

REGULAR COUNCIL MEETING JANUARY 19, 2016

The second semi-monthly meeting of Mansfield City Council met on Tuesday, January 19, 2016 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Jason Lawrence led the audience in prayer.

ROLL CALL: The following answered present at roll call: Bryant, Hill, Jefferson, Lawrence, Pender, Rock, Scott and Van Harlingen. Upon motion by Mr. Rock and seconded by Mr. Hill, Mr. Mears was excused.

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

SSD COPE: I just ask Council to have, in their thoughts, the Danville officer that was killed.

PRESIDENT SCOTT: Why don't we stand for a moment of silence.

MONDAY DEADLINE

MR. HILL: I move that with respect to Bills 16-14, 15 & 16 that the rule requiring legislation be submitted by Monday at 4:00 be suspended and that those bills be allowed on the floor tonight, seconded by Mr. Rock and passed by voice vote.

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: 7, Nays: 0.

LEGISLATION

AUTH SSD EXECUTE EASEMENT ON PORTION OF JOHN TODD PARK TO N. CENTRAL OHIO LAND CONSERVANCY – 2nd READING

BY: MRS. PENDER

ORDINANCE 16-011

Authorizing the Safety-Service Director to execute, grant, and convey a conservation easement on portions of City-owned land known as John Todd Park to the North Central Ohio Land Conservancy, Inc. and the Richland County Board of Park Commissioners pursuant to Ohio Revised Code 5301.68.

Upon motion by Mrs. Pender that Bill 16-011 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its second reading.

MR. JEFFERSON: I just like to make a comment. When Mr. Hill made a suggestion that we should consider the former land owners and their grandparents and so forth, donated land. Maybe in this contract, and ask the Law Directors, if we could put something in there, a rider or something, where we could review it every 3, 5 years? Let the conservatives have it for 3 years and after 3 years if that group breaks up or.....

LAW DIRECTOR BROWN: It's something that, as it's written, no, but we could ask the land conservancy if they would want a 15 or 20 year deed restriction. They may be happy with that, we'd have to ask them. Personally, I wouldn't want to make that motion, or Council make that motion unilaterally because they're submitting a request to be considered. So, I would leave it there. It's something that can be requested and we can look into but I would begin by asking the trust, the land trust, how they feel about it. They may say, I mean, I cannot speak for them. We'll have to, maybe, have Mr. Miller back or another representative of the land trust, but they seemed like they wanted it to have 3 readings, they wanted it to be before the public, they seem to be a very open organization. They may say, we appreciate your time, if we can't get it in purpituity, thank you, we'll pass, but they may say, yeah we'll take 20 years. 20 years is better than not years. I just don't know. So we'll have to contact them and ask them how they feel about that.

MR. JEFFERSON: That's my suggestion. Worst they could say is no.

MR. ROCK: To Mr. Brown, again, if I could. Would it be easier or would it be possible that we could put the wording in there that if it would revert back to the heirs, if the city chose not to hold it as a park anymore and give it back to the heirs, that all deed restrictions would be removed at that point?

MR. BROWN: Yes, that was something Bob Bianchi and I talked about. We'll have to research that, I cannot answer that, I'm sorry, just off the top of my head, so I'd be happy to look into that. I don't know. I just don't know.

LAW DIRECTOR SPON: It's a more complicated issue because it would be what we call, condition subject to defacement. That's just one term that's used, technical term, involving real estate, so we can certainly look into that issue and it's all proper and (?).

DEMO – 241 ROWLAND AVE

BY: MR. LAWRENCE

ORDINANCE 16-013

Declaring the remains of a designated dwelling (241 Rowland Avenue) and detached wooden accessory structure to be insecure, unsafe, structurally defective 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. Van Harlingen that Bill 16-013 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Pender, Rock and Van Harlingen.

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

APPROVE APPTS TO BOARD OF UTILITY APPEALS

BY: MR. VAN HARLINGEN

ORDINANCE 16-014

Approving the appointment by the Mayor to the Board of Utility Appeals to fill an unexpired term.

Upon motion by Mr. Van Harlingen that Bill 16-014 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Pender, Rock and Van Harlingen.

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

ADOPTING CODIFIED ORD. REPLACEMENT PAGES

BY: MR. LAWRENCE

ORDINANCE 16-015

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

Upon motion by Mr. Lawrence that Bill 16-015 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, 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 – OHIO EDISON

BY: MR. VAN HARLINGEN

ORDINANCE 16-016

Authorizing the payment to Ohio Edison in the amount of Twenty Thousand Five Hundred Eighty-six and 61/100 Dollars (\$20,586.61) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-016 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Pender, Rock and Van Harlingen.

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

APPROP \$59,143 – FLEXIBLE SPENDING ACCT

BY: MR. VAN HARLINGEN

ORDINANCE 16-017

Appropriating the sum of Fifty-nine Thousand One Hundred Forty-three Dollars (\$50,143) from the unappropriated Flexible Spending Account Fund (#814) to the Non-departmental Operations (814.99.01) Other Charges Classification to establish appropriations for payments to be made from the fund throughout the year which are funded through payroll deductions of employees that signed up for the new flexible spending account program, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-017 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Pender, Rock and Van Harlingen.

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

TRANS \$7,000 – CLERK OF COURT OPERATIONS

BY: MR. VAN HARLINGEN

ORDINANCE 16-018

Transferring appropriations in the amount of Seven Thousand Dollars (\$7,000) within the General Fund (101.04.01) Clerk of court Operations from the Contractual Services Classifications to the Supplies and Materials Classification, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-018 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, 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 EXECUTE SEWER AGREEMENT WITH ONTARIO

BY: MR. VAN HARLINGEN

ORDINANCE 16-019

Authorizing the Safety-Service Director to execute Supplemental Agreement No. 1 to the Sewer Agreement between the City of Mansfield and the City of Ontario dated July 28, 2015, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-019 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: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Pender, Rock and Van Harlingen.

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

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