

## REGULAR COUNCIL MEETING AUGUST 16, 2016

The second semi-monthly meeting of Mansfield City Council met on Tuesday, August 16, 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, Lawrence, Pender, Rock, Scott and Van Harlingen. Upon motion by Mr. Lawrence and seconded by Mr. Rock, Mr. Jefferson was excused.

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

**RAYMOND APPEGATE:** Thank you sir. It's a great opportunity to address the Council of Mansfield here. I have been to control my emotions over an incident that occurred here 3 weeks ago yesterday and so I'm on a list of the Dog Warden, I'm listed as a defendant on the person who was accosted by 3 pit bull dogs that attacked me 3 weeks ago yesterday in my driveway in Royal Oak Estates. The owners are 2 streets to the west of me on Hidden Hollow Trail. It's not necessary, at this time, in order to put out any names or addresses at this point because most everyone in the neighborhood knows about it and is grossly upset about it. Those things appear in the news now and then, whether it's in Mansfield or it's around the country. I also have a background in veterinary medicine and I'm a farm boy from southern Richland County, I've lived here all my life and dealt with animals in one form or another and I also have a second career, I'm a retired officer in the Army, Veterinary Corp. After I got out of school, the draft board here in the county wanted me so I went and activated for 2 years, the second year I spent in Vietnam, I took care of military working dogs. So I've had experience with, so called, vicious dogs. In the meantime, the incident was about 5:00 in the afternoon on Monday, July 25<sup>th</sup> and I was casually walking up my driveway on Brookpark Dr. at about 5:00 and on the back side, my yard, near the woods, there's 20 acre woods back of my street that's owned by the telephone company on Lexington Ave., which I forget the name. CenturyLink I guess is the current name that's on there, and it houses the 1000 foot tower that's (inaudible) communications, so it's a pretty desolate area. But anyhow, the back part of my woods was approximately 100 feet, I think 200 feet, those are 200 lots, 200 foot lots as I recall and I have pictures here that I would like to submit as evidence of the general area but most important, there's a picture of the weed cutting tool that I had stuck in the woods there, at the edge of the woods of my property, I guess a big pine tree, called a Sife(sp), a weed cutter instrument that I've had in my garage for 20 years that was left here by my father and I tried to give it away for the last 18 years or so but nobody wants it or nobody knows what to do with it, but sure is near and dear to me now cuz it, frankly, saved my life. I don't know if any of you have experienced a dog attacks, but for a moment there, I didn't know what was happening. I was about 15 feet

from here from (inaudible) driveway here when I saw him coming to me, so I had to get to this tree in order to get this particular weed killer, this side, and it took me almost 40 seconds, I'm sorry if I get emotional about it, but it's, psychologically I've thought about it several times in the last 3 weeks, but to get over there and by vocalizing at the top of my lungs and threw my arms out this way, I was able to get the dogs, I would say the brindle dog was the most aggressive of the 2, the other one was a white one, and they would retreat 3 or 4 feet and like a bullet they came right back at me, and so it took me about 15 feet over here, I must have (inaudible) before I was able to get over to that tree and grab the sigh, and then I was able to use the sigh as a probe thing to keep it, so that they couldn't. This particular sigh has about a 6 foot handle on it and a 30 inch blade, so I get myself over to my garage door, fortunately there's a table right inside there and I had a mobile, handle held garage door opener there, that I was able to get to. The whole episode must have been 3 or 4 minutes, maybe 5 minutes, I don't know, but it took me awhile to inch my way over there, which is about 40 feet over there to get to the garage door and I pushed the door down with the button there and they heard the door come down and they ran off. So, I must compliment, I finally got in the garage, it took me about 15 seconds to regain my composure and dial 911 and I have to compliment the police force, they were there in 5 or 10 minutes or something like that, 2 cars, so they did an excellent response. We went through the scenario and they were there about 15-20 minutes and their response was that they would cruise the neighborhood and they're looking for these dogs. So, time went by and about 15-20 minutes I heard this awful barking and commotion to the west, on the other side of my property, on the next street to the west called Estate Courts and I couldn't stand there for very long so I jumped in the car and drove over and sure enough, the 2 squad cars had cornered those 2 dogs on Estate Court. So, I wasn't interested in seeing what happened but I have to compliment the police force for know how to use a snare. I had to use a snare for years but it used to be a routine instrument when I was doing hog practice. So, apparently they've mastered it, but in order to get the bee sting in the car, they were having a difficult time so he volunteered that they had to Taser the dog in order to get him in there and they were waiting on another squad car to come, a third one to come, that had a snare in it to get the white one. Well, low and behold, I went back home. I'm a 75 year old man, I was kind of out of breath and I didn't recuperate right away. I was out of breath when I was talking to the original police one and it took me a little while to regain my composure a little bit while I was sitting there, but after the barking and hell raising quieted down, I walked around the corner of the lot there, over to Estate Court and got the rest of the story from the 2 neighbors that were out there. The one neighbor was, that we don't love, Dr. Thomas Wolf, who had an unfortunate situation and died here a couple weeks ago and they chased her off her deck with her little dog into her house and the people directly across the street from her by the name of Iams, they saw the incident with dogs coming at them and they're much older than I am and so they scarfed up their dog and go it in the house too, so, in some way, the whole incident occurred without any blood, human blood, being spread on the street. I understand there was blood from, the neighbors said there was blood on the street from the Tasing procedure, they got to the dogs, but anyhow, as soon as the captured the second dog, low and behold, the dog owner came waltzing between the houses, and he's on the next house west, looking for his dogs. I found out that the owners had a for sale sign in their yard and they both work in Columbus, they

have a son that is 10 or 12 years old and goes to the grandparents during the day and the dogs are pretty much unmanaged and are kept in the garage, so apparently they got loose, one way or another. Anyhow, the residents of the Royal Oak Estates need to know that there are 2 killer dogs roaming, or possibly roaming in their neighborhood. Lots of grandchildren and children on Brookpark Dr., I don't know about the rest of the settlement there, but it's been awhile since, I recall, that anyone in Mansfield has been physically harmed by a dog but there's a lot of instances and it looks like you've got a dog issue. You've got a dog issue at this point and it hasn't gone away for umpteen years. Early in my career I did a lot of farm practice and I investigated a lot of dog kills with sheep and calves at that time. It was coordinated with the Dog Warden. One of my neighbors is acquainted with the current Dog Warden, at this point. In fact, before he became the Dog Warden, he worked for this individual at another job, so he babysits for his grandchildren every day. From 2 different families and frequently they are there on the weekend. That's right across the street on the east side of my street, and he went out the next day and talked to the Dog Warden about it and I understand there is some coordination that used to be improved upon because being that the Dog Warden has no...

**PRESIDENT SCOTT:** Can you wrap it up, usually we allow about 5 minutes.

**MR. APPLGATE:** Yea, well I am. I am. I'm concerned about this thing cuz the next time that this thing occurs to me or somebody else, there's going to be a lawsuit from my widow or somebody else, and on top of that, then the next thing is going to be, there's going to be a lawsuit that's going to be in these chambers because you're going to have some liability when it's all said and done. Because it appears there's a pit bull law in this city that has not been enforced for umpteen years and with keeping my composure and not telling you what I think, which I normally do, I think it's time for you to do something about it. So, I (inaudible) back to your phone at this time (inaudible) unless there's someone else in the audience that wants to comment on the deal.

**LAW DIRECTOR SPON:** You're a veterinarian?

**MR. APPLGATE:** Yes I am.

**DIRECTOR SPON:** Now, we've confirmed, and based upon your opinion and the County Dog Warden, that the brindle was a full blooded pit bull correct?

**MR. APPLGATE:** That is right. Well, it's a mixed breed.

**DIRECTOR SPON:** And just one last question. I think it's really important that Council realize, when you first saw these dogs starting to attack you, can you describe it and tell me whether or not you felt you were going to be killed?

**MR. APPLGATE:** Yes I can. I wasn't sure. It was the fire flight syndrome and I scented pretty quick what I could do to defend myself. I wasn't sure I was going to come out on top of this thing when I was first approached. One pit bull is bad enough let alone 2. I think it was in my favor as the second dog was a little more timid, it was 3 or 4 feet

behind that brindle one. So, I was pretty desperate there for a while. I'm not sure, I'm not sure, I'm not sure that some other people would have handled the situation. I was lucky to have a sigh close by and number 2, I had the garage door opener reasonably close. So, what can I say? What do you think would have happened to me if I hadn't had those 2 protectors? The only thing I got to say is, when you lay your head down on the pillow tonight, you ought to think about what you're going to do if your neighbors or your kids or grandchildren are faced with a situation where you're literally mauled. When you put your head on the pillow tonight, you think about that, and I hope that you think about a few more nights when you go to sleep because it's a problem that's not going to go away.

**MR. BRYANT:** Can you tell me a little bit more about the owners? They live across from you?

**MR. APPELGATE:** They are 2 streets down from me.

**MR. BRYANT:** Did they just move into the neighborhood?

**MR. APPELGATE:** No, I understand they've been there for a while. So I think the threat has been there for a while.

**DIRECTOR SPON:** This is Royal Oak, but I can speak that we posted another incidence recently, and the County Dog Warden said 3 or 4 months ago, the increase of pit bulls in this city has been tremendous. Lord only knows something bad's going to happen. I know that I keep respectfully sharing that it would be my hope and desire, because it's a life and death issue, that we have a dedicated, full fledged police officer that is trained as an animal control officer on our dept., totally dedicated only to the city, in this case, from what I can understand, the County Dog Warden, for whatever reason, didn't even issue a citation to enforce our ordinance and then we have the County Humane program, allegedly, I get this second hand, they are actually adopting out pit bulls to residents of the city. But, in this case, I thought it was so unique and thank God, it could have been far worse.

**MR. APPELGATE:** The thing I'd like to add to it, the thing that's really upset me and disappointed me is, as far as I'm concerned, the police, when they investigated the situation, I'm just putting 2 and 2 together and making that accusation at this point, but they got the instructions from higher up to take the dogs back to the owner and the dogs went back home with the owner. Interesting that I think that at this point because I was really disappointed that the dogs were turned back and apparently after talking to the Dog Warden, there's a magic number called 3. A dog has to be incriminated 3 times before it is eligible to be confiscated. And you know what? As far I'm concerned, those dogs are killer dogs and should be put to sleep. That's a personal opinion at this point. That's based on my fear at the time and my personal experience as a veterinarian and a military veterinarian officer. So, what else can I say? I'm real passionate about the thing about you thinking about it tonight when you put your head on the pillow. I'm done sir.

**MR. HILL:** Law Director, do we have anything on our books that can prohibit the...

**DIRECTOR SPON:** We have an ordinance that prohibits pit bulls in the city.

**MR. HILL:** We're just not enforcing it?

**MAYOR THEAKER:** Isn't there a Ohio Revised Code that states about pit bulls? Even the County Dog Warden knows about it, even if it's in the city, he has to take of those dogs, correct?

**DIRECTOR SPON:** Well, I can only say we've had a ban for many, many years and not blaming anybody, but it has not been enforced, primary I believe, because we, as a city, do not have a dedicated, committed, animal control officer, in other words, if that animal control officer is an employee of the city and is dedicated to our ordinances and is readily available to respond within our city, as opposed to having 2 county Dog Wardens, one might be outside Shelby, another one may be on the southern end of the county that can't even respond quickly, so I can only say that, if we want to begin an effort to try and maximize protection for our citizens, it starts with a dedicated position in our police dept.

**MR. HILL:** It sounds to me we've got County Dog Wardens that don't do anything to protect the citizens of Mansfield. They come into our city, collect dog fees...

**DIRECTOR SPON:** Oh yes. Hundreds of thousands of dollars.

**MR. HILL:** And what do we get for it?

**DIRECTOR SPON:** We're not getting very much. And I think, in fairness to the Richland County Dog Warden and his assistant, it's a large county and I've always said, we shouldn't rely upon the county on this issue, which is a matter of life and death. I know the good doctor explained to me the first time, in detail, how vicious the first dog was coming at him and he said he thought he was going to be killed. I'm thinking of the children. I talked personally to people in neighborhoods who are afraid to go out of their house and things like that, so if we had a dedicated police officer, who's primary responsibility is animal control, and in case there's a major matter, they could drop their responsibilities as an animal control, primary responsibility is animal control, and be a supporting officer for the police dept., plus he has arrest powers, plus he's got investigative powers, plus he can say to somebody, because many of these dogs are indigenes of the culture of selling drugs. You can walk up to the door and say, ma'am can I come in and look around and they say yes and go in and see a lot that is indigenes to the drug culture, so my goal, and I know the administration cares about, the Mayor the Safety Director, cares about the safety of everyone. I'm saying, with the proliferation of pit bulls, we've got to have (inaudible). I know the Chief told me, at this point, they wouldn't even allow a police officer to go into a building that has a pit bull because they don't know if there's one, two, three pit bulls, and for a city of 47,000, so my hope is that somewhere along the line we can find the money for a dedicated officer because we've

had so many instances here in the last year, it's going to happen somebody's going to get killed and even if we had such an officer, might not stop that, but....

**MR. APPEGATE:** But I'd think you'd expand your scope beyond a pit bill and also taking any large breed, vicious dog, that demonstrates aggression towards anyone. Let's talk about a little bit further. It's my experience, down through the years, at this point, under these circumstances in a family situation, that these aggressive dogs, whether they're Rottweilers or they're Dobermans or some other combination thereof, which it seems like in the pit bulls, they've been very (inaudible) and so we need to be talking about whether a pit bull is 50% pit bull or 12% or 1/8%. We have a test now, that I have no experience with, but now I understand it's commercially available, at this time, to determine the percentage or what breed a dog is. If you're thinking about amending your ordinance, at this point in time, it needs to include other breeds other than pit bulls, at this point in time, because the point I was trying to make a little while ago is that, our experienced, particularly with, Rottweilers is, is, they will take on a member of the family. I feel for the life of this son, that's soon to be a teenager, that one of those dogs will turn on him or turn on the wife or something like that. They will be friendly for the first year, 2 or 3 or 4 or 5, but if they stick around to be 6, 7 years old, you can just plan on taking down the family somewhere. So think about that.

**MR. BRYANT:** I just want to say that I've received complaints from all other wards, but this is the first I've heard from the First Ward.

**MR. APPEGATE:** Yea, it's kind of unusual isn't it, in that section of town, that the risk factor is pretty high at this point, as we think about a risk assessment and recommendations in order to reduce the risk, in this case, of the citizens of the ward or anybody, at this point in time. You normally think about that in some other places other than the First Ward. Your comment is very good sir.

**PRESIDENT SCOTT:** You're done and Council's done asking questions? It was informative. I didn't mean to be rude cutting you off.

**MR. APPEGATE:** I understand that. I could talk for a half hour or an hour on this topic, based on my experience all these years.

**PRESIDENT SCOTT:** And believe me, my sympathies go with ya, it's something that need to be addressed in the near future.

**MR. APPEGATE:** Fortunately, my grandchildren are in New Hampshire so it's not an immediate threat to me, at this point in time, but I have lots of friends and neighbors where there is potential.

**MARY MOUNT, 114 CLIFFBROOK DR.:** First, thank you Dr. Applegate for sharing. We know there's a problem with vicious animals and we are very supportive of an animal control officer being put in place in the city, it is necessary. My brief comment is on Bill 16-143, thank you for updating it, it looks good.

**ESTHER MCNEIL, 304 E ARCH ST.:** I have a complaint, it's over on 303 E Second Ave. There is a tree, planted by the city, it looked nice when it was small, but it has grown up and it goes into the lady's sewer line, so she pays to have this here sewer line cleaned out because it backs up into the house and she would like to have something done about it. The people, the companies that come to do it will give you the same information that it's the tree that's doing it. They show her the roots from this tree. You can see the sidewalk that comes up. Next, seems like I'm having a little trouble with Codes, wrong address or something, but I'll eventually take care of it. That's about all. I'm not going to stay up here. I got a lot to say but I ain't going to get involved in that. But I will say this, I spoke with the school system about an hour ago and they fired a teacher because of something that the teacher told me that I happen to tell the Superintendent, so if I say something up here, don't get mad at somebody else because I said it. Get mad at me. Well the teach done got fired. Another thing I'd like to say, the school system, I was down in Honduras about a month and a half ago and they teach writing. Our school system doesn't teach writing anymore, so the kids cannot go and sign a document because the document asks for your signature. My grandsons had to go up to the motor vehicle bureau to get an ID card, like 12, but he had to sign his signature. All this time I seen him print but I didn't think anything about it. So, they give this piece of paper to sign. What is this? He said, I can't sign it. What do you mean you can't sign it? The school system doesn't teach kids how to cursor write. I think it's wrong. I told them that an hour ago. It's wrong. And we wonder why our kids are behind. Down in Honduras they teach them that. We want to go digital on everything so somebody can hack it. So, maybe you can talk to the Superintendent and tell him I was up here complaining.

**ALI MURDOCK, ROYAL OAK:** I live with my 2 boys, one is 4 and one is 2. We love that neighborhood because we love going on walks in the neighborhood. I push them in a double stroller, 2 wide, and I have my little dog, his name is Peanut, he's like a terrier, so we walk around all the time and we love it, we love it. I jog around the neighborhood by myself, my husband jogs around the neighborhood by himself as well. This makes me emotional because Dr. Applegate told me about his incident, it really scared me because if I was walking with my 2 boys, and my little dog, I would be completely helpless and I don't know what I would do to protect my children, I'm so sorry, I don't know what I would do to protect my children or even my little dog. I would be heartbroken if a pit bull could bite him in half easily. So, as of now, I'm kinda scared to walk around my neighborhood, I haven't gone on a walk since, but if something could be done for it to feel safe again in my neighborhood to go on walks with my children I would appreciate that. That's all I have.

**MR. HILL:** I forgot to ask our Chairman of the Safety Committee how the Police Review Board, filling those vacant seats is coming?

**MR. BRYANT:** Yea, so thank you Amy, Council Clerk, who has put together this nice little list of candidates who are in the process of being approved. The First Ward, your appointee, I believe his background check has been approved, so we're just waiting on legislation on that to appoint him to the commission. The Fourth and Fifth Wards, the

candidates have been submitted and I believe their background checks are approved but we're just waiting on legislation for those too to be appointed to the commission.

### **MONDAY DEADLINE**

**MR. HILL:** I move with respect to Bills 16-177, 16-178, 16-180, 16-181, 16-182, 16-183, 16-190, 16-191, 16-192 and 16-193 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 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**

**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 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, Hill, 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. JEFFERSON:** I invited Asst. Chief Porch here this evening, actually he offered to come this evening because there has been some discussions and concerns about would this bill, all of a sudden, unleash the Mansfield Patrol Police Dept. on trailers on our streets, and there was some confusion and there was some concerns so I asked Asst. Chief, and correct me if I'm wrong Chief, we basically just want to take care of what could be a problem. The traffic division is not out there looking for trailers, is that correct?

**ASST. CHIEF PORCH:** That is correct, sir.

**MR. VAN HARLINGEN:** If there's a complaint, the traffic division will investigate, we're not talking about blocked driveways here or something that's in the flow of traffic or anything like that. We're talking about a complaint that needs to be checked.

**MR. BRYANT:** What happens if someone can't, they're unable to, they don't have anywhere to move whatever that is, parked in front of their house, that trailer or whatever. What happens then?

**ASST. CHIEF PORCH:** The current Ordinance says that any vehicle that's on the street longer than 24 hours can be towed. Once the complaint is lodged, the officer, the normal procedure would be to chalk the tire and then within 24 hours go back and check and if it's still in violation, could be towed. Now, the object of the officers of the police dept. is to make every attempt to find that owner. We do not want to start towing vehicles off the street. The object is to have the owner come out and move that vehicle off the roadway instead of us taking it and towing that vehicle and obviously causing expense to our citizens. That's usually as a last resort.

**MR MEARS:** That prompts my question. If these are non-motorized accessories, and you have a snow plow left in front, then you really can't tow. What do you do in that case?

**ASST. CHIEF PORCH:** That's correct. If this legislation, obviously, accessory would allow officers to take that action, so if we had a snow plow that was unattached from a vehicle that was on the side of the street, with this Ordinance, we would be able to take enforcement action. If we couldn't find an owner through the VIN or checking the neighbors or canvassing the neighborhood, we would then be able to tow that accessory off the roadway.

**MR. MEARS:** We have the resources to pick it up and put it in a truck, I mean, if it doesn't have wheels?

**ASST. CHIEF PROCH:** We have an on call tow system that we utilize, so they would come out and it would be their responsibility to remove that apparatus from the road.

**MR. MEARS:** Inaudible.

**MR. BRYANT:** Is it ok that something is in the front yard then, they can move it off the street into the front yard or whatever?

**ASST. CHIEF PORCH:** That's something different. That's not part of this.

**MR. BRYANT:** Sorry. These are just questions I had.

**CLAIM – MICHAEL HOSTETTLER, 343 BARTLEY AVE**

**BY: MR. LAWRENCE**

**ORDINANCE 16-174**

Authorizing payment of the claim of Michael Scott Hostettler, 343 Bartley Avenue Mansfield, OH 44903 and declaring an emergency.

Upon motion by Mr. Mears that Bill 16-176 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, Hill, 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 \$25,205.61 FROM GENERAL FUND TO RCA FOR ASBESTOS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-175**

Appropriating the sum of Twenty-five Thousand Two Hundred Five Dollars and 61/100 (\$25,205.61) from the unappropriated General Fund (#101), to transfer to the Regional Community Advancement Fund for the purpose of paying for asbestos clean-up, and the stabilization and encapsulation of stairwells in the Ocie Hill facility, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-177 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, Hill, 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 \$25,205.61 FROM RCA TO PAY FOR ASBESTOS ABATEMENT**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-176**

Appropriating the sum of Twenty-five Thousand Two Hundred Five and 61/100 (\$25,205.61) from the unappropriated RCA Fund (#205), for the purpose of paying for asbestos abatement, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-178 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, Hill, 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 \$552,856 FROM DEMOLITION FUND FOR DEMOLITIONS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-177**

Appropriating the sum of Five Hundred Fifty-two Thousand Eight Hundred Fifty-six Dollars (\$552,856) from the unappropriated Demolition Fund (#238), for the purpose of paying for planned demolitions, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-179 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, Hill, 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 – CARDINAL ENVIRONMENTAL SERVICES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-178**

Authorizing the payment to Cardinal Environmental Services, Inc. in the amount of Fifteen Thousand Nine Hundred Fifteen and 00/100 (\$15,915.00) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-180 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, Hill, 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 – CHEM-TECH CONSULTANTS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-179**

Authorizing the payment to Chem-Tech Consultants Inc. in the amount of Nine Thousand Two Hundred Ninety and 61/100 (\$9,290.61) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-181 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, Hill, 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 – BAKER’S COLLISION REPAIR**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-180**

Authorizing the payment to Baker’s Collision Repair in the amount of Eight Thousand Eight Hundred Six and 15/100 (\$8,806.15) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-182 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, Hill, 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 – MOCK’S CONSTRUCTION**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-181**

Authorizing the payment to Mock’s Construction, Inc. in the amount of Thirteen Thousand Eight Hundred Dollars (\$13,800) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-183 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, Hill, 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 YEARLY NEEDS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-182**

Authorizing the Safety-Service Director to advertise for bids and to enter into contracts for certain yearly needs of the City, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-185 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, Hill, 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:** That language with the miscellaneous equipment, we want that out? Or we going to keep that in?

**PRESIDENT SCOTT:** It's not rolling equipment, but is there other equipment, like parts or something?

**MR. BIANCHI:** It's basically just gravel, hydrants, water meters, chemicals for the treatment plants, concrete.

**PRESIDENT SCOTT:** Could meters and hydrants be equipment?

**MR. LAWRENCE:** At least from a language standpoint. Keep it in.

#### **AUTH SSD SUBMIT APP FOR FUNDING WITH STATE BOND ISSUE #1**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-183**

Authorizing the Safety-Service Director to submit an application for funding a certain public sanitary sewer improvement project with a State Bond Issue No. 1 Grant, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-186 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, Hill, 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 INSPECTION OF SEWERS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-184**

Authorizing the Safety-Service Director to advertise for proposals and to enter into a contract for engineering and planning services relating to the inspection of sewers using CCTV equipment and other Inflow and Infiltration investigation techniques, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-187 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, Hill, 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 TO PURCHASE PROPERTY AT 124 E. THIRD ST – FIRE DEPT.**

**BY: MR. BRYANT**

**ORDINANCE 16-185**

Authorizing the Safety-Service Director to hereby be authorized to purchase property located at 124 E. Third Street, Mansfield, Ohio, for the Fire Department, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-188 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, Hill, 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:** I'd like to ask the Law Director, is it appropriate for us to ask for any further, not on this property, but any property that we buy from this point forward, a contract to go along with it, as an Addendum? Is that out of our scope?

**DIRECTOR SPON:** No it's not, and more often than not, there's usually a contract with the legislation so you can see the terms of the contract, which answers, in part, any questions that council members may have. This is a little bit of an unusual transaction (inaudible) the selling board (inaudible) in terms of how this transaction should move and because of that it's become a little bit inconvenient (inaudible) but we're getting it through, so any matter that comes before city council, of any subject matter whatsoever, city council members, individually (inaudible) transaction, so that's the purpose of making sure that no one individuals, aside from anyone else, doesn't have a say in (inaudible) to make sure no one makes any mistakes (inaudible) like any other public commissioner (inaudible).

**AUTH SSD TO PURCHASE PROPERTY AT WILLIS AND PARK AVE FOR FIRE DEPT**

**BY: MR. BRYANT**

**ORDINANCE 16-186**

Authorizing the Safety-Service Director to hereby be authorized to purchase property located on Willis Avenue, Mansfield, Ohio and Park Avenue East, Mansfield, Ohio for the Fire Department, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 16-189 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, Hill, 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 RCA & HELP ME GROW**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-187**

Authorizing the Safety-Service Director to execute a Contract, retroactive to July 1, 2016, on behalf of the City's Department of Regional Community Advancement to provide Help Me Grow Central Intake and Coordination Services to the Richland County Youth and Family Council, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-190 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, Hill, 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 RCA & YOUTH & FAMILY COUNCIL**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-188**

Authorizing the Safety-Service Director to execute a Contract retroactive to July 1, 2016 on behalf of the City's Department of Regional Community Advancement to provide Clerical Services for the Richland County Youth and Family Council, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-191 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, Hill, 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 RCA & HELP ME GROW**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-189**

Authorizing the Safety-Service Director to execute a Contract, retroactive to July 1, 2016, on behalf of the City's Department of Regional Community Advancement to provide Help Me Grow Service Coordination to Richland County Youth and Family Council, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-192 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, Hill, 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 MANSFIELD CHOICE ACADEMIES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-190**

Authorizing the Safety-Service Director to enter into a lease with the Mansfield Choice Academies for the use of certain portions of the City-owned building known as 445 Bowman Street, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-193 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, Hill, 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