

22-137

BILL #22-135

RESOLUTION # _____

BY: ALL MEMBERS OF COUNCIL

Honoring Finance Clerk Randicheri (Randi) Allen upon her retirement from the City of Mansfield Finance Department.

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

SECTION 1. That this Council, on behalf of the government and the citizens of the Mansfield community, is privileged to honor and pay tribute to Randicheri (Randi) Allen upon her retirement, effective August 3, 2022 after 25 years of service with the City of Mansfield.

Randi began her career with the Mansfield Police Department as a Corrections Officer on April 7, 1997. She excelled in that role until being transferred to the Police Records Section in 2008, as the Police Department began the process to close the City Jail.

During her career, Randi endured a furlough when the City made sweeping reductions due to economic conditions in 2010. She was later recalled to a position in Utility Collections where she worked as an Account Clerk until her transfer to the Finance Department. In Finance, Randicheri (Randi) Allen was assigned to the Income Tax Division where she has done an excellent job.

Throughout her career, Randi has received recognition for her commitment to our City, its residents and visitors. Her knowledge, integrity and work ethic make Randicheri (Randi) Allen one of the most respected team members in city service.

Randi has our congratulation upon her retirement, and our heartfelt thanks for many years of loyal service. We wish her the greatest success and happiness in the future.

SECTION 2. That this Resolution shall take effect immediately.

PASSED 3 August 2022 _____

SIGNED /s/ David Falquette
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
City of Mansfield,
Ohio

BILL#22-136

ORDINANCE # _____

22-138

BY: MR. DAVENPORT

Revising the Codified Ordinances of the City of Mansfield by adopting current replacement pages, 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, a contract has heretofore been entered into with the Walter H. Drane Company to prepare and publish such revision which is before Council,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, 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, titles, chapters and sections of the Codified Ordinances of Mansfield, Ohio, within the July 2022 Replacement Pages, so as to conform to the codification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C. O. Section</u>
22-045	3-15-22	1361.01 to 1361.14, 1361.99
22-046	3-15-22	1362.01 to 1362.08, 1362.99
22-123	6-21-22	1519.01 to 1519.06, 1519.98, 1519.99

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

Traffic Code

None

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.13 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Added)

SECTION 3. The complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances which are on file with the Law Director. The listing of such sections above shall constitute sufficient publication of new matter contained therein.

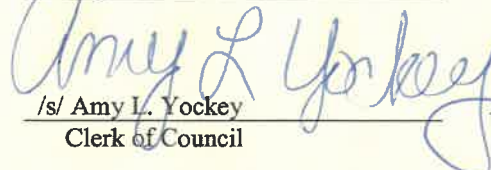
SECTION 4. That by reason of the immediate necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, this measure is determined 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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022

SIGNED


/s/ David Felquette
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
City of Mansfield, Ohio

BILL #22-138

ORDINANCE# 22 - 139

BY: MR. DAVENPORT

Authorizing payment to US Corrections LLC in the amount of four thousand seven hundred twenty and 00/100 dollars (\$4,720.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

WHEREAS, the Police Department obtained services with US Corrections LLC for Prisoner Transportation services prior to submission of a purchase order therefor to the Finance Department in the amount of four thousand seven hundred twenty and 00/100 dollars (\$4,720.00), 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.

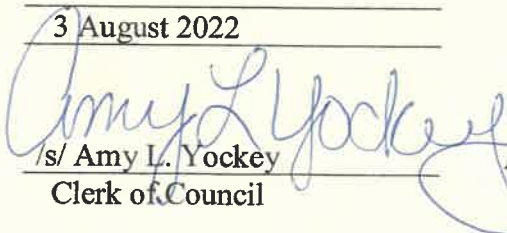
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

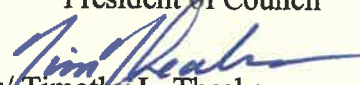
SECTION 1. That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by the Police Department for services obtained for prisoner transportation services prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to US Corrections LLC, in the amount of four thousand seven hundred twenty and 00/100 dollars (\$4,720.00), from funds heretofore appropriated in the Safety-Service Fund (#214).

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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022

SIGNED 
/s/ David Falquette
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
City of Mansfield, Ohio

BILL #22-139*

ORDINANCE _____

22-140

BY: MR. DAVENPORT

Establishing a new special revenue fund #208, entitled "OneOhio Opioid Fund," to account for Local Government proceeds as part of the OneOhio Opioid Settlement, and declaring an emergency.

WHEREAS, the City of Mansfield shall be the recipient of Local Government proceeds as part of the OneOhio Opioid Settlement, and

WHEREAS, the Local Government proceeds from the Ohio Opioid Settlement are restricted to the uses outlined under "Approved Purposes" within the OneOhio Memorandum of Understanding, and

WHEREAS, in accordance with Section 5705.09(F) of Ohio Revised Code, the City shall establish a separate fund for each class or revenues derived from a source other than general property tax, which the law requires to be used for a particular purpose, and


WHEREAS, in accordance with Section 5705.10(I) of the Ohio Revised Code, the City shall use monies paid into a separate fund only for the purposes for which such fund was established.

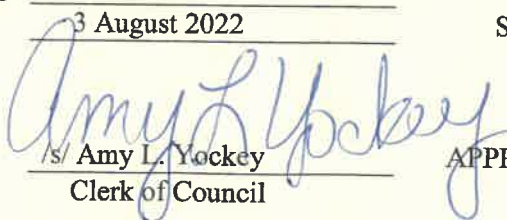
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:


SECTION 1. That Council hereby approves the creation of the "OneOhio Opioid Fund" (Fund #208) to account for Local Government proceeds as part of the OneOhio Opioid Settlement.

SECTION 2. In order to create a necessary fund to accurately and lawfully account for revenue pursuant to the OneOhio Opioid Settlement, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading _____
PASSED 3 August 2022

SIGNED 
/s/ David Falquette
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
City of Mansfield, Ohio

*Publication Required

BILL #22-140*

ORDINANCE # 22-141

BY: MS. BURNS

Authorizing the Public Works 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:

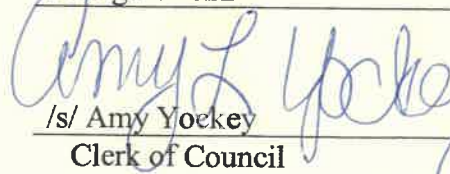
SECTION 1. That the Public Works Director be, and he is hereby, authorized to advertise for bids and enter into contracts, according to law and according to plans and specifications as now on file in the office of the City Engineer, with the lowest and best bidders for the furnishing of the City's yearly needs of fire hydrants, catch basin grates, gravel, concrete, bituminous cold mix, propane, and chemicals for the Water and Waste Water Treatment plants, 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, 2023, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading _____
PASSED 3 August 2022

SIGNED


/s/ David Falquette
President of Council

ATTEST 
/s/ Amy 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. DIAZ

Levying special assessments for the improvement of Glenwood Boulevard and Parkwood Boulevard by sprinkling, mowing, sweeping, cleaning, etc., the grass plots or lawn strips in the middle of said boulevards, and declaring an emergency.

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

SECTION 1. That the assessment of the cost and expense of improving Glenwood Boulevard and Parkwood Boulevard by sprinkling, mowing, sweeping, cleaning, etc., the grass plots or lawn strips in the middle of said boulevards, during the years 2022, 2023, and 2024, amount in the aggregate to thirteen thousand eight hundred fifty-six and 54/100 Dollars (\$13,856.54) as reported to this Council by the City Engineer and now on file in the office of the Clerk of this Council be, and the same is hereby, adopted and confirmed; and that there be, and is hereby, levied and assessed upon the lots and lands bounding and abutting upon said improvement, as fully described in Ordinance #22-062 and Ordinance #22-126 the several amounts reported as aforesaid, which assessments are at the rate of Two and 34/100 Dollars (\$2.34) per front foot, on the front foot plan, and are not in excess of any statutory limitations.

SECTION 2. That this Council hereby finds and determines that the assessments as now on file in the office of the Clerk are the smallest assessment against lots and lands as authorized by Ordinance #19-087 and Ordinance #19-138.

SECTION 3. That the assessment against each lot or parcel of land shall be payable in cash within thirty (30) days after the passage of this Ordinance or at the option of the owner in three (3) annual installments. All cash payments shall be made to the Finance Director of this City. All assessments and installments thereof remaining unpaid at the expiration of said thirty (30) days shall be certified by the Clerk of this Council to the County Auditor as provided by law and to be placed by him on the tax duplicate and collected as other taxes are collected.

SECTION 4. That the Clerk of this Council shall cause a notice of the passage of this Ordinance to be published in a newspaper of general circulation in this County, to continue on file in her office said assessments and to deliver to the County Auditor within twenty (20) days after its passage a certified copy of this Ordinance.

SECTION 5. That by reason of conforming with the deadline established by the County Auditor, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading _____
PASSED 3 August 2022

SIGNED


/s/ David Falquette
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
City of Mansfield, Ohio

* Publication required.

BILL #22-142

ORDINANCE #

22 - 143

BY: MR. SCOTT

Authorizing the Public Works Director to advertise for bids and enter into an agreement for the use of certain Airport property for agricultural purposes, and declaring an emergency.

WHEREAS, vacant city-owned land in the vicinity of the Mansfield Lahm Airport is not being used for any public purpose and will have to be mowed and maintained unless its use for agricultural purposes is approved.

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

SECTION 1. That the Public Works Director be, and is hereby, authorized to advertise for bids and enter into an agreement with the highest bidder for the agricultural use of certain city-owned land located in the vicinity of the Mansfield Lahm Airport for a period not to exceed five (5) years, all in accordance with specifications and a proposed agreement as now on file in the City Engineer's Office.

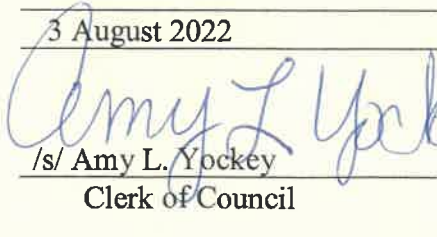
SECTION 2. That by reason of the immediate necessity to enter into said agreement to allow sufficient time for bidders to prepare for the upcoming growing season, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of 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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022


SIGNED


/s/ David Falquette
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
City of Mansfield, Ohio

BILL #22-143 *amended

ORDINANCE # 22-144

BY: MR. DAVENPORT

Approving the expenditure of funds received under the American Rescue Plan Act in the manner prescribed by and consistent with the requirements of the American Rescue Plan Act, and declaring an emergency.

WHEREAS, the City has received the \$20,995,402.00 in American Rescue Plan money to spend on program related items, and

WHEREAS, the Final Rule allows local governments to elect a standard allowance of up to \$10 million, not to exceed the total award allocation, in lieu of calculating revenue loss as prescribed by Treasurer, and

WHEREAS, the City has updated the list of appropriate expenditures for Council approval, and

WHEREAS, the remaining balances are \$1,669,492.31 in regular ARPA funds, and \$2,774,434.35 in Revenue Replacement Funds.


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

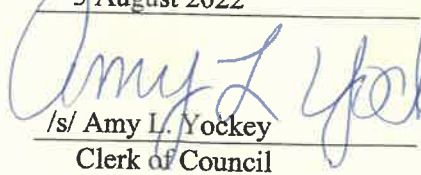
SECTION 1. This City Council does hereby approve the expenditure of funds received under the American Rescue Plan Act, as now appear on the detailed list attached hereto, in accordance with the requirements of section 9901 of the "American Rescue Plan Act," and any applicable regulations.


SECTION 2. This City Council elects to use the standard allowance for identifying revenue loss within the Local Fiscal Recovery Fund as authorized by the American Rescue Plan Act.

SECTION 3. That by reason of the immediate necessity for making eligible emergency expenditures under the American Rescue Plan Act disbursements, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022

SIGNED 
/s/ David Falquette
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
City of Mansfield, Ohio

City of Mansfield, Ohio

Project Name	Ordinance	Date	Receipts	ARPA Account	
				Appropriations	Balance
First Allocation			\$10,497,701.00		\$10,497,701.00
Police Radio Replacement	21-206	10.05.2021			
Fire Station COVID Upgrades	21-206	10.05.2021		(642,616.67)	\$9,855,084.33
Small Business Assistance	21-206	10.05.2021		(325,000.00)	\$9,530,084.33
Catholic Charity	21-206	10.05.2021		(550,000.00)	\$8,980,084.33
3rd Street Sewer	21-206	10.05.2021		(60,000.00)	\$8,920,084.33
4th Street Sewer	21-206	10.05.2021		(1,100,000.00)	\$7,820,084.33
Water Line Design	21-206	10.05.2021		(950,000.00)	\$6,870,084.33
Municipal Court Radio Upgrades	21-206	10.05.2021		(900,000.00)	\$5,970,084.33
Fire Station - HVAC	21-268	12.21.2021		(20,000.00)	\$5,950,084.33
Police Training Facility - HVAC	21-268	12.21.2021		(13,400.00)	\$5,936,684.33
Police Training Facility - Furniture	21-268	12.21.2021		(30,000.00)	\$5,906,684.33
Engineering - Chairs	21-268	12.21.2021		(29,247.02)	\$5,877,437.31
Engineering - Remote Video Equipment	21-268	12.21.2021		(4,365.00)	\$5,873,072.31
Airport - HVAC	21-268	12.21.2021		(3,800.00)	\$5,869,272.31
Revenue Replacement 1st	21-206	10.05.2021		(460,000.00)	\$5,409,272.31
				(5,013,194.55)	\$396,077.76
				Balance:	\$396,077.76

City of Mansfield, Ohio

Revenue Replacement Account
Appropriations
Balance

ARPA Account
Appropriations
Balance

Project Name	Ordinance	Date	Receipts	ARPA Account	Revenue Replacement Account
Second Allocation			\$10,497,701.00		\$ 10,497,701.00
Total ARPA (remainder of 1st plus 2nd):					
Small Business Assistance (COVID related)	22-074	05.04.2022			\$10,893,778.76
Small Business Assistance (COVID related) - Reduction	22-144	08.03.2022		(700,000.00)	\$10,193,778.76
North End Community Center	22-074	05.04.2022		500,000.00	\$10,693,778.76
Police Retention Payment	22-074	05.04.2022		(1,500,000.00)	\$9,193,778.76
Dispatch Retention Payment	22-074	05.04.2022		(637,000.00)	\$8,556,778.76
Rescue Squad Replacement	22-074	05.04.2022		(27,500.00)	\$8,529,278.76
Clearfork Dam	22-074	05.04.2022		(350,000.00)	\$8,179,278.76
Catholic Charity	22-144	08.03.2022		(1,000,000.00)	\$7,179,278.76
Police Radio Replacement - Additional Equipment	22-144	08.03.2022		(100,000.00)	\$7,079,278.76
Dispatch (Next Gen PSCC System)	22-144	08.03.2022		(22,981.00)	\$7,056,297.76
Revenue Replacement 2nd	22-144	08.03.2022		(400,000.00)	\$6,656,297.76
	22-074	05.04.2022		(4,986,805.45)	\$1,669,492.31
				Balance:	\$1,669,492.31

City of Mansfield, Ohio

Project Name	Ordinance	Date	Receipts	ARPA Account		Revenue Replacement Account	
				Appropriations	Balance	Appropriations	Balance
ARPA Revenue Replacement 1st Appropriation	21-206	10.05.2021	\$5,013,194.55				
ARPA Revenue Replacement 2nd Appropriation			\$4,986,805.45				
Total ARPA Revenue Replacement:			\$10,000,000.00				\$10,000,000.00
MPD Mobile Security Unit (3 year lease)	21-224	11.03.2021				(70,200.00)	\$9,929,800.00
Airport Taxiway/Taxi lane Drawings and Cost Estimates	21-243	12.07.2021				(15,000.00)	\$9,914,800.00
Five (5) Police Cruisers - 2022 Dodge Chargers	21-274	12.21.2021				(375,836.15)	\$9,538,963.85
Installation of Six (6) New Servers - Information Technology	22-005	01.18.2022				(352,318.72)	\$9,186,645.13
Four (4) LIFEPAK 15 V4 Monitor/Defibrillators	22-010	01.18.2022				(77,098.52)	\$9,109,546.61
Three (3) Police Cruisers - 2022 Ford Explorers	22-027	03.01.2022				(232,772.07)	\$8,876,774.54
(4) IT Computer Replacement	22-039	03.15.2022				(9,629.92)	\$8,867,144.62
(1) Computer for Risk Manager	22-065	04.15.2022				(1,986.54)	\$8,865,158.08
Police Locker Room	22-074	05.04.2022				(175,000.00)	\$8,690,158.08
City Vehicles (added to Streets for plow trucks)	22-074	05.04.2022				(600,000.00)	\$8,090,158.08
City Vehicles (other departments)	22-074	05.04.2022				(125,000.00)	\$7,965,158.08
Police Shooting Range Building	22-074	05.04.2022				(94,000.00)	\$7,871,158.08
(4) Unmarked Detective Vehicles	22-074	05.04.2022				(100,000.00)	\$7,771,158.08
City Building Renovate & Front Foundation	22-074	05.04.2022				(3,750,000.00)	\$4,021,158.08
Installation of Underground Conduit for Parking Lot Lights	22-087	05.17.2022				(63,728.00)	\$3,957,430.08
Storage Area Network (SAN) Unit - Information Technology	22-118	06.21.2022				(34,458.73)	\$3,922,971.35
Municipal Building Police Compound Lot Lift Gate	22-129	07.19.2022				(38,537.00)	\$3,884,434.35
West End Traget Area Design	22-144	08.03.2022				(200,000.00)	\$3,684,434.35
Rebranding City with County and Chamber	22-144	08.03.2022				(200,000.00)	\$3,484,434.35
Westinghouse Demo	22-144	08.03.2022				(500,000.00)	\$2,984,434.35
Westinghouse Arch	22-144	08.03.2022				(40,000.00)	\$2,944,434.35
Downtown Mansfield / Destination Mansfield-Richland City	22-144	08.03.2022				(100,000.00)	\$2,844,434.35
North End Career Fair	22-144	08.03.2022				(20,000.00)	\$2,824,434.35
June 2022 Storm Cleanup	22-144	08.03.2022				(50,000.00)	\$2,774,434.35
						Balance:	\$2,774,434.35

BILL #22-144

RESOLUTION # 22-145

BY: MR. DAVENPORT

Annual request 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, 2022), 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 2022 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.

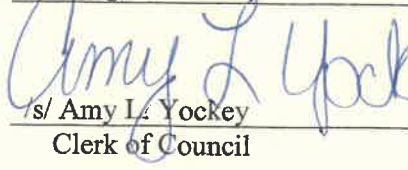
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

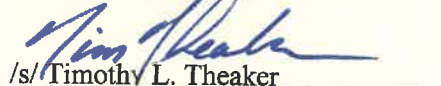
SECTION 1. That the Director of Finance be, and she is hereby, authorized to make such transfers, among the City's appropriated funds by classification, excluding Personal Services, and Employee Benefits except to transfer only between these, within departments and sub departments, in order to balance accounts for proper accounting as of December 31, 2022, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading _____
PASSED 3 August 2022

SIGNED 
David Falquette
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
City of Mansfield, Ohio

BY: MS. BURNS

Granting a license to Tyler Voyik, 2041 Middle Bellville Road, Washington Township, to tap into the City water and sanitary sewer systems at his own expense, and declaring an emergency.

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

SECTION 1. That Tyler Voyik, 2041 Middle Bellville Road Washington Township, be, and he is hereby, granted a license to tap into the city water and sanitary sewer systems for a .459 acre parcel located in the Southeast Quarter of Section 8 of Washington Township, having an address of 2041 Middle Bellville Road, all in accordance with plans and specification now on file in the office of the City Building and Codes Department, which plans and specifications are hereby approved.

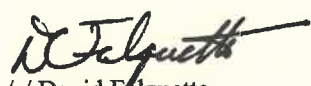
SECTION 2. That the conditions upon which this license and privilege are granted shall be as follows: license and right granted in Section 1 shall be subject to the following conditions:

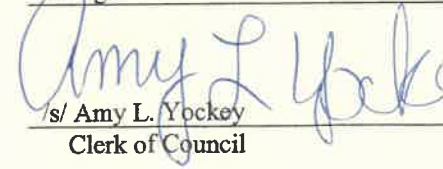
- A. That the construction of such water and sewer lines and the tapping into the city water and sanitary sewer systems shall be subject to the supervision and inspection of the Bureau of Codes and Permits and that said Bureau shall be notified by the Licensee herein forty-eight (48) hours prior to said licensee engaging in any construction these improvements.
- B. That all of the expense of construction, including the costs of inspection by the City, shall be paid by the Licensee herein.
- C. That all taps and water and sewer charges for the water and sanitary sewer lines authorized herein shall be at the regular charge for taps and service outside the City of Mansfield.
- D. That Tyler Voyik, his heirs, executors, administrators and assigns, shall save the City of Mansfield free and harmless from any and all liability to person, persons or property in any way connected with, arising out of, or incident to the construction of such sanitary sewer lines.

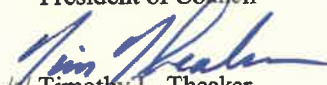
SECTION 3. That the exercise of this license and privilege by the Licensee herein, his heirs, executors, administrators and assigns, shall be determined to be an acceptance by the Licensee herein, his heirs, executors, administrators and assigns of all the conditions and terms of this ordinance.

SECTION 4. That in order to permit tapping into the city water and sewer systems in order to eliminate health and sanitation hazards, 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 3 August 2022
 1st Reading 3 August 2022
 2nd Reading _____
 PASSED 3 August 2022

SIGNED 
 /s/ David Falquette
 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
 City of Mansfield, Ohio

* Publication required.



City of Mansfield, EMH&T, City of Mansfield

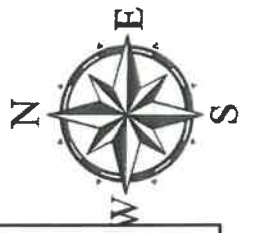
Printed Date: 7/20/2022



Mansfield Utility GIS

Map Title

1 inch = 163 feet



BILL #22-146

RESOLUTION #

22 - 147

BY: MS. BURNS

Declaring the City's intention, pursuant to section 719.04 of the Ohio Revised Code, to appropriate an easement over 0.046 ± acres of certain real property owned in fee by Norfolk Southern Railway Company, in connection with the city's flood mitigation infrastructure project and to promote public health and welfare.

WHEREAS, Section 719.04 of the Ohio Revised Code prescribes that the legislative authority of a municipal corporation shall, whenever it is deemed necessary to appropriate property, pass a resolution declaring such intent, defining the purpose of the appropriation, and setting for a pertinent description of the land and the estate of interest therein desired to be appropriated; and

WHEREAS, taking into consideration the needs of the community as a whole, there is need to construct, operate and maintain certain public infrastructure improvements, including construction of earthen embankments and related storm water management improvements in order to mitigate flooding, to the promotion of public health and welfare (the "Project"); and

WHEREAS, this Project will require the City to obtain an easement interest in the property described and depicted in the legal description and survey attached hereto as Exhibit 1 ("Property"), owned in fee by Norfolk Southern Railway Company, and

WHEREAS, Section 719.05 of the Ohio Revised Code provides that the Mayor of a municipal corporation shall, immediately upon the passage of a resolution under Section 719.04 of the Revised Code declaring an intent to appropriate property, for which but one reading is necessary, cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every piece of property sought to be appropriated, or to the authorized agent of the owner or such person. The notice shall be delivered personally on, or by certified mail to the owner's designated representative.

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

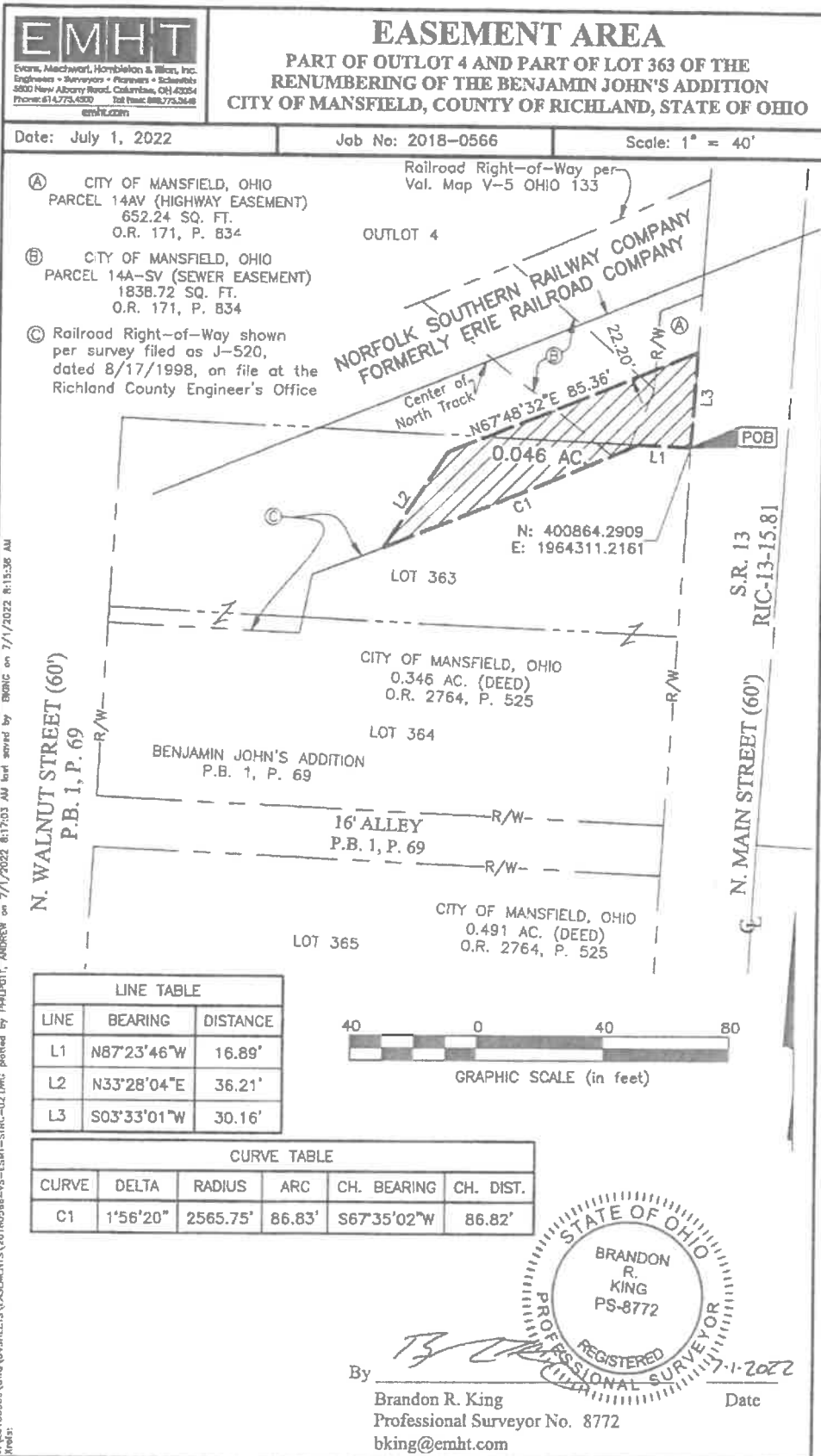
SECTION 1. That the City, pursuant to section 719.04 of the Ohio Revised Code, hereby deems it necessary to appropriate and declares its intent to appropriate the easement interest in the Property (Exhibit 1 hereto), for the purpose of overflow, flooding, submersion and retention of surface ground water in connection with constructing, operating, and maintaining certain public infrastructure improvements, including construction of earthen embankments and related storm water management improvements and maintaining a floodway and water retention area, all in order to mitigate flooding, to the promotion of public health and welfare.

SECTION 2. That the Mayor is authorized to cause written notice of the passage of this Resolution to be given to the fee owner(s) and to any person(s) in possession of or any person(s) having an interest in the Property, or their authorized agents, as authorized by law.

SECTION 3. That this Resolution shall take effect and be in force immediately upon its passage.

Caucus	<u>3 August 2022</u>		
1 st Reading	<u>3 August 2022</u>		
2 nd Reading	<u> </u>		
PASSED	<u>3 August 2022</u>	SIGNED	<u><i>[Signature]</i></u> /s/ David Falquette President of Council
ATTEST	<u><i>[Signature]</i></u> /s/ Amy L. Yockey Clerk of Council	APPROVED	<u><i>[Signature]</i></u> /s/ Timothy L. Theaker Mayor

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



J:\20180566\DWG\04SHRETTA\EASEMENTS\20180566-VS-EGMT-STRC-02.DWG plotted by THALPOTT, ANDREW on 7/1/2022 8:17:03 AM text saved by BRNIC on 7/1/2022 8:15:36 AM

EASEMENT AREA
0.046 ACRE

Situated in the State of Ohio, County of Richland, City of Mansfield, lying in part of Outlot 4 and part of Lot 363 of that subdivision titled "Benjamin John's Addition", of record in Plat Book 1, Page 69, being on, over, and across the lands in the name of the Norfolk Southern Railway Company, formerly known as the Erie Railway Company, (all references are to the records of the Recorder's Office, Richland County, Ohio) and being more particularly described as follows:

BEGINNING at the northeasterly corner of said Lot 363 and that 0.346 acre tract conveyed to the City of Mansfield, Ohio by deed of record in Official Record 2764, Page 525, the southeasterly corner of the 652.24 square foot highway easement conveyed as Parcel 14AV to the City of Mansfield, Ohio by deed of record in Official Record 171, Page 834 and as shown on the right-of-way plan RIC-13-15.81, being a corner of said Railroad Lands, and in the westerly right-of-way line of North Main Street (State Route 13) (Northing: 400864.2909, Easting: 1964311.2161);

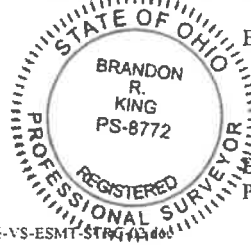
Thence North 87° 23' 46" West, with a line common to said Lot 363, said 0.346 acre tract, said highway easement, and said Railroad Lands, a distance of 16.89 feet to a point;

Thence with a line common to said 0.346 acre tract and said Railroad Lands, with the arc of a curve to the right, having a central angle of 01° 56' 20", a radius of 2565.75 feet, an arc length of 86.83 feet, a chord bearing of South 67° 35' 02" West and chord distance of 86.82 feet to a point;

Thence North 33° 28' 04" East, across said Railroad Lands, a distance of 36.21 feet to a point;

Thence North 67° 48' 32" East, continuing across said Railroad Lands and said highway easement, a distance of 85.36 feet to the original westerly right-of-way line of North Main Street;

Thence South 03° 33' 01" West, with said original westerly right-of-way line, a distance of 30.16 feet to the POINT OF BEGINNING, containing 0.046 acre, more or less.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Brandon R. King
Brandon R. King
Professional Surveyor No. 8772

7-1-2022

Date

BRK:shg
0_046 ac 20180566-VS-ESMT-STAY 4/24/22

BILL #22-147

ORDINANCE # 22 - 148

BY: MS. BURNS

Authorizing the Public Works Director to solicit proposals and enter into a contract or contracts for engineering services relating to the improvement of the Sixth Street Bridge over Touby's Run.

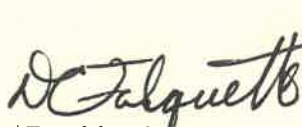
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

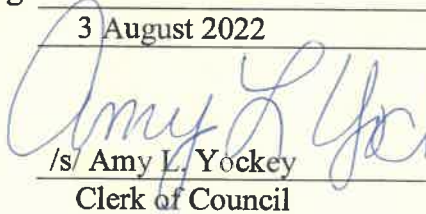
SECTION 1. That the Public Works Director be, and is hereby, authorized to enter into a contract or contracts for professional services with an engineering firm or firms for the preparation of detailed plans, specifications, estimates, and other necessary services relating to the improvement of the Sixth Street bridge over Touby's Run.


SECTION 2. That payment for the services authorized in Section 1 herein shall be made from the Sewer Fund, Non-Departmental Expenditures (503.99,99) Contractual Services Classification.

SECTION 3. 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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022

SIGNED 
/s/ David Falquette
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
City of Mansfield, Ohio

BILL #22-148

ORDINANCE # 22 - 149

BY: MR. DIAZ

Authorizing the Public Works Director to enter into an Agreement with the Director of the Ohio Department of Transportation for performing snow and ice control, on certain portions of state highway in and around the City of Mansfield, and declaring emergency.


WHEREAS, it is the desire of the City of Mansfield to provide for the maintenance of safe and passable road conditions.

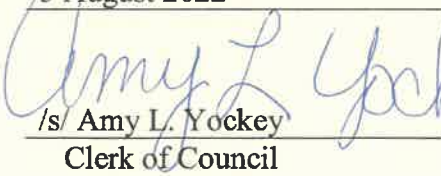
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:


SECTION 1. That the Public Works Director be, and is hereby, authorized on behalf of the City of Mansfield to execute all necessary documentation associated therewith for entering into an agreement with the Ohio Department of Transportation for the following services on certain portions of state highways in and around the City of Mansfield, all in accordance with the proposed documentation now on file in the Office of the Public Works Director.

SECTION 2. That by reason of the immediate necessity for executing all necessary documentation with the Ohio Department of Transportation as soon as possible, 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 3 August 2022
1st Reading 3 August 2022
2nd Reading 3 August 2022
PASSED 3 August 2022

SIGNED 
/s/ David Falquette
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
City of Mansfield, Ohio

22-150

BILL #22-149

ORDINANCE # _____

BY: MS. MEIER

Authorizing the Public Works Director to enter into a subgrant between the Board of Commissioners of Richland County and the City of Mansfield for American Rescue Plan Act (ARPA) funds for the Sterkel Community Park for All project, and declaring an emergency.

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

SECTION 1. That the Public Works Director be, and is hereby, authorized to enter into a subgrant agreement between the Board of Commissioners of Richland County and the City of Mansfield, as on file with the Public Works Director, for the purpose of the Sterkel Community Park for All project.

SECTION 2. That the sum of five hundred thousand and 00/100 dollars (\$500,000.00) 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 planning for the park project, 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 3 August 2022

1st Reading 3 August 2022

2nd Reading _____

PASSED 3 August 2022

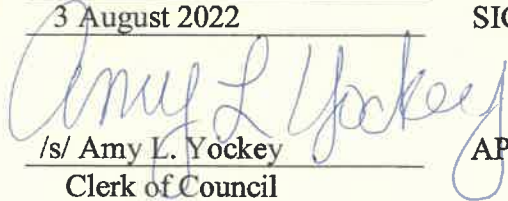
SIGNED



/s/ David Falquette

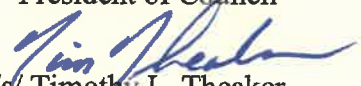
President of Council

ATTEST



/s/ Amy L. Yockey
Clerk of Council

APPROVED



/s/ Timothy L. Theaker
Mayor

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