

## **REGULAR COUNCIL MEETING AUGUST 16, 2011**

The second semi-monthly meeting of Mansfield City Council met on Tuesday, August 16, 2011 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Jeff Rock led the audience in prayer.

**ROLL CALL:** The following answered present at roll call: Haring, Hazen, Hightower, Hill, Jefferson, Rock, Versaw and Scott. Absent: Carmichael. Upon motion by Mr. Hill and seconded by Mr. Hazen, Mrs. Carmichael was excused.

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

**MAYOR CULLIVER:** I'd like to say I did have a discussion with Mr. Versaw today and we got straight on that piece of legislation and I would advise the council to vote yes on that piece of legislation. Thank you very much.

### **WEDNESDAY DEADLINE**

**MR. HILL:** I move that with respect to Bills 11-143, 11-146 and 11-147 that the rule requiring legislation be submitted by Wednesday noon be suspended and that Bills 11-143, 11-146 and 11-147 be allowed on the floor tonight, seconded by Mr. Rock. Motion 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: 7, Nays: 0, Absent: 1.

### **LEGISLATION**

#### **AMEND 10-26 TO CHANGE SALARY RANGE OF ASST. POLICE CHIEF**

**BY: MRS. HARING**

**ORDINANCE 11-136**

Amending Ordinance 10-026 (Personnel Ordinance) to change the salary range of the Assistant Chief of Police, and declaring an emergency.

Upon motion by Mrs. Haring that Bill 11-139 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows:

Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw.  
Absent: Carmichael.

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

**SALARY REDUCTION IN LIEU OF PICK-UP FOR FOP PATROL**

**BY: MR. JEFFERSON**

**ORDINANCE 11-137**

Recognition of a salary reduction by the City of Mansfield in lieu of the City's pick-up portion of the mandatory contributions required by Ohio Revised Code Section 742.31 for eligible employee members of the Fraternal Order of Police/Ohio Labor Council Patrol Unit who are members of the Ohio Police and Fire Pension Fund.

Upon motion by Mr. Jefferson that Bill 11-140 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**MR. HAZEN:** Did not have microphone on.

**LAW DIRECTOR REMY:** Did not have microphone on.

**SALARY REDUCTION IN LIEU OF PICK-UP FOR FOP COMMAND**

**BY: MR. JEFFERSON**

**ORDINANCE 11-138**

Recognition of a salary reduction by the City of Mansfield in lieu of the City's pick-up portion of the mandatory contributions required by Ohio Revised Code Section 742.31 for eligible employee members of the Fraternal Order of Police/Ohio Labor Council Command Unit who are members of the Ohio Police and Fire Pension Fund.

Upon motion by Mr. Jefferson that Bill 11-141 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was read and placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**SALARY REDUCTION IN LIEU OF PICK-UP FOR POLICE CHIEF & ASST. CHIEF**

**BY: MR. JEFFERSON**

**ORDINANCE 11-139**

Recognition of a salary reduction by the City of Mansfield in lieu of the City's pick-up portion of the mandatory contributions required by Ohio Revised Code Section 742.31 for the Chief of Police and Assistant Chief of Police who are members of the Ohio Police and Fire Pension Fund.

Upon motion by Mr. Jefferson that Bill 11-142 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**AUTH CONTRACT WITH DRCA & CONVERSION SCHOOL**

**BY: MR. JEFFERSON**

**ORDINANCE 11-140**

Authorizing the Service-Safety Director to execute an Amended Contract on behalf of the City's Department of Regional Community Advancement with the Mansfield Conversion School, retroactive to July 1, 2011, to increase the compensation chargeable for the person providing Community Partnership Service, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-143 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**AUTH CONTRACT WITH DRCA & CITY SCHOOLS**

**BY: MR. JEFFERSON**

**ORDINANCE 11-141**

Authorizing the Service-Safety Director to execute an Amended Contract on behalf of the City's Department of Regional Community Advancement, retroactive to August 1, 2011, with the Mansfield City School District to provide Attendance

Improvement Services for all Mansfield City Schools and parochial schools receiving support services from the Mansfield City Schools, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-144 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**APPROP \$18,909 FROM DRCA TO PERSONAL SERVICES & BENEFITS**

**BY: MR. JEFFERSON**

**ORDINANCE 11-142**

Appropriating the sum of Eighteen Thousand Nine Hundred Nine Dollars (\$18,909.00) from the unappropriated Regional Community Advancement Fund (#205) to certain Personal Services and Employee Benefits Classification therein.

Upon motion by Mr. Jefferson that Bill 11-145 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael..

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

**TRANSFER \$206.79 WITHIN GRANT FUND**

**BY: MR. JEFFERSON**

**ORDINANCE 11-143**

Transfer a total of Two Hundred Six and 79/100 (\$206.79) within Grant Fund (#224) from the Contractual Services to Supplies and Materials.

Upon motion by Mr. Jefferson that Bill 11-146 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**AUTH SSD PURCHASE VACANT PROPERTIES UP TO \$35,000**

**BY: MR. JEFFERSON**

**ORDINANCE 11-144**

Authorizing the Service-Safety Director, on behalf of the Mansfield Department of Community Development, to purchase vacant properties for a price up to and including Thirty-five Thousand Dollar (\$35,000.00) without further City Council approval using solely grant fund awarded to the City under the Community Development Block Grant and the Home Investment Partnership Program Grant, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 11-147 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**MR. HAZEN:** One quick comment. There's been a question that's kind of floated out there, it's not technically speaking the city using city taxpayer money for this and the bill makes that clear. This is a program that we get federal grant dollars for and we recycle the dollars. We buy the house, sell the house, recycle the money and use it to buy more properties, so it's actually the federal program that's driving buying the home and reselling the home, so just as a point of clarification so people understand that this isn't general fund money or tax revenue that's coming from the citizens, this is federal dollars targeted for that specific intent.

**PRESIDENT SCOTT:** Thank you for bringing that point clear.

#### **APPLY FOR ODOT GATEWAY LANDSCAPE PROGRAM**

**BY: MR. VERSAW**

**ORDINANCE 11-145**

Authorizing the Service-Safety Director to apply for a State of Ohio ODOT Gateway Landscape Program Grant, and declaring an emergency.

Upon motion by Mr. Versaw that Bill 11-148 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**MRS. HARING:** I'd just like to say I'm glad that Mr. Versaw and the Mayor and everybody else that will have an interest in this has worked it out and it's going to be a lovely project, so congratulations.

**PRESIDENT SCOTT:** Thank you to all involved from making that happen.

**CLAIM – ILIR TOSKA, \$500**

**BY: MR. HILL**

**ORDINANCE 11-146**

Authorizing payment, on a partial assistance basis, of the request of Ilir Toska, 180 Dawson Avenue, Mansfield, Ohio.

Upon motion by Mr. Hill that Bill 11-149 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw. Absent: Carmichael.

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

**AFTER LEGISLATION:**

**MAYOR CULLIVER:** We do have a gentleman in our presence that wishes to address council and I apologize when you asked for, to speak to council. I'm going to blame it on Asst. Chief Smith. We do have a gentleman would like to address council.

**CHIEF JOE MORBITZER, WESTERVILLE POLICE:** I'm here representing the Ohio Assoc. of Chiefs of Police tonight. While you were unfortunate to lose Phil Messer as Chief of Police, you were fortunate to keep him as Safety Director and I'm sure you already know what impact he's had on law enforcement on a state wide basis. I can tell you from being a new chief, when I was a new retinue chief, I talked to Phil on a couple occasions on various things and he gave me guidance and mentorship and he served in that capacity as a Chief in Ohio for many years. One of the things we do with the chiefs Association is upon retirement, we present Chiefs with a commemorative watch and their lifetime card and I'd like to do that to our chief Messer tonight. Or Director Messer tonight, I guess.

**DIRECTOR MESSER:** (Microphone not on). I appreciate the support I've always gotten as Chief of Police. You're not a success unless the people around you succeed. I appreciate all the support from Council and the community and certainly from the Chiefs Assoc. We did well, I think, in progressing our dept. to the National Accreditation process. They've always promoted professionalism.

**PRESIDENT SCOTT:** I know from experience it means nothing more than to be recognized by your peers and that means a lot. We know here what you've done for the community.

**MR. HAZEN:** Microphone not on.

**LAW DIRECTOR REMY:** Microphone not on.

**MR. HILL:** Since we are a little bit early tonight, I think we ought to take a minute and recognize the boys that are here from the boy scout troop. Those kids could be on the street causing trouble or doing whatever but they've chose to hone their skills and become a better citizen. At least 2 of us here on Council are Eagle Scouts and we know what they went through to do what they're gonna do and we highly encourage them, if there's anything that we on Council can do to help you, don't hesitate to ask us.

**MIKE BARNETT, SCOUTS:** I have Boy Scouts here from Troop #899 and they're here working on their citizenship in the community merit badge and their communications merit badge.

**MATT STOZE:** I'm the Senior Patrol Leader of Troop #113 and I'm also here working on my citizenship and community merit badge. It's one of the last few I need for my Eagle.

**MR. HAZEN:** And don't forget us when you start working on your Eagle project because a lot of the Eagle projects have filtered through the city and we work closely with a lot of the different troops and I know Mr. DeSanto and the Administration has been willing to work with different men that are working on their Eagle badge and we've seen some great results out of that. We appreciate you coming in and keep us in mind when you're picking out your Eagle stuff.

**MR. BARNETT:** This one right here, the communications is the last one he needed to get his (?) and he will start working on his Eagle badge starting in Sept., so we're going to come knocking, ok?

**PRESIDENT SCOTT:** Thank you for coming and we applaud your efforts. Not being a Scout myself, but I appreciate all that you do.

**MR. BARNETT:** You can volunteer. (laughter).

**ADJOURN:** Upon motion by Mr. Hill and seconded by Mr. Hazen 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