

## **REGULAR COUNCIL MEETING DECEMBER 6, 2016**

The first semi-monthly meeting of Mansfield City Council met on Tuesday, December 6, 2016 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Jeff Rock and led the audience in prayer.

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

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

### **SUSPEND RULES**

**MR. ROCK:** 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**

#### **TEMP BUDGET FOR 2017 – 2nd READING**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-236**

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, 2017.

Upon motion by Mr. Van Harlingen that Bill 16-237 be read given its second reading and placed upon the floor for discussion, seconded by Mr. Rock.

**MR. VAN HARLINGEN:** As I mentioned just a few minutes ago, in light of, we have one more reading for this bill and the temporary budget has to be passed by December 31<sup>st</sup>, by law. At this time, I have no serious concerns with our budget but I will cautiously recommend that we pass this. I personally, this, basically what we're doing here, it does have a very limited amount of capital outlay, but what we're doing is making sure that we can make payroll come January, the first of January and also, have time to pass a permanent budget. So, unless there is something that comes to light financially, or someone gives me a good reason, I do not have reason to call a Finance committee meeting on December 20<sup>th</sup> unless it is necessary.

**PRESIDENT SCOTT:** The final budget, obviously, will be tweaked from this correct?

**MR. VAN HARLINGEN:** It's very, very, very possible. Basically, the final budget, there's so many little things that can change by the end of the year and basically, what I am personally waiting for, and I thin along with everybody else, is we want to close the books at the end of 2016 and just see exactly where we're at. What the carryovers are, etc. but we should be good with our temporary budget, of course we only have a few weeks to go here and we're out of 2016, but it gets us into 2017 and once again, gives us some time to work, the Finance Dept. an opportunity to close the books and we'll know exactly where we're at. So, without knowing of any need or anything catastrophic, I will not find it necessary to schedule another Finance committee meeting at this time.

### **HONOR K-9 DOG ELLIOT**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-244**

Honoring K-9 dog Elliot upon his retirement from the Mansfield Police Department.

Upon motion by Mr. Bryant that Bill 16-246 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, 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.

### **APPROVE DISPOSITION OF K-9 DOG ELLIOT**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-245**

Approving the disposition of Police Department K-9 dog Elliot, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-247 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, 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.

**MR. BRYANT:** Officer Ryan Garner, this is his dog, I believe he's in the hospital with cancer. I hear he's doing well so I just want to send my prayers to him.

### **APPROVE REAPPOINTMENTS TO AIRPORT COMMISSION**

**BY: MR. BRYANT**

**ORDINANCE 16-246**

Approving reappointments by the Mayor to the Airport and Aviation Commission.

Upon motion by Mr. Bryant that Bill 16-248 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, 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.

**MR. BRYANT:** Mt. Gorman and Mr. Schmidt, they've been working all year to bring forth several events, including Airport Day, and I know there is another conference that just recently happened in October where we had different visitors from all over the country, so they're bringing the attention to Richland County.

**APPROVE APPOINTMENT TO FAIR HOUSING COMMISSION**

**BY: MR. LAWRENCE**

**ORDINANCE 16-247**

Approving an appointment by the Mayor to the Fair Housing Commission.

Upon motion by Mr. Lawrence that Bill 16-249 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, 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.

**APPROVE REAPPOINTMENT TO HEALTH BOARD**

**BY: MR. LAWRENCE**

**ORDINANCE 16-248**

Approving a reappointment by the Mayor to the Richland Public Health Board.

Upon motion by Mr. Lawrence that Bill 16-250 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, 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 – 106 GLENN AVE**

**BY: MR. LAWRENCE**

**ORDINANCE 16-249**

Declaring the remains of a designated dwelling (106 Glenn 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 16-252 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, 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.

**TRANSFER \$1,504 – DOOR REPAIRS AT METRICH**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-250**

Transferring appropriations in the amount of One thousand Five Hundred Four Dollars (\$1,504.00) within the General Fund (#101), to transfer resources to the Safety Services Fund to allow and account for door repairs at the METRICH building, and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 16-253 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, 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.

**APPROP \$1,504 – DOOR REPAIRS AT METRICH**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-251**

Appropriating the sum of One thousand Five Hundred Four Dollars (\$1,504.00) from the unappropriated Safety Services Fund (#214) for the purpose of door repairs at the METRICH building, and from which funds will be transferred from the General Fund Maintenance Department appropriations, and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 16-254 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, 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 – J-NEAL CONSTRUCTION**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-252**

Authorizing the payment to J-Neal Construction LLC in the amount of Four Thousand Eighty and 00/100 Dollars (\$4,080.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-255 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, 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 – RICHLAND PUBLIC HEALTH**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-253**

Authorizing the payment to Richland Public Health in the amount of Five Thousand Five Hundred ten and 00/100 Dollars (\$5,510.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-256 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, 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.

**ACCEPT FUNDING FROM PAUL COVERDDELL FORENSIC SCIENCE IMPROVEMENT GRANT**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-254**

Authorizing the Mayor and Safety-Service Director to accept funding from the Ohio Office of Criminal Justice Services under the Paul Coverdell Forensic Science

Improvement Grant (FY2016) in the amount of Three Thousand, Four Hundred Fifty-eight and 31/100 Dollars0 (\$3,458.31), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-257 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, 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.

**ACCEPT FUNDING FOR DNA BACKLOG REDUCTION PROGRAM**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-255**

Authorizing the Mayor and Chief of Police to accept funding from the National Institute of Justice under the Forensic DNA Backlog Reduction Program (FY2016) in the amount of One Hundred Fifty thousand Dollars (\$150,000), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-258 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, 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 ENTER CONTRACT FOR REPLACING BOWMAN ST. BRIDGE**

**BY: MR. JEFFERSON**

**ORDINANCE 16-256**

Authorizing the Safety-Service Director to advertise for bids and enter into a contract or contracts for the replacement of the Bowman Street Bridge over Touby's Run, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 16-259 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, 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.

**ODOT – SPOT PAVING ON RT 30 FROM SR 309 TO 5<sup>TH</sup> AVE**

**BY: MR. JEFFERSON**

**ORDINANCE 16-257**

The following Ordinance enacted by the City of Mansfield of Richland County, Ohio, hereinafter referred to as the City, in the matter of the state described project.

Upon motion by Mr. Jefferson that Bill 16-260 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, 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 ASSIGN INTERESTS OF RHDC IN HOME AGREEMENTS**

**BY: MR. LAWRENCE**

**ORDINANCE 16-258**

Authorizing the Safety-Service Director to execute any and all documents necessary to assign the interests of Richland Housing Development Corporation (“RHDC”) in certain HOME Investment Partnership Agreements originally entered into and between Central City Economic Development Council (“CCEDC”) and the City, dating from years 1997 to 2002, to Mansfield Homes Main, LLC, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-261 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, 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.

### **SELL OBSOLETE PROPERTY THROUGH GOVDEALS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-259**

Expressing the intent of the City of Mansfield to sell unneeded, obsolete and unfit personal property by means of Internet Auction, and authorizing the Safety-Service Director to list such property for sale with GovDeals, Inc., and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-263 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, 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.

**PLACE MORATORIUM ON CHANGES TO FLSA**

**BY: MRS. PENDER**

**ORDINANCE 16-260**

Placing a moratorium on the provisions of Ordinance 16-237 that relate to changes made in the Fair Labor Standards Act [FLSA] status of certain non-bargaining employees, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 16-265 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, 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.

**ACCEPT FACT FINDER REPORT FOR FOP – BLUE UNIT**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-261**

Acceptance on behalf of the Council of the City of Mansfield, Ohio of the report and recommendation of the fact-finder in SERB File #16-MED-05-0567 with respect to certain issues in collective bargaining with the Fraternal Order of Police/Ohio Labor Council, Inc., William J. Taylor Lodge #32 [Blue Unit], and declaring an emergency.

Upon motion by Mrs. Pender that Bill 16-266 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, 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.

**ACCEPT FACT FINDER REPORT FOR FOP – GOLD UNIT**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-262**

Acceptance on behalf of the Council of the City of Mansfield, Ohio of the report and recommendation of the fact-finder in SERB File #16-MED-05-0568 with respect to certain issues in collective bargaining with the Fraternal Order of Police/Ohio Labor Council, Inc., William J. Taylor Lodge #32 [Gold Unit], and declaring an emergency.

Upon motion by Mrs. Pender that Bill 16-267 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, 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 PURCHASE VACUUM EXCAVATOR**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-262**

Authorizing the Safety-Service Director to purchase one (1) vacuum excavator, with the lowest and best bidder, from Southeastern Equipment Co., Inc., and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-268 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, 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 PURCHASE CASE FARMALL TRACTOR AND BOOM MOWER**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-263**

Authorizing the Safety-Service Director to purchase one (1) Case Farmall tractor and boom mower, through the State Term Schedule and without competitive bidding, from Southeastern Equipment Co., Inc., and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-269 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, 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 PURCHASE FRONT END LOADER**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-264**

Authorizing the Safety-Service Director to purchase one (1) Case 4WD front-end-loader, through the Sate Term Schedule and without competitive bidding, from Southeastern Equipment Co., Inc., and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-270 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, 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 EXECUTE SUPP. AGREE #10 TO SEWER AGREEMENT WITH COUNTY**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-265**

Authorizing the Safety-Service Director to execute Supplemental Agreement No. 10 to the Sewer Agreement between the City of Mansfield and Richland County dated February 17, 1983, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-271 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, 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 ENTER CONTRACT FOR DISPOSAL & TREATMENT OF SEWERAGE**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-266**

Authorizing the Safety-Service Director to enter into a contract with Richland County for the disposal and treatment of sewerage originating from Richland County, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-272 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, 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.

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

---

Amy Yockey  
Clerk of Council

---

Phillip Scott  
President of Council