

## **REGULAR COUNCIL MEETING NOVEMBER 21, 2017**

The second monthly meeting of Mansfield City Council met on Tuesday, November 21, 2017 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Garnetta Pender led the audience in prayer.

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

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

### **COMMITTEE REPORTS**

**MR. BRYANT:** I just want to say thank you to the Mayor for the renovations in the Chambers and the carpet and the second thing, I'd like to speak on, briefly, is the chicken issue. Your efforts are commendable, your passion, I admire that passion, but most of you know how much I love dogs. I have this one dog that goes everywhere with me, in my car, she's been to my classroom on Fridays and each building that I've taught at, but I'm not allowed to have dogs where I live. I gave my dogs up 6 or 7 years ago. As much as I love my dogs, I can't have them with me. I would love to have my dogs with me at my place to protect me but I can't have them. So, we can't have everything we want and I admire what you're doing, but I don't know what else to say to that, so that's all I have to say.

### **MONDAY DEADLINE**

**MR. HILL:** I move with respect to Bill 17-222 that the rule requiring legislation be submitted by Monday at 4:00 be suspended and that Bill 17-222 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**

**AMEND 505.04 TO INCREASE PENALTIES FOR DOGS RUNNING AT LARGE  
– 1<sup>ST</sup> READING**

**BY: MR. BRYANT**

**ORDINANCE 17-213**

Amending Section 505.04 of the Mansfield Codified Ordinances of 1997 to increase penalties for owners, keepers, and harborers of dogs who recklessly allow their dog to run at large.

Upon motion by Mr. Bryant that Bill 17-195 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

**AMEND 505.15 TO INCREASE PENALTIES FOR FAILING TO REGISTER DOGS – 1<sup>ST</sup> READING**

**BY: MR. BRYANT**

**ORDINANCE 17-214**

Amending Section 505.15 of the Mansfield Codified Ordinances of 1997 to increase penalties for owners, keepers, and harborers of dogs who recklessly fail to register their dog.

Upon motion by Mr. Bryant that Bill 17-196 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

**AMEND ORD 16-275 TO CREATE POSITION OF ANIMAL CONTROL OFFICER – 1<sup>ST</sup> READING**

**BY: MR. BRYANT**

**ORDINANCE 17-215**

Amending Ord. #16-275 to raise to create the position of Animal Control Officer.

Upon motion by Mr. Bryant that Bill 17-197 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

**AUTH SSD CHANGE RATES AT CLEARFORK MARINA & CAMPGROUNDS – 1<sup>ST</sup> READING**

**BY: MR. ROCK**

**ORDINANCE 17-216**

Authorizing the Safety-Service Director to change the rates at Clearfork Marina and Campgrounds, and declaring an emergency.

Upon motion by Mr. Rock that Bill 17-199 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was given its first reading.

**TEMPORARY APPROP FOR 2018 – 1<sup>ST</sup> READING**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-217**

An Ordinance making temporary annual appropriations for current expenses and other expenditures of the City of Mansfield, Ohio for the fiscal year beginning January 1, 2018.

Upon motion by Mr. Van Harlingen that Bill 17-220 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

**REAPPOINT DAVE REMY TO BOARD OF TAX APPEALS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-218**

Reappointing the appointment of David L. Remy to the Board of Tax Appeals for the City of Mansfield.

Upon motion by Mr. Van Harlingen that Bill 17-221 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.

**DEMO – 151 GLESSNER AVE**

**BY: MR. LAWRENCE**

**ORDINANCE 17-219**

Declaring the remains of a designated dwelling (151 Glessner 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 17-222 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 \$11,100 FROM ALARM MONITORING FOR CAD MITIGATION SERVICES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-220**

Appropriating the sum of Eleven Thousand One Hundred Dollars (\$11,100) from the unappropriated Alarm Monitoring Fund (#204), to be used for the purchase of One Solution CAD Mitigation Services, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-223 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.

**AMEND 17-174 TO ADD ANOTHER TRUCK TO THE INVOICE**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-221**

Amending Ordinance 17-174 authorizing the Safety-Service Director to purchase, without competitive bidding, from Valley Ford Truck, Inc., a 2017 Ford F-450 service truck, for the Water Repair Department, to account for n additional piece of truck equipment that was not included in the original invoice, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-224 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 \$193,880 FROM FIRE CAPITAL EQUIPMENT FUND TO REFURBISH 2 FIRE ENGINES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-222**

Appropriating the sum of One Hundred Ninety-three Thousand Eight Hundred Eighty Dollars (\$193,880) from the unappropriated Fire Capital Equipment Fund (#420) to refurbish two fire engines, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-225 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 – MCCABE CORP.**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-223**

Authorizing payments to McCabe Corporation in the amount of Twenty-one Thousand Five Hundred and 00/100 Dollars (\$21,500.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-226 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.

**VACATE PORTION OF AN UNNAMED ALLEY FROM N WALNUT TO MAIN ST**

**BY: MR. JEFFERSON**

**ORDINANCE 17-224**

Vacating a portion of an Unnamed Alley from North Walnut Street to North Main Street, between Lot numbers 2557 and 2558 and subject to the reservation of maintaining pedestrian traffic and retaining the utility rights and easements therein, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 17-227 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, Jefferson, Hill, 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 ENTER CONTRACT FOR CUSTODIAL SERVICES - DEFEATED**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 17-225**

Authorizing the Safety-Service Director to enter into a contract or contracts for custodial services at certain City facilities, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-228 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: 3, Nays: 4. Ayes: Hill, Rock and Van Harlingen. Nays; Bryant, Jefferson, Lawrence, Pender

The bill was declared defeated.

**MR. HILL:** I will support this with reservations and I hope it doesn't wait 3 years before we have a problem, that somebody doesn't bring something forward and can be corrected immediately. I really hope someone keeps an eye on this because I'm in favor of Dan Mapes and him hiring somebody permanently but let's give this contract one more chance and watch them real close.

**MR. JEFFERSON:** I'm really torn. I can say I talked to Mr. Mapes, I am definitely pro union and I've been wavering here but I think Mr. Bryant tipped me back where I should be, so I'll vote.

**MR. LAWRENCE:** I guess I should ask, should this fail, where does this leave us? I don't know if this is the time to ask, but I guess that's my question right now.

**PRESIDENT SCOTT:** We each take our turns coming in. (Laughter).

**MR. HILL:** Well if you have to give them a 30 day notice, you'd have 30 days that you could hire somebody, get them in here and train them and let them start as a city employee.

**PRESIDENT SCOTT:** It expires the end of this month.

**MR. LAWRENCE:** 9 days from now.

**MR. VAN HARLINGEN:** Being a bargaining unit position, it would be posted and, Mr. Mapes, correct me if I'm right or wrong, the first opportunity would be to hire from within and if nobody hires or applies from within, then we go out on the street.

**MR. MAPES:** The question was raised by Councilman Lawrence, what happens if this contract is voted down tonight by Council. You have another contract, or bid, and that's mine. So, wouldn't that get recognition?

**MR. JEFFERSON:** I just like to caution Council of the money, the revenue. I'm not trying to sway your vote, but that's something to keep in your mind. Contract is all we have at 180 and if we put Mr. Mapes in place it's 337.

**MR. MAPES:** That's the difference between part time help and full time help too.

**MR. JEFFERSON:** Yeah, but we're going to pay for it by, over a 3 year period correct? If for some reason it failed and Mr. Mapes contract came in, is that over a 3 year period?

**CITY ENGINEER BIANCHI:** 377 over a 3 year period.

**MR. BRYANT:** So if this fails, does that automatically kick in that 377, that other proposal? (someone gave an answer but not on tape).

**ENTERPRISE ZONE AGREE – MANSFIELD REAL ESTATE, LLC**

**BY: MR. JEFFERSON**

**ORDINANCE 17-226**

Authorizing the Mayor and Safety Service Director to enter into an Enterprise Zone Agreement with Mansfield Realty Estate, LLC, for certain tax incentives under Ohio Revised Code Chapter 5709 for expanding their existing facility 1275 Pollock Parkway, Mansfield, Ohio., and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 17-229 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, Jefferson, Hill, Lawrence, Pender, Rock and Van Harlingen.

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

**ENTERPRISE COMP AGREEMENT – MANSFIELD REALTY**

**BY: MR. JEFFERSON**

**ORDINANCE 17-227**

Authorizing the Mayor and Safety Service Director to enter into an Enterprise Zone Compensation Agreement with Mansfield Realty Estate, LLC, and Madison Local Schools to authorize general compensation and income tax revenue sharing on new municipal income tax revenues, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 17-230 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 ENTER JOB CREATION TAX CREDIT AGREEMENT WITH SKYBOX**

**BY: MR. JEFFERSON**

**ORDINANCE 17-228**

Authorizing the Safety-Service Director to enter into a Job Creation Tax Credit Agreement with Skybox, LLC, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 17-231 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.

**AMEND SEC 3 OF 16-272 TO ADJUST PAY SCALES IN LAW DIRECTOR OFFICE**

**BY: MRS. PENDER**

**ORDINANCE 17-229**

Amending Section 3 of Ordinance 16-232 to adjust pay scales and create the official position of First Assistant Law Director, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 17-232 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.

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Amy Yockey  
Clerk of Council

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Phillip Scott  
President of Council