

**PUBLIC HEARING – REZONE PET. #537
TUESDAY, OCTOBER 18, 2011 – 7:00 PM**

PRESIDENT SCOTT: We have a public hearing on a rezone for Town & County Co-op, so I don't know who wants to, Town & Country, do you want to get started?

LAW DIRECTOR REMY: I will preface the whole meeting and the reason behind it is it's a public hearing on a rezoning request by Town & Country, which has gone before the Planning Commission, Planning Commission has recommended that the request be granted and that is changing the 5 properties in question, rezoning them from what they are currently, Multi-family, to I-2, to be in conformity with the rest of the land that Town & Country owns or has developed to this point. We're here for the required public hearing and also, I have prepared, at Town & Country's request, legislation for council to consider tonight relative to this rezone.

MARK, K.E. MCCARTNEY & ASSOC.: We are representing Town & Country on this project and basically, what we have here are the 5 properties shown in red, that are either owned or under a contract by Town & Country and they would like to rezone those from MF to I-2. Their property here to the south and to the east is already I-2 and they're interested in putting another grain silo in that area.

MR. JEFFERSON: So, what are doing about the other properties north? Are they seeking purchase of them in the future?

MARK: Potentially. That's undetermined at this point, so right now we're not doing anything with those properties, just the ones in red that we're requesting the rezone for.

PRESIDENT SCOTT: And the properties will be used for?

MARK: they would be used as part of a new grain silo facility...

PRESIDENT SCOTT: Those would. Ok. I thought you were showing over there would be...

MARK: I'm sorry, no, it would kind of right in this area.

MRS. HIGHTOWER: Microphone not on.

MARK: Right. The silos now are down here to the south.

MRS. HIGHTOWER: I've been out there, I've seen it. So, where are you going to put the other one?

MARK: It would be right, kind of in this area here.

MR. VERSAW: Microphone not on.

MARK: Right, it's further off the road than the other silos were.

MR. VERSAW: Microphone not on.

MRS. HIGHTOWER: And you have no plans for the other property that is in green? Do you have any plans for that?

MARK: I'd have to have Town & Country speak on that. The properties to the north here in green.

Gentleman spoke from audience.

MRS. HIGHTOWER: Are you talking about the people on Daisy St.? Because that's where the complaints are coming from.

GENTLEMAN: On Daisy St. That's the next street over.

MRS. HIGHTOWER: Yes. But once you acquire the property at 529 Lily St., then on that side, there's just a little alley there and right behind that alley is the backyard of the people on Daisy St. And there's been a complaint already, I'm sure you're aware of it, that there's been a complaint in regard to the air and the noise. Now, I don't live there, I don't know, but as I said, 529, when I was 1 year old, I lived in that house, so I know where, what Lily St. was. I'm aware of what it is now and I'm aware of what you want to do with it. But the people on Daisy St., that's their neighborhood. So, my question was, the silos, the ones that were there years ago, but these new ones, I mean, they're so, I mean, you look at them and it's like very invasive, they're so big and I thought, for a neighborhood, how would you like that to be in your neighborhood? And that's one of the questions that they asked me. But you said you're going to put, what up now?

GENTLEMAN: Spoke from audience. (plant trees and green space).

MRS. HIGHTOWER: And that's in your plans to do that?

GENTLEMAN: If we can do it, acquiring the properties (inaudible). We've already acquired several properties.

MR. JEFFERSON: My question is this. I understand and I'm all for progress. I want to applaud you for that. So your plan for the future is to, possibly, acquire that property and have a green belt there to stop dirt and noise. In future, it's not to build over to the west at all, correct?

GENTLEMAN: No. That doesn't work.

MR. JEFFERSON: That's a great plan. I really applaud you for that.

GENTLEMAN: We couldn't go on the other side of Lily. It makes sense to have them on the same side of the street.

MR. JEFFERSON: I want to thank you for that and I want to wish you luck and hope you grow and keep growing cuz that's means we'll have more food, I think that's corn down there. (Laughter) And jobs.

GENTLEMAN: Spoke from audience.

MR. JEFFERSON: Soy beans down there as well?

MR. VERSAW: Microphone not on.

PRESIDENT SCOTT: I heard somebody bring up jobs. How many people are employed down there now, and maybe with this future expansion, how many, possibly, more might be employed?

GENTLEMAN: Actually, we have one more employee there today than we did a year ago, but to be honest about it, it's just not going to add jobs. It only takes so many people to do things.

MR. JEFFERSON: My concern was in terms of quality of air and noise and you seem to be addressing that. If that progresses like you hope, that will be great for everybody.

GENTLEMAN: I'm not aware of the noise issue. (inaudible).

MR. JEFFERSON: I've driven down there and heard fan noise and I go by that quite often since you put up your new silos, just to see. I haven't noticed a lot of dust in the air but I do hear noise but I don't live down there and sleep down there so I don't know about the noise on a consistent basis.

MRS. HIGHTOWER: I can only say what's been spoken to me and that's what the residents, that live in that area, that's what they are saying, so unless you're there 24 hours a day, you don't know, but I'm sorta gonna hold you to the fact that you're going to put screens up and you're going to plant trees.

GENTLEMAN: Spoke from audience.

MR. VERSAW: One other thing I want to bring up is, Town & Country has been a very big help in the N. Main St. beautification. They have done, with our clean ups, well initially, they helped us clean up, they took the fence out at the foundry, that was an eyesore, they took that out for us. We've had 2 clean ups and they've had a person, a bobcat and chain saws, they have gone out of their way to help us clean that area up there. I don't know if anybody been down to see the Harker St. corner there at Harker and N. Main St. Jacobs excavating gave us a heck of a price to get that foundation out of there and the top soil if anybody wants to go down and see the big improvement that has

made at the corner of Harker and N. Main St. So between the company they've hired to do their excavating and Jacobs excavating who've helped us, I have all sorts of praise for those people and what they're doing down there and they're going to continue to help beautify that area down there and so, I appreciate what they've done up to this point. They come to all the meetings and they're involved and they want to see that area come alive and look very presentable as much as the rest of the community does, so we appreciate what they've done and what they continue to do down there. Jacobs Excavating, he's not done yet. He's the one that cleared that site on Harker St. and brought top soil in, in fact, the top soil that's sitting on that Harker St. property, oh, it's not there yet? It's probably going to come from Town & Country. So, they're doing a lot down there to help out. We've had 2 clean ups at the bridge, at Touby Run, on both sides and they have people there with bobcats and chain saws to help us do that as well, so I have nothing but praise for what they've done and they are definitely community minded and I know what you guys do over in Ashland, what all you've done over there for the community as well, so I just want to put a good word in for them as well.

END OF PUBLIC HEARING

Amy Yockey
Clerk of Council

Phillip Scott
President of Council

REGULAR COUNCIL MEETING OCTOBER 18, 2011

The second semi-monthly meeting of Mansfield City Council met on Tuesday, October 18, 2011 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Pat Hightower led the audience in prayer.

ROLL CALL: The following answered present at roll call: Carmichael, Haring, Hightower, Hill, Jefferson, Rock, Scott and Versaw. Upon motion by Mr. Hill and seconded by Mr. Rock, Mr. Hazen was excused.

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

DAVID ERVIN, 1836 NOTTINGHAM CT.: I'd like to address the council concerning the Middle Bellville Rd. project. I've lived here my whole life. I grew up in Lexington, now live on the south side of Mansfield, about as close to Lexington as you can possibly get. I can't go anywhere, where I live, without getting on Middle Bellville Rd. at some point and driving some amount of distance. Having lived here my whole life, I can look at Middle Bellville Rd. today and tell you it's not a whole lot different than it was when I was a kid. It's windy, it's curvy, it's up, it's down and the difference today from 40 some odd years ago when I started driving, there's a lot more houses on the south end of Middle Bellville Rd. which makes it now, a primary thoroughfare, that it was not at one point in time. I have personal experience with accidents and injuries. My daughter was in an accident at Logan Rd. and Middle Bellville, it was a site distance problem, it was a red light, somebody ran a red light and you can blame it on whatever you want to blame it on, but that's part of what you're looking at to amend and adjust the intersection of Logan Rd. and Middle Bellville. The wife of one of my best friends was killed on Middle Bellville Rd., down by Betner Dr. in the windy part where site distances are impossible. When I drove in here tonight, I just paid attention to how bad the site distances are and I think the community's done a good job of putting up signs, they've put up flashers, they've got who stops and who doesn't stop signs with arrows and everything to help us so we know. Straub Rd., there's, continually you slow down if you live there because of the number of times that somebody runs the stop sign at Straub Rd. And I will be the first to admit that a round about scares the heck out of me. Even the sign is ominous when you see it coming, there's this big sign. But if you talk to people who live in areas where they use a round about every single day they will tell you that it improves the traffic flow, it cuts down on accidents and it's really a wise thing to do. For the reasons I stated, Middle Bellville Rd. is now a main thoroughfare and it's not what it was 25 or 30 years ago and I believe it's incumbent on local government to make sure that the highways are maintained and regigged as they need to be regigged in order to keep all of us drivers out there safe. I very much appreciate the opportunity to address council and I'm going to go sit back down now.

RICK BLAHNIK, 1697 DOGWOOD DR.: Dogwood Dr. leads into Holiday which comes out on Middle Bellville. I've been living there since 2001. Every day, when I go to work, I have to pull out on Middle Bellville and every time, it's just sort of hope that there's not a car coming over that hill that you really can't see if they're traveling at any speed greater than the speed limit, you pull out and they're right there on you. Numerous times, during the winter, we've seen cars, trucks in the area across from the Holiday there, as far as cars being stuck that have slid into that area. Also, the issue as far as them going north on Middle Bellville, the light there on Logan, especially during the winter time, if you happen to, if traffic sort of backs up around 7:30-8:00, people are trying to turn left, especially during the winter and we get stuck and you're having to deal with people getting moved out of the way for that, so I think the improvements that are being suggested would greatly improve that area.

MR. HUFFMAN, 610 BIGELOW RD.: I don't live on Middle Bellville, I don't really drive Middle Bellville but I recognize the importance of upgrading the streets within the City of Mansfield by including curbs and gutters and providing sidewalks for those who, perhaps, don't have motorized vehicle to get from point a to point b. There's also the psychological aspect of driving on a road that doesn't have curb and gutter versus a curb and gutter road. Much of you, if you're anything like me, you're out in the rural areas, you tend to travel a little faster at a higher rate of speed, but if you're on a road that has some curbs, gutters and sidewalks and see other pedestrians walking, you have a tendency to slow down. So I think this is a good aspect of trying to help curb that speeding that I'm hearing about on Middle Bellville and I'd really like to see this carry over to other streets within the City of Mansfield with providing some additional sidewalks and everything for the pedestrians and those who might ride a bicycle or don't have access to a vehicle, so I'm in favor of the project.

JOHN DUFFY, 1502 MIDDLE BELLVILLE: When I went door to door with surveys for people that live on that street, I found 3 that were for it, and the majority were against it. I guess those were the 3 that spoke tonight. I think the round about is one of the worst ideas for this project. I think it will cause more accidents, maybe less severe, but there will be more. I think you should start off cheaper, try putting up a stop sign. That doesn't work, go with a traffic light. A lot less costly. Some of the things I read in the News Journal I wanted to clarify. The installation of sidewalks will allow residents to walk or bike more safely. I believe riding bikes on sidewalks is not legal. In reference to the return of loss compensation offers, I think that's being interpreted as people are in support of the project. Here's mine. That just means I want compensation for my losses. It does not mean I am for or against this project. It only means I want compensation. And the project's been in the works for over a decade and we've already spend \$500,000 on it. We were only notified early 2010. I've lived there for 27 years and that's when I first heard about the project. You ought to see if the public wants the project before spending the money. If they don't want it, then don't go and spend more money. In the public meetings, you need to spend more time listening to the people, less time presenting plans you already came up with. Just because people stop complaining, or haven't complained lately, that doesn't mean they're coming around and are for the project. I don't know about others, but I'll remember it in November.

CAROL PRICE, HEALTH DEPT.: I'm here representing the Creating Healthy Communities Coalition in support of the Middle Bellville Rd. project. Encouraging physical activity by walking or biking through changes to the environment are primary goals of this grant through the Ohio Dept. of Health. This road project represents an environmental change that will increase opportunities to be active in a safe environment. It offers increased traffic safety for drivers, for passengers, pedestrians and for bicyclists.

LORI BOYCE, 695 KENNEDY DR.: We own 2 properties on Middle Bellville. We live directly off Middle Bellville on Kennedy. We attended a meeting of the residents a couple weeks ago, months ago, whatever, and there were 100 people, approximately, at this meeting. I asked during the meeting, who was in favor of the project. There was 2 people. Everybody else was terribly upset and I guess we're tired of having our property destroyed and I mean destroyed. The water damage that's going to occur into that creek and into the property owners on Weller, which already have a tremendous problem with water in that creek, and we have owned that creek for almost 26 years now. I know what that creek does, I've experienced it, I've had to deal with it and this is only going to create more problems. As far as putting curb and gutter and making people slow down, they're going to speed up. It's already a nightmare with people speeding on that street. Frankly, there isn't anybody I know of that's affected directly by this that's in favor of it, and it's about time that we know about it. I only found out about this meeting about 2 hours ago and I'm sicker than anything. I should be in bed, but I'm tired of not having anybody listen to us. We've talked to several councilmen, we've talked to the Mayor, we've talked to the Engineers, I've had them out to my house 3 or 4 times on different problems in the area with water and things like that and it's not going to be helped by this situation. You're going to increase it, bicyclers are going to be in more danger because now we're gonna be really zooming down that road and that. Straightening a few curves isn't going to help and no one's going to be riding a bicycle, if they have any sense, on that street to begin with. We're not allowed to ride on the sidewalks, which is correct, we have to maintain those sidewalks. You're going to put sidewalks on unstable ground and then expect the property owners to correct the sidewalks once they break down. Who do we have to go after? Every time the city makes a change, the property owners are the ones that get slammed with the consequences. They can't plow the roads in that area. I've lived on Kennedy Dr. for 26 years. Every year it gets worse, and worse, and worse, the snow plowing. A round about. They even admitted in the meeting, it's going to take some engineering and some guys figuring out how to plow a round about. If you get a round about that's snagged with snow, like we get, it's going to be worse yet. And I am yet to find anybody who'll give me any satisfaction that this project is not going to cause more damage. They're raising my property up 2 feet. I don't want my property 2 feet below the street. It ruins my property value. I want to sell those lots. What you guys are creating is a nightmare for us and a nightmare for all my neighbors who didn't know about the meeting. Weller property owners were at that other meeting. We gave them 24 hours notice there was going to be a meeting and they had 75 people at that meeting. If I'd have known it, I'd have them here tonight. We could have crowded every seat in here with people that are unhappy about this and I want you guys to think about it. You don't have to live through it. You don't have to live through the damage, the aggravation and that, you're destroying the church on Middle Bellville and Logan. They're parking lot

situation, I go to that church. It's going to be a nightmare trying to get in our church, trying to deal with parking in our church, you're ruining the property value of the church. The ones on the corner there, the people are going to be practically in their front door with you extending out the lanes. I wish one of you owned property on there, then you would really realize what you're actually doing to us. I'm sure that everybody that doesn't live there, they're going to have a good old time. Think about us. We're the property owners. We're the ones that just found out about this project. I found out about it 1 year ago and I was told it was a done deal, there wasn't one thing you could do about it, just lump it. Well, we're tired of lumping it and we will use our ballot box in November.

KURT STIMENS, 1111 S. MAIN ST.: I'm in favor of the proposed project. I own a property at 1523 Middle Bellville Rd., that's just south of Kennedy Dr. on Middle Bellville, and it has big trees close to the road and some years before I bought that property, a lady lost control on that road and hit one of those trees and scars are still on that tree and unfortunately she died in that wreck. I had my own bad situation with Middle Bellville one winter. I was driving north on Middle Bellville between Straub and Logan where the hills and the curves are, and I was probably driving too fast and I wasn't cognitive to the fact there might be some icy patches on the road and I hit an icy patch and lost control of the truck and it gave me a shot of adrenaline. Here we go, gonna land in somebody's yard or in somebody's house or their tree but I was lucky. I was able to get control of it back and eventually get it back on the road and go on my way and slow down. I know most people would say, it's your own fault. You shouldn't have been driving so fast and you should have been more aware of the roads freezing up and I would agree with you completely, that's true. And what that illustrates though is that, I'm a pretty good driver, alright, maybe I'm an average driver. Maybe I'm not even a good driver, but the fact remains, there are thousands of drivers, just like me going across Middle Bellville Rd. through that area, and some of them are driving too fast, some of them are talking on their phone or maybe they get distracted by a deer in somebody's yard and they return their gaze to the road and the road's not there anymore, they're in somebody's yard or they're lighting a cigarette and they get distracted or they're texting. But the fact remains, there are thousands of people on that road every day that are driving and they have the capability of making an accident on that road. It's a bad stretch. So, I'm in favor of the project. I've donated whatever land I have there at 1523 through the city to do whatever they want with it. Thank you.

LAW DIRECTOR REMY: I would remind Council that bill 11-193 has been added to the packet. After discussion last night and presentation and desire to bring it forth on behalf of Town & Country, and it's relative to the public hearing that was held earlier this evening and deals with the rezoning of that requested rezone of that property, there will need to be a formal motion by Council to bring it forth and waive the rules relative to timeliness and presentation. (Mrs. Hightower made motion that Bill 11-193 be brought forth, seconded by Mrs. Carmichael. Motion passed by voice vote).

WEDNESDAY DEADLINE

MRS. CARMICHAEL: I move that with respect to Bills 11-189, 11-190, 11-191, 11-192 and 11-193 that the rule requiring legislation be submitted by Wednesday noon be suspended and that Bills 11-189, 11-190, 11-191, 11-192 and 11-193 be allowed on the floor tonight, seconded by Mr. Jefferson. The motion was passed by voice vote.

SUSPEND RULES

MRS. CARMICHAEL: 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. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0.

LEGISLATION

AMEND 509.08 – DISTURBANCES IN PUBLIC PLACES

BY: MRS. HARING

ORDINANCE 11-165

Amending Section 509.08 of the Mansfield Codified Ordinances of 1997, as amended, to revise the restrictions concerning disturbances in public places to better suit the needs of the community, and declaring an emergency.

Upon motion by Mrs. Haring that Bill 11-169 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

MAYOR CULLIVER: Am I allowed to hear another demonstration with another song?

PRESIDENT SCOTT: You had your chance last night.

LAW DIRECTOR REMY: I put the equipment away.

AUTH SSD APPLY FOR STATE BOND ISSUE GRANT

BY: MR. VERSAW

ORDINANCE 11-183

Authorizing the Safety-Service Director to submit an application for funding a certain public street improvement project with a State Bond Issue No. 1 Grant, and declaring an emergency.

Upon motion by Mr. Versaw that Bill 11-187 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor

for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

MR. VERSAW: I wasn't going to say anything on this piece but as people were out there addressing council, I had to think back, I worked 40 years at Therm-O-Disc and I've been on City Council 28 of those 40 years and I have to tell you, I don't know how many times, the number of times I got called by either the President of the company, or the plant superintendent and said, we've got to get a snow plow out on Logan Rd. and Middle Bellville Rd. because nobody can get out. A lot of employees went home that way from Therm-O-Disc. Couple times I said, well, I got to go out there, I can call in and tell the city to get a plow out there, well it wasn't so much a plow, it was the salt because people are all over the road. So, a couple times I went out there, just to see what was going on and it was unbelievable. It was mayhem at Logan Rd. and Middle Bellville Rd., in fact, 2 plows with salt were sitting there and could not get in to Middle Bellville Rd. There was no way. They were just sitting back and I said, what are they doing? Then I go look and they can't get in to the intersection because there's cars all over the road and they can't even get in there and nobody would move because they couldn't move, so that was just a number of things that happened at Logan Rd. over the years and trying to get plows in there and trying to get salt in there was very difficult. I think, now, with the widening of that intersection and having a left hand turn lane, I think cars might be able to get in and out a little bit better with the project and I would think the salt trucks would have a better way in to get that intersection salted, so, I think that most of you know, the fact that I live, I drive on that road 4 or 5 times a day, I am in favor of this project. I've been a councilman for years and realize that the people most affected should be listened to and they have been listening, but I have to take a look at the total picture and that is, you, know, the people on Middle Bellville Rd. are affected most by what this project will be, but there are 7,000 cars traveling that road every day, people that also, my constituents, that want this and I've been getting calls from constituents that live off of Middle Bellville Rd. wanted to know if they should come down and speak in favor of it or write letters to the editor, so I know the people on Middle Bellville Rd. so not want to see this, I know it's a problem for them, they are going to be affected by it, but there is 7,000 people that travel that road every day that want this. They've wanted it for many, many years and I have to listen to them as well. So, I will be voting in favor of the bill.

MR. JEFFERSON: I just want the constituents in that area to know, this is not an easy decision for council. We want to please everybody, but we understand we can't please everybody, so, concurrently Mr. Versaw, we have to look at the picture and safety is the concern here. I has a chance to talk to the Engineer and he showed me a stack of applicants over the years and we're fortunate that only one or maybe a few more people have been killed out there, it could be a lot more. So, we have an opportunity here to, maybe, alleviate that problem and cut down those accidents. So, I think, if we'd be responsible for the city, we need to look at the big picture and (inaudible) in terms of the

citizens as a whole. It is a tough decision, so I just want those citizens out on Middle Bellville Rd. it's not easy for any of us. We got to do what we think is right for the majority of the people that do use that highway on a regular basis.

CLAIM – ANN BISHOP - \$600

BY: MR. HILL

ORDINANCE 11-184

Authorizing payment, on a partial assistance basis, of the request of Ann Bishop, 186 Dawson Avenue, Mansfield, Ohio.

Upon motion by Mr. Hill that Bill 11-188 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

DETERMINE PROPERTY NOT NEEDED – SELL TO J & D BUILDING ENT.

BY: MRS. HARING

ORDINANCE 11-185

Determining that certain property in the City of Mansfield, Ohio, is not required for City purposes, that the sale of said real property will promote the welfare of the people of the City, etc., specifying the terms and conditions of such sale, authorizing the Richland County Growth Corporation to sell such land on behalf of the City of Mansfield to J & D Building Enterprises, and declaring an emergency.

Upon motion by Mrs. Haring that Bill 11-189 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

AUTH SSD ACCEPT CONVEYANCE OF LOT #5957 (529 LILY ST.)

BY: MRS. HARING

ORDINANCE 11-186

Authorizing the Service-Safety Director to accept the conveyance of Lot Number (#5957), known as 529 Lily Street, through a Sheriff's Deed, and declaring an emergency.

Upon motion by Mrs. Haring that Bill 11-190 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

DETERMINE LAND NOT NEEDED – SELL TO TOWN & COUNTRY CO-OP

BY: MRS. HARING

ORDINANCE 11-187

Determining that certain property in the City of Mansfield, Ohio, is not required for City purposes, that the sale of said real property will promote the welfare of the people of the City, etc., specifying the terms and conditions of such sale, authorizing the Richland County Growth Corporation to sell such land on behalf of the City of Mansfield to Town & Country Cooperative, Inc., and declaring an emergency.

Upon motion by Mrs. Haring that Bill 11-191 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

APPROVE 2ND AMENDMENT TO FINANCIAL RECOVERY PLAN

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 11-188

Approving a Second Amendment to the Revised Financial Recovery Plan for the City of Mansfield, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-192 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

MAYOR CULLIVER: I want to thank the council for all the work you helped do with passing this recovery plan and also I want to invite all of you to come to the commission

meeting, I think the last meeting we had was very informative and the plan that the council adopted is working. The bottom line is, we're reducing our costs and we spent, actually, less than what was budgeted and the second good thing is income is up, so it's getting better. Thank you for what you do.

AMEND ZONING DISTRICTS MAP – REZONE ON E. SIDE OF LILY ST.

BY: MRS. HIGHTOWER

ORDINANCE 11-189

Amending the Zoning Districts Map of the City of Mansfield, Ohio (Ordinance 04-208) to rezone Lot Nos. 5933 through 5937 located on the east side of Lily Street north of Chester Avenue, from Zoning Classification MF (Multi-Family) to Classification I-2 (General Impact Industrial).

Upon motion by Mrs. Hightower that Bill 11-193 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read and placed upon the floor for final passage, seconded by Mrs. Carmichael. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hill, Hightower, Jefferson, Rock and Versaw. Absent: Hazen.

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

MR. VERSAW: Thank you to the Law Director, I think, it's a good idea, I don't know who's idea this was, it was your idea I guess, to do this now versus try to do it later, makes sense and hopefully that will help in securing those properties by Town & Country so they can finish the project and create green belt and do the things that really would be pleasing to the people on Daisy St., so I guess this is why this was brought forward at this time.

LAW DIRECTOR: The normal course with rezones is that they would be brought before council's consideration the meeting following the public hearing. In the past, there have been times when, because of weather concerns or other issues that arise. It can be brought, and there's been no opposition to it, it can be brought forward immediately after the public hearing. This was brought at the request of Town & County because of weather concerns and trying to be able to do some excavating before winter arrives. Once the application for rezoning is submitted to codes & permits, we prepare the legislation at that point in time and the legislation is ready for planning commission to review.

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