

REGULAR COUNCIL MEETING JULY 5, 2011

The first semi-monthly meeting of Mansfield City Council met on Tuesday, July 5, 2011 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: Carmichael, Haring, Hazen, Hightower, Hill, Jefferson, Scott and Versaw. Upon motion by Mr. Hill and seconded by Mr. Hazen, Mr. Rock was excused.

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

DAN HARDWICK, 522 BENNINGTON DR.: I'm here as part of the Be Focal Buy Local group who asked me, since Jeff couldn't be here, to fill in and thank you Mr. President for the time. Basically, there's a lot of businesses, small businesses that are employing people in our economy and they could do a lot more and generate a lot more taxes, a lot more revenue within the community if businesses were doing a better job at buying locally. It's become, with the internet and other marketing plans out there, some times it's easy for local businesses to just get on the internet and buy elsewhere, outside of the community and so we're asking them to focus on, hey, asking that question, maybe there is somebody right here in our community that those services can be purchased for at a competitive price and by doing so, will have a significant revolving impact in our community and of course, that also means tax revenue as well. That's what we're asking for, your support for and I thank you.

WEDNESDAY DEADLINE

MRS. CARMICHAEL: I move that with respect to Bill 11-109 that the rule requiring legislation be submitted by Wednesday noon be suspended and that Bill 11-109 be allowed on the floor tonight, seconded by Mr. Jefferson. 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: 8, Nays: 0.

LEGISLATION

AMEND SEC. 505.09, 505.101, 505.11, 505.13, 505.14 & 505.16 – ANIMAL ORDS.

SECOND READING

BY: MRS. HARING

ORDINANCE 11-097

Amending Sections 505.03, 505.09, 505.101, 505.11, 505.13, 505.14 and 505.16 of the Mansfield Codified Ordinances of 1997 to allow for updates and revisions to the current provisions to better suit the needs of the community.

Upon motion by Mrs. Haring that Bill 11-100 be read and placed upon the floor for discussion, seconded by Mrs. Carmichael. The bill was read was given its second reading.

MRS. HARING: We had a Safety Committee meeting 2 weeks ago at Mr. Hazen's request but Mr. Hazen, unfortunately you were not able to be there, so I think that we need to hear more from you about this or have another Safety Committee meeting, what is your preference?

MR. HAZEN: I can just kind of give you a brief of what my intention was with this. I work with a few groups that are animal advocate groups but not over the top animal groups, if that makes sense. They're interested in smart community interaction with balancing the needs and requirements of homeowners and citizens and trying to be mindful of the ethics of proper and descent treatment of animals and it's been a long standing passion for myself and my family that we work with dogs and cats and 4-legged creatures so it's something that's pretty close to my heart. But, it's also a piece of legislation that I wanted to make sure we had ample opportunity for people to comment on so this is why I requested 3 readings of it, make sure council members were comfortable with what they were seeing here. I think if you look through the bill, there's been a really solid balance between what these organizations I've worked with have suggested, what the Law Director's office was able to do and make some smart changes without making overwhelming changes or going in really radical directions, so I think it's a good step forward. You're not going to see anything in here that's terrifically radical, I don't believe, but there's some language changes in here, there's a couple of small additions and I think it's a good balance between what the community needs are and updates to a piece of legislation that's 14 years old and it's a little more in line with what our current understanding of treatment of animals should be. That's the only thing I was going to say during the Safety meeting, but again, I wanted the 3 readings so people had the opportunity to give their comments, if they saw anything that was really troubling, bring it up, ask the Law Director if there's anything that's missing (inaudible).

MR. JEFFERSON: Real quick. I mean, I know it's an ordinance that we need, but we can't enforce it and I see people walking around with Rotweillers big enough to drag them that don't have muzzles on. If that dog decides to, you know, become vicious, the person that's being attacked is, it's a fight for their life. So, what are we going to do about that? Is there anything we can do? Or what should a citizen do besides fight for their life? Knife them or what?

MR. HAZEN: (Mic not on) I don't believe it's realistic to have police going around and monitoring dogs (inaudible) as much as it is (inaudible).

HONOR JEFF SHOOK UPON RETIREMENT FROM POLICE

BY: ALL MEMBERS OF COUNCIL

RESOLUTION 11-099

Honoring Detective Jeffrey A. Shook upon his retirement from the City of Mansfield.

Upon motion by Mrs. Carmichael that Bill 11-102 be read in its entirety and placed upon the floor for discussion, seconded by Mrs. Haring. The bill was read and placed upon the floor for final passage, seconded by Mrs. Haring. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Carmichael, Haring, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

ADOPT TAX BUDGET FOR TOWNSHIP OF MANSFIELD

BY: MR. JEFFERSON

ORDINANCE 11-100

Adopting the Tax Budget of the Township of Mansfield, Richland County, Ohio, for the fiscal year beginning January 1, 2012, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-103 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

ADOPT TAX BUDGET FOR CITY OF MANSFIELD

BY: MR. JEFFERSON

ORDINANCE 11-101

Adopting the Tax Budget of the City of Mansfield, Ohio, for the fiscal year beginning January 1, 2012, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-104 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

ADOPT CURRENT REPLACEMENT PAGES FOR CODIFIED ORDS.

BY: MR. JEFFERSON

ORDINANCE 11-102

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

Upon motion by Mr. Jefferson that Bill 11-105 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

SUPPORT BE FOCAL BUY LOCAL CAMPAGIN

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 11-103

Declaring the support of the Mansfield City Council for the “Be Focal Buy Local” Campaign for North Central Ohio.

Upon motion by Mrs. Haring that Bill 11-106 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

MR. VERSAW: Microphone not on.

DEMOLITION – 74 STURGES AVE.

BY: MRS. HIGHTOWER

ORDINANCE 11-104

Declaring the remains of a designated dwelling (74 Sturges 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 Mrs. Hightower that Bill 11-107 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

SELL 199 CLINE AVE

BY: MR. JEFFERSON

ORDINANCE 11-105

Authorizing the Service-Safety Director to sell the land and residence known as 199 Cline Avenue under the U.S. Department of Housing and Urban Development Program for the total sales price of Sixty-four Thousand Dollars (\$64,000), including Second Mortgage forgiveness loan from the City in the amount of Twelve Thousand Four Hundred Forty-four and 04/100 Dollars (\$12,444.04), and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-108 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

AUTH SSD ENTER AGREEMENT FOR FLOOD MITIGATION

BY: MR. HAZEN

ORDINANCE 11-106

Authorizing the Service-Safety Director to enter into a Cost Sharing Agreement with the United States of America, Army Corps of Engineers, to provide planning assistance relating to potential flood mitigation measures in the Rocky Fork and Touby's Run, and declaring an emergency.

Upon motion by Mr. Hazen that Bill 11-109 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-107

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide Academic and Grant Management Coach Services, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-110 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-108

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide executive administrative services, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-111 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-109

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide executive administrative services, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-112 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-110

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide compliance consultant services, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-113 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-111

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide a person to provide Community Partnership Services, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-114 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE CONTRACT ON BEHALF OF DRCA W/MANS.
CONVERSION SCHOOLS**

BY: MR. JEFFERSON

ORDINANCE 11-112

Authorizing the Service-Safety Director to execute a contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion Schools to provide a site coordinator, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-115 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

**AUTH SSD EXECUTE MEMORANDUM OF UNDERSTANDING FOR DRCA
FOR SUMMER FOOD PROGRAM**

BY: MR. JEFFERSON

ORDINANCE 11-113

Authorizing the Service-Safety Director to execute a Memorandum of Understanding, retroactive to June 13, 2011, on behalf of the Mansfield Department of Regional Community Advancement with the Erie-Huron Counties Community Action Commission, Inc. relating to the Summer Food Program, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-116 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

MR. VERSAW: Microphone not on.

APPROP. \$278,907 FROM DRCA

BY: MR. JEFFERSON

ORDINANCE 11-114

Appropriating the sum of Two Hundred Seventy-eight Thousand Nine Hundred Seven Dollars (\$278,907.00) from the unappropriated Regional Community Advancement Fund (#205) to various Classifications therein.

Upon motion by Mr. Jefferson that Bill 11-117 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

APPROP. \$41,958 FROM HEALTH INSURANCE

BY: MR. JEFFERSON

ORDINANCE 11-115

Appropriating the sum of Forty-one Thousand Nine Hundred Fifty-eight Dollars (\$41,958.00) from the unappropriated Health Insurance Fund (#606) to the Contractual Services Classification therein.

Upon motion by Mr. Jefferson that Bill 11-118 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

TRANSFER \$32,663 WITHIN DRCA

BY: MR. JEFFERSON

ORDINANCE 11-116

Transferring the sum of Thirty-two Thousand Sixty-Three Dollars (\$32,663) within the Regional Community Advancement Fund (#205) from the Contractual Services and the Supplies and Materials Classifications to the Personal Services and the Employee Benefits Classifications.

Upon motion by Mr. Jefferson that Bill 11-119 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

TRANSFER \$20,000 WITHIN CLERK OF COURTS

BY: MR. JEFFERSON

ORDINANCE 11-117

Transferring the sum of Twenty Thousand Dollars (\$20,000) within the Municipal Clerk of Court Fund from Personal Services to Contractual Services-Postage.

Upon motion by Mr. Jefferson that Bill 11-120 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

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

CLAIM – DANIEL HARDWICK, \$3,844.07

BY: MR. HILL

ORDINANCE 11-118

Authorizing payment, on a partial assistance basis, of the request of Daniel Hardwick, 522 Bennington Drive Mansfield, Ohio.

Upon motion by Mr. Hill that Bill 11-121 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, Hazen, Hightower, Hill, Jefferson and Versaw. Absent: Rock.

AFTER LEGISLATION:

MR. VERSAW: Microphone not on. Talked about the Codes meeting a couple weeks ago and the second meeting coming up on July 6 @ 3PM NECIC.

ADJOURN: Upon motion by Mr. Hill and seconded by Mr. Hazen, and passed by voice vote, the meeting was adjourned.

Amy Walker
Clerk of Council

Phillip Scott
President of Council