

## REGULAR COUNCIL MEETING SEPTEMBER 18, 2018

The second monthly meeting of Mansfield City Council met on Tuesday, Sep 18, 2018 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Pender led the audience in prayer.

**ROLL CALL:** The following answered present at roll call: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Scott and Van Harlingen. Mr. Falquette moved that Mr. Rock be excused, and Mr. Bryant seconded the motion.

There being no objections, the reading of the Journal and Correspondence was dispensed with.

### COMMITTEE REPORT

**MR. BRYANT:** Council President and I attended the METRICH annual meeting today where we learned that Meth is the cities number one drug.

**MR. SCOTT:** I'd like to piggy back on that. It was interesting; Tony Tombasco gave a very good presentation. Once again, the city should be very thankful that we have him on board here. He was also showing us legal things that are coming into the state thanks to that state up north (starts with M) due to their legal marijuana laws the stuff that is coming into the state of Ohio is kind of scary. So, just a heads up.

**MR. MEARS:** If I can piggy back off that; part of the Michigan stuff was that it looks like candy. It is designed to look like skittles or designed to look like lollipops; 250 grams of THC in a lollipop.

**MR. SPON:** There is an issue coming before the state of Ohio, Issue Number 1. The Chief of the Supreme Court of Ohio has sent a letter out (at least all attorneys) to become aware of this stating that she is against this. The crux of it is there are private groups, however well intentioned, that believe that incarceration and sentencing to prison, criminalizing in high degrees of felonies is not the answer. It's not so much that they are not well intentioned, but there is a major flaw (in my opinion, as well as the Supreme Court's opinion) and that is it is a requirement to reduce all 4<sup>th</sup> and 5<sup>th</sup> degree felonies to misdemeanor and not only to reduce them to misdemeanors but to have mandatory probation so that a municipal judge is prevented from putting them in jail. Part of that effort is that they want to say that it is a misdemeanor up to 10 milligrams of fentanyl which is enough to kill 10,000 people. So you could have the organized drug cartel and gangs that would tell their people, if you carry less than 10 milligrams of fentanyl (knowing that it could kill thousands of people) and that they can only be charged with a misdemeanor and they can't be put in prison or even in our county jail. So, the belief is that this would be a clarion call for all drug cartels that fled the State of Ohio with

dangerous fentanyl, so I can only say that it is hard for me to believe that this would be in the best interest for the state of Ohio, as it is written.

**MR. FALQUETTE:** Would the law director and other city council members draw up a resolution for us to vote on opposing issue 1 for the next meeting?

**MR. SPON:** Certainly, if that is the will of city council we can do that for the next meeting.

**MR. LAWRENCE:** I am in agreement with that, Mr. Falquette, and also want to remind everyone what we did last fall when we voted to not have distilleries (dispensaries) in our city. So, we have taken that stand and will continue to take that stand in our community.

**DIRECTOR COPE:** Changing the topic a little bit, but just to give credit to our SWAT team. Our SWAT commander is working on the fugitive (of course who we all know about) in the city; basically he plays the liaison between the FBI and our Marshalls and SWAT and again just giving credit to them. They've been out for hours and hours, 48 hours at a time, and so just to remember them and know that if he can be caught I believe it will be done here.

#### **MONDAY DEADLINE**

**MS. PENDER:** With respect to bills 18-186, 18-187, that the rule requiring legislation be submitted by Monday at 4pm, be suspended and that bills 18-186, 18-187 be allowed on the floor tonight, seconded by Mr. Lawrence and passed by voice vote (6-1, Falquette opposed.)

#### **SUSPEND RULES**

**MS. PENDER:** 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. Lawrence. The vote was taken and resulted as follows: Ayes: 7, Nays: 0.

#### **LEGISLATION**

**ACQUISITION OF REAL PROPERTY; TOUBY RUN**

**1<sup>st</sup> Read**

**BY: MR. LAWRENCE**

**ORDINANCE 18-174**

Authorizing the acquisition of interests in real property in connection with the Touby Run Flood Hazard Mitigation Project and approving related factors.

Upon motion by Lawrence that Bill 18-168 be read and placed upon the floor for discussion, seconded by Mr. Falquette. First Read.

**MS. PENDER:** I just wanted to make a statement. As I was looking at the news with the Hurricane Florence that came into South Carolina and North Carolina, I was thinking about the Mansfield area (I know nothing like that, a hurricane is not going to happen), but we could have floods like that and if we have this dam in place it will protect our downtown. It is very important that we make sure that does not happen to our area.

**RESOLUTION ACCEPTING/CERTIFYING TAX LEVY'S TO COUNTY**

**BY: MR. VAN HARLINGEN**

**RESOLUTION 18-175**

Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levy and certifying them to the County Auditor. City of Mansfield

Upon motion by Mr. Van Harlingen that Bill 18-178 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**RESOLUTION ACCEPTING/CERTIFYING TAX LEVY'S TO COUNTY**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 18-176**

Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levy and certifying them to the County Auditor. Township of Mansfield

Upon motion by Mr. Van Harlingen that Bill 18-179 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**CODIFIED ORDINANCE UPDATE; ADOPTING CURRENT PAGES**

**BY: MR. LAWRENCE**

**ORDINANCE 18-177**

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

Upon motion by Mr. Lawrence that Bill 18-180 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**FUNDING: OH DEPT MENTAL HEALTH; DOMESTIC VIOLENCE COURT**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 18-178**

Authorizing payment to the Mansfield Area YMCA in the amount of thirteen thousand eighteen and 11/100 dollars (\$13,018.11) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 18-181 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**APPOINTING NEW MEMBER TO POLICE REVIEW COMMISSION**

**BY: MR. BRYANT**

**ORDINANCE 18-179**

Appointing a new member to the Police Review and Community-Police Relations Commission, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 18-182 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette.. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**RE-APPOINTING MEMBERS TO POLICE REVIEW COMMISSION**

**BY: MR. BRYANT**

**ORDINANCE 18-180**

Re-appointing members to the Police Review and Community-Police Relations Commission, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 18-183 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**CODIFIED ORDINANCE UPDATE; 515.03 FAIR HOUSING COMMISSION**

**BY: MR. LAWRENCE**

**ORDINANCE 18-181**

Amending Section 515.03 of the Mansfield Codified Ordinances to update and revise the composition of the Fair Housing Commission, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 18-184 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**FUNDING: OH DEPT MENTAL HEALTH; VETERANS COURT**

**BY: MR. LAWRENCE**

**ORDINANCE 18-182**

Authorizing the Safety-Service Director to enter into a contract for Fair Housing Services with the Richland County Board of Commissioners and the Richland County Regional Planning Commission, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 18-185 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes:

**FUNDING: OH DEPT MENTAL HEALTH; VETERANS COURT**

**BY: MR. LAWRENCE**

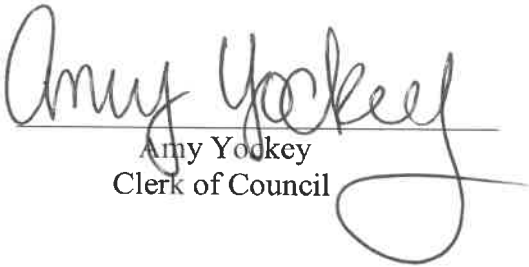
**ORDINANCE 18-187**

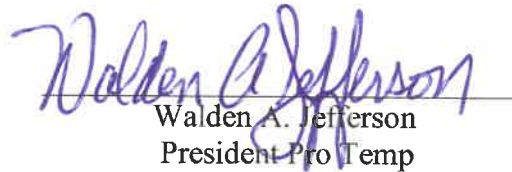
Authorizing the Safety-Service Director to enter into an option to purchase agreement for land associated with the future installation of two new water wells, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 18-187 be read and placed upon the floor for discussion, seconded by Mr. Falquette. The bill was placed upon the floor for final passage, seconded by Mr. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Falquette, Lawrence, Jefferson Mears, Pender, and Van Harlingen.

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

**ADJOURN:** Upon motion by Mr. Falquette, seconded by Mr. Lawrence, and passed by voice vote, the meeting was adjourned.

  
Amy Yockey  
Clerk of Council

  
Walden A. Jefferson  
President Pro Temp