

REGULAR COUNCIL MEETING JANUARY 17, 2017

The second semi-monthly meeting of Mansfield City Council met on Tuesday, January 17, 2017 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Mike Hill and led the audience in prayer.

ROLL CALL: The following answered present at roll call: Bryant, Hill, Jefferson, Lawrence, Pender, Rock, Scott and Van Harlingen.

There being no objections, the reading of the Journal and Communications were dispensed with.

MAYOR THEAKER: I would like to inform the Council about is we do have 225 Park Ave. West under contract. We had budgeted \$100,000 and it came in at \$68,000. We also have under contract the gas station next to the fire museum. We had budgeted that at \$100,000 and that came in at \$63,000 and there's an apartment complex down there, these are the 3 that we talked with Council many, many months ago and Council had looked at and approved, I'm just updating the Council on that, but there's an apartment complex down on 4th and Franklin and that one came in \$38,000, we budgeted \$100,000. Just to update Council on the 3 major, no you cannot ask a question (laughter).

MR. VAN HARLINGEN: The one at 4th and Franklin. Is that where there's a conglomeration of properties?

MAYOR THEAKER: Right next to National Electric. We signed contracts last Friday. I don't know if you happened to notice or not but the old YMCA, the ceiling over the parking lot, over the weekend, collapsed.

SUSPEND RULES

MR. HILL: I move with respect to all bills that come before Council tonight that the rule requiring reading on three different days be suspended and that each bill be read one time by title only, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0.

LEGISLATION

REPEAL & REPLACE CHAPTER 751 – TAXICABS – 3rd READING - TABLED

BY: MR. BRYANT

ORDINANCE 16-269

Repealing and replacing Chapter 751 of the Mansfield Codified Ordinances of 1997 to allow for updates and revisions that modernize and simplify the Codified Ordinances to better suit the needs of the community, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-262 be given its second reading, seconded by Mr. Rock. Mr. Bryant moved to table the bill, seconded by Mr. Hill and passed 8-0 to table.

MR. BRYANT: I am holding a Safety Committee next Council session in two. This would be your chance to come back or to present your points of rejection to the bill.

LAW DIRECTOR SPON: Mr. West, with regard to your existing employees, if you don't mind if you will contact Sharon Wesselman, Asst. Law Director, Sharon May, and we want the names of your employees and what you're concerned about in terms of their past record. We recognize and welcome your company. You're the only cab company in Mansfield. Many citizens rely upon your company but we have to do this the right way.

MR. WEST: Of course. I'm all for that.

MR. LAWRENCE: I just wanted to state to Councilman Bryant that it's actually 3 weeks, Feb 7, that we'll have the Safety Committee meeting.

MR. BRYANT: Two weeks from today. I'm not sure of the date. Oh, yes, I'm sorry. Three weeks on Feb 7. Thank you Mr. Lawrence.

MR. HILL: I would invite this gentleman, his company, to notify Council or the Law Director's office if he knows of other people trying to run taxicab companies that are not licensed with the city. Be sure and tell the Law Director, they'll take care of it. You don't need to work in fear. We're here to help you and enjoy your company as a company that employed people but we don't want you taken advantage of with other people abusing the system. I can't stand that.

MR. LAWRENCE: Mr. West, you have a copy of this bill, right?

PRESIDENT SCOTT: If you don't, we can provide one to you.

MR. LAWRENCE: Please get a copy, go over it, read it, highlight, make any suggestions on there that you have any objections to.

PRESIDENT SCOTT: The Clerk will go make you a copy. Actually, I'll take this point of privilege to say that you don't know how lucky you are that we did not pass this 2 weeks ago. I think it was Mr. Jefferson that called for some questions on it and if it would not have been for Mr. Jefferson calling some questions on it, we came this close to passing it 2 weeks ago. We thought you had never showed up, we thought you were all fine.

DEMO – 261 REMY AVENUE

BY: MR. LAWRENCE

ORDINANCE 17-007

Declaring the remains of a designated dwelling (261 Remy Avenue) to be insecure, unsafe, structurally defective and unsafe to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency

Upon motion by Mr. Lawrence that Bill 17-007 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

DEMO – 414 MCPHERSON ST

BY: MR. LAWRENCE

ORDINANCE 17-008

Declaring the remains of a designated dwelling (414 McPherson Street) to be insecure, unsafe, structurally defective and unsafe to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency

Upon motion by Mr. Lawrence that Bill 17-008 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

AUTH WALT HUNSINGER TO CONTINUE WATER SYSTEM

BY: MR. VAN HARLINGEN

ORDINANCE 17-009

Authorizing and licensing Walt Hunsinger to continue with the extension of the City water system in Phase IV of his development, establishing the terms and conditions thereof, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-009 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final

passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

AUTH SSD ACCEPT GRANT – STERKEL PARK

BY: MR. ROCK

ORDINANCE 17-010

Authorizing the Safety-Service Director to accept a Grant from the Sterkel Fund in the aggregate amount of Sixty Thousand Dollars (\$60,000) for the purpose of park planning and design of Sterkel Park, and declaring an emergency

Upon motion by Mr. Rock that Bill 17-011 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

THEN & NOW – JOHN’S AG-VANTAGE

BY: MR. VAN HARLINGEN

ORDINANCE 17-011

Authorizing the payment to John’s Ag-Vantage LLC in the amount of Four Thousand Ten Dollars (\$4,010) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-012 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

REPEAL 16-271 – PRODE TAX

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 17-012

Repealing Resolution #16-271 relating to the submitting the question of adopting a municipal income tax at the rate of one-quarter percent (0.25%) for a period of four (4) years from January 1, 2018 through December 31, 2021 for “City P.R.I.D.E.,” to the electors of the City of Mansfield, Ohio, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-013 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

SUBMITTING QUESTION OF ADOPTING PRIDE TAX

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 17-013

Submitting the question of adopting the continuation of an existing municipal income tax at the rate of one-quarter percent (0.25%) for a period of four (4) years from January 1, 2018 through December 31, 2021 for “City P.R.I.D.E.,” to the electors of the City of Mansfield, Ohio, for their approval or rejection at the primary election to be held within the City of Mansfield, Ohio, on May 2, 2017, with such additional income tax receipts to be used exclusively for Parks, Recreation, Illumination, Demolitions, and Emergency services, and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 17-014 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

REENACTING A PORTION OF CHAPTER 193 TO PROVIDE FOR PRIDE TAX

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 17-014

Reenacting apportion of Chapter 193 of the Mansfield Codified Ordinances of 1997, as amended, to provide for a “City P.R.I.D.E.” levy of one-quarter percent (0.25%) municipal income tax, after approval of such levy by the electors pursuant to 718.01 of the Revised Code of Ohio, upon income taxable by the City of Mansfield for a period of four (4) years and commencing January 1, 2018 and ending December 31, 2021 to be used exclusively for Parks, Recreation, Illumination, Demolitions, and Emergency services, and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 17-015 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

AFTER LEGISLATION:

MR. JEFFERSON: I have a question. To my colleague on my left here, where are we with the Chicken Ordinance?

MR. LAWRENCE: As far as an update goes, we met with Mr. Stansfield and (inaudible). Had a meeting with Codes & Permits director and representative of the Law Director, we're going to have some zoning committee meetings outside of Council night. It's an issue that needs to have its own night, like a Thursday or a Monday, so I'm just waiting to hear back from them to move forward. We will have some discussion, it will be publicized and the citizens of Mansfield can come to the committee meeting.

LAW DIRECTOR SPON: Our office is simply looking at to make sure of what the proposed legislation is, to make sure it doesn't conflict with any other provisions of our code, so we're moving forward with it, we're looking to make sure it doesn't conflict in any fashion and as we indicated, we're (inaudible), we're not for it, it's solely up to Council.

MR. LAWRENCE: Just a reminder in a nutshell. This is a citizen sparked revision to our current Ordinance. They have worked diligently to collect a petition of support which was 225 citizens in our town that are for it so this is citizen based and they're ready to move forward.

ADJOURN: Upon motion by Mr. Hill, seconded by Mr. Rock, and passed by voice vote, the meeting was adjourned.

Amy Yockey
Clerk of Council

Phillip Scott
President of Council