

BILL# 20-038

ORDINANCE # _____

BY: MR. LAWRENCE

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 2019 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>
19-035	9-3-19	1335.17, 1335.20
19-257	12-3-19	Repeals Ch. 715
19-274	12-17-19	193.03
20-003	1-7-20	121.01

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 That the following sections are hereby added, amended or repealed as respectively indicated in order to comply with current State law: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

- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
- 373.02 Riding Upon Seats. (Amended)

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 537.16 Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternate Nicotine Products. (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 in the Office of the Clerk of Council. The listing of such sections above shall constitute sufficient publication of new matter contained therein.

BILL #20-039

ORDINANCE # 20-039

BY: MR. VAN HARLINGEN

Authorizing the Safety-Service Director to accept and appropriate a donation from NCD Ohio Elks #56 in the amount of (\$2,000), and declaring an emergency.

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


SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to accept a Donation in the aggregate amount of two thousand dollars (\$2,000) from NCD Ohio Elks #56 to purchase a metal detector for the Mansfield Police Department Detectives Bureau, and the City expresses its sincere appreciation to said donor.

SECTION 2. That the sum of two thousand dollars (\$2,000) be, and the same is hereby, appropriated from the unappropriated Safety Services Fund (#214) to the Police Department Operations (214.15.01) Capital Outlay Classification.

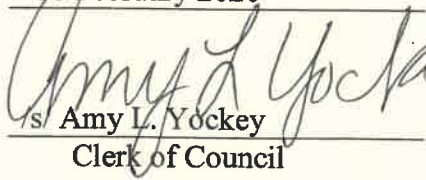
SECTION 3. That by reason of the immediate necessity to accept donation, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of 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 18 February 2020
1st Reading 18 February 2020
2nd Reading 18 February 2020
PASSED 18 February 2020


SIGNED


/s/ Cliff Mears
President of Council

ATTEST


/s/ Amy L. Yockey
Clerk of Council

APPROVED


/s/ Timothy L. Theaker
Mayor

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

20-040

BILL #20-040

ORDINANCE# _____

BY: MR. VAN HARLINGEN

Authorizing payment to Superior, LLC/Central Square in the amount of nineteen thousand three hundred twelve and 87/100 dollars (\$19,312.87) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

WHEREAS, the Police Department, obtained services with Superior, LLC/Central Square, a CentralSquare Company, for first quarter OSSI 2020 maintenance fees for software services obtained for the Police Department prior to submission of a purchase order therefor to the Finance Department in the amount of nineteen thousand three hundred twelve and 87/100 dollars (\$19,312.87), and

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


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

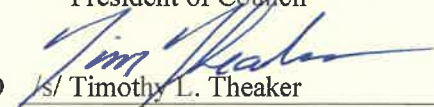
SECTION 1. That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by the Police Department for a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to Superior, LLC/Central Square, a CentralSquare Company, in the amount of nineteen thousand three hundred twelve and 87/100 dollars (\$19,312.87), from funds heretofore appropriated in the Safety Service Fund (#214).

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

Caucus 18 February 2020
1st Reading 18 February 2020
2nd Reading _____
PASSED 18 February 2020

SIGNED /s/  Cliff Mears
President of Council

ATTEST  /s/ Amy L. Yockey
Clerk of Council

APPROVED  /s/ Timothy L. Theaker
Mayor

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

20-041

BILL #20-041

ORDINANCE#

BY: MR. VAN HARLINGEN

Authorizing payment to Ohio Department of Transportation in the amount of eighteen thousand seven hundred two and 75/100 dollars (\$18,702.75) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

WHEREAS, the Engineering Department, obtained services with Ohio Department of Transportation for US 42 Resurfacing prior to submission of a purchase order therefor to the Finance Department in the amount of eighteen thousand seven hundred two and 75/100 dollars (\$18,702.75), and

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

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

SECTION 1. That this Council does hereby affirm the Then and Now Certificate issued by the Finance Director relating to the request and receipt by the Engineering Department for US 42 Resurfacing prior to a purchase order therefor being submitted to the Finance Department, and authorize the Finance Director to issue her warrant to the Ohio Department of Transportation in the amount of eighteen thousand seven hundred two and 75/100 dollars (\$18,702.75), from funds heretofore appropriated in the Street Resurfacing Fund (#404).

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

Caucus 18 February 2020
1st Reading 18 February 2020
2nd Reading
PASSED 18 February 2020

SIGNED /s/ Cliff Mears
President of Council

ATTEST /s/ Amy L. Yockey
Clerk of Council

APPROVED /s/ Timothy L. Theaker
Mayor

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

20-042

BILL #20-042

ORDINANCE # _____

BY: MR. VAN HARLINGEN

Authorizing the Mayor and Safety-Service Director to accept funding from the Ohio Office of Criminal Justice Services under a 2019 Subgrant in the amount of Sixty Thousand Dollars (\$60,000) to be used for a portion of the cost of a Family Violence Liaison Officer, and declaring an emergency.

WHEREAS, Subgrant Number 2019-WF-VA2-8854 has been awarded to the City of Mansfield to provide seventy-five percent (75%) of the funds to pay for a Family Violence Liaison Officer under the Violence Against Women Act (VAWA), with the local matching funds therefor to be in the amount of Twenty Thousand Dollars (\$20,000), and


WHEREAS, it is in the best interest of the City of Mansfield, Ohio, to avail itself of the opportunities provided by this program and to participate with a complete commitment.

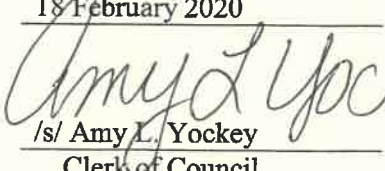
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That the Mayor and the Safety-Service Director be, and they are hereby, authorized to accept funding from the Ohio Office of Criminal Justice Services under 2019 Subgrant Number 2019-WF-VA2-8854 in the amount of Sixty Thousand Dollars (\$60,000) to be used to pay seventy-five percent (75%) of the cost of a Family Violence Liaison Officer, and to execute any and all documents pertaining to the receipt and use of said funds.

SECTION 2. That by reason of the immediate necessity to accept this funding for public safety, 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 18 February 2020
1st Reading 18 February 2020
2nd Reading _____
PASSED 18 February 2020

SIGNED 
/s/ Cliff Mears
President of Council

ATTEST 
/s/ Amy L. Yockey
Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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

20-043

BILL #20-043

ORDINANCE # _____

BY: MR. VAN HARLINGEN

Authorizing the City to accept a donation of one hundred eighteen dollars (\$118.00) from Annielynn Miller in memory of Chief Richard Krizan for use by the Mansfield Fire Department in the operation of its Fire Prevention Program.

WHEREAS, Annielynn Miller, in memory of Chief Richard Krizan, has graciously offered to donate one hundred eighteen dollars (\$118.00) to be used for fire prevention expenditures, and

WHEREAS, this Council for itself and on behalf of the City of Mansfield gratefully appreciates the generosity and public interest reflected by her 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 from Annielynn Miller in the amount of one hundred eighteen dollars (\$118.00) to be used by the Mansfield Fire Department for fire prevention expenditures.

SECTION 2. That the sum of one hundred eighteen dollars (\$118.00) be, and the same is hereby, appropriated from the unappropriated Safety Services Fund (#214) to the Fire Operations (214.16.01) Supplies and Materials 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 18 February 2020
1st Reading 18 February 2020
2nd Reading _____
PASSED 18 February 2020

SIGNED Cliff Mears
/s/ Cliff Mears
President of Council

ATTEST Amy L. Yockey
/s/ Amy L. Yockey
Clerk of Council

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

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

20-044

BILL #20-044 *

ORDINANCE # _____

BY: MR. LAWRENCE

Vacating a portion of Edwards Avenue between S. Franklin and Lundy's Lane along Lot Nos. 446 and 447, and a portion of Harris Place between S. Franklin and Lundy's Lane between Lot Nos. 448 and 449 and retaining the utility rights and easements therein, and declaring an emergency.

WHEREAS, a petition by persons owning property abutting the portion of Edwards Avenue between S. Franklin and Lundy's Lane along Lot Nos. 446 and 447, and a portion of Harris Place between S. Franklin and Lundy's Lane between Lot Nos. 448 and 449 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 portion of Edwards Avenue between S. Franklin and Lundy's Lane along Lot Nos. 446 and 447, and a portion of Harris Place between S. Franklin and Lundy's Lane between Lot Nos. 448 and 449 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 Edwards Avenue and a portion of Harris Place, 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 18 February 2020
1st Reading 18 February 2020
2nd Reading _____
PASSED 18 February 2020

SIGNED /s/ Cliff Mears
President of Council

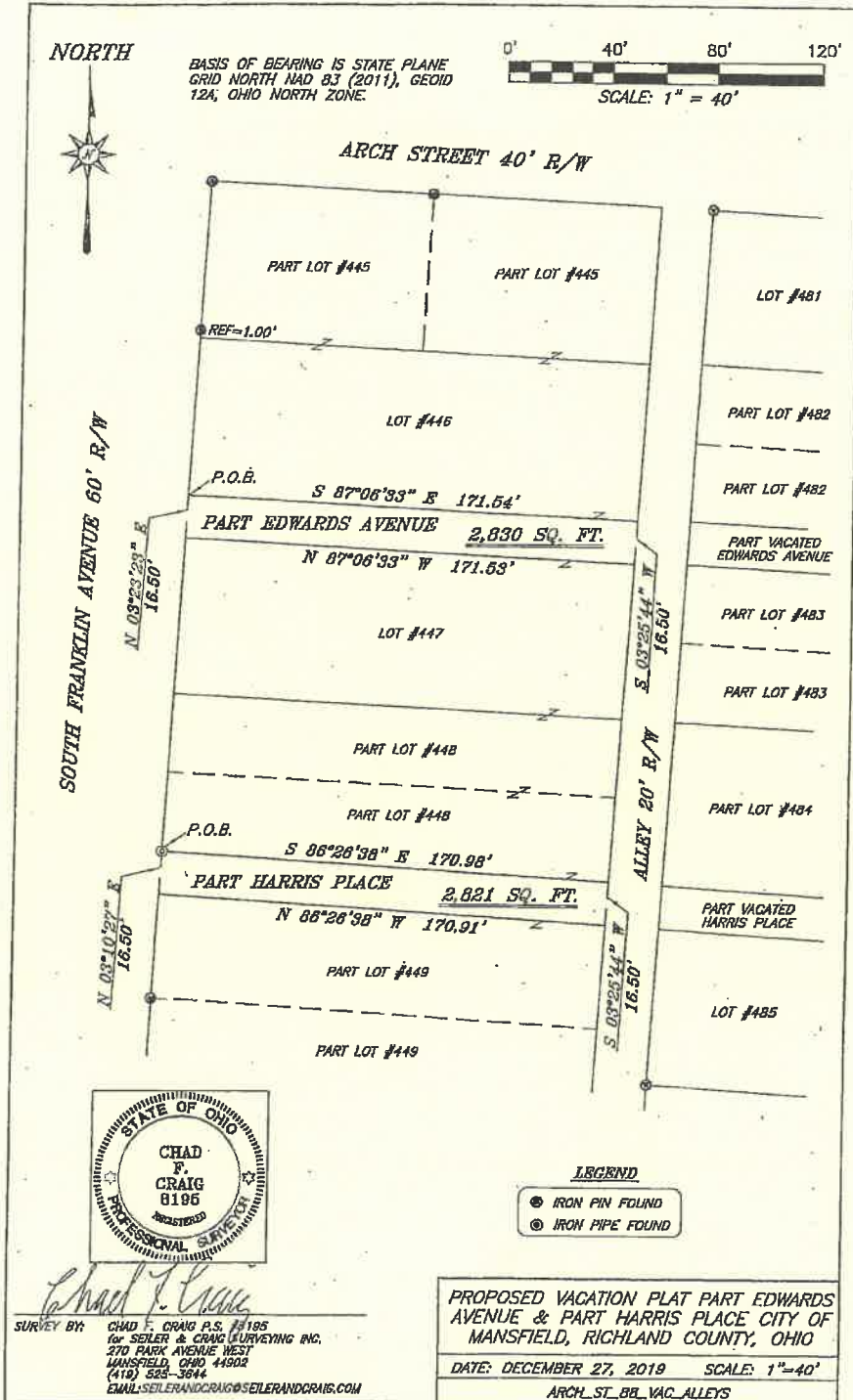
ATTEST /s/ Amy L. Yockey
Clerk of Council

APPROVED /s/ Timothy L. Theaker
Mayor

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

* Publication required.

EXHIBIT "A"
to
BILL #20-044



**ATTACHMENT
to
BILL #20-045**

CITY OF Mansfield					
Location	Street Address	Existing Bandwidth	Current Cost	Proposed Bandwidth (1)	New Price
Main Building	30 N Diamond	50MB (internet)	812	500MB (internet)	775
Water Plant	Lexington Springmill Rd	3MB (internet)	245	X	0
Main Building	30 N Diamond	1GB	1575	1GB	1575
Fire Station 1	140 E. 3rd. St.	3MB	255	X	0
Fire Station 2	35 Brookwood Way	40MB	378	40MB	378
Fire Station 3	705 Sunset Blvd.	40MB	378	40MB	378
Fire Station 4	1020 S. Main St.	40MB	378	40MB	378
Fire Station 6	677 Springmill Rd	40MB	378	40MB	378
Service Complex/Repair	480 Park Ave East	40MB	378	100MB	620
Utility Collections	99 PAE	3MB	280	X	0
Waste Water	385 Illinois Ave. S.	40MB	378	40MB	378
Metrich	1105 Park Ave West	40MB	378	40MB	378
Airport	1895 Harrington Memorial Rd	40MB	378	40MB	378
Maintenance at airport	Airport Road	40MB	378	40MB	378
Star Academy	445 Bowman	40MB	378	40MB	378
Water Plant	Lexington Springmill Rd	50MB	559	500MB	1175
Gold Class Service		8	200		120
			7706		7667

Total Current Yearly Cost \$101,216.67
 Total 5 Year Contract Cost \$506,084.00
 New 1 Year Cost \$101,684.76
 Savings over 5 Years \$2,339.80

BILL 20-046

ORDINANCE # _____

BY: MR. SCOTT

Authorizing the Safety-Service Director to enter into a software maintenance agreement with Superior LLC/ CentralSquare, and declaring an emergency.

WHEREAS, the City has entered into a software license agreement with Superior LLC/ CentralSquare Company, and an accompanying annually renewal able maintenance agreement for said software, heretofore this Council authorizes said renewal, and

WHEREAS, Superior OSSI is a software suite that consists of CAD (Computer Aided Dispatch), RMS (Records Management System), AVL (Automatic Vehicle Location), MCT (Mobile Computer Terminal), and

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

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


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

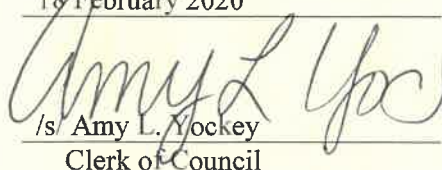
SECTION 1. That the Safety-Service Director be, and she is hereby, authorized to enter into a software maintenance agreement, for the 2020 calendar year, with Superior LLC/ Central Square now on file with the Safety-Service Director.

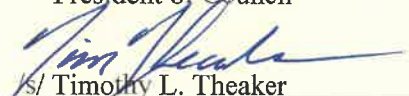
SECTION 2. That the cost of said Agreement has been allocated for payment purposes, and shall be for an amount not to exceed \$77,251.55 (seventy-seven thousand two hundred and fifty-one and 55/100 dollars), to be paid from Fund Accounts #204 (Alarm Monitoring Fund) and #214 (Safety Services Fund).

SECTION 3. That by reason of the immediate necessity to renew the maintenance agreement for essential City software that allows public safety personnel to effectively and safely perform their duties, 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 18 February 2020
1st Reading 18 February 2020
2nd Reading _____
PASSED 18 February 2020


SIGNED /s/ Cliff Mears
President of Council


ATTEST /s/ Amy L. Yockey
Clerk of Council


APPROVED /s/ Timothy L. Theaker
Mayor

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

20-047

BILL 20-047

ORDINANCE # _____

BY: MR. SCOTT

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

WHEREAS, this will be an annual agreement. Public-Safety Services will use this software suite for Computer Aided dispatch, Records Management System, Automated Vehicle Location, Mobile Computer Terminals, and others, and

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

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

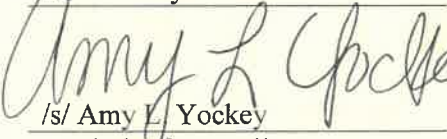
SECTION 1. That the Safety-Service Director be, and she is hereby authorized to execute on behalf of the City of Mansfield, Ohio a software maintenance agreement, for the 2020 calendar year, with Sundance Systems, Inc. 8001 Sweet Valley Drive, Cleveland, OH 44125, to provide a software suite for Computer Aided dispatch, Records Management System, Automated Vehicle Location, Mobile Computer Terminals, and others, which will be on file with the Safety-Service Director.

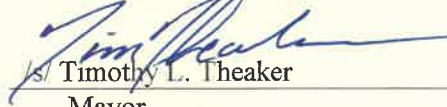
SECTION 2. That the cost of said Agreement has been allocated for payment purposes, and shall be for an amount not to exceed \$101,479.00 (one hundred and one thousand and four hundred seventy-nine dollars) to be paid from Fund Accounts #204 (Alarm Monitoring Fund) and #214 (Safety Services Fund).

SECTION 3. That by reason of the immediate necessity to enter into aforesaid agreement for essential City software that allows public safety personnel to effectively and safely perform their duties, 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 18 February 2020
1st Reading 18 February 2020
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SIGNED 
/s/ Cliff Mears
President of Council

ATTEST 
/s/ Amy L. Yockey
Clerk of Council

APPROVED 
/s/ Timothy L. Theaker
Mayor

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