

## Meeting Schedule

6:05 Public Utilities Committee

6:15 Finance Committee

6:20 Streets Committee

6:40 Economic Development Committee

6:45 Public Affairs Committee

## Summary Dec 5, 2023

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
23-180	23-181	2nd Read	An ordinance making temporary annual appropriations for current expenses and other expenditures of the City of Mansfield, Ohio for the fiscal year beginning January 1, 2024, and declaring an emergency.	<b>Davenport</b>	
23-196	23-197	Passed	Transferring appropriations in the amount of two hundred sixty-four thousand, seven hundred seventy-six and 29/100 dollars (\$264,776.29) within the Safety Services Fund (#214) to be used for the purchase of new lockers and flooring in the Mansfield Police Department, and declaring an emergency.	<b>Davenport</b>	
23-197	23-198	Passed	Authorizing the Interim Safety Service Director to purchase, according to Sourcewell pricing contract 337095 1B, ninety-seven (97) Spacesaver Freestyle Lockers from Patterson Pope for the Mansfield Police Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.	<b>Davenport</b>	
23-198	23-199	Passed	Authorizing the Interim Safety Service Director to purchase, according to Sourcewell pricing contract 337571 1A, five SWAT SpaceSaver Storage Units with weapons cleaning table and overhead cabinets from Patterson Pope for the Mansfield Police Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.	<b>Davenport</b>	
23-199	23-200	1st Read	Authorizing salary increases for the Mayor, Director of Law, Director of Finance, President of Council, and Members of Council, and declaring an emergency.	<b>Moton</b>	
23-200	23-201	1st Read	Adopting personnel positions, pay grades and salaries for certain employees of the City of Mansfield 2024 payroll year, and declaring an emergency.	<b>Moton</b>	

# CAUCUS BEGINS

# Summary Dec 5, 2023

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
23-202	23-202	Passed	Honoring Sheila L. Bradshaw, Operations Supervisor of the Record and Data Section upon her retirement from the Mansfield Division of Police.	<b>All Members of Council</b>	
23-203	23-203	Passed	Approving a reappointment by the Mayor to the Richland Public Health Board	<b>Davenport</b>	
23-204	23-204	Passed	Vacating a portion of an unnamed alley between Glessner Avenue and Spruce Street, and between Lot Nos. 1558 and 1559, and retaining the utility rights and easements therein, and declaring an emergency.	<b>Diaz</b>	<b>6:20 Streets</b>
23-205	23-205	Passed	Declaring the remains of a designated dwelling (78 South Foster Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.	<b>Meier</b>	
23-206	23-206	Passed	Declaring the remains of a designated dwelling (125-127 Home Avenue) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.	<b>Meier</b>	
23-207	23-207	Passed	Declaring the remains of a designated commercial structure (321 Newman Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.	<b>Meier</b>	
23-208	23-208	Passed	Declaring the remains of a designated dwelling (332 Reed Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.	<b>Meier</b>	
23-209	23-209	Passed	Declaring the remains of a designated dwelling (335 Newman Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.	<b>Meier</b>	
23-210	23-210	Passed	Authorizing payment to Madison Township in the amount of nineteen thousand, eight hundred twenty and 30/100 dollars (\$19,820.30) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.	<b>Davenport</b>	<b>6:15 Finance</b>

# Summary Dec 5, 2023

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
23-211	23-211	Passed	Authorizing payment to Quality Masonry Company, Inc. in the amount of thirty-seven thousand, one hundred and 00/100 dollars (\$37,100.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.	<b>Davenport</b>	<b>6:15 Finance</b>
23-212	23-212	Passed	Appropriating the sum of three hundred seventy-five thousand and 00/100 dollars (\$375,000.00) from the unappropriated Safety Services Fund (#214) for the purpose of funding payroll expenses for the remainder of 2023, and declaring an emergency.	<b>Scott</b>	
23-213	23-213	Passed	ODOT - Bridge overlays on State Rt 13	<b>Diaz</b>	<b>6:20 Streets</b>
23-214	23-214	Passed	Authorizing the Public Works Director to accept a grant from the Richland County Foundation in the aggregate amount of seven hundred fifty thousand and 00/100 dollars (\$750,000.00) for the Main Street Upgrade Project and Improvements to the Vasbinder Fountain.	<b>Davenport</b>	<b>6:15 Finance</b>
23-215	23-215	Passed	Resolution pursuant to Ohio Revised Code 719.04 declaring the City's intention to appropriate easement interests in certain real property for the purpose of completing public streetscape improvements, and to promote the public health and welfare.	<b>Diaz</b>	<b>6:20 Streets</b>
23-216	23-216	Passed	Authorizing the Public Works Director to enter into a contract for the replacement of the traffic signal at the Marion, Maple and Sherman intersection.	<b>Diaz</b>	<b>6:20 Streets</b>
23-217	23-217	Passed	Authorizing the Public Works Director to enter into a contract or contracts for the design, inspection and construction of GMP-3 to construct improvements to the City's Water Treatment plant, and declaring an emergency.	<b>Burns</b>	<b>6:05 Public Utilities</b>
23-218	23-218	Passed	Amending Section 195.02(a) of Chapter 195 of the Mansfield Codified Ordinances (Transient Occupancy Tax) to extend and reallocate the tax through December 31, 2026, and declaring an emergency.	<b>Davenport</b>	<b>6:15 Finance</b>

# Summary Dec 5, 2023

<u>Bill</u>	<u>Ord</u>	<u>Status</u>	<u>Title</u>	<u>Sponsor</u>	<u>Committee Meeting</u>
23-183	23-183	Reconsidered and passed	Submitting the question of adopting the enactment of an additional municipal income tax at the rate of one-quarter percent (0.25%) for a period of four (4) years from January 1, 2025 through December 31, 2028 for "MANSFIELD WATER MAIN INITIATIVE" to the electors of the City of Mansfield, Ohio, for their approval or rejection at the general election to be held within the City of Mansfield, Ohio, on March 19, 2024, with such additional income tax receipts to be used exclusively for the replacement of existing City water mains, and declaring an emergency.	<b>ALL MEMBERS OF COUNCIL</b>	
23-184	23-184	Reconsidered and passed	Enacting a portion of Chapter 193 of the Mansfield Codified Ordinances of 1997, as amended, to provide for a MANSFIELD WATER MAIN INITIATIVE levy of one-quarter percent (.25%) municipal income tax, after approval of such levy by the electors pursuant to § 718.01 of the Revised Code of Ohio, upon income taxable by the City of Mansfield for a period of four (4) years and commencing January 1, 2025 and ending December 31, 2028, to be used exclusively for the replacement of existing City water mains, and declaring an emergency.	<b>ALL MEMBERS OF COUNCIL</b>	

**NEXT MEETING TUESDAY, Dec 19th, 2023 7:00 Council to follow**

23-197

BILL #23-196

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

BY: MR. DAVENPORT


Transferring appropriations in the amount of two hundred sixty-four thousand, seven hundred seventy-six and 29/100 dollars (\$264,776.29) within the Safety Services Fund (#214) to be used for the purchase of new lockers and flooring in the Mansfield Police Department, and declaring an emergency.

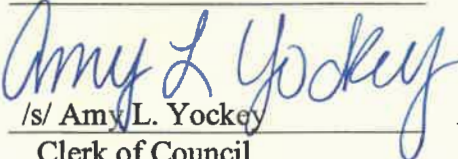
**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**


SECTION 1. That appropriations in the amount of two hundred sixty-four thousand, seven hundred seventy-six and 29/100 dollars (\$264,776.29) be, and the same is hereby, transferred within the Safety Services Fund (#214) from the Police Department Operations (214.15.01) Personal Services Classification to the Police Department Operations (214.15.01) Capital Outlay Classification.

SECTION 2. That being a transfer of funds necessary for current expenses, this Resolution shall take effect and be in full force immediately upon its passage and approval by the Mayor.

Caucus 21 November 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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 #23-197

ORDINANCE # 23-198

BY: MR. DAVENPORT

Authorizing the Interim Safety Service Director to purchase, according to Sourcewell pricing contract 337095 1B, ninety-seven (97) Spacesaver Freestyle Lockers from Patterson Pope for the Mansfield Police Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.


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

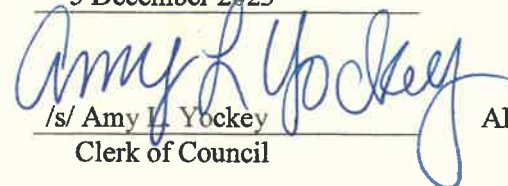
SECTION 1. That the Interim Safety Service Director be, and is hereby, authorized to purchase, ninety-seven (97) Spacesaver Freestyle Lockers from Patterson Pope (10321 S. Medallion Drive Cincinnati, Ohio 45241) for the Mansfield Police Department through the state bidding schedule, at a cost not to exceed \$219,381.57 (two hundred nineteen thousand three hundred eighty-one and 57/100 dollars).

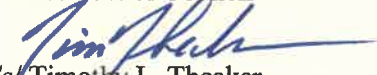
SECTION 2. That the amount authorized under Section 1, at a cost not to exceed \$219,381.57 (two hundred nineteen thousand three hundred eighty-one and 57/100 dollars), shall be paid from the Safety Services Fund (#214), Police Department Operations (214.15.01) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity for purchasing this equipment for the Police Department, 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 21 November 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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 #23-198

ORDINANCE # 23-199

BY: MR. DAVENPORT

Authorizing the Interim Safety Service Director to purchase, according to Sourcewell pricing contract 337571 1A, five SWAT SpaceSaver Storage Units with weapons cleaning table and overhead cabinets from Patterson Pope for the Mansfield Police Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.

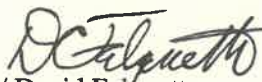
**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

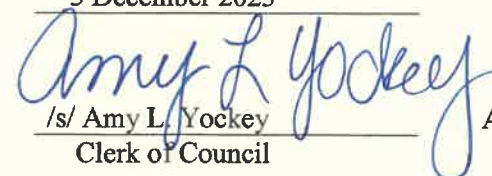
**SECTION 1.** That the Interim Safety Service Director be, and is hereby, authorized to purchase, five SWAT SpaceSaver Storage Units with weapons cleaning table and overhead cabinets from Patterson Pope (10321 S. Medallion Drive Cincinnati, Ohio 45241) for the Mansfield Police Department through the state bidding schedule, at a cost not to exceed \$28,544.72 (twenty-eight thousand five hundred forty-four and 72/100 dollars).


**SECTION 2.** That the amount authorized under Section 1, at a cost not to exceed \$28,544.72 (twenty-eight thousand five hundred forty-four and 72/100 dollars), shall be paid from the Safety Services Fund (#214), Police Department Operations (214.15.01) Capital Outlay Classification.

**SECTION 3.** That by reason of the immediate necessity for purchasing this equipment for the Police Department, 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 21 November 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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

BY: ALL MEMBERS OF COUNCIL

Honoring Sheila L. Bradshaw, Operations Supervisor of the Record and Data Section upon her retirement from the Mansfield Division of Police.

**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 Operations Supervisor of the Record and Data Section Sheila L. Bradshaw upon her retirement, effective December 1, 2023.

Sheila was hired on July 22, 1989, as a Police Aide for the Mansfield Police City Jail. She became a Correction Officer on May 1, 1994, after receiving her OPOTA certification training. February 4, 1997, Sheila transferred to the Records and Data Section as a Records Clerk. December 5, 1998, she was promoted to the Supervisor I position, and July 10, 2000, she assumed the Operations Supervisor position.

Sheila's dedication to the City and Division of Police, her work ethics and conscientiousness for her position, have always been of the utmost importance to her, and was displayed many times over in the performance of her duties and unwavering assistance to every citizen and co-worker she assisted. The daily operation of the Department ran more smoothly and professionally in part to her efforts. Her knowledge, integrity and positive attitude were respected by all.

Sheila has our congratulations upon her retirement and heartfelt thanks for her many years of loyal service to the City of Mansfield. We wish her the much joy and happiness in the future.

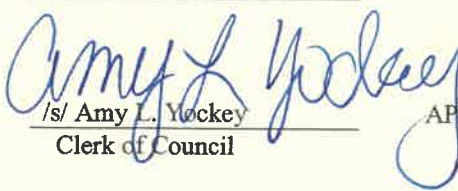
SECTION 2. That this Resolution shall take effect immediately.

PASSED December 5 2023

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

\_\_\_\_\_  
Phillip E. Scott

\_\_\_\_\_  
David Falquette

\_\_\_\_\_  
Eleazer Akuchie

\_\_\_\_\_  
Stephanie L. Zader

\_\_\_\_\_  
Aurelio Diaz

\_\_\_\_\_  
Laura Burns

\_\_\_\_\_  
Kimberly Moton

\_\_\_\_\_  
David Remy

\_\_\_\_\_  
Cheryl Meier

\_\_\_\_\_  
Timothy L. Theaker

\_\_\_\_\_  
Alomar Davenport

\_\_\_\_\_  
John R. Spon



BILL #23-203

RESOLUTION # 23-203

BY: MR. DAVENPORT

Approving a reappointment by the Mayor to the Richland Public Health Board.

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

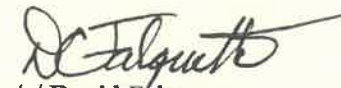
SECTION 1. That pursuant to § 3709.07 of the Ohio Revised Code, this Council does hereby approve the reappointment by the Mayor to the Richland Public Health Board for a five-year term as follows:

	<u>Term</u> <u>Expiring</u>
Ary VanHarlingen	12/31/28

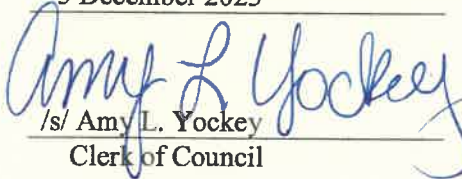
SECTION 2. That this Resolution shall take effect immediately upon its passage.

Caucus	<u>5 December 2023</u>
1 <sup>st</sup> Reading	<u>5 December 2023</u>
2 <sup>nd</sup> Reading	<u>5 December 2023</u>
PASSED	<u>5 December 2023</u>

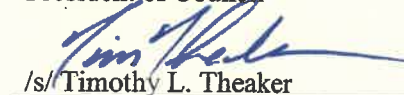
SIGNED

  
 /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 #23-204

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

BY: MR. DIAZ

Vacating a portion of an unnamed alley between Glessner Avenue and Spruce Street, and between Lot Nos. 1558 and 1559, and retaining the utility rights and easements therein, and declaring an emergency.

WHEREAS, a petition by persons owning property abutting the portion of an unnamed alley between Glessner Avenue and Spruce Street, and between Lot Nos. 1558 and 1559 to be vacated therein was heretofore presented to Council praying that said dedicated portion of the street right-of-way adjacent thereto be vacated, and

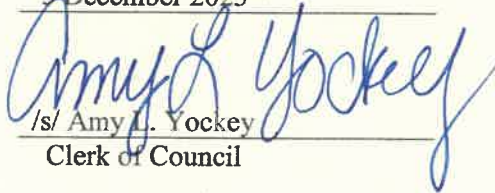
WHEREAS, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, that it will not be detrimental to the general interest, and should be made.

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


SECTION 1. That a portion of an unnamed alley between Glessner Avenue and Spruce Street, and between Lot Nos. 1558 and 1559, of which is more particularly described and depicted on Exhibit "A," the Petition to Vacate, now available on file with the Clerk of Council, be, and the same is hereby vacated, saving and reserving all utility rights and easements therein.


SECTION 2. That by reason of the immediate necessity for vacating a portion of an unnamed alley between Glessner and Spruce Street, 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

  
/s/ Amy L. Yockey  
Clerk of Council

ATTEST  
/s/ Amy L. Yockey  
Clerk of Council

  
SIGNED /s/ David Faquette  
President of Council

  
APPROVED /s/ Timothy L. Theaker  
Mayor

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

\* Publication required.



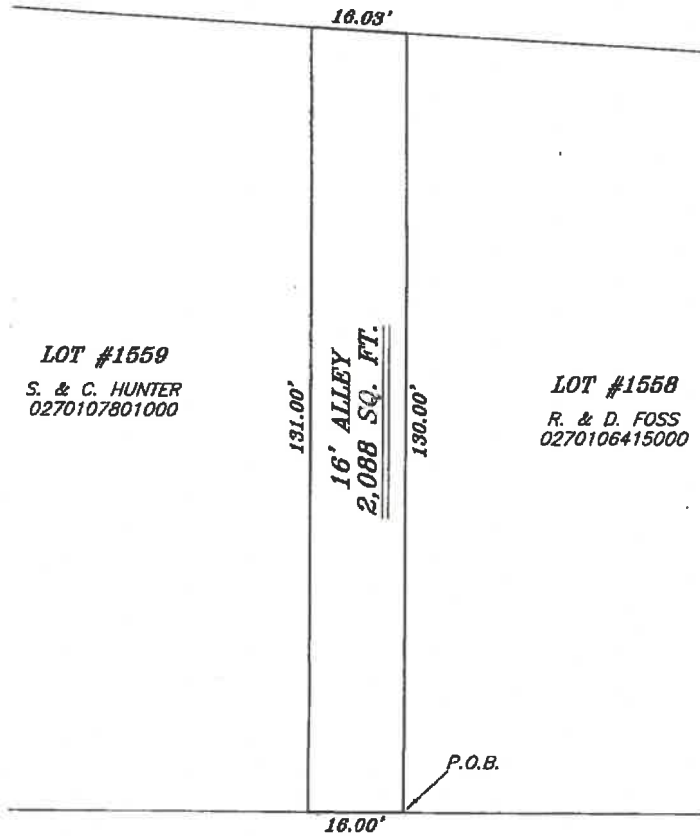
Exhibit "A"  
to Bill#23-204

NORTH



PLAT VOLUME 2-3 & PG. 27

SPRUCE STREET 40' R/W



GLESSNER AVENUE 60' R/W



*Chad F. Craig*

SURVEY BY: CHAD F. CRAIG P.S. #8195  
for SEILER & CRAIG SURVEYING INC.  
270 PARK AVENUE WEST  
MANSFIELD, OHIO 44902  
(419) 525-3644  
EMAIL: SEILERANDCRAIG@SEILERANDCRAIG.COM

PLAT FOR PROPOSED ALLEY VACATION	
ALLEY ADJACENT TO LOT #1558 AND LOT #1559, CITY OF MANSFIELD RICHLAND COUNTY, OHIO	
DATE: NOVEMBER 1, 2023	SCALE: 1"=20'
GLESSNER_AVE_116_ALLEY_VAC	

**DESCRIPTION FOR  
PROPOSED ALLEY VACATION**

**PROPOSED VACATION OF 16' WIDE ALLEY ADJACENT TO LOTS #1558 & #1559  
CITY OF MANSFIELD  
RICHLAND COUNTY OHIO**

Being a 16' Alley adjacent to Lot #1558 and Lot #1559 in the City of Mansfield, Richland County, Ohio and being more particularly described as follows:

Beginning for the same at the southwest corner of Lot #1558 and being a point on the northerly right of way Line of Glassner Avenue, Thence, westerly with the north line of said right of way of Glassner Avenue, 16.00 feet to a point marking the southeast corner of Lot #1559;

Thence, northerly with the easterly line of Lot #1559 131.00 feet to a point marking the northeast corner of said lot, the same being a point on the southerly right of way of Spruce Street;

Thence, easterly with the south right of way of Spruce Street 16.03 feet to a point marking the northwest corner of Lot #1558;

Thence, southerly with the West line of Lot #1558 130.00 to the place of beginning, containing 2,088 square feet, more or less, but subject to all easements, right of ways and highways of record.

Plat Volume 2-3, Page 27



A handwritten signature in cursive script that reads "Chad F. Craig".

Chad F. Craig P.S.#8195  
for Seiler & Craig Surveying, Inc.

BY: MS. MEIER

Declaring the remains of a designated dwelling (78 South Foster Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

**WHEREAS**, under authority of Section 3, Article XVIII of the Ohio Constitution and §§715.26, 715.261, 3737.14 and 3737.28 of the Ohio Revised Code, the City has enacted Chapter 1335 of the Mansfield Codified Ordinances, 1997, relating to the removal and repair of buildings and structures for the purpose of safeguarding life and property and for the promotion of the peace, health, safety and welfare of the City of Mansfield and its inhabitants, and

**WHEREAS**, the Bureau of Buildings, Inspections, Licenses and Permits has, pursuant to Chapter 1335 of the Mansfield Codified Ordinances, 1997, made its inspection and issued its notice and order as pertains to the remains of the building and structure hereinafter described, and

**WHEREAS**, the owner or occupant has failed to comply with the order issued by the Bureau, and

**WHEREAS**, Council is fully advised in this matter by reason of the reports and proceedings of the Bureau.

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

**SECTION 1.** That it is hereby determined and declared that a two-story, vinyl-sided residential structure located on the premises described in Section 2 hereinafter is insecure, unsafe, structurally defective and dangerous to life and other property by reason of its hazardous and unsound condition, unsound and unsafe walls, floors, foundation and ceilings, and by reason of want of repair, age, dilapidation of the structure, and its severely deteriorated condition; and it is hereby further determined and declared that by reason thereof said building or structure is beyond repair and is a nuisance.

**SECTION 2.** That the premises referred to in Section 1 hereof are described as follows: situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number Seven Thousand Seven Hundred Twelve (7,712) of the consecutively numbered lots in said City as shown at Volume 10, Page 15 of Plats.

Parcel Numbers: 027-06-118-01-000

Owner: Julian Stephen Davis

Address: 78 South Foster Street

**SECTION 3.** That the Bureau of Buildings, Inspections, Licenses and Permits is hereby authorized and directed to enter into a contract according to law with a competent and licensed contractor for the provision of labor, materials and equipment for the demolition and removal of the building(s) or structure(s) hereinbefore described, including any fences, concrete stairs, retaining walls and all appurtenances thereto, together with the removal of all debris and leveling

to grade, or to proceed by force account, in execution of its order under §§ 1335.09 of the Mansfield Codified Ordinances, 1997, and to otherwise comply with the provisions of said Chapter 1335.

SECTION 4. That the costs authorized in Section 3 above may be paid from Demolition Fund (#238), Community Development Operations (238.65.01), Contractual Services classification or a Richland County Land Reutilization Corporation funding source.

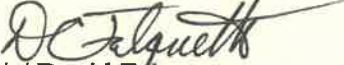
SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall be deemed an intentional abandonment thereof by such owner or occupant and such property may be subject to salvage rights of the demolition contractor.

SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

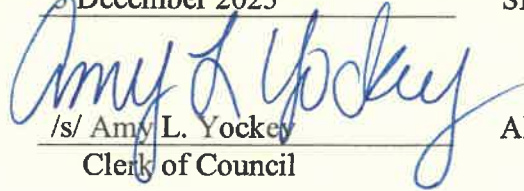
SECTION 7. That by reason of the immediate necessity of removing a nuisance which is insecure, unsafe, structurally defective and dangerous to life and other property, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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 #23-206

ORDINANCE #

23-206

BY: MS. MEIER

Declaring the remains of a designated dwelling (125-127 Home Avenue) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

**WHEREAS**, under authority of Section 3, Article XVIII of the Ohio Constitution and §§715.26, 715.261, 3737.14 and 3737.28 of the Ohio Revised Code, the City has enacted Chapter 1335 of the Mansfield Codified Ordinances, 1997, relating to the removal and repair of buildings and structures for the purpose of safeguarding life and property and for the promotion of the peace, health, safety and welfare of the City of Mansfield and its inhabitants, and

**WHEREAS**, the Bureau of Buildings, Inspections, Licenses and Permits has, pursuant to Chapter 1335 of the Mansfield Codified Ordinances, 1997, made its inspection and issued its notice and order as pertains to the remains of the building and structure hereinafter described, and

**WHEREAS**, the owner or occupant has failed to comply with the order issued by the Bureau, and

**WHEREAS**, Council is fully advised in this matter by reason of the reports and proceedings of the Bureau.

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

**SECTION 1.** That it is hereby determined and declared that a one-one half story, wood-sided residential structure with no outbuildings nor other structures located on the premises described in Section 2 hereinafter are insecure, unsafe, structurally defective and dangerous to life and other property by reason of their hazardous and unsound condition, unsound and unsafe walls, floors, foundation and ceilings, and by reason of want of repair, age, dilapidation of the structures, and their severely deteriorated condition; and it is hereby further determined and declared that by reason thereof said buildings or structures are beyond repair and are a nuisance.

**SECTION 2.** That the premises referred to in Section 1 hereof are described as follows: situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number Five Hundred Seven (#507) of the consecutively numbered lots in said City, County and State.

Parcel Numbers: 027-06-039-03-000  
Owner: Kelly A Darst and Unknown Spouse  
Address: 125-127 Home Avenue

**SECTION 3.** That the Bureau of Buildings, Inspections, Licenses and Permits is hereby authorized and directed to enter into a contract according to law with a competent and licensed contractor for the provision of labor, materials and equipment for the demolition and removal of the building(s) or structure(s) hereinbefore described, including any fences, concrete stairs, retaining walls and all appurtenances thereto, together with the removal of all debris and leveling to grade, or to proceed by force account, in execution of its order under §§ 1335.09 of the

Mansfield Codified Ordinances, 1997, and to otherwise comply with the provisions of said Chapter 1335.

SECTION 4. That the costs authorized in Section 3 above may be paid from Demolition Fund (#238), Community Development Operations (238.65.01), Contractual Services classification or a Richland County Land Reutilization Corporation funding source.


SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall be deemed an intentional abandonment thereof by such owner or occupant and such property may be subject to salvage rights of the demolition contractor.

SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

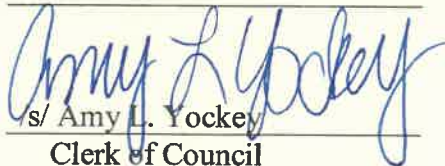
SECTION 7. That by reason of the immediate necessity of removing a nuisance which is insecure, unsafe, structurally defective and dangerous to life and other property, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading 5 December 2023  
PASSED 5 December 2023

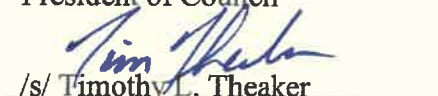
SIGNED

  
/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



BY: MS. MEIER

Declaring the remains of a designated commercial structure (321 Newman Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

**WHEREAS**, under authority of Section 3, Article XVIII of the Ohio Constitution and §§715.26, 715.261, 3737.14 and 3737.28 of the Ohio Revised Code, the City has enacted Chapter 1335 of the Mansfield Codified Ordinances, 1997, relating to the removal and repair of buildings and structures for the purpose of safeguarding life and property and for the promotion of the peace, health, safety and welfare of the City of Mansfield and its inhabitants, and

**WHEREAS**, the Bureau of Buildings, Inspections, Licenses and Permits has, pursuant to Chapter 1335 of the Mansfield Codified Ordinances, 1997, made its inspection and issued its notice and order as pertains to the remains of the building and structure hereinafter described, and

**WHEREAS**, the owner or occupant has failed to comply with the order issued by the Bureau, and

**WHEREAS**, Council is fully advised in this matter by reason of the reports and proceedings of the Bureau.

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

**SECTION 1.** That it is hereby determined and declared that a single-story, wood-sided commercial structure located on the premises described in Section 2 hereinafter is insecure, unsafe, structurally defective and dangerous to life and other property by reason of its hazardous and unsound condition, unsound and unsafe walls, floors, foundation and ceilings, and by reason of want of repair, age, dilapidation of the structures, and its severely deteriorated condition; and it is hereby further determined and declared that by reason thereof said building or structure is beyond repair and is a nuisance.

**SECTION 2.** That the premises referred to in Section 1 hereof are described as follows: situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number One Thousand Four Hundred Twenty-four (#1424) of the consecutively numbered lots in said City, County, and State as recorded in Plat Book 2, Number 3, Page 19.

Parcel Numbers: 027-05-025-16-001  
Owner: Jason Webber and Thomas James Plaster  
Address: 321 Newman Street

**SECTION 3.** That the Bureau of Buildings, Inspections, Licenses and Permits is hereby authorized and directed to enter into a contract according to law with a competent and licensed contractor for the provision of labor, materials and equipment for the demolition and removal of the building(s) or structure(s) hereinbefore described, including any fences, concrete stairs,

retaining walls and all appurtenances thereto, together with the removal of all debris and leveling to grade, or to proceed by force account, in execution of its order under §§ 1335.09 of the Mansfield Codified Ordinances, 1997, and to otherwise comply with the provisions of said Chapter 1335.

SECTION 4. That the costs authorized in Section 3 above may be paid from Demolition Fund (#238), Community Development Operations (238.65.01), Contractual Services classification or a Richland County Land Reutilization Corporation funding source.

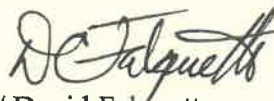
SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall be deemed an intentional abandonment thereof by such owner or occupant and such property may be subject to salvage rights of the demolition contractor.

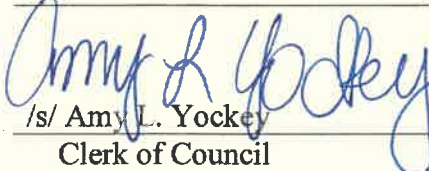
SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

SECTION 7. That by reason of the immediate necessity of removing a nuisance which is insecure, unsafe, structurally defective and dangerous to life and other property, 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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

BY: MS. MEIER

Declaring the remains of a designated dwelling (332 Reed Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

**WHEREAS**, under authority of Section 3, Article XVIII of the Ohio Constitution and §§715.26, 715.261, 3737.14 and 3737.28 of the Ohio Revised Code, the City has enacted Chapter 1335 of the Mansfield Codified Ordinances, 1997, relating to the removal and repair of buildings and structures for the purpose of safeguarding life and property and for the promotion of the peace, health, safety and welfare of the City of Mansfield and its inhabitants, and

**WHEREAS**, the Bureau of Buildings, Inspections, Licenses and Permits has, pursuant to Chapter 1335 of the Mansfield Codified Ordinances, 1997, made its inspection and issued its notice and order as pertains to the remains of the building and structure hereinafter described, and

**WHEREAS**, the owner or occupant has failed to comply with the order issued by the Bureau, and

**WHEREAS**, Council is fully advised in this matter by reason of the reports and proceedings of the Bureau.

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

SECTION 1. That it is hereby determined and declared that a two-story, transite-sided residential structure and a garage located on the premises described in Section 2 hereinafter are insecure, unsafe, structurally defective and dangerous to life and other property by reason of their hazardous and unsound condition, unsound and unsafe walls, floors, foundation and ceilings, and by reason of want of repair, age, dilapidation of the structure, and their severely deteriorated condition; and it is hereby further determined and declared that by reason thereof said buildings or structures are beyond repair and are a nuisance.

SECTION 2. That the premises referred to in Section 1 hereof are described as follows: situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number Five Thousand One Hundred Five (#5,105) and Lot Number Five Thousand One Hundred Four (#5,104) of the consecutively numbered lots in said City as shown by the recorded Plat in Volume of Maps, Page 11.

Parcel Numbers: 027-04-232-08-000 & 027-04-232-09-000  
Owner: Deborah Turner and Unknown Spouse  
Address: 332 Reed Street

SECTION 3. That the Bureau of Buildings, Inspections, Licenses and Permits is hereby authorized and directed to enter into a contract according to law with a competent and licensed contractor for the provision of labor, materials and equipment for the demolition and removal of the building(s) or structure(s) hereinbefore described, including any fences, concrete stairs,

retaining walls and all appurtenances thereto, together with the removal of all debris and leveling to grade, or to proceed by force account, in execution of its order under §§ 1335.09 of the Mansfield Codified Ordinances, 1997, and to otherwise comply with the provisions of said Chapter 1335.

SECTION 4. That the costs authorized in Section 3 above may be paid from Demolition Fund (#238), Community Development Operations (238.65.01), Contractual Services classification or a Richland County Land Reutilization Corporation funding source.

SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall be deemed an intentional abandonment thereof by such owner or occupant and such property may be subject to salvage rights of the demolition contractor.

SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

SECTION 7. That by reason of the immediate necessity of removing a nuisance which is insecure, unsafe, structurally defective and dangerous to life and other property, 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023


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

BY: MS. MEIER

Declaring the remains of a designated dwelling (335 Newman Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

**WHEREAS**, under authority of Section 3, Article XVIII of the Ohio Constitution and §§715.26, 715.261, 3737.14 and 3737.28 of the Ohio Revised Code, the City has enacted Chapter 1335 of the Mansfield Codified Ordinances, 1997, relating to the removal and repair of buildings and structures for the purpose of safeguarding life and property and for the promotion of the peace, health, safety and welfare of the City of Mansfield and its inhabitants, and

**WHEREAS**, the Bureau of Buildings, Inspections, Licenses and Permits has, pursuant to Chapter 1335 of the Mansfield Codified Ordinances, 1997, made its inspection and issued its notice and order as pertains to the remains of the building and structure hereinafter described, and

**WHEREAS**, the owner or occupant has failed to comply with the order issued by the Bureau, and

**WHEREAS**, Council is fully advised in this matter by reason of the reports and proceedings of the Bureau.

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

**SECTION 1.** That it is hereby determined and declared that a two-story, vinyl-sided residential structure and miscellaneous outbuildings located on the premises described in Section 2 hereinafter are insecure, unsafe, structurally defective and dangerous to life and other property by reason of their hazardous and unsound condition, unsound and unsafe walls, floors, foundation and ceilings, and by reason of want of repair, age, dilapidation of the structure, and their severely deteriorated condition; and it is hereby further determined and declared that by reason thereof said buildings or structures are beyond repair and are a nuisance.

**SECTION 2.** That the premises referred to in Section 1 hereof are described as follows:

Parcel #1: Situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number Two Thousand Eight Hundred Ninety-nine (#2899) of the consecutively numbered lots in said City.

Parcel #2: Situated in the City of Mansfield, County of Richland and State of Ohio: being Lot Number Two Thousand Nine Hundred Four (#2904) of the consecutively numbered lots in said City.

Parcel Numbers: 027-05-004-10-000 & 027-05-040-06-000

Owner: James Webber and Thomas James Plaster

Address: 335 Newman Street

SECTION 3. That the Bureau of Buildings, Inspections, Licenses and Permits is hereby authorized and directed to enter into a contract according to law with a competent and licensed contractor for the provision of labor, materials and equipment for the demolition and removal of the building(s) or structure(s) hereinbefore described, including any fences, concrete stairs, retaining walls and all appurtenances thereto, together with the removal of all debris and leveling to grade, or to proceed by force account, in execution of its order under §§ 1335.09 of the Mansfield Codified Ordinances, 1997, and to otherwise comply with the provisions of said Chapter 1335.

SECTION 4. That the costs authorized in Section 3. above may be paid from Demolition Fund (#238), Community Development Operations (238.65.01), Contractual Services classification or a Richland County Land Reutilization Corporation funding source.

SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall be deemed an intentional abandonment thereof by such owner or occupant and such property may be subject to salvage rights of the demolition contractor.

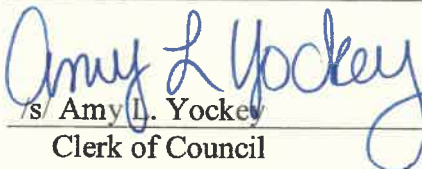
SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

SECTION 7. That by reason of the immediate necessity of removing a nuisance which is insecure, unsafe, structurally defective and dangerous to life and other property, 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.

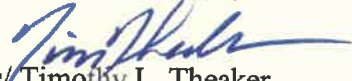
Caucus 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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 #23-210

ORDINANCE# 23-210

BY: MR. DAVENPORT

Authorizing payment to Madison Township in the amount of nineteen thousand, eight hundred twenty and 30/100 dollars (\$19,820.30) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

**WHEREAS**, the Engineering Department contracted services with Madison Township to resurface portions of Illinois Avenue prior to submission of a purchase order therefor to the Finance Department in the amount nineteen thousand, eight hundred twenty and 30/100 dollars (\$19,820.30), and

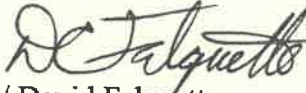
**WHEREAS**, R.C. 5705.41(D)(1) provides that the payment of three thousand dollars or more on a contract or order made by a municipality without a certificate of available funds being attached at such time must be authorized by the legislative authority after the fiscal officer subsequently certifies 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 Madison Township in the amount of nineteen thousand, eight hundred twenty and 30/100 dollars (\$19,820.30) prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to Madison Township in the amount of nineteen thousand, eight hundred twenty and 30/100 dollars (\$19,820.30) from funds heretofore appropriated in the Street Maintenance and Repair Fund (#202).

**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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading 5 December 2023  
PASSED 5 December 2023

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 #23-211

ORDINANCE# 23-211

BY: MR. DAVENPORT

Authorizing payment to Quality Masonry Company, Inc. in the amount of thirty-seven thousand, one hundred and 00/100 dollars (\$37,100.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

**WHEREAS**, the Engineering Department contracted services with Quality Masonry Company, Inc. to perform stone wall reconstruction at North Lake Park prior to submission of a purchase order therefor to the Finance Department in the amount thirty-seven thousand, one hundred and 00/100 dollars (\$37,100.00), 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.

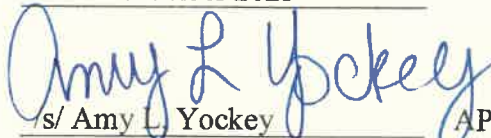
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**


**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 Quality Masonry Company, Inc. in the amount of thirty-seven thousand, one hundred and 00/100 dollars (\$37,100.00) prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to Quality Masonry Company, Inc. in the amount of thirty-seven thousand, one hundred and 00/100 dollars (\$37,100.00) from funds heretofore appropriated in the Parks and Recreation Fund (#236).

**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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading 5 December 2023  
PASSED 5 December 2023

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 #23-212

ORDINANCE # 23-212

BY: MR. SCOTT

Appropriating the sum of three hundred seventy-five thousand and 00/100 dollars (\$375,000.00) from the unappropriated Safety Services Fund (#214) for the purpose of funding payroll expenses for the remainder of 2023, and declaring an emergency.

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


SECTION 1. That the sum of three hundred seventy-five thousand and 00/100 dollars (\$375,000.00) be, and the same is hereby, appropriated from the unappropriated Safety Service Fund (#214) to the Fire Department Operations (214.16.01) Personal Services and Employee Benefits Classification.

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

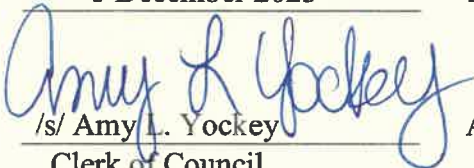
Caucus 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_

PASSED 5 December 2023


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

**CONSENT LEGISLATION**

23 - 213

BILL# 23-213

Ordinance/Resolution No.

BY: MR. DIAZ

PID No. 105594

Project Name D03 BH FY2024(A)

The following 23 - 213 enacted by the City of Mansfield of Richland County, Ohio,  
(Ordinance/Resolution)  
hereinafter referred to as the City, in the matter of the stated described project.

**SECTION I - Project Description**

WHEREAS, the State has identified the need for the described project:

*To perform a pair of bridge overlays on State Route 0013 at SLM 16.32 and at 00.08S both of which are over Tobey's Run in the City of Mansfield in Richland County.*

*This project is currently scheduled to be constructed in the summer of 2024.*

NOW THEREFORE, be it ordained by the City of Mansfield of Richland County, Ohio.

**SECTION II - Consent Statement**

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement.*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

**SECTION IV - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) *Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;*
- 2) *Provide ample financial provisions, as necessary, for the maintenance of the described project;*
- 3) *Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.*

**SECTION V – Utilities and Right-of-Way Statement**

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

**SECTION VI - Authority to Sign**

The PUBLIC WORKS DIRECTOR of said City of Mansfield is hereby empowered on behalf  
(Contractual Agent)

of the City of Mansfield to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: DECEMBER 5, 2023.  
(Date)

Attested: Amy L Yockey David A. Lemay  
(Clerk) (Officer of City - title) Public Works Director  
Attested: D. Falsette Jim Sheahan  
(Title) Pres. of Council (Mayor)

23 - 213 is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.  
(Ordinance/Resolution)

23 - 213

PID No. 105594  
Project Name D03 BH FY2024(A)

**CERTIFICATE OF COPY**  
**STATE OF OHIO**  
City of Mansfield of Richland County, Ohio

I, Amy L Yockey, as Clerk of the City of Mansfield of Richland County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of 23 - 213 adopted by  
(Ordinance/Resolution)  
the legislative Authority of the said City of Mansfield on this 5<sup>th</sup> day of DEC, 2023

that the publication of such 23 - 213 has been made and certified of record according to  
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such 23 - 213 have been taken;  
(Ordinance/Resolution)

and that such 23 - 213 and certificate of publication thereof are of record in  
(Ordinance/Resolution)

23 - 213, Page \_\_\_\_\_  
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 5<sup>th</sup> day of DEC, 2023.

Amy L Yockey  
Clerk Signature

City of Mansfield of Richland County, Ohio.

(SEAL)  
if Applicable

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Mansfield of Richland County, Ohio

Attest: \_\_\_\_\_

David A. Perry, Date 12/5/23  
Contractual Officer PUBLIC WORKS DIRECTOR

\*\*\*\*\*

BILL #23-214

ORDINANCE # 23-214

BY: MR. DAVENPORT

Authorizing the Public Works Director to accept a grant from the Richland County Foundation in the aggregate amount of seven hundred fifty thousand and 00/100 dollars (\$750,000.00) for the Main Street Upgrade Project and Improvements to the Vasbinder Fountain.

**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 accept a grant in the aggregate amount of seven hundred fifty thousand and 00/100 dollars (\$750,000.00) from the Richland County Foundation to be used for the Main Street Upgrade Project and Improvements to the Vasbinder Fountain.

SECTION 2. That the sum of seven hundred fifty thousand and 00/100 dollars (\$750,000.00) be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the Engineering Grants (224.12.30) Capital Outlay Classification.

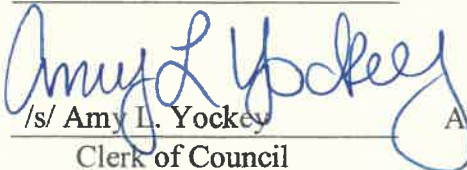
SECTION 3. That being an appropriation necessary for current expenses, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

Caucus 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023


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



DEPARTMENT OF FINANCE  
STATEMENT OF FISCAL IMPACT

RE: Main Street Upgrade Project and Improvements to the Vasbinder Fountain

**Nature of Statement and Information Disclosed**

This is a statement of fiscal impact for the City of Mansfield to accept funding from the:  
Richland County Foundation

This impact statement has been performed in accordance with the City's revenue policy, adopted by City Council on August 6, 2013 with ordinance #13-166. It is a statement solely for the purpose of analyzing and reporting the fiscal impact on the City of Mansfield of either accepting or not accepting the proposed funding and using certain assumptions as indicated herein. No attempt is made to evaluate the application, award documents or any special condition for suitability to City objectives.

**Current Fiscal Impacts**

***Impact on Revenue***

Grant/Other Funding: \$750,000.00  
Funding Period: 1/1/24 - 12/31/24

***Impact on Expenditures***

PROJECT COSTS:	
Improvements	\$750,000.00
<b>Total Project Costs:</b>	<b>\$ 750,000.00</b>

The total project cost is estimated at \$ 750,000.00 . Note: \* To be used for Main Street Upgrade Project, including improvements to the Vasbinder Fountain.

Match Required: \$0.00

\* Similar award in August 2023, in the amount of \$300,000 (ord. #23-114).

\* No required cash match.

**Future Fiscal Impact**

***Impact on Revenue***

N/A

***Impact on Expenditures***

N/A



**DEPARTMENT OF FINANCE  
STATEMENT OF FISCAL IMPACT**

***Other Future Commitments***

N/A

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**Disclosures of Possible Material Future Events**

N/A

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**General Assumptions**

A fiscal impact statement constitutes a forward-looking statement on the acceptance of funds from sources other than City revenue such as grants and the proper execution of all requirements as set forth in any grant application, agreement, or other duly enforceable stipulations.

In any case where a reasonable expectation of a future condition or event has been disclosed or is already known to Finance Department personnel, that information has been used as an assumption in the fiscal impact statement. Expectations not known or not considered reasonably expected to occur have been excluded from the fiscal impact statement. If an event or condition may occur which would have a material and *direct* fiscal impact, but is not reasonably expected to occur, it is disclosed in the fiscal impact statement.

General assumptions are made in this fiscal impact statement that the City staff executing the grant program already possess the required knowledge to perform all of the requirements of the grant, and that the information provided to the Finance Department to prepare this impact statement is true and correct. It is also assumed that no outside events will create a positive or negative influence on the grant program, and that there will be no changes in the legal, operational, or economic environment in which the grant program and the City as a whole operates, except as disclosed herein.

BILL #23-215

RESOLUTION # 23-215

BY: MR. DIAZ

Resolution pursuant to Ohio Revised Code 719.04 declaring the City's intention to appropriate easement interests in certain real property for the purpose of completing public streetscape improvements, and to promote the public health and welfare.

**WHEREAS**, Ohio Revised Code 719.04 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 forth a pertinent description of the land and the estate of interest therein desired to be appropriated;

**WHEREAS**, taking into consideration the needs of the City of Mansfield community as a whole, there is a public need to construct, operate and maintain certain public infrastructure improvements, including installing and upgrading streetscape improvements in the downtown Mansfield area as part of the Main Street Corridor Improvement Project, and promote the public health and welfare (the "Project");

**WHEREAS**, the Project requires the City to obtain certain easement interests in the following real property (collectively, the "Property"):

<u>Auditor's Parcel No.</u>	<u>Owner</u>	<u>Address</u>
0270604909000 (Referred to as Parcel 16-SH in the attached <u>Exhibit A</u> )	James R. & Elizabeth P. Oberlin	93 S. Main Street
0270604907000 (Referred to as Parcel 16-SH in the attached <u>Exhibit A</u> )	James R. & Elizabeth P. Oberlin	97 Main Street
0270424405000 (Referred to as Parcel 53-SH in the attached <u>Exhibit A</u> )	Diana J. Tridico	16 W. Fifth Street
0270502918000 (Referred to as Parcel 54-SH in the attached <u>Exhibit A</u> )	CII Technologies Inc.	N. Main Street
0270500102000 (Referred to as Parcel 54-SH in the attached <u>Exhibit A</u> )	CII Technologies Inc.	175 N. Diamond Street

**WHEREAS**, the intended easements are more particularly described in the easement legal descriptions attached as Exhibit A to this Resolution;

Ohio Revised Code 719.05 provides that the Mayor of a municipal corporation shall, immediately upon the passage of a resolution under R.C. 719.04 declaring an intent to appropriate



property, for which but one reading is necessary, cause written notice to be given personally or by certified mail 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 thereof.

**NOW, THEREFORE, BE IT ORDAINED 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, certain easement interests in the Property, as described in Exhibit A attached hereto, for the purpose of constructing, operating and maintaining certain public infrastructure improvements, including installing and upgrading streetscape improvements in the downtown Mansfield area as part of the Main Street Corridor Improvement Project, for the promotion of the public health and welfare.

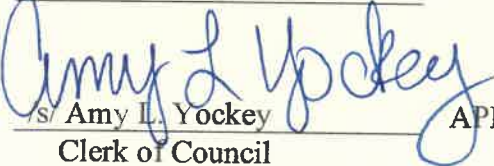
SECTION 2. That the Mayor is hereby authorized to cause written notice of the passage of this Resolution to be given to the fee owner(s) of the Property, and to any person(s) in possession of or having any interest in the Property, or their authorized agents, as required by R.C. 719.05.

SECTION 3. That Council, by a vote of at least three-fourths of its members, hereby dispenses with the requirement that this Resolution be read on three different days, and declares that only one reading shall be necessary for the passage of this Resolution.

SECTION 4. That this Resolution shall take effect and be in force immediately upon its passage.

Caucus 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

  
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

LPA RE 804  
Rev. 04/2021

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LPA

### **EASEMENT**

James R. Oberlin and Elizabeth P. Oberlin, the Grantor(s), in consideration of the sum of eight thousand eight hundred thirty nine (\$8,839.00) dollars, to be paid by The City of Mansfield, Richland County, Ohio, the Grantee, do convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

**PARCEL(S):16-SH  
RIC-MAIN STREET**

**SEE EXHIBIT A ATTACHED**

Richland County Current Tax Parcel No. 0270604907000 & 0270604909000  
Prior Instrument Reference: ORV 2116, Pg. 535, Richland County Recorder's Office.

Grantor(s), for themselves and their successors and assigns, covenant(s) with the Grantee, its successors and assigns, that they are the true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF James R. Oberlin And Elizabeth P. Oberlin have hereunto set their hands on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
James R. Oberlin

\_\_\_\_\_  
Elizabeth P. Oberlin

STATE OF OHIO, COUNTY OF RICHLAND. SS:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James R. Oberlin And Elizabeth P. Oberlin who acknowledged the foregoing instrument to be their voluntary acts and deeds. No oath or affirmation was administered to James R. Oberlin And Elizabeth P. Oberlin with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

This document was prepared by:  
K.E. McCartney & Associates, Inc.  
for The City of Mansfield, Ohio

**EXHIBIT A**

Page 1 of 3

LPA RX 871 SH

Rev. 06/09

Ver. Date 06/06/2023

PID 112404

**PARCEL 16-SH  
RIC-MAIN STREET  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Mansfield, Richland County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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[Surveyor's description of the premises follows]

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Situated in the State of Ohio, County of Richland, City of Mansfield; lying on the right side of the centerline of right of way of Main Street, and being a part of Lot 263 and Lot 264 of the consecutively numbered lots in said City as recorded in Plat Volume 1, page 1, being a portion of a parcel conveyed to James R. Oberlin & Elizabeth P. Oberlin, by official record volume 2116, page 535, and being more particularly described as follows:

Beginning for the same at an iron pin found in the southwest corner of said Lot 263, said iron pin also being on the east existing right of way line of Main Street, and being 30.00 feet right of and at right angles to the centerline of right of way Sta. 574+04.98, Project RIC-Main Street Mansfield Streetscape;

Thence, the following TEN Courses:

1. North 03 degrees 23 minutes 47 seconds East, 77.30 feet along the west line of said Lot 263, the west line of Lot 264, said east existing right of way line of Main Street, to a point 30.00 feet right of and at right angles to the centerline of right of way Sta. 574+82.28;

**EXHIBIT A**

Page 2 of 3

LPA RX 871 SH

Rev. 06/09

2. Along a non-tangential curve to the right with a radius of 42.97 feet, a delta angle of 91 degrees 44 minutes 47 seconds, an arc length of 68.81 feet, a chord bearing of North 49 degrees 13 minutes 41 seconds East, and a chord distance of 61.69 feet along said east existing right of way line to a point on the south existing right of way line of East First Street, being 74.25 feet right of and at right angles to the centerline of right of way Sta. 575+25.26;
3. South 87 degrees 01 minute 29 seconds East, 38.05 feet along said south existing right of way line of East First Street to a point 112.30 feet right of and at right angles to the centerline of right of way Sta. 575+25.54;
4. South 03 degrees 21 minutes 32 seconds West, 2.99 feet to a point 112.30 feet right of and at right angles to the centerline of right of way Sta. 575+22.55;
5. North 86 degrees 58 minutes 41 seconds West, 18.53 feet to a point 93.77 feet right of and at right angles to the centerline of right of way Sta. 575+22.43;
6. Along a non-tangential curve to the left with a radius of 50.00 feet, a delta angle of 14 degrees 13 minutes 38 seconds, an arc length of 12.42 feet, a chord bearing South 85 degrees 54 minutes 31 seconds West, and a chord distance of 12.38 feet to a point 81.49 feet right of and at right angles to the centerline of right of way Sta. 575+20.81;
7. South 56 degrees 49 minutes 42 seconds West, 37.41 feet to a point 51.45 feet right of and at right angles to centerline of right of way Sta. 574+98.53;
8. Along a non-tangential curve to the left with a radius of 50.00 feet, a delta angle of 28 degrees 20 minutes 12 seconds, an arc length of 24.73 feet, a chord bearing South 20 degrees 41 minutes 37 seconds West, and a chord distance of 24.48 feet to a point 44.17 feet right of and at right angles to the centerline of right of way Sta. 574+75.16;
9. South 06 degrees 31 minutes 31 seconds West, 70.27 feet to a point 40.33 feet right of and at right angles to the centerline of right of way Sta. 574+05.00;
10. North 86 degrees 43 minutes 21 seconds West, 10.33 feet along the south line of said Lot 263 to the Place of Beginning and containing a total of 0.0458 of an acre (1,995.05 sf), more or less, of which 0.0293 of an acre (1276.65 sf) is located within Auditor parcel no. 0270604909000, and 0.0165 of an acre (718.40 sf) is located within Auditor parcel no. 0270604907000.

**EXHIBIT A**

Page 3 of 3

LPA RX 871 SH

Rev. 06/09

Bearings are based on grid north as determined from GPS observations and are relative to grid north of the Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011) and are for the purposes of determining directional variations only.

This description is based on notes from a survey completed by K.E. McCartney & Associates, Inc.

The station/offset references recited herein are from centerline of Right of Way Main Street.

Deeds referred to are recorded in the Richland County Recorder's Office.



  
Nathaniel B. Ramsey  
Ohio Registered Professional Surveyor No. 8396  
for K.E. McCartney & Associates, Inc.

LPA RE 807  
Rev. 10/2017

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LPA

### **TEMPORARY EASEMENT**

James R. Oberlin and Elizabeth P. Oberlin, the Grantor(s), in consideration of the sum of seven hundred three (\$703.00) dollars, to be paid by The City of Mansfield, Richland County, Ohio, the Grantee does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S):16-T

RIC- MAIN STREET

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 0270604907000 & 0270604909000  
Prior Instrument Reference: ORV 2116, Pg. 535, Richland County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF James R. Oberlin And Elizabeth P. Oberlin have hereunto set their hands on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
James R. Oberlin

\_\_\_\_\_  
Elizabeth P. Oberlin

STATE OF OHIO, COUNTY OF RICHLAND. SS:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James R. Oberlin And Elizabeth P. Oberlin who acknowledged the foregoing instrument to be their voluntary acts and deeds. No oath or affirmation was administered to James R. Oberlin And Elizabeth P. Oberlin with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

This document was prepared by:  
K.E. McCartney & Associates, Inc.  
for The City of Mansfield, Ohio



**EXHIBIT A**

Page 1 of 3

Rev. 07/09

LPA RX 887 T

Ver. Date 06/06/2023

PID 112404

**PARCEL 16-T  
RIC-MAIN STREET  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
CONSTRUCT DRIVEWAY AND PERFORM GRADING  
FOR 18 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Richland, City of Mansfield; lying on the right side of the centerline of right of way of Main Street, and being a part of Lot 263 and Lot 264 of the consecutively numbered lots in said City as recorded in Plat Volume 1, page 1, being a portion of a parcel conveyed to James R. Oberlin & Elizabeth P. Oberlin, by official record volume 2116, page 535, and being more particularly described as follows:

**Beginning** for the same at a point on the south existing right of way line of East First Street-(60' R/W), said point also being on the north line of said Lot 264, and being 112.30 feet right of and at right angles to the centerline of right of way Sta. 575+25.54, Project RIC-Main Street Mansfield Streetscape;

Thence, the following **ELEVEN** Courses:

1. **South 87 degrees 01 minute 29 seconds East, 7.70 feet** along said north line of Lot 264, the south existing right of way line of East First Street, to a point 120.00 feet right of and at right angles to centerline of right of way Sta. 575+25.59;
2. **South 55 degrees 29 minutes 56 seconds West, 82.37 feet** to a point 55.00 feet right of and at right angles to centerline of right of way Sta. 574+75.00;
3. **South 03 degrees 23 minutes 47 seconds West, 40.00 feet** to a point 55.00 feet right of and at right angles to centerline of right of way Sta. 574+35.00;
4. **South 23 degrees 12 minutes 04 seconds West, 31.88 feet** to a point on the south line of said Lot 263, being 44.20 feet right of and at right angles to centerline of right of way Sta. 574+05.01;

**EXHIBIT A**

Page 2 of 3

LPA RX 887 T

Rev. 07/09

5. North 86 degrees 43 minutes 21 seconds West, 3.87 feet along the south line of said Lot 263 to a point 40.33 feet right of and at right angles to centerline of right of way Sta. 574+05.00;
6. North 06 degrees 31 minutes 31 seconds East, 70.27 feet to a point 44.17 feet right of and at right angles to centerline of right of way Sta. 574+75.16;
7. Along a non-tangential curve to the right with a radius of 50.00 feet, a delta angle of 28 degrees 20 minutes 12 seconds, an arc length of 24.73 feet, a chord bearing North 20 degrees 41 minutes 37 seconds East, and a chord distance of 24.48 feet to a point 51.45 feet right of and at right angles to the centerline of right of way Sta. 574+98.53;
8. North 56 degrees 49 minutes 42 seconds East, 37.41 feet to a point 81.49 feet right of and at right angles to centerline of right of way Sta. 575+20.81;
9. Along a non-tangential curve to the right with a radius of 50.00 feet, a delta angle of 14 degrees 13 minutes 38 seconds, an arc length of 12.42 feet, a chord bearing North 85 degrees 54 minutes 31 seconds East, and a chord distance of 12.38 feet to a point 93.77 feet right of and at right angles to the centerline of right of way Sta. 575+22.43;
10. South 86 degrees 58 minutes 41 seconds East, 18.53 feet to a point 112.30 feet right of and at right angles to the centerline of right of way Sta. 575+22.55;
11. North 03 degrees 21 minutes 32 seconds East, 2.99 feet to the Place of Beginning and containing 0.0478 of an acre (2084.27 sf), more or less, of which 0.0142 of an acre (619.76 sf) is located within Auditor parcel no. 0270604907000, and 0.0336 of an acre (1464.51 sf) is located within Auditor parcel no. 0270604909000.

Bearings are based on grid north as determined from GPS observations and are relative to grid north of the Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011) and are for the purposes of determining directional variations only.

This description is based on notes from a survey completed by K.E. McCartney & Associates, Inc.

**EXHIBIT A**

LPA RX 887 T

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Rev. 07/09

The station/offset references recited herein are from centerline of Right of Way Main Street.

Deeds referred to are recorded in the Richland County Recorder's Office.



A handwritten signature in black ink, appearing to read "N.B. Ramsey", written over a horizontal line.

Nathaniel B. Ramsey  
Ohio Registered Professional Surveyor No. 8396  
for K.B. McCartney & Associates, Inc.

### **EASEMENT**

Diana J. Tridico, the Grantor(s), in consideration of the sum of seven hundred sixty seven (\$767.00) dollars, to be paid by The City of Mansfield, Richland County, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

**PARCEL(S):53-SH**

**RIC-MAIN STREET**

**SEE EXHIBIT A ATTACHED**

Richland County Current Tax Parcel No. 0270424405000  
Prior Instrument Reference:ORV 464, P. 279, Richland County Recorder's Office.

Grantor(s), for herself and her successors and assigns, covenant(s) with the Grantee, its successors and assigns, that she is true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

And, for the consideration herein above written, Michael L. Tridico, the spouse of Diana J. Tridico, hereby relinquishes to said Grantee, its successors and assigns, all rights and expectancies of Dower in the above described premises.

IN WITNESS WHEREOF DIANA J. TRIDICO and MICHAEL L. TRIDICO have hereunto set their hands on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
DIANA J. TRIDICO

\_\_\_\_\_  
MICHAEL L. TRIDICO

STATE OF OHIO, COUNTY OF RICHLAND SS:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by Diana J. Tridico and Michael L. Tridico. No oath or affirmation was administered to either Diana J. Tridico or Michael L. Tridico with regard to the notarial act.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission expires: \_\_\_\_\_

This form LPA RE 831-I was updated to conform to new notarial language requirements as per Revised Code 147.542.

This document was prepared by :  
K.E. McCartney & Associates, Inc.  
For The City of Mansfield, Ohio

**EXHIBIT A**

Page 1 of 2

LPA RX 871 SH

Rev. 06/09

Ver. Date 03/01/2022

PID 112404

**PARCEL 53-SH  
RIC-MAIN STREET  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Mansfield, Richland County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Richland, City of Mansfield; lying on the left side of the centerline of right of way of Main Street, being a part of Lot 325 of the consecutively numbered lots in said City, being part of Bentley's Addition to Mansfield as recorded in Plat Volume 1, page 43, being a portion of a parcel conveyed to Diana J. Tridico by official record volume 464, page 279, and being more particularly described as follows:

Beginning for the same at a point in the northeast corner of said Lot 325, said point also being on the west existing right of way line of Main Street-(60' R/W), being 30.00 feet left of and at right angles to centerline of right of way Sta. 601+44.08;

Thence, the following **FOUR** Courses:

1. **South 03 degrees 13 minutes 30 seconds West, 35.00 feet** along the east line of said lot 325, said west existing right of way line of Main Street to a point of deflection, being 30.00 feet left of and at right angles to the centerline of right of way Sta. 601+09.08;
2. **South 48 degrees 05 minutes 03 seconds West, 7.08 feet** along the westerly existing right of way line of Main Street, to a point 35.00 feet left of and at right angles to the centerline of right of way Sta. 601+04.05;

**EXHIBIT A**

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LPA RX 871 SH

Rev. 06/09

3. **North 03 degrees 13 minutes 30 seconds East, 40.00 feet** to a point on the north line of said Lot 325, being 35.00 feet left of and at right angles to the centerline of right of way Sta. 601+44.05;
4. **South 87 degrees 03 minutes 24 seconds East, 5.00 feet** along the north line of said Lot 325 to the **Place of Beginning** and containing 0.0043 of an acre (187.37 sf), more or less.

Bearings are based on grid north as determined from GPS observations and are relative to the Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011) and are for the purposes of determining directional variations only.

This description is based on notes from a survey completed by K.E. McCartney & Associates, Inc.

The station/offset references recited herein are from centerline of Right of Way Main St.

Deeds referred to are recorded in the Richland County Recorder's Office.

This area contained within Auditor Parcel No. 0270424405000

  
Nathaniel B. Ramsey,  
for KE McCartney & Associates, Inc.



### **EASEMENT**

CII Technologies, Inc. c/o TE Connectivity Corporation, the Grantor(s), in consideration of the sum of One thousand eight hundred eighteen (1,818.00) dollars, to be paid by The City of Mansfield, Richland County, Ohio, the Grantee, does convey(s) to Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A attached, the following described real estate:

PARCEL(S): 54-SH

RIC-MAIN STREET

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 0270500102000  
Prior Instrument Reference: ORV 775, Pg. 719, Richland County Recorder's Office.

Grantor(s), for its self and its successors and assigns, covenant(s) with the Grantee, its successors and assigns, that it is the true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.



IN WITNESS WHEREOF CII TECHNOLOGIES, INC. c/o TE CONNECTIVITY CORPORATION has caused its name to be subscribed by Lee S. Zimmerman, its duly authorized Vice President Global Real Estate, and its duly authorized agent on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CII Technologies, Inc. c/o  
TE Connectivity Corporation

\_\_\_\_\_  
Lee S. Zimmerman, Vice President  
Global Real Estate

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_ SS:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Lee S. Zimmerman who acknowledged being the Vice President Global Real Estate and duly authorized agent of CII Technologies, Inc. c/o TE Connectivity Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to Lee S. Zimmerman with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

This document was prepared by:  
K.E. McCartney & Associates, Inc.  
for The City of Mansfield, Ohio

**EXHIBIT A**

Page 1 of 2

LPA RX 871 SH

Rev. 06/09

Ver. Date 10/26/2022

PID 112404

**PARCEL 54-SH  
RIC-MAIN STREET  
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Mansfield, Richland County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Richland, City of Mansfield; lying on the right side of the centerline of right of way of Main Street, being a part of Lot 2572 of the consecutively numbered lots in said City, being a part of Bentley's Addition to Mansfield as recorded in Plat Volume 1, page 43, being a portion of a parcel conveyed to CII Technologies Inc by official record volume 775, page 719, and being more particularly described as follows:

**Beginning** for the same at a point in the southwest corner of said Lot 2572, said point also being the intersection of the east existing right of way line of Main Street-(60' R/W) and the north existing right of way line of East Fifth Street, being 30.00 feet left of and at right angles to centerline of right of way Sta. 600+83.70;

Thence, the following **FIVE** Courses:

1. **North 03 degrees 13 minutes 30 seconds East, 53.50 feet** along the west line of said Lot 2572, said east existing right of way line of Main Street to a point 30.00 feet right of and at right angles to centerline of right of way Sta. 601+37.20;
2. **South 86 degrees 24 minutes 27 seconds East, 11.00 feet** to a point 41.00 feet right of and at right angles to centerline of right of way Sta. 601+37.13;

**EXHIBIT A**

Page 2 of 2

LPA RX 871 SH

Rev. 06/09

3. **South 03 degrees 13 minutes 30 seconds West, 49.68 feet to a point 41.00 feet right of and at right angles to centerline of right of way Sta. 600+87.44;**
4. **South 63 degrees 29 minutes 20 seconds East, 9.80 feet to a point on the south line of aforementioned Lot 2572, the aforementioned north existing right of way line of East Fifth Street, said point being 50.00 feet right of and at right angles to centerline of right of way Sta. 600+83.57;**
5. **North 86 degrees 24 minutes 27 seconds West, 20.00 feet along said south line of Lot 2572, said north existing right of way line of East Fifth Street to the **Place of Beginning** and containing 0.0139 of an acre (605.84 sf), more or less.**

Bearings are based on grid north as determined from GPS observations and are relative to the Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011) and are for the purposes of determining directional variations only.

This description is based on notes from a survey completed by K.E. McCartney & Associates, Inc.

The station/offset references recited herein are from centerline of Right of Way Main St.

Deeds referred to are recorded in the Richland County Recorder's Office.

This area contained within Auditor Parcel No. 0270500102000

  
Nathaniel B. Ramsey, **PS**  
for *KE McCartney & Associates, Inc.*



LPA RE 807  
Rev. 10/2017

TE  
LPA

### TEMPORARY EASEMENT

CII Technologies, Inc. c/o TE Connectivity Corporation, the Grantor(s), in consideration of the sum of Three hundred fifty-three (\$353.00) dollars, to be paid by The City of Mansfield, Richland County, Ohio, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S):54-T

RIC- MAIN STREET

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 0270500102000

Prior Instrument Reference: ORV 775, Pg. 719, Richland County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF CII TECHNOLOGIES, INC. C/O TE CONNECTIVITY CORPORATION has caused its name to be subscribed by Lee S. Zimmerman, its duly authorized Vice President Global Real Estate, and its duly authorized agent on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CII Technologies, Inc. c/o  
TE Connectivity Corporation

\_\_\_\_\_  
Lee S. Zimmerman, Vice President  
Global Real Estate

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_ SS:

BE IT REMEMBERED, that on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Lee S. Zimmerman who acknowledged being the Vice President Global Real Estate and duly authorized agent of CII Technologies, Inc. c/o TE Connectivity Corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to Lee S. Zimmerman with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: \_\_\_\_\_

This document was prepared by:  
K.E. McCartney & Associates, Inc.  
for The City of Mansfield, Ohio

**EXHIBIT A**

Page 1 of 2

Rev. 07/09

LPA RX 887 T

Ver. Date 10/26/2022

PID 112404

**PARCEL 54-T  
RIC-MAIN STREET  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
PERFORM GRADING  
FOR 18 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Richland, City of Mansfield; lying on the right side of the centerline of right of way of Main Street, and being a part of Lot 294, part of Lot 2572, part of Lot 2573, part of Lot 2574, part of Lot 2575, Part of Lot 2576, and Part of Lot 2577 of the consecutively numbered lots in said City, being a part of Bentley's Addition to Mansfield as recorded in Plat Volume 1, page 43 and a part of vacated Hill alley, being a portion of a parcel conveyed to CII Technologies, Inc. by official record volume 775, page 719 and being more particularly described as follows:

**Beginning** for the same at a point in the south line of said Lot 2572, also being on the north existing right of way line of East Fifth Street-(60' R/W), and being 53.78 feet right of and at right angles to the centerline of right of way Sta. 600+83.54, Project RIC-Main Street Mansfield Streetscape;

Thence, the following **EIGHT** Courses:

1. **North 86 degrees 24 minutes 27 seconds West, 3.78 feet** along the south line of said Lot 2572, the north existing right of way line of East Fifth Street to a point 50.00 feet right of and at right angles to the centerline of right of way Sta. 600+83.57;
2. **North 63 degrees 29 minutes 20 seconds West, 9.80 feet** to a point 41.00 feet right of and at right angles to the centerline of right of way Sta. 600+87.44;
3. **North 03 degrees 13 minutes 30 seconds East, 49.68 feet** to a point 41.00 feet right of and at right angles to the centerline of right of way Sta. 601+37.13;
4. **North 86 degrees 24 minutes 27 seconds West, 11.00 feet** to a point on the east existing right of way line of Main Street, being 30.00 feet right of and at right angles to the centerline of right of way Sta. 601+37.20;

**EXHIBIT A**

Page 2 of 2

LPA RX 887 T

Rev. 07/09

5. **North 03 degrees 13 minutes 30 seconds East, 196.51 feet** along said east existing right of way line of Main Street to a point 30.00 feet right of and at right angles to the centerline of right of way Sta. 603+33.71;
6. **South 86 degrees 24 minutes 27 seconds East, 10.00 feet** to a point 40.00 feet right of and at right angles to the centerline of right of way Sta. 603+33.64;
7. **South 03 degrees 13 minutes 30 seconds West, 183.64 feet** to a point 40.00 feet right of and at right angles to the centerline of right of way Sta. 601+50.00;
8. **South 08 degrees 29 minutes 15 seconds East, 67.87 feet** to the **Place of Beginning** and containing 0.0540 of an acre (2352.23 sf), more or less.

Bearings are based on grid north as determined from GPS observations and are relative to grid north of the Ohio State Plane Coordinate System, Ohio North Zone, NAD83(2011) and are for the purposes of determining directional variations only.

This description is based on notes from a survey completed by K.E. McCartney & Associates, Inc.

The station/offset references recited herein are from centerline of Right of Way Main Street.

Deeds referred to are recorded in the Richland County Recorder's Office.

This area contained within Auditor parcel number 0270500102000

  
Nathaniel B. Ramsey,  
for KE McCartney & Associates, Inc.



BILL #23-216 \*

ORDINANCE # 23 - 216

BY: MR. DIAZ

Authorizing the Public Works Director to enter into a contract for the replacement of the traffic signal at the Marion, Maple and Sherman intersection.

**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, with the lowest and best bidder, according to law for the construction of the replacement of the traffic signal at the Marion, Maple and Sherman intersection, all in accordance with detailed plans, specifications and estimates as now on file in the office of the City Engineer, which plans, estimates, and specifications are hereby approved.

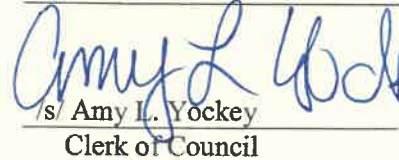
SECTION 2. That the entire cost of the improvements authorized in Section 1 shall be paid from Street Maintenance and Repair Fund (#202), Street (#53), Capital Outlay Classification.

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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

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 #23-217

ORDINANCE # 23 - 217

BY: MS. BURNS

Authorizing the Public Works Director to enter into a contract or contracts for the design, inspection and construction of GMP-3 to construct improvements to the City's Water Treatment plant, and declaring an emergency.

**WHEREAS**, the City of Mansfield, Ohio ("the City") has been directed by the Ohio Environmental Protection Agency to make improvements to the City's water treatment plant ("the Project"), and

**WHEREAS**, the Council of the City of Mansfield, Ohio (the "Council") has previously authorized contracts with K.E. McCartney & Associates, Inc. of 52 North Diamond Drive in Mansfield ("KEM") to perform the planning and engineering services necessary to construct the Project, and

**WHEREAS**, the City Engineer has solicited proposals from Construction Managers to serve as a Construction Manager at Risk ("CMAR") to construct the Project pursuant to City of Mansfield Ordinance #20-174, and

**WHEREAS**, the City Engineer has evaluated multiple proposals and conducted interviews of prospective CMARs and has determined that Shook Construction of 1335 Dublin Road, Suite 200-A, Columbus, Ohio 43215 is qualified to construct the Project and has submitted the proposal offering the best value to the City, and

**WHEREAS**, the CMAR has been constructing the Project in phases (GMP-1, GMP-2-01, GMP-2-02) pursuant to City of Mansfield Ordinance #20-297, and

**WHEREAS**, due to the increasing cost of materials and labor, additional funds in the amount of \$2,700,000 are needed to complete the project, and

**WHEREAS**, The City has budgeted the necessary funds in the 2024 Temporary Annual Appropriations Bill #23-180.


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


**SECTION 1.** The Public Works Director is hereby authorized to enter into a contract or contracts for the design, inspection and construction of GMP-3 at the City's Water Treatment Plant to bring the plant into compliance with Ohio Environmental Protection Agency requirements.


**SECTION 2.** That the cost for improvements authorized in Section 1 shall be paid from the Water Fund (#502), Non-Departmental (#99), Capital Outlay Classification.

**SECTION 3.** That by reason of the immediate necessity in order to authorize performance of such construction services for the improvement of the Water Treatment Plant without delay in accordance with Ohio Environmental Protection Agency and IRS requirements, 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 5 December 2023  
1<sup>st</sup> Reading 5 December 2023  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 5 December 2023

  
SIGNED /s/ David Falquette  
President of Council

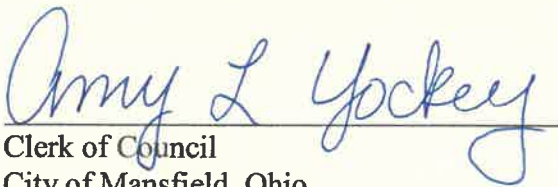
  
ATTEST /s/ Amy L. Yockey  
Clerk of Council

  
APPROVED /s/ Timothy L. Theaker  
Mayor

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

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of an ordinance duly adopted by the Council of the City of Mansfield, Ohio on DEC 5, 2023.

  
Clerk of Council  
City of Mansfield, Ohio

BILL #23-218\*

ORDINANCE #

23-218

BY: MR. DAVENPORT

Amending Section 195.02(a) of Chapter 195 of the Mansfield Codified Ordinances (Transient Occupancy Tax) to extend and reallocate the tax through December 31, 2026, and declaring an emergency.

**WHEREAS**, effective January 1, 1988, Ordinance #87-291 imposed a Transient Occupancy Tax at the rate of three percent (3%) on the furnishing of lodging by motels to transient guests, as allowed by R.C. 5739.02(C)(1) (now R.C.5709.08(A)), and

**WHEREAS**, by Ordinance #98-306, passed December 15, 1998, the Transient Occupancy Tax was extended an additional three (3) years from January 1, 1999 to December 31, 2001, and

**WHEREAS**, by Ordinance #99-033, passed February 16, 1999 the Transient Occupancy Tax proceeds were reallocated and extended an additional seven (7) years from January 1, 1999 to December 31, 2005.

**WHEREAS**, by Ordinance #05-269, passed December 20, 2005, the Transient Occupancy Tax was extended an additional six (6) years from January 1, 2006 to December 31, 2011, and

**WHEREAS**, by Ordinance #11-213, passed December 20, 2011, the Transient Occupancy Tax was extended an additional year from January 1, 2012 to December 31, 2012, and

**WHEREAS**, by Ordinance #12-225, passed December 18, 2012, the Transient Occupancy Tax was extended an additional year from January 1, 2013 to December 31, 2013, and

**WHEREAS**, by Ordinance #13-359, passed December 17, 2013, the Transient Occupancy Tax was extended an additional year from January 1, 2014 to December 31, 2014, and

**WHEREAS**, by Ordinance #14-280, passed December 16, 2014, the Transient Occupancy Tax was extended for an additional (3) years from January 1, 2015 through December 31, 2017.

**WHEREAS**, by Ordinance #17-212, passed November 7, 2017, the Transient Occupancy Tax was extended for an additional (3) years from January 1, 2018 through December 31, 2020.

**WHEREAS**, by Ordinance #20-229, passed October 20, 2020, the Transient Occupancy Tax was extended for an additional (3) years from January 1, 2021 through December 31, 2023.

**WHEREAS**, this Council deems it appropriate and in the best interest of the City of Mansfield to extend the imposition of the Transient Occupancy Tax an additional three (3) years from January 1, 2024 through December 31, 2026.

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

**SECTION 1.** That Section 195.02(a) of Chapter 195 of the Mansfield Codified Ordinances, as amended, pertaining to the City Transient Occupancy Tax be, and the same is hereby, amended to provide as follows:

**A195.02 RATE OF TAX**


- (a) Commencing on January 1, 2021 ~~2024~~ and expiring on December 31, 2023 ~~2026~~, there is levied a tax of three percent (3%) on all rents received by a hotel for lodging furnished to transient guests with total receipts applied as follows:

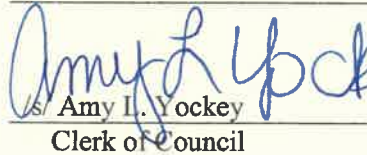
- (1) Seven percent (7%) gross, shall be charged as an administrative-collection fee shall be deposited in the Transient Occupancy Tax Fund and transferred to the General Fund.
- (2) Forty-three percent (43%) gross, of said tax receipts shall be deposited in the Transient Occupancy Fund and transferred to the General Fund.
- (3) The remaining balance of said tax receipts shall be split between Destination Mansfield and Downtown Mansfield, Inc. fifty percent (50%) going to each organization.
- (4) A financial review will be performed semi-annually, and if the tax receipts increase; the percentage shared between Destination Mansfield and Downtown Mansfield Inc. will be reviewed for a possible increase. The Mayor will ask council for any adjustments at that time.

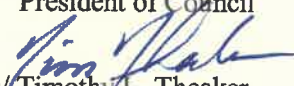
**SECTION 2.** That the Transient Occupancy Tax provisions set forth in this Ordinance supersede all prior Ordinances and provisions on the same subject and shall be effective on and after January 1, 2024.

**SECTION 3.** That in order to extend and continue the Transient Occupancy Tax at the beginning of 2024 without any lapse, 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 from and after January 1, 2024, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 5 December 2023  
 1<sup>st</sup> Reading 5 December 2023  
 2<sup>nd</sup> Reading \_\_\_\_\_  
 PASSED 5 December 2023

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 #23-183\* Amended

RESOLUTION #

23-183

BY: ALL MEMBERS OF COUNCIL

Submitting the question of adopting the enactment of an additional municipal income tax at the rate of one-quarter percent (0.25%) for a period of four (4) years from January 1, 2025 through December 31, 2028 for "MANSFIELD WATER MAIN INITIATIVE" to the electors of the City of Mansfield, Ohio, for their approval or rejection at the primary election to be held within the City of Mansfield, Ohio, on March 19, 2024, with such additional income tax receipts to be used exclusively for the replacement of existing City water mains, and declaring an emergency.

**WHEREAS**, § 718.01 of the Revised Code of Ohio requires that municipal income tax rates in excess of one percent (1%) must be approved by the electors of the municipality at a general, primary or special election, and

**WHEREAS**, the City of Mansfield, Ohio, already levies a municipal income tax at a rate in excess of one percent (1%), and

**WHEREAS**, the City Council has determined, by the adoption of Ordinance #23-\_\_\_\_, adopted on December \_\_\_\_\_, 2023, as an emergency measure to be effective immediately upon its approval and passage by a majority vote of the electors of the City of Mansfield voting on the question at the primary election to be held on March 19, 2024, to adopt a levy of an additional one-quarter percent (0.25%) municipal income tax for the calendar years 2025, 2026, 2027 and 2028, with the additional income tax receipts to be used exclusively for the replacement of existing City water mains.

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

**SECTION 1.** That pursuant to the provisions of § 718.01 of the Revised Code of Ohio, the Board of Elections of Richland County, Ohio, is hereby directed and ordered at the primary election to be held on the nineteenth day of March 19, 2024, to submit to the electors of the City of Mansfield, Ohio, for their approval or rejection the question of whether an additional municipal income tax at the rate of one-quarter percent (0.25%) for a period of four (4) calendar years commencing January 1, 2025, and ending December 31, 2028, shall be levied pursuant to such City's Ordinance #23-\_\_\_\_ adopted by the City's Council on December \_\_\_\_\_, 2023, with such additional income tax receipts to be set aside and used exclusively for the replacement of existing City water mains.

**SECTION 2.** That the ballot shall be substantially in the following form:

PROPOSED MUNICIPAL INCOME TAX LEVY  
CITY OF MANSFIELD  
A Majority Affirmative Vote is Necessary for Passage.

Shall the Ordinance providing for the enactment of an additional one-quarter of one percent (0.25%) levy on income for the calendar years of 2025 through 2028, to be used exclusively for the replacement of existing City water mains, be passed?

FOR THE INCOME TAX	
AGAINST THE INCOME TAX	

**SECTION 3.** That the Mayor, the Clerk of the Council and the Director of Law of the City of Mansfield are hereby directed and authorized to take all actions necessary on their part to submit the above question to the electors of the City of Mansfield, Ohio, at the primary election to be held on March 19, 2024.


**SECTION 4.** That the Clerk of the Council is hereby directed to forthwith, and not later than December 20, 2023, certify and file a true copy of this Resolution to the Board of Elections of Richland County, Ohio, together with a true copy of Ordinance #23-\_\_\_\_\_.

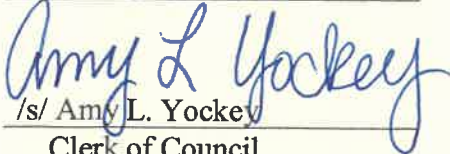
**SECTION 5.** That the Board of Elections of Richland County, Ohio, is authorized and directed to make the necessary arrangements for the submission of this tax levy to the electors of the City of Mansfield, Ohio, certify same, and publish notice of this election prior to such election as required by law.

**SECTION 6.** That it is found and determined that all formal action of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Revised Code of Ohio.

**SECTION 7.** That by reason of the necessity for immediate action required to enable the City to submit the question of the adoption of the enactment of a new municipal income tax on income taxable by the City to a vote of the electors of the City at the general election to be held on March 19<sup>th</sup>, 2024, pursuant to § 718.01 of the Revised Code of Ohio, which section requires that a copy of this Resolution be certified to the Board of Elections of Richland County, Ohio, at least ninety days prior to such election, this measure is determined to be an emergency Ordinance for the immediate preservation of the public 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 5 December 2023  
 1<sup>st</sup> Reading 5 December 2023  
 2<sup>nd</sup> Reading \_\_\_\_\_  
 PASSED 5 December 2023

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

BY: ALL MEMBERS OF COUNCIL

Enacting a portion of Chapter 193 of the Mansfield Codified Ordinances of 1997, as amended, to provide for a MANSFIELD WATER MAIN INITIATIVE levy of one-quarter percent (.25%) municipal income tax, after approval of such levy by the electors pursuant to § 718.01 of the Revised Code of Ohio, upon income taxable by the City of Mansfield for a period of four (4) years and commencing January 1, 2025 and ending December 31, 2028, to be used exclusively for the replacement of existing City water mains, and declaring an emergency.

**WHEREAS**, in accordance with the above, the City of Mansfield, without an increase in taxes, faces continued fire safety and water delivery problems, and because it is in the best interest of the City and its inhabitants to provide such income tax funds for the municipal government to replace aging water mains and continue to improve the quality of living for its inhabitants, this levy shall be known as the “MANSFIELD WATER MAIN INITIATIVE” levy, as the funds will be used exclusively for water main replacement, and

**WHEREAS**, this one-quarter percent rate increase exceeds the maximum rate of one percent that can be levied without a vote of the electors pursuant to § 718.01 of the Revised Code of Ohio; it will be necessary to submit the additional tax proposal pursuant to this Ordinance to a vote of the electors of the City pursuant to § 718.01 of the Revised Code of Ohio.

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

**SECTION 1.** That § 193.012 of the Mansfield Codified Ordinances, as amended, pertaining to the institution of a tax levied by Chapter 193 thereof, as amended, be, and the same is hereby, enacted to read as follows:

“193.012 PURPOSES OF TAX; RATE.

(A) To provide funds for the purpose of general municipal operations and other municipal purposes of the City of Mansfield, there is hereby levied a tax upon earnings at the rate of one percent (1%), upon the following:

- (1) On all salaries, qualifying wages, third party sick pay, commissions and other compensation earned on and after January 1, 1971, by resident individuals of the City of Mansfield.
- (2) On income from all lottery, gambling, and sports winnings, and games of chance received by resident individuals of the City of Mansfield.
- (3) On all salaries, qualifying wages, third party sick pay, commissions and other compensation earned on and after January 1, 1971, by nonresident individuals of the City of Mansfield, for work done or services performed or rendered in the City of Mansfield.
- (4) On the net profits attributed to City of Mansfield, earned on and after January

1, 1971, of all resident unincorporated businesses, professions and other activities derived from work done or services rendered or performed and business or other activities conducted in the City of Mansfield.

(5) On the portion of the distributive share of the net profit earned on and after January 1, 1971, of a resident individual, partner or owner of a resident unincorporated business entity attributable to the City of Mansfield and not levied against such unincorporated business entity.

(6) On the net profits attributable to the City of Mansfield earned on and after January 1, 1971, of all nonresident unincorporated businesses, professions or other activities, derived from work done or services performed or rendered and business or other activities conducted in the City of Mansfield.

(7) On that portion of the distributive share of the net profits earned on and after January 1, 1971, of a resident individual, partner or owner of a non-resident unincorporated business entity not attributable to the City of Mansfield and not levied against such unincorporated business entity.

(8) On the net profits earned on and after January 1, 1971, of all corporations derived from work done or services performed or rendered and business or other activities conducted in the City of Mansfield.

(B) In addition to the income tax levied pursuant to Section 193.012(A), there is hereby levied, to provide funds for the purpose of expenses and salaries in the Police and Fire Departments, a tax upon earnings at the additional rate of one-half of one percent ( $\frac{1}{2}$  %) upon those items enumerated in Section 193.012(A)(1)-(8).

(C) In addition to the income tax levied pursuant to Sections 193.012(A) and 193.012(B), there is hereby levied, to provide funds for the purpose of expenses of operation of the municipal government, a tax upon earnings at the additional rate of one-quarter of one percent (.25%) upon those items enumerated in Sections Section 193.012(A)(1)-(8) to be allocated and expended exclusively as follows: safety services - fifty percent (50%); parks and recreation - twenty-two percent (22%); demolition of vacant properties and removal of blight - twenty percent (20%); and street lighting - eight percent (8%).

(D) In addition to the income tax levied pursuant to Sections 193.012(A), 193.012(B), and 193.012(C), there is hereby imposed and levied an additional municipal income tax at the rate of one-quarter percent ( $\frac{1}{4}$ %) for a period of four (4) years commencing January 1, 2024, with the proceeds therefrom to be set aside and used exclusively for the replacement of existing City water mains.

(E) In addition to the income tax levied pursuant to Sections 193.012(A), 193.012(B), 193.012(C), and 193.012(D), there is hereby imposed and levied an additional municipal income tax at the rate of one-quarter percent ( $\frac{1}{4}$ %) for a period of four (4) years commencing July 1, 2021, with the proceeds therefrom to be set aside and used exclusively for rehabilitation and repair of streets and park roads. Such additional income tax shall be levied on those sources of income set forth in Section 193.012(A)(1)-(8) of income tax ordinance for the City of Mansfield on the effective date hereof and the Director of Finance shall administer and collect such additional income tax proceeds pursuant to the provisions contained in such income tax ordinance.”



SECTION 2. That the Clerk of City Council is hereby directed to forthwith certify a true copy of this Ordinance to the Board of Elections of Richland County, Ohio, and to cause this Ordinance to be published as required by law.


SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including § 121.22 of the Revised Code of Ohio.

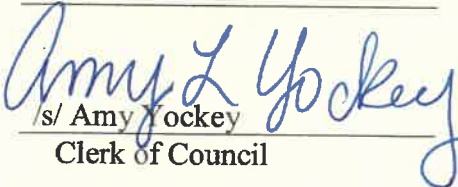
SECTION 4. That existing § 193.012 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, repealed, effective January 1, 2025, subject, however, to passage of the ballot measure hereof.

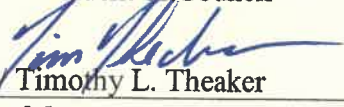
SECTION 5. That Section 1 of this Ordinance shall take force and be in effect on and after January 1, 2025, subject, however, to obtaining the approval of a majority of the electors of the City of Mansfield, Ohio, according to law, voting hereon at the primary election to be held on March 19, 2024, pursuant to the provisions of § 718.01 of the Revised Code of Ohio.

SECTION 6. That by reason of the necessity for immediate action required to enable the City to submit the levy of an additional tax on taxable income to continue to raise supplemental funds for the operation of municipal government, for without said funds, such governmental functions and others would have to be curtailed to such an extent that the public health, safety and welfare would be greatly jeopardized, this measure is determined to be an emergency Ordinance for the immediate preservation of the public, 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                    5 December 2023  
1<sup>st</sup> Reading            5 December 2023  
2<sup>nd</sup> Reading  
PASSED                5 December 2023

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