

## REGULAR COUNCIL MEETING JUNE 7, 2016

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

The Pledge of Allegiance was recited by the audience.

Councilman Mike Hill 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.

**MR. BRYANT:** Just briefly, I have an Airport Committee. Councilmen Van Harlingen, Lawrence and Mears, and the Mayor, we all attended a change of command ceremony at the base on Sunday night and we have a new Coronal and Commander in town, it's Coronal Kemp and he's the new commander of the 179th.

### MONDAY DEADLINE

**MR. HILL:** I move with respect to Bills 16-100, 116, 123 and 124 that the rule requiring legislation be submitted my Monday at 4:00 PM be suspended and that those bills be allowed on the floor this evening, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0.

### 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

#### AMEND 1175.01, 175.03 & 175.04 – POLICE REVIEW COMMISSION

**BY: MR. BRYANT**

**ORDINANCE 16-099**

Amending Sections 175.01, 175.03 and 175.04 of the Mansfield Codified Ordinances of 1997, as amended, to update the appointment powers to the Commission, the attendance duties of the Commission members, and the frequency of Commission meetings, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-093 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. Jefferson. 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.

**HONOR JOY STORTZ - POLICE**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-100**

Honoring Lieutenant Joy R. Stortz upon her retirement from the Mansfield Division of Police.

Upon motion by Mr. Bryant that Bill 16-101 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.

**AMEND 15-125 – PARKS PERSONNEL**

**BY: MRS. PENDER**

**ORDINANCE 16-101**

Amending Sections 21 and 23 of Ordinance 15-125 (Personnel Ordinance) adding authorized personnel within the Parks & Recreation Division and Police Division – Safety Personnel, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 16-102 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.

**MR. LAWRENCE:** The Confidential Secretary, the language will be in there it'll be part time?

**DIRECTOR REMY:** I know there's been discussion about filling it on a full time basis. I would still like to make it potential for part time position. We have other supervisory

positions, non-bargaining positions that gives us the latitude of filling it with someone who might be retired or doesn't necessarily need benefits. So I've requested that it reflect being a part time, can be filled as a part time position. We can update it tomorrow.

**PRESIDENT SCOTT:** And in the update, it will have the salary range?

**DIRECTOR REMY:** It will have the salary range also.

**DEMO – 51 WEST ARCH ST**

**BY: MR. LAWRENCE**

**ORDINANCE 16-102**

Declaring the remains of a designated dwelling (51 West Arch Street) and detached garage 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 16-103 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 – 91 S. LINDEN RD**

**BY: MR. LAWRENCE**

**ORDINANCE 16-103**

Declaring the remains of a designated dwelling (91 South Linden Road) and detached garage 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 16-104 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 – 138 FRANKLIN AVE**

**BY: MR. LAWRENCE**

**ORDINANCE 16-104**

Declaring the remains of a designated dwelling (138 Franklin 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 16-105 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 – 220 PARK AVE. WEST**

**BY: MR. LAWRENCE**

**ORDINANCE 16-105**

Declaring the remains of a designated structure (220 Park Avenue West) 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 16-106 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 – 222-224 CLAIRMONT AVE**

**BY: MR. LAWRENCE**

**ORDINANCE 16-106**

Declaring the remains of a designated dwelling (222-224 Clairmont 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 16-107 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 – 583 LIDA ST**

**BY: MR. LAWRENCE**

**ORDINANCE 16-107**

Declaring the remains of a designated dwelling (583 Lida 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 16-108 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.

**ACCEPT DONATION OF A PLAYSET FROM LOWE’S**

**BY: MR. LAWRENCE**

**ORDINANCE 16-108**

Authorizing the City to accept a donation of a Heartland Premium Playset from Lowe’s of Ontario, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-109 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.

**APPROP \$6,240 FROM GRANT FUND TO POLICE GRANTS CONTRACTUAL SERVICES**

**BY: MR. VAN HARINGEN**

**ORDINANCE 16-109**

Appropriating the sum of Six Thousand Two Hundred Forty Dollars (\$6,240.00) from the unappropriated Grant Fund (#224) to the Police Grants (224.15.30) Contractual Services Classification. This appropriation is for continuing professional training for police officers, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-110 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.

**TRANS \$200 WITHIN ALARM MONITORING FUND**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-110**

Transferring appropriations in the amount of Two Hundred Dollars (\$200) within the Alarm Monitoring fund (204), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-111 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.

**TRANS \$11,081 WITHIN SAFETY SERVICES FUND**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-111**

Transferring appropriations in the amount of Eleven Thousand Eighty-one Dollars (\$11,081.00) within the Safety Services fund (#214), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-112 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.

**TRANS \$1,425 WITHIN SAFETY SERVICES FUND**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-112**

Transferring appropriations in the amount of One Thousand Four Hundred Twenty-five dollars (\$1,425) within the Safety Services Fund (#214), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-113 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 OF \$4,200 FOR COMM. DEV.**

**BY: MR. LAWRENCE**

**ORDINANCE 16-113**

Authorizing the Safety-Service Director to accept and appropriate a grant from the Richland County Foundation in the amount of Four Thousand Two Hundred Dollars (\$4,200) from the Fran and Warren Rupp Donor Advised Fund, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-115 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.

**PROPOSING AMENDMENTS TO CITY CHARTER**

**BY: ALL MEMBERS OF COUNCIL**

**ORDINANCE 16-114**

Proposing amendments and additions of Section 14.02 of the Charter of the city of Mansfield for approval by Mansfield City Council for submission to the Board of Elections so that said Charter proposals may be placed upon ballot and voted upon by the public at large.

Upon motion by Mr. Hill that Bill 16-116 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 ENTER SETTLEMENT WITH POLICE OFFICERS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-115**

Authorizing the Safety-Service Director to enter into a settlement agreement with certain police officers on behalf of the City and further authorizing the Finance Director to issue payment to the interested parties all pursuant to the settlement agreement and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-117 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 MAYOR SUBMIT REALLOCATION OF HUD MONIES**

**BY: MR. LAWRENCE**

**ORDINANCE 16-116**

Authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development an Annual Plan to reallocate Eight Thousand and 00/100 dollars (\$8,000.00) in previously allocated but unused Community Development Block Grant funds, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-118 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 ENTER CONTRACT WITH BWC FOR VOLUNTEERS & PROBATIONERS PERFORMING SERVICE FOR CITY**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-117**

Authorizing the Safety-Service Director to enter into a contract with the Ohio Bureau of Workers' Compensation for workers' compensation coverage for volunteers and probationers performing service for the City and under the Mansfield Municipal Court's Community Service Program, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-119 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 ENTER CONTRACT WITH RICHLAND PUBLIC HEALTH TO PROVIDE WELLNESS SERVICES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-118**

Authorizing the Safety-Service Director to enter into a contract, retroactive to June 1, 2016, between the City and Richland Public Health to provide wellness services and programming to City employees and their dependents and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-120 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.

**ENTERPRISE ZONE AGREEMENT – SCHLUTER REALTY**

**BY: MR. JEFFERSON**

**ORDINANCE 16-119**

Authorizing the Mayor and the Safety-Service Director to enter into an enterprise Zone Agreement with Schluter Realty, Inc. for certain tax incentives under Ohio Revised

Code Chapter 5709 for the construction of a new addition for their 1495 Park Avenue West site, Mansfield, Ohio, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-121 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. Abstain: Hill.

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

**TRANS \$23,500 WITHIN GENERAL FUND**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-120**

Transferring appropriations in the amount of Twenty-three Thousand Five Hundred Dollars (\$23,500) within the General Fund (#101), to transfer resources to the Safety Services Fund to allow and account for concrete repairs at a fire station, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-123 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.

**APPROP \$23,500 FROM SAFETY SERVICES FOR CONCRETE REPAIR**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-121**

Appropriating the sum of Twenty-three Thousand Five Hundred Dollars (\$23,500) from the unappropriated Safety Services fund 9\$214) for the purpose of concrete repairs at a fire station, 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 16-124 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.

**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