon the recommendation of the Historic Preservation Commission and the Mansfield City Planning Commission due to its interest or value as part of the heritage of the City.

SECTION 2. That this measure shall take effect and be in force after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>15 August 2017</u>
2 <sup>nd</sup> Reading	<u>15 August 2017</u>
PASSED	<u>15 August 2017</u>

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio

BY: MR. VAN HARLINGEN

Authorizing payment to North End Community Improvement Collaborative, Inc. in the amount of Ten Thousand Dollars (\$10,000) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

**WHEREAS**, the Community Development Department, entered into a contract with North End Community Improvement Collaborative, Inc. for the rehabilitation of 557 Woodland Avenue prior to submission of a purchase order therefor to the Finance Department in the amount of Ten Thousand Dollars (\$10,000), and

**WHEREAS**, R.C. 5705.41(D)(1) provides that the payment of Three Thousand Dollars or more on a contract or order made by a municipality without a certificate of available funds being attached at such time must be authorized by the legislative authority after the fiscal officer subsequently certifies that the funds were available at the time the contract or order was made and that such funds are still available.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

**SECTION 1.** That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by the Community Development Department for the rehabilitation of 557 Woodland Avenue before prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to North End Community Improvement Collaborative, Inc. in the amount of Ten Thousand Dollars (\$10,000) from funds heretofore appropriated in the Community Development Fund (#207).

**SECTION 2.** That reason of the immediate need to authorize payment of this obligation within thirty days after receipt of the certificate of the Finance Director per R.C. 5705.41(D)(1), this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately after its passage, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 15 August 2017  
1<sup>st</sup> Reading 15 August 2017  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 15 August 2017

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio



BILL #17-148

ORDINANCE # \_\_\_\_\_

BY: MR. VAN HARLINGEN

Authorizing the Safety-Service Director to accept and appropriate donations from an anonymous donor in the amount of Seven Thousand Dollars (\$7,000) to be used for canines, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to accept the following funds in the aggregate amount of Seven Thousand Dollars (\$7,000), for which the City expresses its sincere appreciation for the following anonymous donation:

SECTION 2. That the Sum of Seven Thousand Dollars (\$7,000) be, and the same is hereby, appropriated from the unappropriated K-9 Donation Fund (#232) to the Police Operations (232.15.01) Capital Outlay Classification.

SECTION 3. That being an appropriation necessary for current expenses, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>15 August 2017</u>
2 <sup>nd</sup> Reading	_____
PASSED	<u>15 August 2017</u>

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio

BILL #17-149

ORDINANCE # \_\_\_\_\_

BY: MR. ROCK

Authorizing the Safety-Service Director to accept a Grant from the Richland County Foundation in the aggregate amount of Fifteen Thousand Dollars (\$15,000) for a new bridge at Deer Park, and declaring an emergency.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to accept a Grant in the aggregate amount of Fifteen Thousand Dollars (\$15,000) from the Richland County Foundation to be used for the purpose of a new bridge at Deer Park, and the City expresses its sincere appreciation to said donors as well as the Robert E. Fisher Fund.

SECTION 2. That the sum of Fifteen Thousand Dollars (\$15,000) be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the Parks and Recreation, Grants (224.18.30) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity to accept the Grant and to begin replacement of a new bridge at Deer Park, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>15 August 2017</u>
2 <sup>nd</sup> Reading	<u></u>
PASSED	<u>15 August 2017</u>

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio

BILL #17-150

ORDINANCE # \_\_\_\_\_

BY: MR. VAN HARLINGEN

Appropriating the sum of Fifty Thousand Dollars (\$50,000) from the unappropriated Parks and Recreation Fund (#236), to be used for additional funds which will be available for capital outlay, contractual services and supplies for the remainder of 2017, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Sum of Fifty Thousand Dollars (\$50,000) be, and the same is hereby, appropriated from the unappropriated balance in the Parks and Recreation Fund (#236) to the Parks and Recreation Operations (236.18.01) in the following amounts and classifications:

Capital Outlay	\$10,000.00
Contractual Services	\$25,000.00
Supplies and Materials	\$15,000.00
Total	\$50,000.00

SECTION 2. That being an appropriation necessary for current expenses, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

Caucus            15 August 2017  
1<sup>st</sup> Reading      15 August 2017  
2<sup>nd</sup> Reading      \_\_\_\_\_  
PASSED           15 August 2017

SIGNED /s/ Phillip E. Scott  
President

ATTEST          /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM:    John R. Spon  
Law Director  
City of Mansfield, Ohio

BY: MR. VAN HARLINGEN

Authorizing the Safety-Service Director to advertise for bids and to enter into contracts for certain yearly needs of the City, and declaring an emergency.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to advertise for bids and enter into contracts, according to law and according to plans and specifications as now on file in the office of the City Engineer, with the lowest and best bidders for the furnishing of the City's yearly needs of supplies, material, miscellaneous equipment, and spare parts, to be paid from the proper funds.

SECTION 2. That by reason of the immediate need to bid and contract for supplies, etc. required for use after January 1, 2018, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 15 August 2017  
1<sup>st</sup> Reading 15 August 2017  
2<sup>nd</sup> Reading 15 August 2017  
PASSED 15 August 2017

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio

\* Publication required.

BY: MR. VAN HARLINGEN

Authorizing an agreement with Buckeye Energy Brokers and the selected supplier and adopting the City of Mansfield Electric Aggregation Program Plan of Operation and Governance pursuant to Section 4926.20, Ohio Revised Code, and declaring an emergency.

**WHEREAS**, pursuant to Ohio Revised Code (ORC) Section 4926.20, a City council may aggregate customers within their jurisdiction in order to secure lower cost electric services within the city through the collective purchasing of electric services; and

**WHEREAS**, this Council seeks to continue a governmental aggregation program with opt-out provisions, according to law, for the residents, businesses and other electric consumers in the city who receive commodity sales service and distribution service from Ohio Edison; and

**WHEREAS**, this Council seeks to adopt an Electric Aggregation Program Plan of Operations and Governance, attached hereto and incorporated herein as if fully reappearing pursuant to Section 4926.20, Ohio Revised Code, for the residents, businesses, and other electric consumers in the City, as permitted by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. This Council finds and determines that it is in the best interest of the City, its residents, businesses and other electric consumers located within the City boundaries and who receive commodity sales service and distribution service from Ohio Edison to continue an opt-out Aggregation Program in accordance with law in the State of Ohio.

SECTION 2. That the Mayor is hereby authorized to enter into an agreement with Buckeye Energy Brokers, Inc.

SECTION 3. This Council finds and determines that it is in the best interest of the city, its residents, businesses and other electric consumers located within the boundaries of the city to adopt an Electric Aggregation Program Plan of Operations and Governance attached hereto and incorporated herein as if fully reappearing, pursuant to Section 4926.20, Ohio Revised Code.

SECTION 4. In order to enter into an agreement and adopt a program at the earliest possible time, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>5 September 2017</u>
2 <sup>nd</sup> Reading	<u>                                </u>
PASSED	<u>5 September 2017</u>

SIGNED /s/ Phillip E. Scott  
President of Council

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director

BILL 17-153

ORDINANCE # \_\_\_\_\_

BY: MR. BRYANT

Authorizing the Safety-Service Director to enter into a software maintenance agreement with SunGard Public Sector Inc., and declaring an emergency.

**WHEREAS**, the City has entered into a software license agreement with SunGard Public Sector, and requirement of which is a maintenance agreement, and

**WHEREAS**, SunGard OSSI is a software suite that consists of CAD (Computer Aided Dispatch), RMS (Records Management System), AVL (Automatic vehicle location), MCT (Mobile Computer Terminal), and others, and

**WHEREAS**, the software suite allows our public safety personnel to effectively and safely perform their duties, and

**WHEREAS**, this is an annual renewal of the said software maintenance agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to enter into a software maintenance agreement with SunGard Public Sector Inc., now on file with the I.T. Department, for an amount not to exceed Seventy-eight Thousand Nine Hundred Twenty-three and 28/100 Dollars (\$78,923.28).

SECTION 2. That by reason of the immediate necessity to renew the maintenance agreement for essential City software, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>15 August 2017</u>
1 <sup>st</sup> Reading	<u>15 August 2017</u>
2 <sup>nd</sup> Reading	_____
PASSED	<u>15 August 2017</u>

SIGNED /s/ Phillip E. Scott  
President

ATTEST /s/ Amy L. Yockey  
Clerk of Council

APPROVED /s/ Timothy L. Theaker  
Mayor

APPROVED AS TO FORM: John R. Spon  
Law Director  
City of Mansfield, Ohio