

BILL #21-145 *amended

ORDINANCE #

21-146

BY: MR. SCOTT

Amending Chapter 755 of the Mansfield Codified Ordinances concerning emergency alarms, specifically amending Sections 755.01, 755.03, 755.04, 755.05, 755.06, 755.10 and 755.99 and creating and adopting Sections 755.13 and 755.14 as part of Chapter 755 of the Mansfield Codified Ordinances.

WHEREAS, the Safety-Service Director has requested and approved, numerous changes to Chapter 755 "Emergency Alarms" of the Mansfield Codified Ordinances, this Council now adopts the following amendments to the listed Sections and creates the listed new Sections to enable the Safety-Service Director or her designee to more effectively regulate private emergency alarms systems within the City of Mansfield.

WHEREAS, this Ordinance went to caucus on July 20, 2021 the Mansfield Safety-Service Director, the Mansfield Fire Chief, and the Mansfield Police Chief requested several changes and amendments to the ordinance. Said changes are marked in yellow print.

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

SECTION 1. That Section 755.01 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

"755.01 PURPOSE AND SCOPE.

(a) **Purpose.** The purpose of these sections is to protect the police and fire emergency services of the City from misuse **and to encourage alarm users and alarm businesses to properly use and maintain the operational effectiveness of alarm systems in order to improve the reliability of alarm systems and reduce or eliminate false alarms.**

(b) **Scope.** These sections govern and regulate alarm systems, alarm users and alarm businesses; **require licensure**; establish fees; provide for revocation of permits; and provide for the punishment of violations within these sections."

SECTION 2. That Section 755.03 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

"755.03 DEFINITIONS.

(a) "Alarm business" means the business by any person, partnership, corporation or other entity **selling, leasing, testing, inspecting,** monitoring, maintaining, servicing, repairing, altering, replacing, moving, or installing any alarm system, or causing to be sold, leased, maintained, serviced, **tested, monitored, inspected,** repaired, altered, replaced, moved or installed, any alarm

system in or on any building, structure or facility. ~~Exemption: The provisions of this chapter do not include a business which engages in the manufacture or sale of an alarm system unless such business services, installs or responds to alarm systems.~~

(b) "Alarm system" means any assembly of equipment, mechanical, or electrical, audio, video, GPS, internet based, or cellular arranged to signal the occurrence of an illegal entry or other activity requiring urgent attention and to which police or fire are expected to respond.

(c) "Alarm user" means a person, firm, partnership, association, corporation, company or organization of any kind, in control of any building, structure or facility where an alarm system is maintained. Exclusion: The term "alarm user" does not include alarms being monitored by a licensed alarm business.

(d) "Applicant" means any person, partnership, corporation or other entity who files an application for a new or renewal license or permit as provided in this chapter.

(e) "Subscriber" means any person, partnership, corporation or other entity who is under contract with or has an alarm business monitor, service or maintains its alarm system.

(f) "Automatic dialing device" means a device which is interconnected to a telephone line and is programmed to select a predetermined telephone number and transmit by a voice message, cellular communicator, or network connection or code signal, an emergency message indicating the need for an emergency response.

(g) "False alarm" means an alarm dispatch request to city safety forces, when the responding safety force official finds no evidence of an emergency, criminal offense, or attempted criminal offense after having completed a timely investigation of the alarm site, or the activation of an alarm system through mechanical failure, malfunctioning, improper installation or the negligence of the owner or lessee of an alarm system, or of his employees or agents. Such terminology does not include, for example, alarms caused by hurricanes, tornadoes, earthquakes or other similarly violent conditions. Some examples of false alarms include, without limitation, the following:

(1) When an individual user fails to properly utilize the alarm system. For example:

A. Neglects to turn off the alarm before entering a protected property.

B. Fails to call a central station or monitoring agency advising them that the entry is authorized.

C. A user fails to properly instruct an employee or representative who has access to a protected property of the correct use of the alarm.

(2) When a fire or burglary system is activated requiring a response because the system and/or equipment is not in compliance with manufacturer's recommendations.

(3) When an Alarm Business employee fails to put the system on test.

(4) When an Alarm Business provides an incorrect address.

(h) "Interconnect" means to connect an alarm system, including an automatic dialing device to a telephone line either directly or through a mechanical device that utilizes the telephone, **network, cellular communicator, or network connection** for the purpose of using the telephone line to transmit a message upon activation of the alarm system.

(i) ~~"Alarm license section"~~ **"Alarm Ordinance Administration"** means the department of the City designated as such by the Mayor and which is authorized to issue permits and licenses and collect the fees for same as provided herein.

(j) "Local alarms" means those alarm systems which activate an audible **or visual** signal within the proximity of the premises only.

(k) "Permit year" means a twelve-month period beginning with the first day of March and ending the last day of February of each year.

(l) "Primary trunkline" means a telephone line leading directly into the Public Safety Communications Center which is for the purpose of handling emergency calls on a person-to-person basis, and which is identified by a specific number in the telephone directory.

(m) ~~"Police/Fire Alarm Administrator"~~ **"Safety-Service Director's Designee"** means the employee of the City whose responsibility is to coordinate the administration and documentation of alarm business and alarm systems performance as it relates to the effective enforcement of the provisions of these sections."

SECTION 3. That Section 755.04 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

"755.04 ALARM BUSINESS LICENSE; FEE.

(a) Any individual, partnership, corporation or other entity engaging in an alarm business within the City, **defined as having accounts with alarms or alarm monitoring at addresses located within said City**, shall apply to the ~~Police/Fire Alarm Administrator~~ **Safety-Service Director's Designee** for the City, for a license to operate.

(b) The application for an alarm business license shall be on a form to be furnished by the alarm license section and signed by the individual proprietor of such business, by a partner or by the corporate official, as is appropriate for the form of the business seeking the license, and shall include:

(1) The name, address and telephone number of the alarm business, and the type of business entity it is (individual, partnership or corporate). The name, address and telephone number of the individual proprietor, partners or directors and principal officers, depending on the nature of the entity applying.

(2) A description of the alarm systems and devices offered for sale and lease to the public and a description of any services related to alarm devices offered to the public.

(3) A list of all felony convictions of individual proprietors, partners, directors and principal officers of the applicant business. The date and location of each conviction shall also be included.

(4) A statement as to whether the applicant has ever been denied a license or permit in any jurisdiction to engage in the alarm business, or has had such license or permit revoked.

(5) A statement as to the length of time the applicant has been engaged in the alarm business, and where engaged.

(c) License applications shall be accompanied by a nonrefundable fee of two hundred dollars (\$200.00) to cover the costs to the City, of processing the applications as described herein.

(d) The ~~Administrator~~ **Safety-Service's Director's Designee** shall review each application for a license and may conduct an investigation to determine whether the facts set forth in the application are true. He shall, within sixty days after receipt of an application for such license, either approve or deny issuance of same and, accordingly, forward notification to the applicant of the decision. A written notification of denial shall include the basis for such finding and if the grounds for denial are subject to correction, the applicant shall be given ~~ten~~ **thirty** days after receipt of such notice within which to make the required correction.

(1) The ~~Administrator~~ **Safety-Service Director's Designee** shall deny the application for an alarm business license if he finds that applicant business fails to meet the experience requirement set forth in subsection ~~(f)~~ **(e)** hereof.

(2) The ~~Administrator~~ **Safety-Service Director's Designee** may deny the application for an alarm business license if he finds that the applicant, or the individual having the authority and the responsibility for the management and operation of the applicant's alarm business within the City or the individual upon whom the applicant relies to comply with this chapter, or any of the applicants, owners, partners or principal corporate officers have:

A. Committed any act which if committed by a licensee would be grounds for revocation of a license under subsection ~~(h)~~ **(g)** hereof; or

B. While unlicensed, knowingly and willfully committed or aided and abetted in the commission of any act for which a license is required by this chapter; or

C. Been convicted in any jurisdiction of a felony, if the ~~Administrator~~ **Safety-Service Director's Designee** finds that such conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business.

~~—(e) Application for renewal of an alarm business license shall be made every year within thirty days before the expiration date of the last day of February, and shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00). Applicants for renewal may continue to do business while the renewal application is being processed. The application for renewal of an alarm business license shall be on a form to be furnished by the alarm license section and signed by the individual proprietor of such business, or by a partner or by the corporate official, as is~~

~~appropriate for the form of the business seeking the license, and shall include an update of the information provided in the initial application.~~

~~(1) The Administrator shall deny the application for renewal of an alarm business license if he finds that applicant business fails to meet the experience requirement set forth in subsection (f) hereof.~~

~~(2) An application for an alarm business renewal may not be renewed by the Administrator in the manner hereinafter set forth if the licensee, or any of its owners, partners, principal corporate officers, or the individual having the authority and the responsibility for the management and operation of the alarm business within the City are:~~

~~A. Found to have violated any of the provisions of this chapter.~~

~~B. Found to have knowingly and willfully given any false information of a material nature in connection with an application for a license or a renewal or reinstatement of a license or in a notice of transfer of an alarm business license under this chapter.~~

~~C. Found to have been convicted, in any jurisdiction, of a felony, if the Administrator determines that such conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business; or~~

~~D. Found to have committed any act while the license was not in effect which would be cause for the revocation of a license, or grounds for the denial of an application for a license.~~

(f) (e) Every alarm business shall meet the following experience requirement of this subsection before it may engage in the alarm business:

(1) At least one individual, who is an owner, officer, partner or employee of the applicant shall establish that he was engaged in, or employed by, an alarm business, in sales, service or installation; or equivalent, for an aggregate period of two years prior to filing this application. Such individual shall file with the ~~Administrator~~ **Safety-Service Director's Designee** sworn statements of such experience by at least two citizens of the community or communities in which such individual was so engaged or employed. The individual whom the applicant relies upon to comply with this paragraph shall be a person who devotes a substantial portion of their time to engaging in and/or supervising the sale, installation or servicing of alarm systems on behalf of the applicant.

(2) For the purpose of the two year experience requirement of subsection (1) above, employment by, or engagement in an alarm business in one or more communities within the State may be aggregated.

(3) In the event that the individual upon whom the applicant relies to comply with subsection (1) above shall within a period of three years after such compliance or qualification, for any reason cease to perform their duties on a regular basis, the alarm business shall promptly notify the ~~Administrator~~ **Safety-Service Director's Designee** by certified or registered mail, and shall obtain, as promptly as possible, a substitute eligible individual acceptable to the ~~Administrator~~ **Safety-Service Director's Designee**. If the alarm business fails to obtain such

substitute eligible individual within six months from and after the disqualification of such individual, the Administrator **Safety-Service Director's Designee** may revoke the alarm business license, or may, at his discretion, extend for a reasonable period of time, the period for obtaining a substitute qualified individual; or, such Administrator **Safety-Service Director's Designee** may determine, based upon experience and performance of the alarm business, that the alarm business need not obtain such substitute qualified individual.

(g) **(f)** No license issued pursuant to the provisions of this chapter shall be assigned or transferred either by operation of law or otherwise.

(h) ~~If the Administrator records three or more false alarms from any of the alarm premises within a license year, the following procedure shall be followed:~~

~~—(1) The Administrator shall notify by regular, U.S. mail the alarm business and the subscriber which has received three false alarms on its record within such license year, citing the location and date of each false alarm. Such notice shall include a statement that an accumulation of four false alarms within the license year will result in the imposition of an administrative fee of forty dollars (\$40.00) upon the subscriber for the fourth, and each additional false alarm recorded during the license year.~~

~~—(2) The Administrator shall notify the subscriber by regular, U.S. mail of the imposition of the administrative fee after the fourth and subsequent false alarms within a license year. The subscriber may request, in writing, a hearing within ten (10) days receipt of the notice. If no hearing is requested, the administrative fee is due thirty (30) days from the date of the notice.~~

~~—(3) If a hearing is requested, written notice of the time and place of the hearing shall be served on the subscriber by the Administrator by regular, U.S. mail at least ten days prior to the date set for the hearing.~~

~~—(4) The hearing shall be before the Service-Safety Director. The Administrator, the subscriber, and the alarm business shall have the right to present written and oral evidence on their behalf. The Service-Safety Director shall determine in writing, if the administrative fee will be assessed or be waived. If assessed, the administrative fee is due within thirty (30) days of the date of the Director's decision. Non-payment of fees may be cause for revocation of the alarm license.~~

(g) Renewal of License

Application for renewal of an alarm business license shall be made every year within thirty days before the expiration date of the last day of February, and shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00). Applicants for renewal may continue to do business while the renewal application is being processed. The application for renewal of an alarm business license shall be on a form to be furnished by the ~~alarm license section~~ Alarm Ordinance Administration and signed by the individual proprietor of such business, or by a

partner or by the corporate official, as is appropriate for the form of the business seeking the license, and shall include an update of the information provided in the initial application.

(1) The Safety-Service Director's Designee shall deny the application for renewal of an alarm business license if he finds that applicant business fails to meet the experience requirement set forth in subsection (f) hereof.

(2) An application for an alarm business renewal may not be renewed by the Safety-Service Director's Designee in the manner hereinafter set forth if the licensee, or any of its owners, partners, principal corporate officers, or the individual having the authority and the responsibility for the management and operation of the alarm business within the City are:

A. Found to have violated any of the provisions of this chapter.

B. Found to have knowingly and willfully given any false information of a material nature in connection with an application for a license or a renewal or reinstatement of a license or in a notice of transfer of an alarm business license under this chapter.

C. Found to have been convicted, in any jurisdiction, of a felony, if the Safety-Service Director's Designee determines that such conviction reflects unfavorably on the fitness of the applicant to engage in the alarm business; or

D. Found to have committed any act while the license was not in effect which would be cause for the revocation of a license, or grounds for the denial of an application for a license.

(h) Failure to Renew Alarm Dealer License

All Alarm Businesses licensed in accordance with the terms of Section 755.04 shall have their license renewed for each succeeding year prior to the date of expiration, if applicable fee requirements and other requirements of the Codified Ordinances of Mansfield are met. Failure to renew an alarm dealer license prior to the date of expiration shall result in a late fee in the amount of twenty-five dollars (\$25.00) per month and must be paid prior to the issuance of a valid alarm business license. A renewal may be denied if an alarm dealer's current license is revoked pursuant to the provisions of this Section.

a. Failure to renew an alarm dealer license within 60 days from the date of expiration may result in the Safety-Service Director's Designee revoking said license."

SECTION 4. That Section 755.05 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

"755.05 ALARM USERS PERMIT.

(a) Every alarm user in the City of Mansfield shall apply to the ~~alarm license section~~ **Alarm Ordinance Administration** for an alarm user permit for each system in use. Excluding those

alarm systems being monitored by contract under the alarm business licensee or those local alarm systems as defined in Section 755.03(j).

(b) Applications for an alarm user permit are broken down into the three categories and all fees indicated in this subsection are due for application received during the period of March 1 to August 31 of any year. The alarm user's permit application shall include the following information:

~~(1) Master fire alarm box permit connected to the City fire communication system shall be accompanied by a non-refundable fee of one hundred dollars (\$100.00) for each such application. All public, private and parochial schools that have master fire alarm boxes shall be required to obtain a master fire alarm box permit but will be exempt from paying any fees for such permit.~~

~~(2) Automatic dialing alarm user permit, shall be accompanied by a nonrefundable fee as follows, for each such application:~~

~~A. Commercial \$100.00 each~~

~~B. Residential 50.00 each~~

(c) The alarm user's permit application shall include the following information:

(1) The name, address, zip code and telephone number of the protected business, home, etc.

(2) The name, address, zip code and telephone number of the alarm company, if any, which installed or maintains applicant's alarm system.

(3) In the case of a business entity, the names, addresses, zip codes and telephone numbers of three responsible employees of the business who can be contacted by the Public Safety Communications Center.

(4) Other information such as special hazards or instructions as required.

(d) All initial applications for alarm user permits submitted after September 1 of any year shall be accompanied by a non-refundable fee exactly one-half of the full initial application fee as indicated in subsection (b) hereof.

(e) Application for renewal of alarm user's permit shall be made each year within thirty days immediately preceding the first of March of every year and shall be accompanied by a non-refundable fee of **\$200.00** ~~exactly one-half of the full initial application fee as indicated in subsection (d) hereof.~~

(f) An application fee will be charged in addition to the fee provided in subsection (d) above to an alarm user who is more than sixty days delinquent in renewing a permit, which additional fee shall be equal to twenty-five percent (25%) of the appropriate category fee set forth in subsection (b) above.

(g) A User's permit may be revoked for non-payment of fees pursuant to section 755.13.

~~—(g) If the Administrator records three or more false alarms from any of the alarm premises within a permit year, the following procedure shall be utilized:~~

~~—(1) The Administrator shall notify by regular, U.S. mail the alarm user which has received three false alarms on its record within the permit year, citing the location and date of each false alarm. The notice shall include a statement that an accumulation of four false alarms within the license year will be cause for imposing a fee of forty dollars (\$40.00) for the fourth and each additional alarm received.~~

~~—(2) The Administrator shall notify the alarm user by regular U.S. mail of the imposition of the fee for the fourth or subsequent false alarms within a permit year. Upon receipt, the alarm user may request, in writing, a hearing within ten (10) days receipt of the notice, to provide oral or written evidence on their behalf. If no hearing is requested, the fee is due thirty (30) days from the date of the notice.~~

~~—(3) If a hearing is requested, written notice of the time and place of the hearing shall be served on the user by the Administrator by regular U.S. mail at least ten days prior to the date set for the hearing.~~

~~—(4) The hearing shall be before the Service Safety Director. The Administrator and the alarm user shall have the right to present written and oral evidence on their behalf. The Director shall determine in writing if the fee will be assessed or waived. If assessed, the fee is due within thirty (30) days of the date of the Director's decision. Nonpayment of fees may be cause for revocation of the alarm user permit.~~

~~—(5) An alarm user shall immediately discontinue use of the alarm system upon being notified by regular U.S. mail of the revocation of a permit.~~

~~—(h) A revoked user's permit shall be obtained from the Administrator by updating the original application containing the information as provided herein, and pay a fee as follows:~~

~~(1) First revoked user's permit in permit year \$ 75.00~~

~~(2) Second revoked user's permit in permit year 175.00~~

~~(3) Third and each additional revoked user's permit in each permit year 275.00~~

~~—Each permit shall bear the same expiration date as the date on user's original permit. The permit shall be available for inspection by the Public Safety Communications Center.~~

~~—Included with the updated application shall be a statement of certification from the user and/or the user's repair company, certifying that the previous cause of the false alarm problem has been corrected."~~

SECTION 5. That Section 755.06 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

“755.06 SPECIFIC ALARM PROVISIONS.

(a) After the effective date of this Ordinance no person shall use, or cause to be used, any telephone, communication device, or attachment that automatically uses the public telephone system to connect with the Public Safety Communications Center and then reproduces any pre-recorded messages to report alarm activation. Also known as an Automatic Dialing Alarm. Alarm Users that have Automatic Dialing Devices prior to the effective date of this ordinance may continue using Automatic Dialing Devices until such time as the Automatic Dialing System needs to be replaced.

—(a) (b) Automatic dialing devices interconnected to the Police/Fire special trunkline shall be restricted to messages not exceeding fifteen seconds in duration. Contents in the message shall first state: "This is a recording". The balance of the message shall be appropriate to the purpose for which the alarm is installed. Each device shall be programmed to first dial the Public Safety Communications Center using the unlisted numbers assigned for that purpose. The device may next dial a number selected by the alarm user for which a person having a key to the alarm location can be advised of a problem.

Alarm users will be given a code number for each alarm location to be used when calling either the Police or Fire Divisions to clear any accidental or malfunctioning alarm. This code number is the only way an alarm can be cleared from an emergency situation.

—(b) (c) All local intrusion type alarms shall have the capacity to reset themselves after will reset themselves within fifteen minutes.

—(e) (d) Provisions outlined in subsections (a) and (b) hereof are in addition to those provisions in Sections 755.04 and 755.05, which are applicable to all alarm users, alarm businesses and alarm systems.

(d) (e) All political subdivisions shall be required to comply with all sections of this chapter except they shall be exempt from paying any initial or renewal permit fees.”

SECTION 6. That Section 755.10 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

“755.10 APPEAL OF DECISIONS.

(a) Any decision of the Administrator Safety-Service Director’s Designee that adversely affects a user or licensee or applicant for an alarm user permit or an alarm business licensee may be appealed to the Service- Safety-Service Director provided a written request for a hearing on the appeal is filed within ten days of notification of the Administrator’s Safety-Service Director’s Designee’s decision.

- (a) If a hearing is requested, written notice of the time and place of the hearing shall be served on the appellant by the ~~Administrator~~ Safety-Service Director's Designee by certified mail at least ten days prior to the date set for the hearing."

SECTION 7. That Section 755.13 of the Mansfield Codified Ordinances, be created and adopted, and read as follows:

"755.13 False Alarms

If the Safety-Service Director's Designee records three or more false alarms from any alarm premises within one year, the following procedure shall be followed:

(1) The Safety-Service Director's Designee shall notify by regular, U.S. mail the alarm user or subscriber which has received three false alarms on its record within one year, citing the location and date of each false alarm. Such notice shall include a statement that an accumulation of a fourth false alarm within one year will result in the imposition of an administrative fee of forty dollars (\$40.00) upon alarm subscribers or alarm users. For each additional false alarm recorded within one-year fees will be imposed according to the schedules in subsection 755.13 (3)(A). These fees shall be in addition to any criminal penalties imposed by this Ordinance.

(2) The Safety-Service Director's Designee shall notify by regular, U.S. mail any alarm businesses which has received three false alarms on its record within one year, citing the location and date of each false alarm. Such notice shall include a statement that an accumulation of a fourth false alarm within one year will result in the imposition of an administrative fee of two hundred dollars (\$200.00). This includes: an alarm business employee who fails to put the system on test; an alarm business that provides an incorrect address; or causing a false alarm to be activated in any way that violates this ordinance. In any of these situations the false alarm will not be counted against the alarm user.

Such notices shall include a statement for each additional false alarm recorded within one-year fees will be imposed according to the schedules in subsection 755.13 (3)(B). These fees shall be in addition to any criminal penalties imposed by this Ordinance.

(3) Alarm users, subscribers, or businesses will be subject to fines for violations of section 755.13, depending on the number of false alarms within a 12-month period, based upon the following schedule A for alarm users or subscribers and schedule B for alarm businesses.

Schedule A:

<u>Occurrences within one year</u>	<u>Fee</u>
False Alarms one (1) through three (3)	\$0
False Alarms four (4) through eight (8)	\$40.00
False Alarms nine (9) or more	\$65.00

Schedule B:

<u>Occurrences within one year</u>	<u>Fee</u>
False Alarms one (1) through three (3)	\$0
False Alarms four (4) through eight (8)	\$200.00
False Alarms nine (9) or more	\$350.00

(4) The Safety-Service Director's Designee shall notify the offending party by regular, U.S. mail of the imposition of the administrative fee(s) after the fourth and subsequent false alarms within one year for residential users, and for alarm businesses. The subscriber, alarm user, or alarm business may request, in writing, a hearing within ten (10) days receipt of the notice. If no hearing is requested, the administrative fee is due thirty (30) days from the date of the notice.

(5) If a hearing is requested, written notice of the time and place of the hearing shall be served on the Offending Party by the Safety-Service Director's Designee by regular, U.S. mail at least ten days prior to the date set for the hearing.

(6) The hearing shall be before the Safety-Service Director. The Safety-Service Director's Designee, the subscriber, the alarm user, or the alarm business shall have the right to present written and oral evidence on their behalf. The Safety-Service Director shall determine in writing, if the administrative fee will be assessed or be waived. If assessed, the administrative

fee is due within thirty (30) days of the date of the Director's decision. Non-payment of fees may be cause for revocation of the alarm license or permit.

(7) An alarm user, subscriber, or alarm business may immediately be ordered to discontinue use of an alarm system by order of the Safety-Service Director upon being notified by regular U.S. mail of the revocation of a permit or license subject to approval by the Chief of the Mansfield Fire Department for Fire alarms or the Chief of the Mansfield Police Department for any other type of alarm suspension.

(8) A revoked user's permit shall be obtained from the Safety-Service Director's Designee by updating the original application containing the information as provided herein, and pay a fee as follows:

- | | |
|--|----------|
| (a) First revoked user's permit in permit year within one year | \$75.00 |
| (b) Second revoked user's permit in permit year within one year | \$175.00 |
| (c) Third and each additional revoked user's permit in each permit year within one year | \$275.00 |

~~Each permit shall bear the same expiration date as the date on user's original permit. The permit shall be available for inspection by the Public Safety Communications Center.~~

Included with the updated application shall be a statement of certification from the user and/or the user's repair company, certifying that the previous cause of the false alarm problem has been corrected. (Ord. 04-269. Passed 12-21-04.)

(9) The alarm business shall be issued a fine of (\$100) if the Safety-Service Director's Designee determines that an alarm business employee knowingly made a false statement concerning the inspection of an alarm site or the performance of an alarm system.

(10) Notice of the right of Appeal under this Ordinance will be included with any fines. Alarm business appeals of fines should follow the same appellate procedure as defined for users and subscribers in this Section.

(11) Suspension of Response and Revocation of License or Permit.

(a.) When an alarm user or subscriber, has two hundred and fifty (\$250) or more in delinquent fees outstanding, or an alarm business has one thousand (\$1,000) or more in delinquent fees outstanding, the City, by order of the Safety-Service Director, shall have the option to revoke the permit of the alarm user, subscriber, or the license of an alarm business. Any further requests for a police or fire response to the activation of an alarm system may be suspended. Any suspension would require approval from the Chief of the Mansfield Fire Department, and or the Chief of the Mansfield Police Department subject to approval by the Safety-Service Director.

(b.) When an alarm user or subscriber fails to remit payment of fines imposed by any violation of any part of this chapter or section within ninety (90) days of receiving notice of said violation,

the City, by order of the Safety-Service Director's Designee, shall have the option to revoke the permit of the alarm user, subscriber, or the license of an alarm business. Any further requests for a police or fire response to the activation of an alarm system may be suspended by order of the Safety-Service Director. Any suspension would require approval from the Chief of the Mansfield Fire Department, and or the Chief of the Mansfield Police Department subject to approval by the Safety-Service Director."

SECTION 8. That Section 755.14 of the Mansfield Codified Ordinances, be created and adopted, and read as follows:

"755.14 DUTIES OF ALARM BUSINESSES

(a) Alarm Businesses must provide all new Alarm Users and Subscribers with a City provided Ordinance summary at the time of sale.

(b) Alarm Businesses must provide all existing Alarm Users with a City provided Ordinance summary within one hundred and eighty (180) days of this Ordinance going into effect.

(c) Alarm Businesses must install and maintain Alarm equipment as per the equipment manufacturer's instructions.

(d) Alarm Businesses must obtain and maintain a minimum of two responders that have keys to enter the alarm site within 30 minutes. A waiver of the two responders may be obtained from the Safety-Service Director's Designee.

(e) Alarm Businesses must provide a list of responders to the City upon request.

(f) Alarm Businesses must provide Alarm Users and Subscribers written instructions in the use, operation, and maintenance of the Alarm System, including factors that can cause false alarms.

(g) Alarm Businesses must provide Alarm Users and Subscribers written information of how to obtain service from the Alarm Business.

(h) Alarm Businesses must provide Alarm Users and Subscribers written information of how to cancel a false alarm.

(i) Alarm Businesses must communicate to the City Public Safety Communication Center any information regarding specifics of alarm events.

(j) Alarm Businesses must communicate to the City Public Safety Communication Center a cancellation as soon as possible following a determination that a response is unnecessary.

(k) Alarm Businesses must respond to all written information requests within thirty (30) days of receiving said requests.

~~(l) Alarm Businesses shall use two-call verification when an alarm is triggered in the City. This means the Alarm Business shall make a call to the two key holders listed for the property to verify an alarm prior to contacting the Communications Center for dispatch.~~

(m) (l) Violation of any requirement of this section will result in a twenty-five-dollar (\$25) Fee being imposed per violation.“

SECTION 9. That Section 755.99 of the Mansfield Codified Ordinances, be, and the same is hereby, amended to read as follows:

“755.99 ENFORCEMENT AND PENALTY.

(a) Enforcement of any of the provisions of this chapter may be by civil action or criminal prosecution.

(b) Failure or omission to comply with any section or provision of this chapter shall be deemed a violation.

(c) Whoever violates any section or provision of this Chapter shall be fined not more than five hundred dollars (\$500.00) per violation.

(d) Failure to pay false alarms fees described in Section 755.13 in a timely fashion will result in the fees being declared delinquent and a \$25.00 late fee being assessed to the responsible party every 30 days until the fee is paid.

(e) Whoever violates Section 755.05(a) [Permit Requirement of User] shall be guilty of a misdemeanor of the fourth degree. Upon subsequent conviction, such person shall be deemed guilty of a misdemeanor of the third degree. Any such violation shall constitute a separate offense on each successive day continued.

(f) Whoever violates Sections 755.04 (a) [Licensing Requirement of Alarm Business] shall be deemed guilty of a misdemeanor of the third degree. Any violation shall constitute a separate offense for each successive day continued.

(g) A violation of Sections 755.04(b) [Knowingly providing false information Alarm Business Application] shall be grounds for revocation of the Alarm Dealer License by the Safety-Service Director.”

BILL #21-165

ORDINANCE # 21-166

BY: MR. VAN HARLINGEN

Appropriating the sum of fifty thousand dollars (\$50,000) from the unappropriated Transient Occupancy Tax Fund (#808), for the purpose of making payments to Downtown Mansfield, Inc., Destination Mansfield and transferring funds to the General Fund and declaring an emergency.

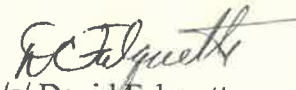
**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the sum of fifty thousand dollars (\$50,000) be, and is hereby, appropriated from the unappropriated Transient Occupancy Tax Fund (#808) to the Transient Occupancy Tax Non-Departmental Operations (808.99.01) classifications:


Other Charges	\$25,000.00
Transfers Out	<u>\$25,000.00</u>
Total	\$50,000.00

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

Caucus 17 August 2021
 1st Reading 7 September 2021
 2nd Reading _____
 PASSED 7 September 2021

SIGNED 
 /s/ David Falquette
 President of Council

ATTEST 
 /s/ Delaine Weiner
 Assistant Clerk of Council

APPROVED 
 /s/ Timothy L. Theaker
 Mayor

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

BILL #21-167

ORDINANCE # 21-167

BY: MRS. MEIER

Declaring the remains of a designated dwelling (27 Blanche 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 an abandoned two-story aluminum-sided house with severe structural damage throughout and a dilapidated detached outbuilding, 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 and dilapidation; 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; and being part of Lot Two Thousand One Hundred Seventeen (#2117) as recorded in Volume 3, Page 4 of the Richland County Plat Records.

Parcel Number: 027-01-042-12-000
Owner: Richland County Land bank
Address: 27 Blanche 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.

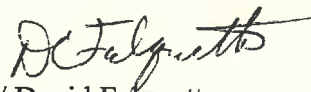
SECTION 5. That the Bureau shall notify the owner or occupant to remove all chattels and personal property from the building(s) and/or lot not less than five (5) days prior to the commencement of demolition and the failure of the owner or occupant to so remove such personal property and chattels shall 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 7 September 2021
1st Reading 7 September 2021
2nd Reading 7 September 2021
PASSED 7 September 2021

SIGNED


/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED


/s/ Timothy L. Theaker
Mayor

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

BY: MRS. MEIER

Declaring the remains of a designated dwelling with severe fire damage (35 Glessner 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 an abandoned aluminum-sided house with severe structural damage throughout caused by fire damage, 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 and dilapidation; 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 Four Thousand One Hundred Forty (#4140).

Parcel Number: 027-01-021-16-000
Owner: Richland County Land bank
Address: 35 Glessner 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.

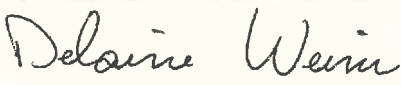
SECTION 6. That the debris and all materials resulting from the demolition of the structure(s) or building(s) shall become the property of the contractor.

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 7 September 2021
1st Reading 7 September 2021
2nd Reading 7 September 2021
PASSED 7 September 2021

SIGNED


/s/ David Falquette
President of Council


ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

APPROVED


/s/ Timothy L. Theaker
Mayor

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

BY: MRS. MEIER

Declaring the remains of a designated dwelling with (308 East Second 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 an abandoned transite sided house with severe structural damage, 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 and dilapidation; 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 Twelve Hundred Three (1203) of the consecutive numbers of lot in said city. Save and except 45 feet off the south end of said lot.

Parcel Number: 027-06-040-09-000
Owner: Richland County Land bank
Address: 308 East Second 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 7 September 2021
1st Reading 7 September 2021
2nd Reading 7 September 2021
PASSED 7 September 2021

SIGNED


/s/ David Falquette
President of Council


ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

APPROVED


/s/ Timothy L. Theaker
Mayor

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

BILL# 21-170

ORDINANCE #

21-170

BY: MR. DAVENPORT

Revising the Codified Ordinances of the City of Mansfield by adopting current replacement pages, and declaring an emergency.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, a contract has heretofore been entered into with the Walter H. Drane Company to prepare and publish such revision which is before Council,

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

SECTION 1. That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes, titles, chapters and sections of the Codified Ordinances of Mansfield, Ohio, within the July 2021 Replacement Pages, so as to conform to the codification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C. O. Section</u>
21-019	3-2-21	109.07
21-096	5-5-21	1167.04
21-102	6-1-21	177.01, 177.02
21-103	6-1-21	1339.29
21-122	6-15-21	177.01

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

Traffic Code

- 301.183 Low-Speed Micromobility Device. (Added)
- 301.22 Pedestrian. (Amended)
- 301.51 Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 335.02 Permitting Operation Without Valid License; One License Permitted. (Amended)

Traffic Code (Cont.)

- 335.021 Ohio Driver's License Required for In State Residents. (Amended)
- 335.04 Certain Acts Prohibited. (Amended)
- 335.09 Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
- 371.13 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)
- 371.14 Low-Speed Micromobility Devices. (Added)
- 373.10 Motorized Bicycle Operation. (Amended)
- 373.25 Electric Bicycles. (Amended)

General Offenses Code

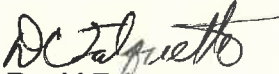
- 505.101 Cruelty to Companion Animals. (Amended)
- 509.07 Making False Alarms. (Amended)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 525.13 Interfering with Civil Rights. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 541.051 Aggravated Trespass. (Amended)
- 545.03 Property Exceptions as Felony Offense. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.06 Unlawful Transactions in Weapons. (Amended)
- 553.05 Railroad Vandalism. (Amended)

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

SECTION 4. That by reason of the immediate necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED




/s/ David Falquette
President of Council



/s/ Delaine Weiner
Assistant Clerk of Council

ATTEST

APPROVED



/s/ Timothy L. Theaker
Mayor

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

BILL #21-171

ORDINANCE # 21-171

BY: MR. VAN HARLINGEN

Authorizing the Safety-Service Director to accept and appropriate a donation from Jim Prince of Prince Pipeline Integrity in the amount of one thousand and 00/100 dollars (\$1,000.00) to be used for Police Department equipment.

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

SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to accept the following funds in the amount of one thousand and 00/100 dollars (\$1,000.00) to be used for Police Department equipment, for which the City expresses its sincere appreciation to Jim Prince of Prince Pipeline Integrity, for its generous donation.

SECTION 2. That the donated funds accepted in Section 1 hereof shall be deposited in the Safety Services Fund (#214) and the same is hereby, appropriated from the unappropriated Safety Service Fund (#214), to the Police Department Operations (214.15.01) Capital Outlay Classification.

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

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

Delaine Weiner

ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

SIGNED *David Falquette*
/s/ David Falquette
President of Council

APPROVED *Timothy L. Theaker*
/s/ Timothy L. Theaker
Mayor

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

BILL #21-172

ORDINANCE # 21-172

BY: MR. SCOTT

Authorizing the Safety-Service Director to accept a donation of one Bullard LDX Eclipse Thermal Imager Bundle Camera and Truck Charger from Aladdin Shriners Hospital Association for Children, Inc. (ASHAC) with a monetary value of \$6,995.00, and declaring an emergency.

WHEREAS, Aladdin Shriners Hospital Association for Children, Inc. (ASHAC) has graciously offered to donate one Bullard LDX Eclipse Thermal Imager Bundle Camera and Truck Charger, with extra Battery Charger to be used in the Fire Department, and

WHEREAS, this Council for itself and on behalf of the City of Mansfield gratefully appreciates the generosity and public interest reflected by this kind offer.

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

SECTION 1. That the Safety-Service Director on behalf of the City of Mansfield be, and she is hereby, authorized to accept a donation of one Bullard LDX Eclipse Thermal Imager Bundle Camera and Truck Charger, with extra Battery Charger from Aladdin Shriners Hospital Association for Children, Inc. (ASHAC) to be used in the Fire Department with a monetary value of \$6,995.00.

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

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

ATTEST Delaine Weiner
/s/ Delaine Weiner
Assistant Clerk of Council

SIGNED David Falquette
/s/ David Falquette
President of Council

APPROVED Timothy L. Theaker
/s/ Timothy L. Theaker
Mayor

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

BILL #21-173

ORDINANCE # 21-173

BY: MR. SCOTT

Authorizing the Public Works Director to accept an in-kind donation from DRM Productions Inc. to be used for the Mansfield Lahm Airport website.

WHEREAS, DRM Productions Inc. has graciously offered to redesign Mansfield Lahm Airport's website, and

WHEREAS, this Council for itself and on behalf of the City of Mansfield gratefully appreciates the generosity and public interest reflected by their kind offer.

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

SECTION 1. That the Public Works Director on behalf of the City of Mansfield be, and he is hereby, authorized to accept an in-kind donation from DRM Productions Inc. to redesign Mansfield Lahm Airport's website.

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

Caucus 7 September 2021

1st Reading 7 September 2021

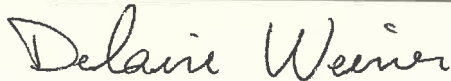
2nd Reading 7 September 2021

PASSED 7 September 2021

SIGNED



/s/ David Falquette

President of Council



ATTEST /s/ Delaine Weiner

APPROVED


/s/ Timothy L. Theaker

Assistant Clerk of Council

Mayor

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

BILL #21-174

ORDINANCE # 21-174

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to accept and appropriate a donation from the Gorman Family Foundation in the amount of ten thousand and 00/100 dollars (\$10,000.00) to be used for Mansfield Lahm Airport's website redesign.

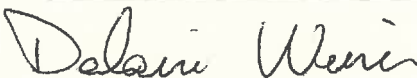
**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That the Public Works Director be, and he is hereby, authorized to accept a donation in the amount of ten thousand and 00/100 dollars (\$10,000.00) to be used for Mansfield Lahm Airport's website redesign, for which the City expresses its sincere appreciation to the Gorman Family Foundation for its generous donation.


SECTION 2. That the donated funds accepted in Section 1 hereof shall be deposited in the Airport Fund (#504), and the same is hereby, appropriated from the unappropriated Airport Fund (#504) to the Airport Operations (504.48.01) Contractual Services Classification.

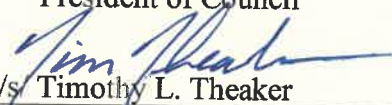
SECTION 3. That being an appropriation necessary for current expenses, this Ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021



ATTEST /s/ Delaine Weiner
Assistant Clerk of Council


SIGNED /s/ David Falquette
President of Council


APPROVED /s/ Timothy L. Theaker
Mayor

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

BILL #21-175

RESOLUTION # 21-175

BY: MR. VAN HARLINGEN

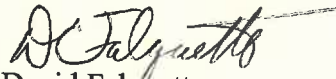
Transferring appropriations in the amount of seventeen thousand and 00/100 dollars (\$17,000.00) within the General Fund (#101), for the purchase of newer vehicle for Codes and Permits Department.

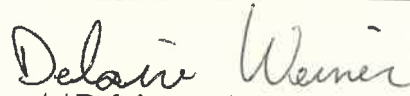
**BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

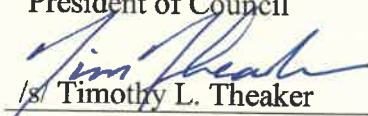
SECTION 1. That appropriations in the amount of seventeen thousand and 00/100 dollars (\$17,000.00) be, and the same is hereby, transferred within the General Fund (#101) from the Codes and Permits Seasonal (101.13.27) Personal Services Classification to the Codes and Permits Operations (101.13.01) Contractual 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

BILL #21-176

ORDINANCE # 21-176

BY: MR. VAN HARLINGEN

Authorizing the acceptance of funding from the Ohio Department of Mental Health and Addiction Services in the amount of thirty-seven thousand five hundred and 00/100 dollars (\$37,500.00) to be used for support services to clients that are involved with selected Mental Health dockets, and declaring an emergency.

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

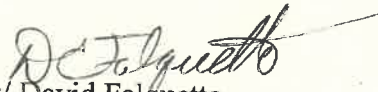
SECTION 1. That funding from the Ohio Department of Mental Health and Addiction Services in the amount of thirty-seven thousand five hundred and 00/100 dollars (\$37,500.00), to be used for support services to clients that are involved with selected Mental Health dockets.

SECTION 2. That the sum of thirty-seven thousand five hundred and 00/100 dollars (\$37,500.00), be, and the same is hereby, appropriated from the unappropriated Grant Fund (#224) to the Municipal Court Grant (224.03.30) Other Charges Classification.


SECTION 3. That by reason of the immediate necessity to accept the Grant to be used for support services to clients that are involved with selected Mental Health dockets, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

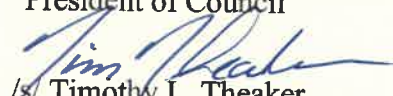
SIGNED


/s/ David Falquette
President of Council

ATTEST


/s/ Delaine Weiner
Assistant 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: Mental Health Court - Treatment and Recovery Support Grant

Nature of Statement and Information Disclosed

This is a statement of fiscal impact for the City of Mansfield to accept funding from the:
Ohio Department of Mental Health and Addiction Services

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: \$37,500
Funding Period: 7/1/21-6/30/22

Impact on Expenditures

PROJECT COSTS:	
Treatment & Support	\$37,500
Total Project Costs:	\$ 37,500

The total project cost is estimated at \$ 37,500. Note: * No local match
* 2nd annual award

Match Required: \$0

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

Disclosures of Possible Material Future Events

N/A

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 #21-177

ORDINANCE # 21-177

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to purchase, according to STS #800802 pricing contract, from Vermeer Manufacturing Company, one (1) Vermeer BC150027VP Chipper, for the Street 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 Public Works Director be, and he is hereby, authorized to purchase, one (1) Vermeer BC150027VP Chipper, from Vermeer Manufacturing Company (1210 Vermeer Road East Plant 1, PO Box 200, Pella, IA 50219) through the state bidding schedule, at a cost not to exceed \$63,062.00 (sixty-three thousand, sixty-two and 00/100 dollars).

SECTION 2. That the total cost of the equipment and/or vehicles to be purchased under Sections 1 hereof shall be paid from the Street Maintenance & Repair Fund Operations (202.53.01) Capital Outlay Classification.

SECTION 3. That by reason of the immediate necessity for purchasing this equipment for the Street 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

Delaine Weiner

/s/ Delaine Weiner
Assistant Clerk of Council

DC Falquette

SIGNED /s/ David Falquette
President of Council

Tim Theaker

APPROVED /s/ Timothy L. Theaker
Mayor

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

BY: MR. DAVENPORT

Expressing approval and support for the City of Mansfield's Office of Community Development in completion of the Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2020, July 1, 2020 through June 30, 2021, and declaring an emergency.

WHEREAS, a Public Hearing is being held on August 16, 2021, in Mansfield City Council Chambers to present the Office of Community Development's CAPER for Program Year 2019, and

WHEREAS, this report is being submitted in full compliance with the requirements of United States Department of Housing and Urban Development, and

WHEREAS, this report will detail the accomplishments of City of Mansfield's Office of Community Development for programs sponsored by Community Development Block Grant Funds during Program Year 2020.

NOW, THEREFORE, 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, hereby expresses its approval and support for the submission of the CAPER for Program Year 2020 to the United States Department of Housing and Urban Development. This report is in full compliance with all necessary regulations and a copy of said report is on file in the Office of Community Development.

SECTION 2. That by reason of the immediate necessity for authorizing approval and support for the City of Mansfield's Office of Community Development in completion of the Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2020, July 1, 2020 through June 30, 2021, this measure is determined to be an emergency Resolution 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

ATTEST Delaine Weiner
/s/ Delaine Weiner
Assistant Clerk of Council

SIGNED David Falquette
/s/ David Falquette
President of Council

APPROVED Timothy L. Theaker
/s/ Timothy L. Theaker
Mayor

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

BILL #21-180 *

ORDINANCE # 21-179

BY: MRS. MEIER

Amending the Zoning Districts Map of City of Mansfield, Ohio (Ordinance #04-208) to rezone a portion of a parcel on Cline Avenue, from Zoning Classification OS (Office Services District) to Classification B-2 (General Business District).

WHEREAS, the recommendation of the City Planning Commission for this proposed amendment (Petition #552) has been on file with the Clerk of Council for not less than thirty (30) days prior to the date of the public hearing, and

WHEREAS, notice of the public hearing has been given by publication at least thirty (30) days before said hearing, by written notice mailed to all owners of property within, contiguous to, and across the street from the area proposed to be rezoned at least twenty (20) days before said hearing, and by placement of an appropriate sign upon the property stating the nature of the rezoning, the date, time and place of the public hearing, and a description of the lots and parcels being considered for rezoning.

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

SECTION 1. That the Zoning Districts Map, a part of the Zoning Code of the City of Mansfield, Ohio (Ordinance #04-208) be, and the same is hereby, revised by rezoning a portion of one lot (parcel number 027-01-500-04-000) on Cline Avenue, and being more particularly and specifically described on the legal description attached hereto as "Exhibit A", from Zoning Classification OS (Office Services District) to Classification B-2 (General Business District), as recorded in the Richland County Auditor's Office.

SECTION 2. That the Superintendent of the Department of Codes and Permits be, and he is hereby, authorized and directed to make the revision in Section 1 hereof on the original Zoning Districts Map in the office of the Mansfield Building Department.

SECTION 3. That this measure shall take effect and be in force from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 7 September 2021

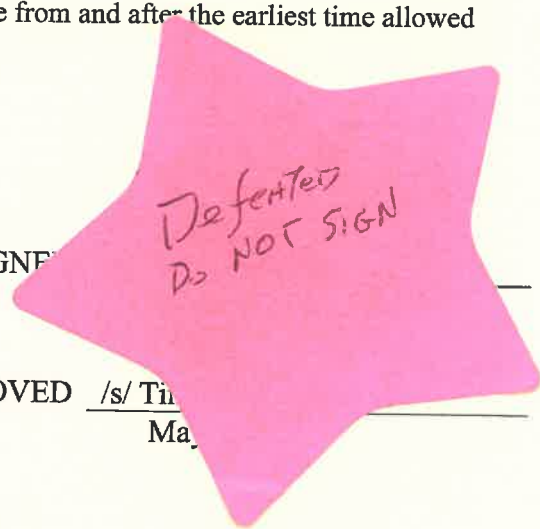
1st Reading 7 September 2021

2nd Reading 7 September 2021

~~PASSED~~ 7 September 2021

DEFEATED

SIGNED



ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

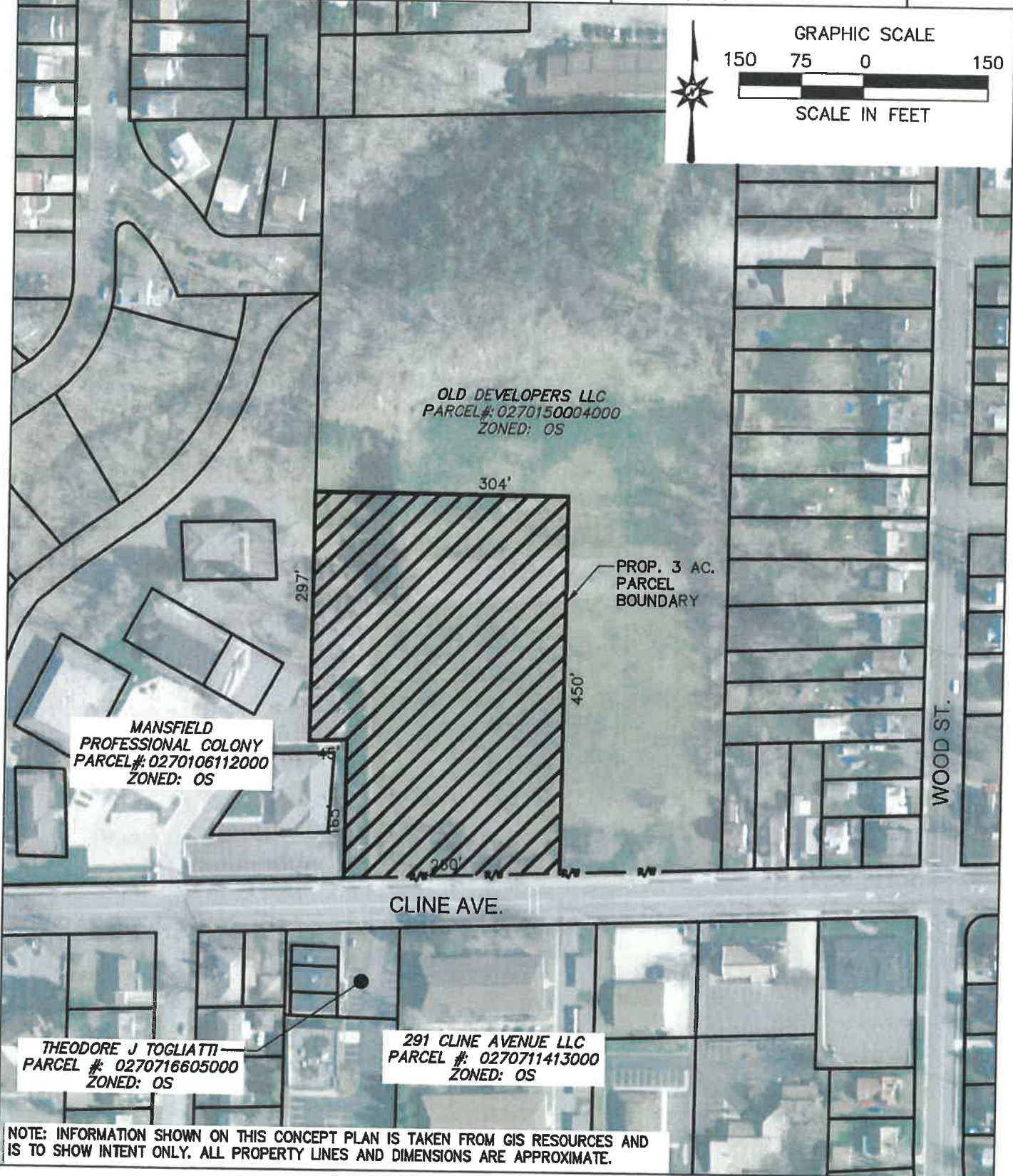
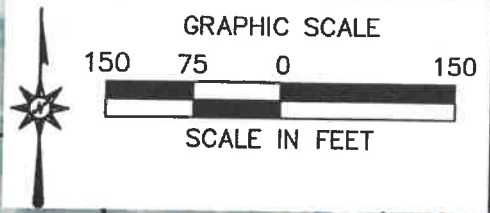
APPROVED /s/ Tim
Ma

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

* Publication required.

Exhibit " A "
to Bill#21-180

PRELIMINARY SITE PLAN	MANSFIELD (CLINE AVE), RICHLAND COUNTY, CLINE AVE.		DATE
PROTOTYPE: XX	DEVELOPER	DESIGNER	2021-05-12
BLDG SF: XX	COMPANY: CAPITAL GROWTH-BUCHALTER	COMPANY: BL COMPANIES	
ACREAGE: 3±	NAME: KIRK FARRELLY	NAME: HUGH THOMAS	
PARKING SPACES: XX	PHONE: (205) 263-4589	PHONE: (234) 294-6356	



NOTE: INFORMATION SHOWN ON THIS CONCEPT PLAN IS TAKEN FROM GIS RESOURCES AND IS TO SHOW INTENT ONLY. ALL PROPERTY LINES AND DIMENSIONS ARE APPROXIMATE.

BILL #21-181*

ORDINANCE # 21-180

BY: MRS. MEIER

Vacating a portion of Steltz Lane between West Street and Stark Street, along Lot Nos. 18138, 18139, 18140, 18141, 18142, 18143, 18144, 18145 and 18146, and retaining the utility rights and easements therein, and declaring an emergency.

WHEREAS, a petition by persons owning property abutting the portion of the Steltz Lane right-of-way 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.

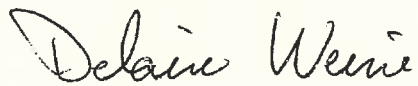
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

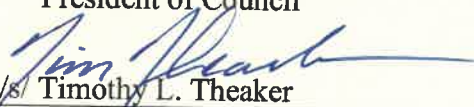
SECTION 1. That a portion of Steltz Lane between West Street and Stark Street, along Lot Nos. 18138, 18139, 18140, 18141, 18142, 18143, 18144, 18145 and 18146, which is more particularly described and depicted on Exhibit "A," the Petition to Vacate, now available on file with the Clerk of Council, be, 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 Steltz Lane, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

* Publication required.



ENGINEERS •
SURVEYORS

1810 E. Mansfield St.
P.O. Box 325
Bucyrus, Ohio 44820
(419) 562-7757
(419) 562-4717 fax

**LEGAL DESCRIPTION FOR NATE WHITTAKER
0.416 ACRE TRACT – STREET VACATION
CITY OF MANSFIELD, RICHLAND COUNTY, OHIO**

SITUATED IN THE STATE OF OHIO, COUNTY OF RICHLAND, CITY OF MANSFIELD, BEING PART OF STELTZ LANE COMMONLY KNOWN AS STELTZ LANE, AS SHOWN AND DELINEATED IN PLAT BOOK 15, PAGE 12, BEING A 0.416 ACRE STREET KNOWN AS STELTZ LANE BETWEEN VACATED WEST STREET AND STARK STREET, RECORDS REFER TO THE COUNTY RECORDER'S OFFICE, RICHLAND COUNTY, OHIO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING FOR REFERENCE AT THE CENTER OF SECTION 17, TOWNSHIP 21, RANGE 18, SAID POINT BEING IN THE CENTERLINE OF LONGVIEW AVENUE (60 FEET IN WIDTH) AND THE WEST LINE OF VACATED WEST STREET;

THENCE NORTH 01°30'32" WEST, A DISTANCE OF 470.00 FEET WITH THE WEST LINE OF VACATED WEST STREET (30 FEET IN WIDTH) AND THE EAST LINE OF A 10 ACRE TRACT CONVEYED TO JAYVIEW, LTD. OF RECORD IN OFFICIAL RECORD 1095, PAGE 471, TO THE SOUTHWEST TERMINUS OF SAID STELTZ LANE AND THE POINT OF BEGINNING;

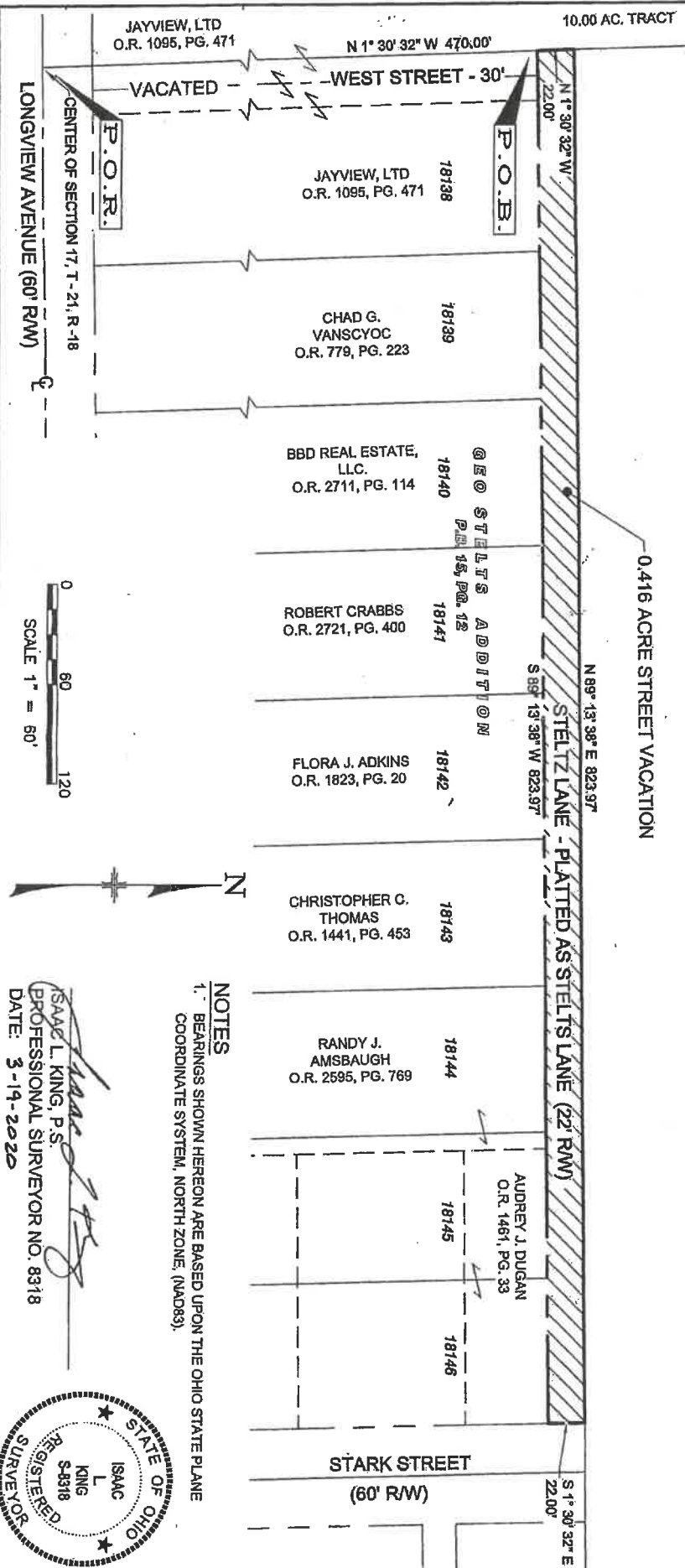
THENCE NORTH 01°30'32" WEST, A DISTANCE OF 22.00 FEET WITH THE EAST LINE OF SAID 10 ACRE TRACT AND THE WEST TERMINUS OF SAID STELTZ LANE, TO A POINT AT THE NORTHWEST TERMINUS OF SAID STELTZ LANE AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO M & H MHP, LLC. OF RECORD IN OFFICIAL RECORD 2466, PAGE 308;

THENCE NORTH 89°13'38" EAST, A DISTANCE OF 823.97 FEET WITH THE NORTH LINE OF SAID STELTZ LANE AND A SOUTH LINE OF SAID M & H MHP TRACT, TO A POINT ON THE EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF STARK STREET (60 FEET IN WIDTH);

THENCE SOUTH 01°30'32" EAST, A DISTANCE OF 22.00 FEET WITH THE EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF SAID STARK STREET, TO A POINT AT THE NORTHEAST CORNER OF INLOT 18146;

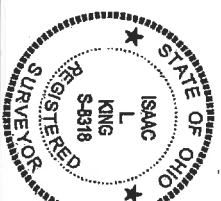
THENCE SOUTH 89°13'38" WEST, A DISTANCE OF 823.97 FEET WITH THE SOUTH LINE OF SAID STELTZ LANE AND A NORTH LINE OF INLOTS 18146, 18145, 18144, 18143, 18142, 18141, 18140, 18139, AND 18138, TO THE POINT OF BEGINNING, CONTAINING 0.416 ACRES OF LAND, MORE OR LESS.

M & H MHP, LLC
 O.R. 2466, PG. 308
 7.810 ACRES TOTAL
 (7.428 AC.)
 PIN 027-04-060-11-000



NOTES
 1. BEARINGS SHOWN HEREON ARE BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, (NAD83).

ISAAC L. KING, P.S.
 PROFESSIONAL SURVEYOR NO. 8318
 DATE: 3-19-2020



DESCRIPTION
 BEING PART OF STELTZ LANE COMMONLY KNOWN AS STELTZ LANE, BETWEEN VACATED WEST STREET AND STARK STREET, AS SHOWN AND DELINEATED IN PLAT BOOK 15, PAGE 12, CITY OF MANSFIELD, RICHLAND COUNTY, OHIO.

akeever & Associates, Inc.
 210 BOX 323, 1010 E. MANSFIELD ST.
 MANSFIELD, OHIO 44880
 Phone: (419) 582-7757 Fax: (419) 582-4717

STREET VACATION PLAT FOR:
NATE WHITTAKER

ORIG. DATE: 3-18-2020
 ORIG. SHEET SIZE = 11"x17"

S:\2020\034
 DWG. NAME: 20-034 Vac

BY: MRS. MEIER

Amending Schedule I, Section B of the Mansfield Traffic Schedules One-Way Streets to add one-way traffic restriction for Cardinal Avenue from Chester Avenue to Bulkley Avenue Southbound; and Cardinal Avenue from Bulkley Avenue to Dudley Avenue Northbound.

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

SECTION 1. That Schedule I, Section A and B of the Mansfield Traffic Schedules be, and the same is hereby amended so as to provide as follows:

SCHEDULE I. ONE-WAY STREETS

A.

<u>Street</u>	<u>Between</u>	<u>Direction</u>
Arch Street	S. Main St. and S. Mulberry St.	Westbound
Bradford Avenue	Hammond Ave. and S. Diamond St.	Eastbound
Diamond Street	E. First St. and E. Sixth St.	Northbound
Dickson Avenue	N. Main St. and Walnut St.	Westbound
Dickson Avenue	Diamond St. and Franklin Ave.	Eastbound
First St., East	S. Main St. and Hedges St.	Eastbound
Grimes Alley	Park Ave. W. and Third St.	Northbound
Library Court	N. Main St. and Weldon Ave.	Westbound
Luther Place	S. Main St. and S. Mulberry St.	Westbound
Main St., North	Sixth St. and Park Ave.	Southbound
Main St., South	Park Ave. and First St.	Southbound
Mulberry Street	W. Fifth St. and Second St.	Southbound
Second St., East	Hedges St. and S. Main St.	Westbound
Second Street	Mulberry St. and Main St.	Eastbound
Stoodt Court	Entire Length	South and Westbound
Temple Court	Diamond St. and Mulberry St.	Westbound
Williams Avenue	S. Mulberry St. and S. Main St.	Eastbound
Unnamed Alley	Inlots 811 and 812 on W. Fourth St.	Southbound
Unnamed Alley	Inlots 2453 and 3031 on W. Sixth St.	Northbound
Unnamed Alley	Inlots 3028 and 6338 on W. Sixth St.	Southbound

B.

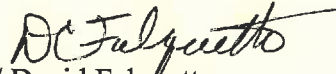
<u>Street</u>	<u>Between</u>	<u>Direction</u>
Augustine Avenue	S. Main St. and West End	Eastbound
Clairmont Avenue	Willow St. and Bowman St.	Eastbound
Dirlam Court	Sherman Ave. and Bartley Ave.	Eastbound
Cardinal Avenue	Chester Avenue and Bulkley Avenue	Southbound
Cardinal Avenue	Bulkley Avenue and Dudley Avenue	Northbound

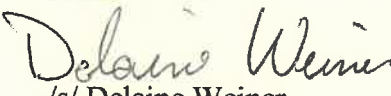
First Alley N. of Park Ave. W.	Brookwood Way and East End	Westbound
High School Court	Entire Length	Westbound
Louise Avenue	Chester Ave. and Harker St.	Southbound
Mulberry Street	Second St. and Park Ave. W.	Southbound
Prospect Street	S. Main St. and Hammond Ave.	Eastbound
Sherman Place	Rowland Ave. and Fourth St.	Eastbound
Unnamed Public Right-of-Way adjacent to portions of Lots # 16220 & 16221	N. Brookwood Way and 250 ft. E. of Brookwood Way	Westbound
Weldon Avenue	Second St. and Park Ave. W.	Northbound
Williams Avenue	S. Main St. and West End	Westbound

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


Caucus 7 September 2021
 1st Reading 7 September 2021
 2nd Reading _____
 PASSED 7 September 2021

SIGNED


 /s/ David Falquette
 President of Council

ATTEST 
 /s/ Delaine Weiner
 Assistant 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 #21-183*

ORDINANCE #

21-182

BY: MR. VAN HARLINGEN

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

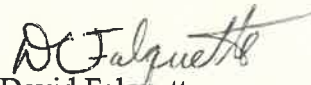
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That the Public Works Director be, and he is hereby, authorized to advertise for bids and enter into contracts, according to law and according to plans and specifications as now on file in the office of the City Engineer, with the lowest and best bidders for the furnishing of the City's yearly needs of fire hydrants, gravel, concrete, bituminous cold mix, and chemicals for the Water and Waste Water Treatment plants, to be paid from the proper funds.


SECTION 2. That by reason of the immediate need to bid and contract for supplies, etc. required for use after January 1, 2022, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED

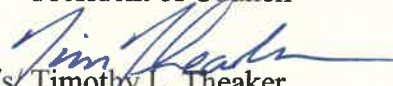


/s/ David Falquette
President of Council



/s/ Delaine Weiner
Assistant 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 #21-184

ORDINANCE # 21-183

BY: MR. VAN HARLINGEN

Accepting the transfer of real property and temporary easements from the Richland County Board of Commissioners.

WHEREAS, the Council of the City of Mansfield, Ohio ("City") determines that it needs to acquire or otherwise obtain real property and temporary easements to construct, operate and maintain certain infrastructure known as the Third Street Culvert to the promotion of public health and welfare (the "Project"); and

WHEREAS, the Richland County Board of Commissioners has generously agreed to donate to the City real property and temporary easements described in the documents attached hereto as Exhibit 1, which is needed for the project.

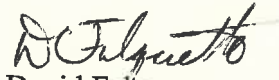
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

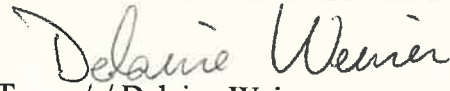
SECTION 1. That the Public Works Director be, and is hereby, authorized to accept on behalf of the City of Mansfield, Ohio, the real property and temporary easements described in Exhibit "1" attached hereto and incorporated herein as if fully rewritten.

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


Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED


/s/ David Falquette
President of Council


ATTEST /s/ Delaine Weiner
Assistant Clerk of Council

APPROVED


/s/ Timothy L. Theaker
Mayor

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

**Exhibit " 1"
to Bill#21-184**

LPA
Rev. 01/2010

DONATION LETTER

July 26, 2021

Richland County Board of Commissioners
50 E. Park Ave
Mansfield, Ohio 44902

Re: RIC-3rd Street-3.31
B, C, D, E, F-WD, T
N/A

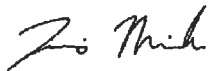
Dear Richland County Board of Commissioners:

Your real property is needed by the City of Mansfield for a transportation improvement project. As such, you are hereby advised that you have the right to have your property appraised by a competent appraiser and you have the right to accompany the appraiser on the inspection of your property. You have the right to be provided a written offer for the full amount of the fair market value as determined by the agency based upon the appraisal. You have the right to negotiate with the agency and if an acceptable agreement cannot be reached, the right to have the value determined by a court of law. You also have the right to be paid the full amount of the fair market value before being required to surrender possession of your property. Notwithstanding these rights, we understand you are willing to waive all, or any part of your rights noted and willingly agree to donate the property needed for the transportation project. The property is described in the attached Exhibit A which is incorporated herein.

Please be advised that if you desire to use the donation for a tax deduction, you should seek advice from the Internal Revenue Service or a tax expert regarding the current rules for appraisal valuation.

The undersigned hereby acknowledges that he/she has been fully advised by an City of Mansfield representative of his/her rights reflected above and agrees to: (1) Waive the right to receive just compensation for the property, (2) Release ODOT from obtaining an appraisal of the acquired property and (3) Execute the necessary conveyance instrument to transfer said property to City of Mansfield.

Respectfully,



Travis Missler, PMP
As Agent for the City of Mansfield

Darrell E Banks
Property owner signature

07/27/2021
Date

DARRELL E BANKS
Print name

Anthony Vero
Property owner signature

07/27/2021
Date

Anthony Vero
Print name

Cliff Means
Property owner signature

7/27/21
Date

CLIFF MEANS
Print name

QUIT CLAIM DEED

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION to the Grantee named, do grant and forever Quit Claim to City of Mansfield, the Grantee, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): B-WD

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-042-09-000
Prior Instrument Reference: Book 1826, Page 705, Richland County Recorder's Office.

To have and to hold said parcel(s) unto the Grantee, 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.

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

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees as follows:

(A) All alternatives to a proposed alignment of the highway project shall be studied and considered pursuant to the "National Environmental Policy Act of 1969," 83 Stat. 852, 42 U.S.C.A. 4321 et seq., as amended.

(B) Acceptance of the donation shall not influence the environmental assessment of the highway project, including the decision relative to the need to construct the project or selection of its specific location.

(C) The donated interest shall revert to the grantor or his successors or assigns if the interest is not required for the alignment chosen for the highway project after public hearings, if hearings are required, and adoption of the environmental document.

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees that if at anytime the property granted, or any part thereof, shall cease to be used for the purposes for which granted, namely as and for, or in connection with, a road that shall be open to the public without charge, then Grantee shall vacate its road over the property granted, or the relevant part thereof, to Grantor or Grantor's then current successor in interest of record at no cost.

IN WITNESS WHEREOF Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 20 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

Darrell E. Banks
Cliff Mears
Anthony Vero

By: DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 20 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L. CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

Stacey L. Crall
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

842.0 SQUARE FEET

Situated in the State of Ohio, County of Richland, City of Mansfield, lying in Section 22, Township 21, Range 18, Congress Lands North of Old Seven Ranges, being part of Lot 5079 of the consecutively numbered lots in said City, of record in Plat Volume 6, Page 10, and being part of that 4993 square foot tract conveyed to Richland County Board of Commissioners by deed of record in Official Record 1826, Page 705 (all references are to the records of the Recorder's Office, Richland County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set in the southerly right of way line of East Third Street (60'), at the northwesterly corner of said Lot 5079, the northeasterly corner of Lot 639, the northeasterly corner of that 12991.83 square foot tract conveyed to Bobby Joe Price by deed of record in Official Record 2814, Page 357 (reference a 5/8 inch iron rebar capped "RAMSEY 8396" found North 03° 11' 26" East, 1.42 feet);

Thence South 87° 02' 06" East, with the southerly right of way line of said East Third Street, the northerly line of said Lot 5079, a distance of 33.63 feet to an iron pin set;

Thence South 02° 57' 54" West, across said Lot 5079, a distance of 25.00 feet to an iron pin set;

Thence North 87° 02' 06" West, continuing across said Lot 5079, a distance of 33.73 feet to an iron pin set in the line common to said Lot 5079 and said Lot 639;

Thence North 03° 11' 26" East, with said common line, a distance of 25.00 feet to the POINT OF BEGINNING, and containing 842.0 square feet of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in January of 2021.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer

2-10-2021

Joshua M. Meyer
Professional Surveyor No. 8485

NEW SPLIT
RICHLAND COUNTY
TAX MAP OFFICE

EAK 2-10-21

INITIAL DATE

NN-54

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION, do grant to City of Mansfield, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): B-T

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-042-09-000

Prior Instrument Reference: Book 1826, Page 705, 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 12 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 Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 20 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

Darrell E. Banks
Cliff Mears
Anthony Vero

By: DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 20 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

Stacey L Crall
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION, do grant to City of Mansfield, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): C-T

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-051-02-000
Prior Instrument Reference: Volume 918, Page 530, 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 12 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 Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 20 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

Darrell E. Banks
Anthony Vero
Cliff Mears

By: DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 20 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

Stacey L Crall
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION, do grant to City of Mansfield, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): D-T

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-039-09-000

Prior Instrument Reference: Volume 38, Page 767, 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 12 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 Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 20 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

By: [Signature]
[Signature]
[Signature]
DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 20 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

[Signature]
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION, do grant to City of Mansfield, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): E-T

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-067-04-000
Prior Instrument Reference: Volume 1, Page 971, 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 12 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 Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 20 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

Darrell E. Banks
Cliff Mears
Anthony Vero

By: DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 20 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

Stacey L Crall
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

Richland County Board of Commissioners, the Grantor(s), as a GIFT/DONATION, do grant to City of Mansfield, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): F-T

RIC-3RD STREET-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-120-16-000

Prior Instrument Reference: Volume 48, Page 937, 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 12 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 Richland County Board Of Commissioners by and through Darrell E. Banks, Cliff Mears, Anthony Vero, the Members of Richland County Board Of Commissioners, has hereunto subscribed their name on the 30 day of July, 2021.

RICHLAND COUNTY BOARD OF COMMISSIONERS

Darrell E. Banks
Cliff Mears
Anthony Vero

By: DARRELL E. BANKS, CLIFF MEARS,
ANTHONY VERO
MEMBERS

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the 30 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Darrell E. Banks, Cliff Mears, Anthony Vero, who acknowledged being the Members of Richland County Board Of Commissioners, and who acknowledged the foregoing instrument to be the voluntary act and deed of said Richland County Board Of Commissioners. No oath or affirmation was administered to Darrell E. Banks, Cliff Mears, Anthony Vero 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.



STACEY L CRALL
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
07-19-2026

Stacey L Crall
NOTARY PUBLIC
My Commission expires: 7-19-2026

This document was prepared by: the City of Mansfield.

BILL #21-185

RESOLUTION # 21-184

BY: MR. VAN HARLINGEN

Resolution authorizing the purchase of a temporary easement and approving purchase agreement.

WHEREAS, the Council of the City of Mansfield, Ohio ("City") has previously determined that it needs to acquire or otherwise obtain a temporary easement to construct, operate and maintain certain infrastructure known as the Third Street Culvert to the promotion of public health and welfare (the "Project"); and

WHEREAS, Paul Madden ("Owner") is the fee owner of the real property, which is needed for the Project; and

WHEREAS, Owner is willing to sell a temporary easement to the City and the City is willing to purchase the temporary easement from the Owner, pursuant to terms and conditions substantially in the same form as set forth in the purchase agreement attached hereto as Exhibit 1 (the "Agreement").

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

SECTION 1. The Council hereby authorizes and approves the Agreement between the City and the Owner, in a form substantially similar to the Agreement attached hereto as Exhibit 1 and made a part hereof by reference.

SECTION 2. The City is hereby authorized and directed to execute the final Agreement, and deliver and perform the obligations of the City under the Agreement, as the same may be revised on terms not adverse to the City, and to undertake all such additional actions and execute and deliver all such additional agreements, certificates, affidavits, closing statements and the like necessary or appropriate in the judgment of the City in order to cause the acquisition the Property by the City on substantially similar terms as set out in the Agreement.

SECTION 3. All formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and 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 Section 121.22 of the Ohio Revised Code.

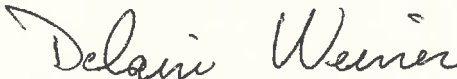
SECTION 4. This Resolution shall take effect immediately upon its passage.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED




/s/ David Falquette
President of Council



/s/ Delaine Weiner
Assistant Clerk of Council

ATTEST

APPROVED



/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM:

John R. Spon
Law Director-
City of Mansfield, Ohio

EXHIBIT 1

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Paul D. Madden, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Mansfield, the Grantee, do 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): M-T

RIC-3rd Street-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-025-08-000

Prior Instrument Reference: OR 830, Page 184, 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 12 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 Paul D. Madden have hereunto set his hand on the _____
day of _____, _____.

PAUL D. MADDEN

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED that on the _____ day of _____, _____, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Paul D. Madden, who acknowledged the foregoing instrument to be his voluntary act and
deed. No oath or affirmation was administered to Paul D. Madden 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: the City of Mansfield.

BY: MR. VAN HARLINGEN

Resolution authorizing the purchase of temporary easements and approving purchase agreement.

WHEREAS, the Council of the City of Mansfield, Ohio ("City") has previously determined that it needs to acquire or otherwise obtain a temporary easement to construct, operate and maintain certain infrastructure known as the Third Street Culvert to the promotion of public health and welfare (the "Project"); and

WHEREAS, Limitless Holdings, LLC ("Owner") is the fee owner of the real property, which is needed for the Project; and

WHEREAS, Owner is willing to sell a temporary easement to the City and the City is willing to purchase the temporary easements from the Owner, pursuant to terms and conditions substantially in the same form as set forth in the purchase agreement attached hereto as Exhibit 1 (the "Agreement").

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


SECTION 1. The Council hereby authorizes and approves the Agreement between the City and the Owner, in a form substantially similar to the Agreement attached hereto as Exhibit 1 and made a part hereof by reference.

SECTION 2. The City is hereby authorized and directed to execute the final Agreement, and deliver and perform the obligations of the City under the Agreement, as the same may be revised on terms not adverse to the City, and to undertake all such additional actions and execute and deliver all such additional agreements, certificates, affidavits, closing statements and the like necessary or appropriate in the judgment of the City in order to cause the acquisition the Property by the City on substantially similar terms as set out in the Agreement.

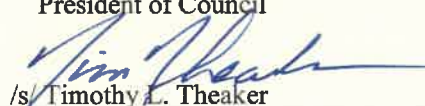
SECTION 3. All formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect immediately upon its passage.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

EXHIBIT 1

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Limitless Holdings, LLC, a Nevada Limited Liability Company, the Grantor(s), in consideration of the sum of \$150.00, to be paid by City of Mansfield, the Grantee, do 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): J-T

RIC-3rd Street-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-046-11-000

Prior Instrument Reference: Book 1792, Page 577, 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 12 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 Limitless Holdings, LLC, A Nevada Limited Liability Company has caused its name to be subscribed by _____, its duly authorized _____, and its duly authorized agent on the _____ day of _____, _____.

LIMITLESS HOLDINGS, LLC, A NEVADA LIMITED LIABILITY COMPANY

By: _____
Title: _____

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the _____ and duly authorized agent of Limitless Holdings, LLC, a Nevada Limited Liability Company and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to _____ 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: the City of Mansfield.

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Limitless Holdings, LLC, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Mansfield, the Grantee, do 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): N-T

RIC-3rd Street-3.31

SEE EXHIBIT A ATTACHED

Richland County Current Tax Parcel No. 027-06-102-04-000

Prior Instrument Reference: Book 1866, Page 143, 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 12 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 Limitless Holdings, Llc has caused its name to be subscribed by _____, its duly authorized _____, and its duly authorized agent on the _____ day of _____, _____.

LIMITLESS HOLDINGS, LLC

By: _____
Title: _____

STATE OF OHIO, COUNTY OF RICHLAND SS:

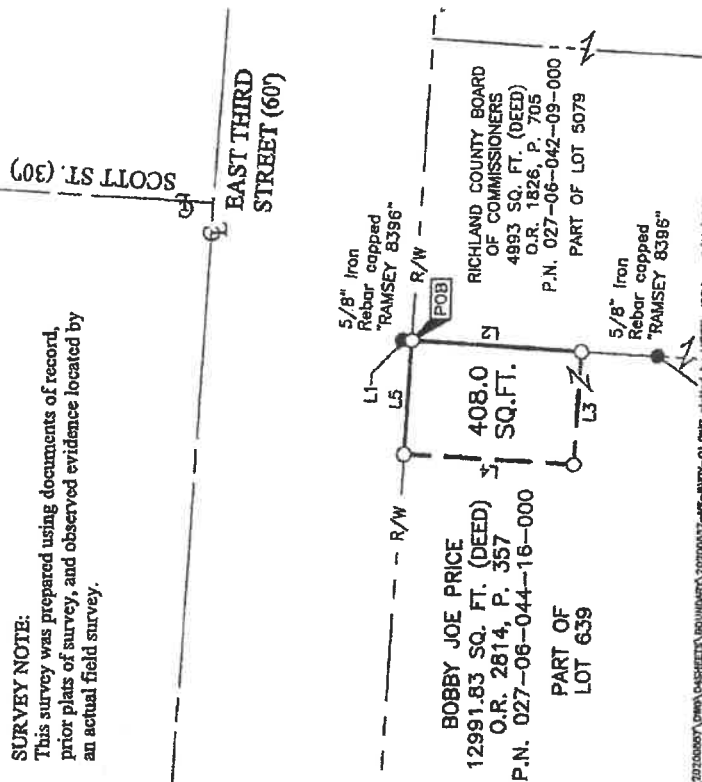
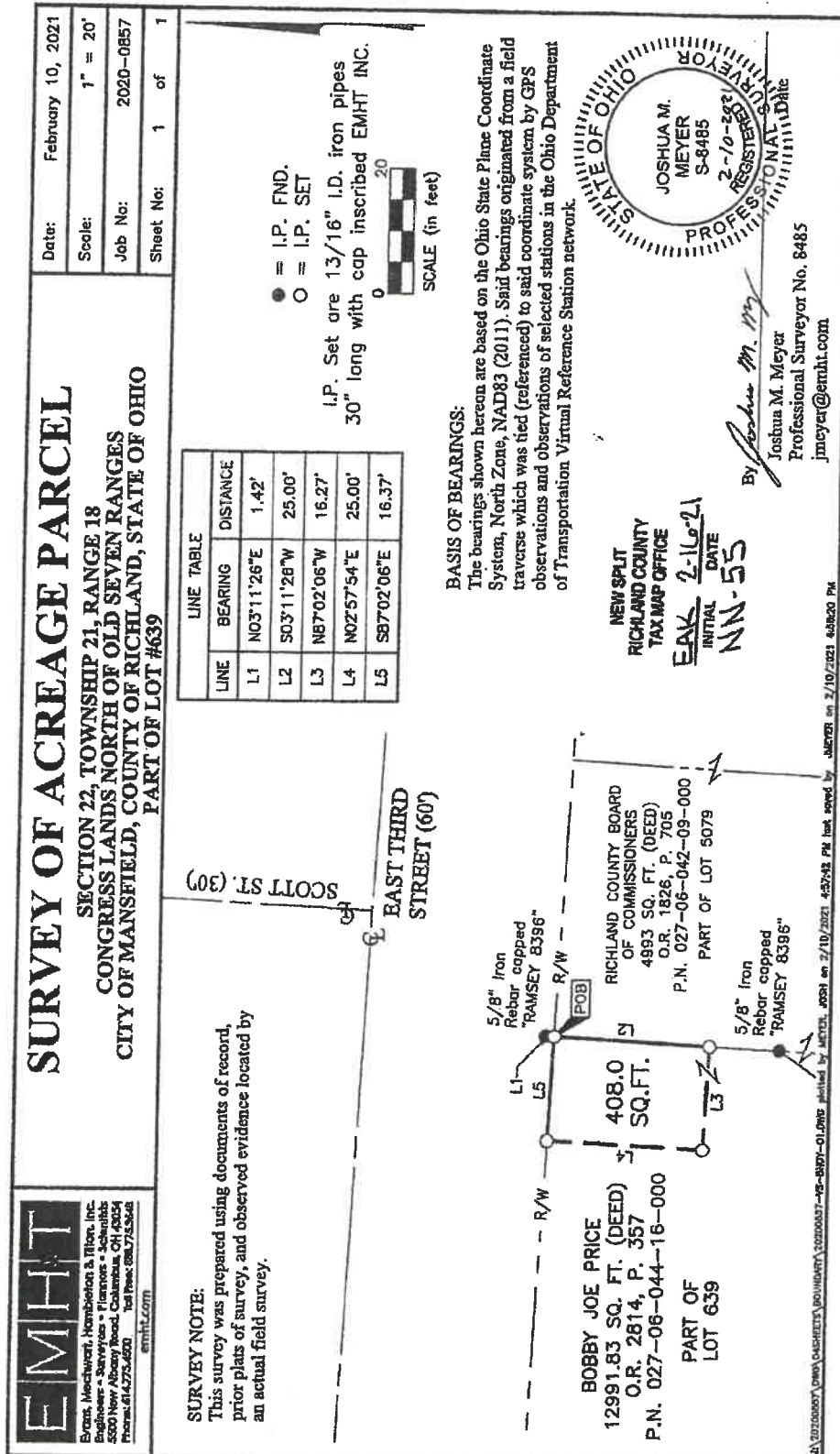
BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named _____, who acknowledged being the _____ and duly authorized agent of Limitless Holdings, LLC and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to _____ 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: the City of Mansfield.

EXHIBIT 1



408.0 SQUARE FEET

Situated in the State of Ohio, County of Richland, City of Mansfield, lying in Section 22, Township 21, Range 18, Congress Lands North of Old Seven Ranges, being part of Lot 639 of the consecutively numbered lots in said City, and being part of that 12991.83 square foot tract conveyed to Bobby Joe Price by deed of record in Official Record 2814, Page 357 (all references are to the records of the Recorder's Office, Richland County, Ohio) and being more particularly described as follows:

BEGINNING at an iron pin set on the southerly right of way line of East Third Street (60') at the northeasterly corner of said Lot 639, the northwesterly corner of Lot 5079, the northwesterly corner of that 4993 square foot tract conveyed to Richland County Board of Commissioners by deed of record in Official Record 1826, Page 705 (reference a 5/8 inch iron rebar capped "RAMSEY 8396" found North 03° 11' 26" East, 1.42 feet);

Thence South 03° 11' 26" West, with the line common to said Lot 639 and Lot 5079, a distance of 25.00 feet to an iron pin set;

Thence North 87° 02' 06" West, across Lot 639, a distance of 16.27 feet to an iron pin set;

Thence North 02° 57' 54" East, continuing across Lot 639, a distance of 25.00 feet to an iron pin set on the southerly right of way line of said East Third Street, the northerly line of said Lot 639;

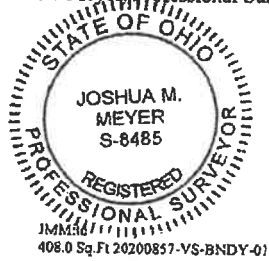
Thence South 87° 02' 06" East, with the southerly right of way line of said East Third Street and with the northerly line of Lot 639, a distance of 16.37 feet to the POINT OF BEGINNING, and containing 408.0 square feet of land, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings shown hereon are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station network.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Professional Surveyor Number 8485 in January of 2021.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Josh M. Meyer

2-10-2021

Joshua M. Meyer
Professional Surveyor No. 8485

NEW SPLIT
RICHLAND COUNTY
TAX MAP OFFICE

PAK 2-16-21
INITIAL DATE
NN-55

**CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY
WITHOUT BUILDING(S)**

**PARCEL(S): A-WD, T
RIC-3rd Street-3.31**

This Agreement is by and between the City of Mansfield ["Purchaser"] and Bobby Joe Price ["Seller"; "Seller" includes all of the foregoing named persons or entities]. Purchaser and Seller are referred to collectively in this Agreement as "Parties."

In consideration of the mutual promises, agreements and covenants herein contained the Parties contract as follows:

1. Price and Consideration

Purchaser shall pay to Seller the sum of \$650.00, which sum shall constitute the entire amount of compensation due Seller for: (a) the real property to be conveyed, including all fixtures; (b) any and all damages to any residual lands of Seller; (c) Seller's covenants set forth herein; (d) any and all supplemental instruments reasonably necessary to transfer the title of the subject property; and (e) N/A.

Seller shall be exclusively responsible for all delinquent taxes and assessments, including penalties and interest, and for all other real estate taxes and assessments that are a lien as of the date on which this Agreement closes. The taxes and assessments for the current calendar year shall be prorated on an estimated basis to the date of acquisition of title or date of possession, whichever is earlier in time. Seller shall be responsible for any and all future installments of any special assessments levied and assessed against the real property, whether or not any such special assessment has been certified to the county auditor for collection, provided that such installments of special assessments shall be a lien on the subject real property as of the date of transfer of title. Purchaser may withhold in escrow a sufficient amount of the purchase money to satisfy the foregoing items to be paid by Seller; any balance remaining after such taxes, assessments, etc., are discharged shall be paid to Seller and any deficiency shall be the responsibility of Seller.

2. Estate Sold and Deed to Transfer

Seller, upon fulfillment of all the obligations and terms of this Agreement, shall sell and convey to Purchaser, its successors and assigns, the property which is more particularly described in Exhibit A attached hereto and by this reference incorporated herein, together with all improvements now located thereon and all fixtures of every nature now attached to or used

with said land and improvements including, but not limited to, driveways, signs, utility fixtures, shrubbery and trees.

If the rights, titles and estates described in Exhibit A constitute the fee simple in, to and of the real property, then such sale and conveyance by Seller shall be by a good and sufficient general warranty deed with, if applicable, full release of dower. In the event the rights, titles, and estates described in Exhibit A constitute something less than the fee simple of the real property, then such sale and conveyance by Seller shall be by a good and sufficient deed or other instrument regularly and ordinarily used to transfer such lesser rights, titles and estates with, if applicable, full release of dower.

3. Limited Access Parcels - Waiver of Abutters' Rights

If the property described in Exhibit A is designated by Purchaser as a limited access parcel, then Seller further agrees to release to Purchaser, its successors and assigns, any and all abutters' rights, including access rights, appurtenant to any remaining lands of Seller (from which the property described in Exhibit A is being severed) in, over, on, from and to the property described in Exhibit A.

4. Supplemental Instruments

Seller agrees to execute any and all supplemental instruments or documents necessary to vest Purchaser with the rights, titles and interests described in Exhibit A.

5. Warranty of Title

Seller shall, and hereby does, warrant that the property described in Exhibit A is free and clear from all liens and encumbrances whatsoever, 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.

6. Elimination of Others' Interests

Seller shall assist, in whatever manner reasonably possible under the circumstances, to procure and deliver to Purchaser releases and cancellations of any and all other rights, titles and interests in the property described in Exhibit A, such as, but not limited to, those belonging to tenants, lessees, mortgagees or others now in possession or otherwise occupying the subject premises, and all assessment claims against said property.

Seller and Purchaser agree that if a mortgagee of Seller or of a predecessor in title fails to cooperate with the efforts to obtain a release of that mortgagee's mortgage lien secured by the property described in Exhibit A, then and in that event this Agreement shall become null and

void and the parties to this Agreement shall be discharged and released from any and all obligations created by this Agreement; for the purposes of this provision, the term "fails to cooperate" shall include a demand or request by any such mortgagee for a fee to process such a release of that mortgagee's mortgage lien that Purchaser, in its sole discretion, deems to be excessive.

7. No Change in Character of Property

Seller shall not change the existing character of the land or alter, remove, destroy or change any improvement located on the property described in Exhibit A. If, prior to the date on which possession of the subject property is surrendered to Purchaser, the subject property suffers any damage, change, alteration or destruction then, and without regard to the cause thereof, Seller shall restore the subject property to the condition it was in at the time Seller executed this Agreement; in the alternative, Seller may agree to accept the abovementioned purchase price less the costs associated with such restoration. If the Seller refuses to either restore the premises or accept the decreased consideration as aforementioned, then Purchaser, at its option after discovery or notification of such damage, change, alteration or destruction, may terminate and cancel this Agreement upon written notice to Seller.

8. Offer to Sell

If Seller executes this Agreement prior to Purchaser, then this Agreement shall constitute and be an Offer to Sell by Seller that shall remain open for acceptance by Purchaser for a period of 20 days immediately subsequent to the date on which Seller delivers such executed Agreement to Purchaser. Upon Purchaser's acceptance and execution of this Agreement within said period of 20 days, this Agreement shall constitute and be a valid Contract for Sale and Purchase of Real Property that is binding upon the Parties.

9. Designation of Escrow Agent

Seller agrees that Purchaser may designate an escrow agent to act on behalf of the Parties in connection with the consummation and closing of this Agreement.

10. Closing Date

The consummation and closing of this Agreement shall occur at such time and place as the Parties may agree, but no later than 10 days after Purchaser notifies Seller in writing that Purchaser is ready to consummate and close this Agreement. Provided, however, in no event shall such consummation and closing occur more than 120 days after the last date on which one of the Parties executes this Agreement.

11. Physical Possession of Structures Occupied by Seller

Seller shall surrender physical possession of the land and improvements to Purchaser not later than the date on which Purchaser tenders the purchase price to Seller.

12. Control of Property Occupied by Seller's Tenant(s)

Control of property occupied by Seller's tenant(s) shall be assumed by Purchaser on the date Purchaser tenders the purchase price to Seller. From that date forward, Purchaser shall be entitled to collect and retain as its own funds any and all rental payments thereafter made by such tenant(s). If any rents due under the lease(s) with Seller have been prepaid by Seller's tenant(s), then said prepaid rents shall be prorated to the date on which the purchase price is tendered by Purchaser, and said prepaid rents shall be paid to Seller and Purchaser in accordance with such proration.

13. Binding Agreement

Any and all of the terms, conditions and provisions of this Agreement shall be binding upon and shall inure to the benefit of Seller and Purchaser and their respective heirs, executors, administrators, successors and assigns.

14. Multiple Originals

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.

15. Entire Agreement

This instrument contains the entire agreement between the Parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions or obligations whatsoever, either express or implied, other than herein set forth, shall be binding upon Seller or Purchaser.

16. Amendments and Modifications

No amendment or modification of this Agreement shall be valid or binding upon the Parties unless it is made in writing, cites this Agreement and is signed by Seller and Purchaser.

IN WITNESS WHEREOF, the parties hereto, namely the City of Mansfield and Bobby Joe Price have executed this Agreement on the date(s) indicated immediately below their respective signatures.

BOBBY JOE PRICE

Date Bobby Price 7.7.21

STATE OF OHIO, COUNTY OF RICHLAND SS:

BE IT REMEMBERED that on the 7 day of July, 2021, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Bobby Joe Price, who acknowledged the foregoing instrument to be his voluntary act and deed. No oath or affirmation was administered to Bobby Joe Price 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.

Victoria Triplett

NOTARY PUBLIC

My Commission expires: January 18, 2026



City of Mansfield

David L. Remy
Public Works Director

Date: _____

BY: MR. VAN HARLINGEN

Resolution authorizing the purchase of real property and approving purchase agreement.

WHEREAS, the Council of the City of Mansfield, Ohio ("City") has previously determined that it needs to acquire or otherwise obtain real property to construct, operate and maintain certain infrastructure known as the Third Street Culvert to the promotion of public health and welfare (the "Project"); and

WHEREAS, Bobby Joe Price ("Owner") is the fee owner of the real property described and depicted in the legal description and survey attached hereto as Exhibit 1 ("Property"), which Property is needed for the Project; and

WHEREAS, Owner is willing to sell the property to the City and the City is willing to purchase the Property from the Owner, pursuant to terms and conditions substantially in the same form as set forth in the purchase agreement attached hereto as Exhibit 2 (the "Agreement").

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

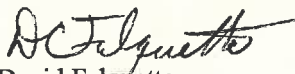
SECTION 1. The Council hereby authorizes and approves the Agreement between the City and the Owner, in a form substantially similar to the Agreement attached hereto as Exhibit 2 and made a part hereof by reference.

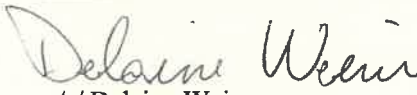
SECTION 2. The City is hereby authorized and directed to execute the final Agreement, and deliver and perform the obligations of the City under the Agreement, as the same may be revised on terms not adverse to the City, and to undertake all such additional actions and execute and deliver all such additional agreements, certificates, affidavits, closing statements and the like necessary or appropriate in the judgment of the City in order to cause the acquisition the Property by the City on substantially similar terms as set out in the Agreement.

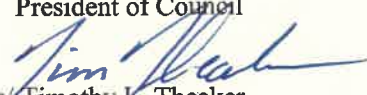
SECTION 3. All formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect immediately upon its passage.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

BILL #21-188*

ORDINANCE # 21-187

BY: MR. VAN HARLINGEN

Authorizing the Public Works Director to hereby be authorized to enter into any necessary agreements to demolish the property at 224 West Third Street, and declaring an emergency.

WHEREAS, the structure at 224 West Third Street is built adjacent to a failing sewer and said failing sewer has caused damage to the structure beyond feasible and practical repair.


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

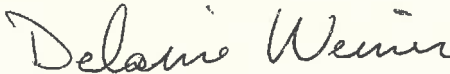
SECTION 1. That the Public Works Director be, and he is hereby, authorized to enter any necessary agreements on behalf of the City of Mansfield for the demolition of property at 224 West Third Street, and in accordance with the terms and conditions as set forth fully in the contracts which shall be on file in the Office of the City Engineer, at a cost not to exceed \$35,000.00.

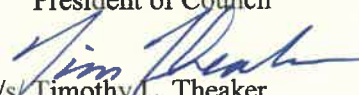
SECTION 2. That the cost of the demolition under Section 1 hereof shall be paid from the Sewer Fund, Non-Departmental, Capital Outlay Classification.

SECTION 3. That in order to prevent continued structure damage, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant 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 #21-189

ORDINANCE #

21-188

BY: MR VAN HARLINGEN

Authorizing the issuance of bonds in the amount of not to exceed \$305,000 for the purpose of constructing, furnishing and equipping a police training facility and acquiring land and interests in land as necessary in connection therewith; and declaring an emergency

WHEREAS, the City of Mansfield, Ohio (the "City") Police Department is in need of a new police training facility; and

WHEREAS, the Council of the City (the "Council") has determined that it is advisable and in the best interest of the City to issue the Bonds (as defined hereinbelow); and

WHEREAS, the Director of Finance (the "Director of Finance") has certified to this Council that the estimated life of the improvements described in the title of this Ordinance which are to be financed with the proceeds of Bonds herein described exceeds five years, the maximum maturity of the Bonds being 30 years; and

WHEREAS, it is now deemed necessary to issue and sell not to exceed \$305,000 of the Bonds for the purpose described in the title of this Ordinance under authority of the general laws of the State of Ohio, including Ohio Revised Code Sections 133.15.

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

SECTION 1. It is hereby declared necessary to issue bonds of the City in the principal sum of not to exceed \$305,000, or such lesser amount as shall be determined by the Director of Finance and certified to this Council, which bonds shall be designated "City of Mansfield, Ohio Police Training Facility Bonds, Series 2021" (the "Bonds"), or as otherwise designated by the Director of Finance, for the purpose described in the title of this Ordinance. The Bonds may be issued in one or more series.

SECTION 2. The Bonds shall be issued as fully registered bonds, in such denominations as shall be determined by the Director of Finance, but not exceeding the principal amount of Bonds maturing on any one date; shall be numbered consecutively from R-1 upward, as determined by the Director of Finance; and shall have such final terms as shall be determined by the Director of Finance and set forth in the Certificate of Fiscal Officer provided for in Section 3 herein.

SECTION 3. The Director of Finance is hereby authorized and directed to execute on behalf of the City a Certificate of Fiscal Officer Relating to Terms of Bonds (the "Certificate of Fiscal Officer") setting forth the aggregate principal amount and the final terms of the Bonds, which aggregate principal amount and terms, subject to the limitations set forth in this Ordinance, shall be as determined by the Director of Finance. The Certificate of Fiscal Officer shall indicate the dated date for the Bonds, the dates on which interest on the Bonds is to be paid (the "Interest Payment Dates"), the purchase price for the Bonds (which shall be not less than 97% of the aggregate principal amount thereof), the maturity schedule for the Bonds (provided that the maximum maturity date of the Bonds shall not be later than 30 years), the interest rates for the Bonds (provided that the true interest cost for all Bonds in the aggregate shall not exceed 5.00% per annum), the optional and mandatory redemption provisions, if any, and such other terms not inconsistent with this Ordinance as the Director of Finance shall deem appropriate.

SECTION 4. The Bonds shall be issued with interest payable semiannually on each Interest Payment Date until the principal sum is paid or provision has been duly made therefor (the “Current Interest Bonds”) or with interest compounded on each Interest Payment Date but payable only at maturity (the “Capital Appreciation Bonds”) in such proportions as shall be set forth in the Certificate of Fiscal Officer. Interest shall be calculated on the basis of a 360-day year of twelve 30-day months unless otherwise determined by the Director of Finance. Unless otherwise determined by the Director of Finance, the Current Interest Bonds shall be in the minimum denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof, and the Capital Appreciation Bonds shall be in the denominations on the date of their issuance and delivery equal to the principal amount which, when interest is accrued and compounded thereon, beginning on the date of delivery to the Original Purchaser (as defined herein below), and each Interest Payment Date thereafter, will equal \$100,000 or any integral multiple of \$5,000 in excess thereof at maturity.

SECTION 5. The Current Interest Bonds shall be subject to optional and mandatory redemption prior to stated maturity as provided in the Certificate of Fiscal Officer. If optional redemption of the Current Interest Bonds at a redemption price exceeding 100% is to take place on any date on which a mandatory redemption of the Current Interest Bonds of the same maturity will take place, the Current Interest Bonds to be redeemed by optional redemption shall be selected by the Bond Registrar (as defined herein below) prior to the selection of the Current Interest Bonds to be redeemed at par on the same date.

When partial redemption is authorized, the Bond Registrar shall select a Current Interest Bond or portions thereof by lot within a maturity in such manner as the Bond Registrar may determine, provided, however, that the portion of any Current Interest Bond so selected shall be in the amount of \$5,000 or any integral multiple thereof unless otherwise determined by the Director of Finance.

The notice of the call for redemption of Current Interest Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Current Interest Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. From and after the specified redemption date interest on the Current Interest Bonds (or portions thereof) called for redemption shall cease to accrue. Such notice shall be sent by first class mail at least 30 days prior to the redemption date to each registered holder of the Current Interest Bonds to be redeemed at the address shown in the Bond Register (as defined herein below) on the 15th day preceding the date of mailing. Failure to receive such notice or any defect therein shall not affect the validity of the proceedings for the redemption of any Current Interest Bond.

SECTION 6. The Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance. The Bonds shall be executed by the Mayor of the City (the “Mayor”) and by the Director of Finance in their official capacities, provided that either or both of their signatures may be a facsimile, electronic or digital signature. No Bond shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Bond, is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Bond Registrar or by such other person acting as an agent of the Bond Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Bonds.

SECTION 7. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. The principal of the Bonds shall be payable upon presentation and surrender of the Bonds at the principal office of the Bond Registrar. Each Bond shall bear interest from the later of the date thereof, or the most recent Interest Payment

Date to which interest has been paid or duly provided for, unless the date of authentication of any Bond is less than 15 days prior to an Interest Payment Date, in which case interest shall accrue from such Interest Payment Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered, at the close of business on the 15th day next preceding that Interest Payment Date (the "Record Date") (unless such date falls on a non-business day, in which case the Record Date shall be the preceding business day), on the Bond Register at the address appearing therein.

Any interest on any Bond which is payable, but is not punctually paid or provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Record Date by virtue of having been such owner and such Defaulted Interest shall be paid to the registered owner in whose name the Bond is registered at the close of business on a date (the "Special Record Date") to be fixed by the Bond Registrar, such Special Record Date to be not more than 15 nor less than 10 days prior to the date of proposed payment. The Bond Registrar shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each Bondholder, at such Bondholder's address as it appears in the Bond Register, not less than 10 days prior to such Special Record Date, and may, in its discretion, cause a similar notice to be published once in a newspaper in each place where Bonds are payable, but such publication shall not be a condition precedent to the establishment of such Special Record Date.

Subject to the foregoing provisions of this Section, each Bond delivered by the Bond Registrar upon transfer of or in exchange for or in lieu of any other Bond shall carry the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

SECTION 8. The Director of Finance is hereby authorized and directed to serve as authenticating agent, bond registrar, transfer agent, and paying agent (collectively, the "Bond Registrar") for the Bonds or to execute on behalf of the Council a Bond Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as the Bond Registrar for the Bonds. If at any time the Bond Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer's discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Bond Registrar hereunder. Each such successor Bond Registrar shall promptly advise all bondholders of the change in identity and new address of the Bond Registrar. So long as any of the Bonds remain outstanding, the City shall cause to be maintained and kept by the Bond Registrar, at the office of the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the "Bond Register"). Subject to the provisions hereof, the person in whose name any Bond shall be registered on the Bond Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Bond shall be made only to or upon the order of that person. Neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Bonds, including the interest thereon, to the extent of the amount or amounts so paid.

Any Bond, upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar, may be exchanged for Bonds of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

A Bond may be transferred only on the Bond Register upon presentation and surrender thereof at the office of the Bond Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Bond Registrar. Upon that transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Bonds surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Bond Registrar shall not be required to transfer or exchange (i) any Bond during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Bonds, and ending at the close of business on the day of such mailing, or (ii) any Bonds selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Bonds are exchanged or transferred hereunder, the City shall cause to be executed and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Bonds. All Bonds issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Bonds surrendered upon that transfer or exchange.

SECTION 9. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Bonds are outstanding for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Bonds as and when the same falls due and to provide a fund for the repayment of the principal of the Bonds at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

SECTION 10. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Bonds when and as the same fall due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Bonds in accordance with law.

SECTION 11. The Bonds shall be sold to the purchaser or purchasers designated in the Certificate of Fiscal Officer (collectively, the "Original Purchaser") as shall offer, in the opinion of the Director of Finance, the best terms of sale for the Bonds that are not inconsistent with the terms of this Ordinance. The Mayor, the Director of Finance or any other officer of this Council or the City, are authorized to execute on behalf of the Council a bond purchase agreement or term sheet with the Original Purchaser setting forth the conditions under which the Bonds are to be sold and delivered, which agreement or term sheet shall be in such form, not inconsistent with the terms of this Ordinance, as the Director of Finance shall determine.

SECTION 12. The Director of Finance is hereby authorized and directed to deliver the Bonds, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery. The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose.

Any accrued interest received from the sale of the Bonds shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law. Any premium received from the sale of the Bonds may be used to pay the financing costs of the Bonds within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund, in the manner provided by law.

SECTION 13. The Council hereby covenants that it shall comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Bonds is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Bonds so that the Bonds will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The Council further covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Bonds are issued, so that they shall not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer of this Council, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the Council with respect to the Bonds as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer of this Council, on behalf of this Council; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds; and (c) to give an appropriate certificate on behalf of the Board, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the Council pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the Council regarding compliance by the Council with Sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of Bond proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Bonds requires any such reports or rebates.

SECTION 14. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Bonds and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Bonds and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Director of Finance and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

The Mayor, the Director of Finance and any other officer of this Council or the City is hereby authorized and directed to take such action (including, but not limited to, hiring bond counsel and such other professionals or consultants as may be needed to facilitate the issuance of the Bonds), and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they in their discretion shall deem necessary or appropriate.

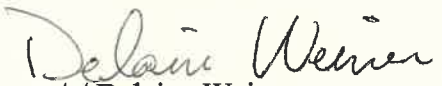
SECTION 15. It is hereby found and determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Bonds.

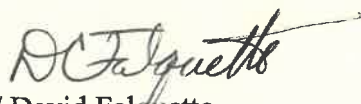
SECTION 16. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

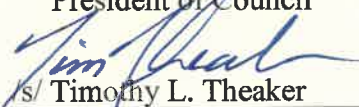
SECTION 17. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Auditor of Richland County, Ohio.

SECTION 18. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and its inhabitants, w. Provided that this Ordinance receives the affirmative vote of two-thirds of all members elected to this Council, this Ordinance 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

ATTEST 
 /s/ Delaine Weiner
 Assistant Clerk of Council

SIGNED 
 /s/ David Falquette
 President of Council

APPROVED 
 /s/ Timothy L. Theaker
 Mayor

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the
City of Mansfield, Ohio


The undersigned Director of Finance of the City of Mansfield, Ohio (the "City"), as the Director of Finance of the City, hereby certifies as follows with respect to the Police Training Facility Bonds, Series 2021 of the City, in the aggregate principal amount of not to exceed \$305,000 (the "Bonds"):

1. The estimated life of the improvements described as follows (the "Improvements") exceeds five years:

Constructing, furnishing and equipping a police training facility and acquiring land and interests in land as necessary in connection therewith

2. The maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 30 years.

Dated: September 7, 2021



Director of Finance
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 September 7, 2021 and that a true copy thereof was certified to the County Auditor of Richland County, Ohio.

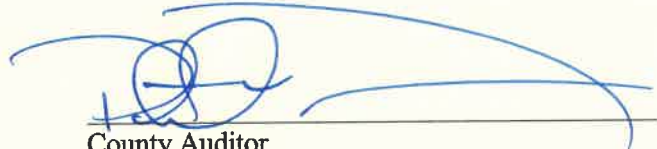
A handwritten signature in cursive script that reads "Delaine Werner". The signature is written in dark ink and is positioned above a horizontal line.

Clerk of Council
City of Mansfield, Ohio

**RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION BONDS**

I, Patrick W. Dropsey, the duly elected, qualified, and acting County Auditor in and for Richland County, Ohio hereby certify that a certified copy of an ordinance duly adopted by the City Council of the City of Mansfield, Ohio on September 7, 2021 providing for the issuance of general obligation bonds designated "City of Mansfield, Ohio Police Training Facility Bonds, Series 2021," or as otherwise designated by the Director of Finance of said City, in the amount of not to exceed \$305,000 was filed in this office on 9/10, 2021.

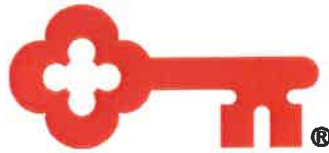
WITNESS my hand and official seal at Mansfield, Ohio this 9/10, 2021.



County Auditor
Richland County, Ohio

[SEAL]

**Attachment to
Bill# 21-189**



<u>Date</u>	<u>Takedowns</u>	<u>Debt</u>		<u>Principal</u>	<u>Ending Balance</u>
		<u>Service</u>	<u>Interest</u>		
9/15/2021	\$305,000.00	\$0.00	\$0.00	\$0.00	\$305,000.00
3/15/2022	\$0.00	\$3,461.75	\$3,461.75	\$0.00	\$305,000.00
9/15/2022	\$0.00	\$33,961.75	\$3,461.75	\$30,500.00	\$274,500.00
3/15/2023	\$0.00	\$3,115.58	\$3,115.58	\$0.00	\$274,500.00
9/15/2023	\$0.00	\$33,615.58	\$3,115.58	\$30,500.00	\$244,000.00
3/15/2024	\$0.00	\$2,769.40	\$2,769.40	\$0.00	\$244,000.00
9/15/2024	\$0.00	\$33,269.40	\$2,769.40	\$30,500.00	\$213,500.00
3/15/2025	\$0.00	\$2,423.23	\$2,423.23	\$0.00	\$213,500.00
9/15/2025	\$0.00	\$32,923.23	\$2,423.23	\$30,500.00	\$183,000.00
3/15/2026	\$0.00	\$2,077.05	\$2,077.05	\$0.00	\$183,000.00
9/15/2026	\$0.00	\$32,577.05	\$2,077.05	\$30,500.00	\$152,500.00
3/15/2027	\$0.00	\$1,730.88	\$1,730.88	\$0.00	\$152,500.00
9/15/2027	\$0.00	\$32,230.88	\$1,730.88	\$30,500.00	\$122,000.00
3/15/2028	\$0.00	\$1,384.70	\$1,384.70	\$0.00	\$122,000.00
9/15/2028	\$0.00	\$31,884.70	\$1,384.70	\$30,500.00	\$91,500.00
3/15/2029	\$0.00	\$1,038.53	\$1,038.53	\$0.00	\$91,500.00
9/15/2029	\$0.00	\$31,538.53	\$1,038.53	\$30,500.00	\$61,000.00
3/15/2030	\$0.00	\$692.35	\$692.35	\$0.00	\$61,000.00
9/15/2030	\$0.00	\$31,192.35	\$692.35	\$30,500.00	\$30,500.00
3/15/2031	\$0.00	\$346.18	\$346.18	\$0.00	\$30,500.00
9/15/2031	\$0.00	\$30,846.18	\$346.18	\$30,500.00	\$0.00
Total	\$305,000.00	\$343,079.25	\$38,079.25	\$305,000.00	

BILL #21-190*

ORDINANCE # 21-189

BY: MR. VAN HARLINGEN


Establishing new capital projects fund (#428) entitled "MPD Training Facility Fund" to account for bond proceeds used to construct, furnish and equip a new police training facility, and declaring an emergency.

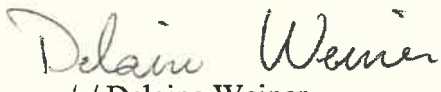
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

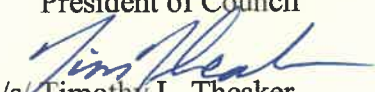
SECTION 1. That new capital projects fund (#428) entitled "MPD Training Facility Fund," be established, to account for \$305,000 in bond proceeds to construct, furnish and equip a new police training facility.

SECTION 2. That for the purpose of proper and accurate accounting of received funds, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading 7 September 2021
PASSED 7 September 2021


SIGNED /s/ David Falquette
President of Council


ATTEST /s/ Delaine Weiner
Assistant 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 #21-191

ORDINANCE # 21-190

BY: MR. VAN HARLINGEN

Approving the re-allocation and expenditure of \$109,763.99 of funds received under the CARES Act in the manner prescribed by and consistent with the requirements of the CARES Act, and declaring an emergency.

WHEREAS, the City has approved the re-allocation and expenditure of \$109,763.99 received in CARES funds to expend on COVID-19 pandemic expenditures, and

WHEREAS, all CARES Act funding must be spent before December 31, 2021, and any funds remaining unspent after this latest re-allocation will be used to reimburse salaries in the Safety Services Fund, and

WHEREAS, the City has created a list of appropriate expenditures for Council approval.

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

SECTION 1. This City Council does hereby approve the expenditure of \$109,763.99 of funds received under the CARES Act, as now appear on the detailed list attached hereto, in accordance with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations.

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

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

ATTEST *Delaine Weiner*
/s/ Delaine Weiner
Assistant Clerk of Council

SIGNED *David Falquette*
/s/ David Falquette
President of Council

APPROVED *Timothy L. Theaker*
/s/ Timothy L. Theaker
Mayor

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

**Attachment to
Bill# 21-191**

2020 COVID 1,2,3 redistribution	
Returned 2020 COVID dollars:	\$109,763.99

Door keycard security: 2-9th floor, 1-8th floor, 2-6th floor, 1-3rd floor @ \$3,000 each	\$27,002.99
Zoom tv and system Community Development:	\$1,700.00
Community Dev. conference room furniture replacement of cloth chairs:	\$4,000.00
Engineering conference room furniture replacement of cloth chairs:	\$2,064.85
Utility Collections ionizer for air	\$3,600.00
Outstanding PO#2021-1924 convert to COVID (HVAC clean air system)	\$10,680.00
Outstanding PO#2021-1921 convert to COVID (HVAC clean air system)	\$6,898.00
Outstanding PO#2021-1717 convert to COVID (HVAC clean air system)	\$8,667.00
Sanitizers for 1-parks, 1-WTP, 1-WWTP	\$10,320.00
HVAC for MPD Training Facility	\$30,000.00
Council enclosures in office area	\$1,720.00
Drinking fountain Utility Collections	\$1,500.00
Salary reimbursement - Safety Services Fund (#214):	\$1,611.15
Police COVID car	\$0.00
Total additional expenditures:	\$109,763.99

* After the projects listed above are complete, any funds remaining unspent will be used to reimburse salaries within the Safety Services Fund (#214).

BILL #21-192

ORDINANCE # 21-191

BY: MS. MOTON

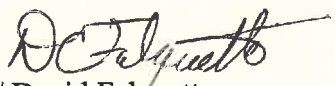
Authorizing the Mayor, Safety-Service Director, Public Works Director and Human Resources Director to enter into a Collective Bargaining Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Local #3088 and the Ohio Council 8, AFSCME, AFL-CIO, and declaring an emergency.

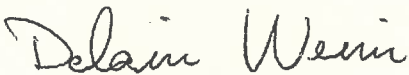
**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**


SECTION 1. That the Mayor, Safety-Service Director, Public Works Director and Human Resources Director be, and they are hereby, authorized on behalf of the City of Mansfield, Ohio, to enter into a three-year Collective Bargaining Agreement with the AFSCME, Local #3088 and Ohio Council 8, AFSCME, AFL-CIO effective May 1, 2021, through April 30, 2024, inclusive, a copy of which Agreement is currently available from the Human Resources Department.

SECTION 2. That by reason of the immediate necessity for entering into said Agreement pursuant to the negotiations, and to promote harmony with City employees, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

BY: MS. MOTON

Adopting personnel positions, pay grades and salaries for certain employees of the City of Mansfield 2021 payroll year, and declaring an emergency.

WHEREAS, the specific wages or salaries to be paid to employees holding positions designated herein shall be established in accordance with the applicable collective bargaining agreement or by Ordinance establishing salary ranges, etc. for positions excluded from collective bargaining units.

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

SECTION 1. AIRPORT DIVISION - PERSONNEL. The Airport Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager + (Administrative) °	\$37,250 - \$68,000 \$68,500
b. Operations Supervisor	\$36,750 - \$63,000 \$66,000
c. Confidential Secretary °	\$19,500 - \$48,000 \$50,000
d. Motor Equipment Operator (4)	13 14
e. Laborer	11

SECTION 2. BUILDING MAINTENANCE DIVISION - PERSONNEL. The Building Maintenance Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$36,750 - \$63,000 \$66,000
b. Building Maintenance Aid II (2)	16
c. Laborer	11

SECTION 3. CERTIFIED BUILDING DIVISION - PERSONNEL. The Certified Building Division, a subdivision of the Engineering Division, within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager+(Administrative)	\$37,150 - \$68,000 \$68,500
b. Chief Building Official + (Professional)	\$37,150 - \$76,000 \$77,000
c. Supervisor I /Electrical Safety Inspector °	\$30,250 - \$56,500
d. Confidential Secretary °	\$19,500 - \$48,000 \$50,000
e. Housing Inspector (4)	12 13
f. Account Clerk (2)	11 12

SECTION 4. CITY COUNCIL - PERSONNEL. In accordance with Article III, Section 3.03 of the Mansfield City Charter, the following personnel are authorized in the office of the Clerk of City Council and shall be compensated as indicated:

<u>POSITION</u>	<u>SALARY</u>
a. Clerk of Council + (Elected)	\$27,500-\$49,500
b. Assistant Clerk of Council + (Elected)	\$27,500-\$49,500

Members of the majority political party of Council shall designate the Clerk of Council and members of the next ranking political party of Council shall designate the Assistant Clerk of Council and each of them shall serve at the pleasure of the party members by whom they were designated.

SECTION 5. CIVIL SERVICE COMMISSION - PERSONNEL. The Civil Service Commission shall be composed of the following personnel who shall be compensated in accordance with the salary range indicated:

<u>POSITION</u>	<u>SALARY</u>
a. Commissioner Civil Service (3) + (Elected)	\$3,640-\$5,297
b. Clerk, Civil Service Commission + (Elected)	\$4,200-\$6,540

SECTION 6. CLEARFORK RESERVOIR DIVISION - PERSONNEL. The Clearfork Reservoir Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Operations Supervisor	\$36,750- \$65,000 -\$66,000
b. Supervisor I°	\$30,200-\$56,500
c. Special Police/MEO (2)	14
d. Motor Equipment Operator	13 14
e. Park Police Officer /Labor (2)	11
f. Laborer (2)	11
g. Seasonal Park Police/Full-time Temporary (2)	State Minimum Wage-\$12.00 per hr.

SECTION 7. COMMUNITY DEVELOPMENT DIVISION - PERSONNEL. The Community Development Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the pay grade, salary range, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Economic Development Director + (Administrative)	\$37,500- \$80,500 -\$82,000
b. Assistant Grant Specialist (Part-Time)	\$25,000 - \$45,000
c. Community Development & Housing Director + (Administrative)	\$37,500-\$76,000
d. Community Development Officer + (Administrative)	\$27,000-\$52,500
e. Secretary III	13
f. Finance Officer	16
g. Rehabilitation Officer (2)	16

SECTION 8. INFORMATION TECHNOLOGY (IT) DIVISION – PERSONNEL. The Information Technology Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Director + (Administrative)	\$55,000-\$75,000
b. Administrator (4) + (Administrative) °	\$40,000-\$65,000

SECTION 9. ENGINEERING DIVISION – PERSONNEL. The Engineering Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief City Engineer + (Professional)	\$50,000- \$95,000 \$96,500
b. Deputy City Engineer + (Professional)	\$42,682- \$74,200
c. G.I.S. Specialist + (Administrative) °	\$49,000 - \$65,000
d. Project Planner (3) (2) + (Administrative) °	\$37,500 -\$63,000
e. G.I.S. Technician + (Administrative) °	\$37,500-\$63,000
e. f. Administrative Assistant + (Administrative) °	\$28,000-\$54,500
f. g. Confidential Secretary °	\$19,500-\$48,000 \$50,000

SECTION 10. FINANCE DIRECTOR – PERSONNEL. The Finance Director is authorized to appoint the following personnel who shall be compensated in accordance with a salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Assistant Finance Director + (Elected)	\$40,000–\$75,200
b. Income Tax Director + (Elected)	\$40,000-\$70,000
e. Assistant Income Tax Director + (Elected) °	\$21,492-\$42,000
d. c. Payroll Director + Elected)	\$40,000-\$65,000
e. d. Internal Auditor + (Elected) °	\$35,000–\$73,600
f. e. Tax Compliance Officer + (Elected) °	\$25,000-\$44,000
g. f. Confidential Accountant (3) + (Elected) °	\$35,000-\$64,000
h. g. Administrative Assistant (Finance) + (Elected) °	\$24,200–\$54,500
i. Inventory Control Officer + (Elected) °	\$21,492-\$45,000
j. h. Income Tax Enforcement Officer + (1) (Elected) °	\$21,492-\$42,000
k. i. Senior Account Clerk	14
l. j. Field Tax Clerk	14
m. k. Finance Clerk (7)	13
n. l. Finance/Income Tax Court Coordinator	15

SECTION 11. FIRE DIVISION CIVILIAN - PERSONNEL. The following civilian personnel authorized for appointment in the Fire Division in the Public Safety Department shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Administrative Assistant + (Administrative)	\$28,000-\$54,500

b. Automotive Mechanic (2)	15
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SECTION 12. FIRE DIVISION SAFETY - PERSONNEL. The following safety personnel authorized for appointment in the Fire Division in the Public Safety Department shall be compensated in accordance with the salary range indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief of Fire + (Executive)	\$65,000- \$99,000 \$100,500
b. Assitant Chief of Fire (3) + (Administrative)	\$58,000-\$95,000
c. Captian (9)	C
d. Lieutenat (11)	L
e. Firefighter (81)	FF (P-5)

SECTION 13. HUMAN RESOURCES DIVISION - PERSONNEL. The following personnel are authorized for appointment in the Human Resources Division in the Public Service-Safety Department shall be compensated in accordance with the salary range, pay grade or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Director + (Executive)	\$50,000-\$74,500
b. Human Resources Specialist (2) + (Administrative)	\$31,200-\$54,000

SECTION 14. LAW DIRECTOR PERSONNEL. The Law Director is authorized to appoint the following office personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Deputy Law Director	\$60,000-\$76,500
b. First Assistant Law Director + (Professional)	\$55,000-\$76,500
c. Assistant Law Director (4) + (Professional)	\$28,500-\$67,000
d. Assistant Law Director (Part-Time) (1) + (Professional)	\$28,500-\$57,000
e. Executive Assistant + (Administrative)	\$31,200-\$61,250
f. Confidential Secretary (3) + (Elected) °	\$18,750-\$46,600
g. Victim of Crime Advocate (2) + (Administrative) °	(Per Grant)
h. Paralegal	State Minimum Wage-\$12.00 per hr.
i. Investigator + (Elected) °	\$20,987-\$28,080

[SECTION 15 REMOVED]

SECTION 15. MAYOR - PERSONNEL. The Mayor is authorized to appoint the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Mayor's Administrative Executive Assistant + (Elected)	\$28,000-\$54,500 \$31,200-\$61,250

SECTION 16. METRICH ENFORCEMENT UNIT - PERSONNEL. The Metrich Enforcement Unit within the Public Safety Department shall be composed of the following personnel who shall be compensated as set forth in the grant.

POSITION	SALARY/GRADE/HOURLY
a. Youth Coordinator (2)	(Per Grant)
b. Secretary (2)	(Per Grant)
c. Full-time Temporary *	(Per Grant)
d. Intermittent *	(Per Grant)

The Metrich Enforcement Unit Program is funded through the Governor's Office of Criminal Justice Services.

The funding for these positions shall cease at the conclusion of the contract (grant).

* The number of positions in a classification will vary from time to time dependent on grant funds available.

SECTION 17. MUNICIPAL COURT - PERSONNEL. Upon adoption by the Municipal Court of those provisions of this Section relating to personnel whose salaries are established by the Court, the Municipal Court, in addition to the Judges thereof, shall be composed of the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Court Systems Coordinator + (Elected)	(Established by Judges)
b. Court Administrator + (Elected)	(Established by Judges)
c. Chief Probation Officer (Administrative)	\$32,000-\$73,000
d. Special Projectors Coordinator + °	\$25,000-\$44,100
e. Probation Officer (12) °	\$27,000-\$60,900
f. Assignment Commissioner (2)+	\$20,000- 57,000
g. Court Security Officer (Part-Time) (7) +	\$15.00-\$22.00 per hr.
h. Confidential Secretary (5) + (Elected) °	\$20,000-\$52,000
i. Magistrate (2) + (Elected)	(Established by Judges)
j. Bailiff (9) + (Elected)°	(Established by Judges)

SECTION 18. MUNICIPAL COURT CLERK - PERSONNEL. Upon adoption of the provisions of this Section by the Clerk of the Municipal Court, the office of the Municipal Court Clerk shall be composed of the following personnel:

POSITION	SALARY/GRADE/HOURLY
a. Chief Deputy	(Established by Clerk)
b. Senior Deputy Clerk (2)	(Established by Clerk)
c. Deputy Clerk (Full-time) (13)	(Established by Clerk)
d. Deputy Clerk (Part-time) (6)	(Established by Clerk)

[SECTION 20 REMOVED]

SECTION 19. PARKS AND RECREATION DIVISION - PERSONNEL. The Parks and Recreation Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Superintendent + (Administrative)	\$27,125- \$68,000 \$68,500

b. Confidential Secretary ^o	\$19,500-\$45,750 \$50,000
c. Carpenter/Building Maintenance Aide (2) (1)	16
d. Park Equipment Operator (3)	11
e. Recreation Coordinator II	\$30,500-\$46,600

SECTION 20. POLICE DIVISION - CIVILIAN PERSONNEL. The following civilian personnel are authorized for appointment in the Police Division in the Public Safety Department and shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Confidential Secretary (3) ^o	\$19,500- \$49,500 \$50,000
b. Forensic Scientist	\$48,402- \$88,200 \$89,500
c. Operations Supervisor - Crime Lab	\$35,000- \$65,000 \$66,000
d. Operations Supervisor - Records	\$35,000- \$65,000 \$66,000
e. Supervisor I - Records	\$30,200-\$56,500
f. Crime Analyst	\$34,000-\$47,500
g. Automotive Mechanic	15
h. Transcriber Clerk (3)	13
i. Evidence Technician (3)	12 16
j. Police Records Clerk (10)	11 12
k. Police Aide (3)	11
l. Parking Control Officer (2)	11
m. Laborer (2)	11
n. Secretary I	9
o. Clerk Typist	8
p. DNA Laboratory Technician	(Per Grant)
q. DNA Analyst	(Per Grant)

SECTION 21. POLICE DIVISION - SAFETY PERSONNEL. The following safety personnel are authorized for appointment in the Police Division in the Public Safety Department and shall be compensated in accordance with the salary range indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief of Police + (Executive)	\$65,000- \$99,000 \$100,500
b. Assistant Chief of Police + (Administrative)	\$95,000
c. Captain (2)	C
d. Lieutenant (7)	L
e. Sergeant (13)	S
f. Patrol Officer (78)	P.O. - (P-3)

SECTION 22. PUBLIC SAFETY COMMUNICATIONS CENTER DIVISION - PERSONNEL. The Public Safety Communications Center Division in the Public Safety Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$36,750- \$65,000 \$66,000
b. Supervisor I (3) ^o	\$30,200-\$56,500
c. Telecommunicator (17)	14

SECTION 23. PUBLIC SAFETY-SERVICE DEPARTMENT - PERSONNEL. The following personnel are authorized for appointment in the Public Safety-Service Department and shall be compensated in accordance with the salary range, or hourly rate indicated:

POSITION	SALARY/GRADE/HOURLY
a. Safety-Service Director + (Executive)	\$50,000-\$95,000
b. Administrative Assistant + (Administrative)°	\$28,000-\$54,500

SECTION 24. PUBLIC WORKS DEPARTMENT-PERSONNEL. The following personnel are authorized for appointment in the Public Works Department and shall be compensated in accordance with the salary range or hourly rates indicate.

POSITION	SALARY/GRADE/HOURLY
a. Public Works Director + (Executive)	\$50,000-\$95,000

SECTION 25. SERVICE COMPLEX DIVISION - PERSONNEL. The Service Complex Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$36,500- \$65,000 \$66,000
b. Secretary III (2)	13
c. Storekeeper	14
d. Utility Maintenance Dispatcher (3)	12
e. Confidential Secretary °	\$19,500-\$50,000

SECTION 26. SEWER REPAIR DIVISION - PERSONNEL. The Sewer Repair Division, a subdivision of the Service Complex Division, within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2)°	\$28,500-\$52,500
c. Sewer Camera Operator II (2)	14
d. Sewer Camera Operator I	11
e. d. Repair Worker	13
f. e. Motor Equipment Operator (12)	13 14
e. f. Mason (3)	14
f. g. Laborer (7)	11

SECTION 27. STREET DIVISION - PERSONNEL. The Street Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2) °	\$28,500-\$52,500

c. Motor Equipment Operator (12)	13 14
d. Senior Traffic Technician	16
e. Traffic Technician (2)	14
f. Laborer (8)	11

SECTION 28. UTILITY COLLECTIONS DIVISION - PERSONNEL. The Utility Collections Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
OFFICE SECTION:	
a. Manager + (Administrative)	\$35,000-\$68,000 \$68,000 \$68,500
b. Supervisor I	\$30,200-\$56,500
c. Data Analyst °	\$34,000-\$47,500
d. Account Clerks (11)	11 12
FIELD SECTION:	
a. Foreman	\$28,500-\$52,500
b. Installer (4)	11 12
e. Meter Reader	10

SECTION 29. VEHICLE REPAIR AND MAINTENANCE DIVISION - PERSONNEL. The Vehicle Repair and Maintenance Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Supervisor I °	\$30,200-\$56,500
b. Foreman °	\$28,500-\$52,500
c. Automotive Mechanic (6)	15
d. Body Shop Repair Worker (2)	15
e. Laborer	11

SECTION 30. WASTEWATER TREATMENT DIVISION - PERSONNEL. The Wastewater Treatment Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager + (Administrative)	\$35,381- \$85,000
b. Operations Supervisor	\$36,750-\$63,000 \$66,000 \$66,000
c. Supervisor I (Maintenance) °	\$30,200-\$56,500
d. Environmental Compliance Supervisor I	\$34,000-\$56,500
e. Lab Technician (2)	16
f. Computer/Electronic/Instrumentation Technician	16
g. Maintenance Technician (3)	16
h. Solids Dewatering Operator	16
i. Shift Operator I (2)	15 16
j. Shift Operator (5)	13 14
j. Filter Press Operator I	13
k. Water Valve Technician (2)	14
k. l. Sampling Aides (2)	13

l. m. Account Clerk	11-12
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SECTION 31. WATER REPAIR DIVISION - PERSONNEL. The Water Repair Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2)°	\$28,500-\$52,500
c. Repair Worker (6)	13
d. Motor Equipment Operator (12)	13 14
e. Mason	14
f. Account Clerk	11-12
g. Laborer (8)	11

SECTION 32. WATER TREATMENT DIVISION - PERSONNEL. The Water Treatment Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Manager + (Administrative)	\$35,381-\$85,000
b. Operations Supervisor (Chief Operator) °	\$36,750- \$63,000 \$66,000
c. Supervisor I (2) °	\$30,200-\$56,500
d. Laboratory Technician	16
e. Maintenance Mechanic (3)	16
f. Shift Operator I (2)	15-16
g. Shift Operator (6)	13-14

SECTION 33. MISCELLANEOUS - PERSONNEL. In addition to those listed in a certain section of this Ordinance, the following part-time and/or temporary personnel positions shall be established for use on an as needed or required basis by any of the departments and/or divisions listed in Section 1 through 32 of this Ordinance.

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Transitional Trainee (as required) *	Salary commensurate with position being filled
b. Full-time temporary (24) **	State Minimum Wage-\$12.00 per hr.
c. Intermittent (15) ***	State Minimum Wage-\$12.00 per hr.
d. Interim (as required) ****	State Minimum Wage-\$12.00 per hr.
*	The purpose of this position is to provide training for a period of three (3) months of a replacement for employees retiring or resigning from non-bargaining unit positions.
**	An employee who does not work more than 520 hours per calendar year.
***	An employee who does not work more than 20 hours per week and/or 1040 hours per calendar year.

~~SECTION 34. — PAY PLAN. As to any position for which a range is established, increases shall be authorized for an employee in such position no more often than once in a calendar year and only by the appointing authority for the position. An exception to this will be made for employees hired or promoted to a higher position who may receive an increase after six (6) months if so authorized by the appointing authority for this position. Intermittent employees (unless otherwise indicated) shall normally be paid at the minimum hourly rate indicated. Placement at a starting rate above the minimum or any pay increase after the commencement of employment may only occur with the written approval of the Mayor, or other appointing authority.~~

SECTION 35-34. FLSA EXEMPT POSITIONS. Positions marked with a “+” are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA), and as such are paid a salary. Incumbents of such positions are not entitled to receive overtime, compensatory time, call-in pay, stand-by pay, or any other type of premium pay for working more than the maximum hours in a workweek or work period. Incumbents are also not covered by the rules concerning the following compensation or benefits: Holiday pay, wage continuation, civil leave pay, disaster leave pay, examination leave pay, or shift-differential. Incumbents shall not receive a reduction in pay for absences of less than one day. Such employees shall follow the procedures for the deduction of vacation and sick leave of one day or more from the appropriate balances. “Executive” “Administrative” “Elected” “Professional” designates exemptions as provided by the FLSA. All unmarked positions are non-exempt from the minimum wage and overtime provisions of the FLSA and are eligible for all compensation and benefits listed herein unless otherwise provided by ordinance.

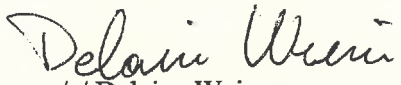
SECTION 36-35. FULL-TIME POSITIONS FILLED ON PART-TIME BASIS: Full-time positions, marked with a “0”, when vacated by means of retirement, resignation or termination, at the discretion of the appropriate appointing authority may be filled on a part-time basis. Any person filling such position on a part-time basis shall be paid on an hourly basis at a rate which falls within the salary range of the full-time position and shall not be eligible for any benefits as prescribed in the City's Personnel Benefits Ordinance, as amended from time to time [currently Ord. No. 08-043]. In no event shall the use of a part-time position increase the total number of positions authorized for division or department by this ordinance.

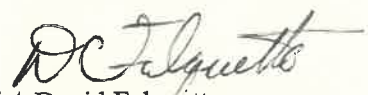
SECTION 37-36. This Ordinance is retroactively effective to January 1, 2021, for all positions listed which are not part of a bargaining unit for the purposes of salary/grade/hourly pay. This Ordinance will also be retroactively effective to May 1, 2021 for all positions listed which are part of a bargaining unit.


SECTION 38-37. That any existing Ordinances pertaining to personnel positions, pay grades and salaries of employees covered by this Ordinance shall be, and the same are hereby, repealed and/or replaced by this Ordinance.

SECTION 39-38. That by reason of the immediate necessity for adopting a comprehensive plan for personnel of the City of Mansfield which establishes the various authorized positions, pay grades, and salaries, therefore, 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, retroactively, where provided, to January 1, 2021 or May 1, 2021, 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 7 September 2021
1st Reading 7 September 2021
2nd Reading _____
PASSED 7 September 2021

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

SIGNED 
/s/ David Falquette
President of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

BILL #21-194

ORDINANCE # 21-193

BY: MR. VAN HARLINGEN


An ordinance increasing appropriations for the remainder of 2021 from various unappropriated funds for the retroactive three percent (3%) AFSCME and non-bargaining employee pay increases, and declaring an emergency.


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

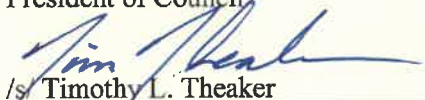
SECTION 1. That appropriations in the funds, departments and classifications set forth in the attached pages numbered 1 and 2, are hereby increased in the amount of two hundred fifty-six thousand and six hundred ninety-two dollars (\$256,692).

SECTION 2. That being amendments to appropriations necessary for current and retroactive expenses, this Ordinance shall take effect and be in full force from and after its passage and approval by the Mayor.

Caucus 7 September 2021
1st Reading 7 September 2021
2nd Reading 7 September 2021
PASSED 7 September 2021

SIGNED 
/s/ David Falquette
President of Council

ATTEST 
/s/ Delaine Weiner
Assistant Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

**Attachment to
Bill# 21-194**

**City of Mansfield, Ohio
2021 Budget Adjustments
AFSCME and Non-Bargaining Employee 3% Pay Increases**

<u>Fund</u>	<u>Department</u>	<u>Organization Set</u>	<u>Classification</u>	<u>Amount</u>
101	City Council	101.02.01	Personal Services	\$ 2,744.00
			Employee Benefits	424.00
	Finance	101.07.01	Personal Services	10,570.00
			Employee Benefits	1,682.00
	Income Tax	101.07.02	Personal Services	8,604.00
			Employee Benefits	1,528.00
	Mayor	101.09.01	Personal Services	1,650.00
			Employee Benefits	246.00
	Safety Service Director	101.10.01	Personal Services	3,141.00
			Employee Benefits	485.00
Engineering	101.12.01	Personal Services	9,979.00	
		Employee Benefits	1,520.00	
Codes & Permits	101.13.01	Personal Services	12,589.00	
		Employee Benefits	2,111.00	
Maintenance	101.17.01	Personal Services	3,482.00	
		Employee Benefits	540.00	
Public Works Director	101.20.01	Personal Services	1,263.00	
		Employee Benefits	196.00	
TOTAL GENERAL FUND (101)				62,754.00
202	Street Maint. & Repair	202.53.01	Personal Services	11,128.00
			Employee Benefits	3,493.00
TOTAL STREET M&R FUND (202)				14,621.00
214	Police	214.15.01	Personal Services	28,726.00
			Employee Benefits	4,989.00
	Police Repair	214.15.42	Personal Services	866.00
			Employee Benefits	135.00
Police Crime Lab	214.15.50	Personal Services	9,951.00	
		Employee Benefits	2,003.00	
Police Parking Meter	214.15.52	Personal Services	735.00	
		Employee Benefits	177.00	

**City of Mansfield, Ohio
2021 Budget Adjustments
AFSCME and Non-Bargaining Employee 3% Pay Increases**

<u>Fund</u>	<u>Department</u>	<u>Organization Set</u>	<u>Classification</u>	<u>Amount</u>
214 (Cont.)	Fire	214.16.01	Personal Services	20,890.00
			Employee Benefits	4,195.00
	Fire Repair	214.16.42	Personal Services	1,732.00
			Employee Benefits	267.00
	Communications	214.24.01	Personal Services	14,364.00
			Employee Benefits	2,434.00
TOTAL SAFETY SERVICES FUND (214)				91,464.00
216	Industrial Development	216.30.01	Personal Services	2,220.00
			Employee Benefits	330.00
TOTAL INDUSTRIAL DEVELOPMENT FUND (216)				2,550.00
236	Parks & Recreation	236.18.01	Personal Services	6,851.00
			Employee Benefits	1,190.00
TOTAL PARKS & RECREATION FUND (236)				8,041.00
502	Clearfork Reservoir	502.36.41	Personal Services	13,575.00
			Employee Benefits	5,166.00
	Water Treatment	502.38.43	Personal Services	18,394.00
			Employee Benefits	3,541.00
TOTAL WATER FUND (502)				40,676.00
503	Sewer Treatment	503.43.43	Personal Services	25,637.00
			Employee Benefits	5,012.00
TOTAL SEWER FUND (503)				30,649.00
602	Information Technology	602.54.01	Personal Services	5,141.00
			Employee Benefits	796.00
TOTAL INFORMATION TECHNOLOGY FUND (602)				5,937.00
TOTAL ALL FUNDS				\$ 256,692.00