

REGULAR COUNCIL MEETING JULY 5, 2016

The first semi-monthly meeting of Mansfield City Council met on Tuesday, July 5, 2016 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Jason Lawrence 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.

DEB MOUNT, 114 CLIFFBROOK DR.: When you all went into Executive Session, that leaves us all out here waiting and thinking of something to do so I went over and studied the City flag and I was wondering if that was the official city flag and if there are any more than just that one and if that is the official city design, how that is supposed to be flown on a pole because of the way the “M” is.

LAW DIRECTOR SPON: What we’ll do is research and see the history of Mansfield, whether or not there was any resolution adopting the official flag. For example, you take our official seal of the City of Mansfield, that’s actually copyrighted and the city owns that and technically has proprietary value, cannot be modified by anybody, in theory, the city could stop somebody from modifying, so we’ll check and see. I think it’s a good question. Somewhere back in history we obtained this flag as the official flag so we’ll look into it.

PRESIDENT PRO-TEM JEFFERSON: So, Mrs. Mount, the Law Director’s responsible for taking that on, not Council members (laughter).

MONDAY DEADLINE

MR. HILL: I move with respect to Bills 16-153 that the rule requiring legislation be submitted my Monday at 4:00 PM be suspended and that 16-153 be allowed on the floor this evening, seconded by Mr. Rock. The vote was 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: 8, Nays: 0.

LEGISLATION

AMEND 351.13 – PARKING OF NON-MOTORIZED ACCESSORIES OF VEHICLES IN FRONT OF RESIDENTIAL PROPERTIES – 1ST READING

BY: MR. JEFFERSON

ORDINANCE 16-142

Amending Section 351.13 of the Mansfield Codified Ordinances of 1997, as amended, to prohibit the parking of non-motorized accessories of vehicles in front of residential properties.

Upon motion by Mr. Bryant that Bill 16-143 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

MR. MEARS: We discussed this the last council meeting and when you read through the red type, which identifies the things that are not to be left on a residential street, it identifies it as a highway. That doesn't seem entirely accurate because I know of other residential street and I wouldn't consider it a highway. So, I thought that was inaccurate last time we discussed it a couple weeks ago. Prior to Caucus I discussed it with Director Spon and we felt that it should be changed, so would I need a motion to say, change this to, where it turns after the red type, do we want to highway Fourth St.?

CLERK YOCKEY: It's only a first read only tonight, we're not actually passing it. We can change it and then pass it next time.

MR. MEARS: Do we need a motion to do that?

DIRECTOR SPON: Yes, I think we should.

PRESIDENT PRO-TEM JEFFERSON: We wouldn't need it tonight would we?

ACTING MAYOR SCOTT: It would be good to have a motion to change it for future readings.

DIRECTOR SPON: If we're only going to have a first reading tonight, then we will change it and then Council, when it comes up for a vote, at that point in time (inaudible).

MR. MEARS: It's a little thing but I think it makes it more (inaudible).

MR. VAN HARLINGEN: Now, just for what it's worth, and I totally agree with that comment, that's one of the reasons why it was requested that we have 3 readings on this. I checked with Sgt. Gaverich, head of the division, which is it? Traffic? Traffic division thank you and she advised me that this is wonderful. This is what we need, and there does not seem to be a whole lot of public comment against it and I think my colleagues are kind of for it. Do we really need to run it out to Aug 16th? If that's the only change we're talking about is highway versus street, maybe have a last reading Aug 2nd? Maybe

throw in the emergency clause and be done with it. There doesn't seem to be any real complaints about this piece of legislation and I have to say, once again, it's not a real problem either and there's isolated incidences, that I had experience in it, come up. This is the Division of Police, the tools that they need to correct it.

PRESIDENT PRO-TEM JEFFERSON: My suggestion would be to make that motion the next time we'd be in Council to pass it at that time.

MR. VAN HARLINGEN: Ok. It was just a thought.

MR. LAWRENCE: So, just to clarify, we want it to say highway or street? (Yes).

DIRECTOR SPON: The reason we used the initial word highway is because under our current highway includes (inaudible). I would be more comfortable with highway or street so that it's very clear.

HONOR DEB RICHARDS – INCOME TAX

BY: ALL MEMBERS OF COUNCIL

RESOLUTION 16-143

Honoring Senior Account Clerk Deb Richards upon her retirement from the City of Mansfield Income Tax Division.

Upon motion by Mrs. Pender that Bill 16-145 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 – 66 RAYMOND AVE

BY: MR. LAWRENCE

ORDINANCE 16-144

Declaring the remains of a designated dwelling (66 Raymond 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 16-146 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 – 11 FLORENCE AVE

BY: MR. LAWRENCE

ORDINANCE 16-145

Declaring the remains of a designated dwelling (11 Florence 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 16-147 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 FACT-FINDER REPORT - FIREFIGHTERS

BY: MR. PENDER

ORDINANCE 16-146

Acceptance on behalf of the Council of the City of Mansfield, Ohio of the report and recommendation of the fact-finder in SERB File #15-MED-12-1274 with respect to certain issues in collective bargaining with the International Association of Fire Fighters, Local #266, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 16-148 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.

PROCEED WITH IMPROVEMENT OF GLENWOOD/PARKWOOD BLVDS

BY: MR. JEFFERSON

ORDINANCE 16-147

Determining to proceed with the improvement of Glenwood Boulevard and Parkwood Boulevard by sprinkling, mowing, sweeping, cleaning, etc. the grass plots or lawn strips in the middle of said boulevards, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-149 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 RENEW AGREEMENT FOR FISHERIES MANAGEMENT PROGRAM AND PERMIT PUBLIC FISHING AT CLEARFORK

BY: MRS. PENDER

ORDINANCE 16-148

Authorizing the Safety-Service Director to renew an agreement with the Ohio Department of Natural Resources, Division of Wildlife to provide a fisheries management program and permit public fishing at Clearfork Reservoir for a twenty-five (25) year term effective November 20, 2016 and expiring on November 20, 2041.

Upon motion by Mrs. Pender that Bill 16-150 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 FOR WWTP UPGRADE PROJECT

BY: MR. VAN HARLINGEN

ORDINANCE 16-149

Authorizing the Safety-Service Director to advertise for bids and enter into a contract or contracts for the Wastewater Treatment Plant Upgrade Project, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-151 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 FUNDING FOR EMS SUPPLIES

BY: MR. VAN HARLINGEN

ORDINANCE 16-150

Authorizing the Safety-Service Director to accept and appropriate funding from the Ohio Division of Emergency Medical Services in the amount of Two Thousand Seven Hundred fifty Dollars (\$2,750) to be used for the purchase of EMS supplies, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-152 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 \$86,008 FROM RCA

BY: MR. VAN HARLINGEN

ORDINANCE 16-151

Appropriating the sum pf Eighty-six Thousand Eight Dollars (\$86,008) from the unappropriated Regional Community Advancement Fund (#205), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-153 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 \$245,000 FROM LEGAL RESEARCH FUND

BY: MR. VAN HARLINGEN

ORDINANCE 16-152

Appropriating the sum of Two Hundred Forty Five Thousand Dollars (\$245,000) from the unappropriated Legal Research Fund (#220), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-154 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 \$2,736,586 FROM DEBT SERVICE FUND

BY: MR. VAN HARLINGEN

ORDINANCE 16-153

Appropriating the sum of Two Million Seven Hundred Thirty-six Thousand Five Hundred Eighty-six Dollars (\$2,736,586) from the unappropriated Debt Service Fund (#301), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-155 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 \$219,173 FROM DEBT SERVICE FUND

BY: MR. VAN HARLINGEN

ORDINANCE 16-154

Appropriating the sum of Two Hundred Nineteen Thousand One Hundred Seventy-three Dollars (\$219,173) from the unappropriated Debt Service Fund (#301), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-156 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 \$184,314 FROM COURT COMPUTERIZATION FUND

BY: MR. VAN HARLINGEN

ORDINANCE 16-155

Appropriating the sum of One Hundred Eighty-four Thousand Three Hundred Fourteen Dollars (\$184,314) from the unappropriated Court Computerization Fund (#219), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-157 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.

ADOPT TAX BUDGET FOR THE TWP OF MANSFIELD FOR 2017

BY: MR. VAN HARLINGEN

ORDINANCE 16-156

Adopting the Tax Budget of the Township of Mansfield, Richland County, Ohio, for the fiscal year beginning January 1,2017, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-158 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.

ADOPT TAX BUDGET FOR THE CITY OF MANSFIELD FOR 2017

BY: MR. VAN HARLINGEN

ORDINANCE 16-157

Adopting the Tax Budget of the City of Mansfield, Richland County, Ohio, for the fiscal year beginning January 1,2017, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-159 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.

Amy Yockey
Clerk of Council

Walden Jefferson
President of Council Pro-Tem