

## **REGULAR COUNCIL MEETING SEPTEMBER 20, 2016**

The second semi-monthly meeting of Mansfield City Council met on Tuesday, September 20, 2016 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Garnetta Pender 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.

### **MONDAY DEADLINE**

**MR. HILL:** I move with respect to Bill 16-210 that the rule requiring legislation be submitted by Monday at 4 pm be suspended and that Bill 16-210 be allowed on the floor tonight, seconded by Mr. Rock and 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**

#### **APPROP \$105,445 FOR 5<sup>TH</sup> FLOOR RENNOVATIONS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-202**

Appropriating the sum of One Hundred Five Thousand Four Hundred Forty-five Dollars (\$105,445) from the unappropriated General Fund (#101), to Maintenance Operations for the purpose of paying for 5<sup>th</sup> Floor renovations for the US General Services administration, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-197 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.

**AMEND SEC 7 OF 15-125 – COMM. DEV. MANAGER & SEC III**

**BY: MR. LAWRENCE, MR. VAN HARLINGEN, MRS. PENDER**

**ORDINANCE 16-203**

Amending Section 7 of Ordinance 15-125 to rename the position of Community Development Manager as the “Community Development and Housing Director” and reclassify the position of Confidential Secretary as a Secretary III position, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-205 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.

**HR DIRECTOR REMY:** Chris and I, from the Law Dept., tried to get together on Friday to clarify some minor issues with this legislation and we missed each other and so we talked Monday, we tried to get it in before it went to Council, and I believe earlier I had indicated that it was my wish to make this position an Executive position from an FSLA standpoint, and Chris and I talked about it a little bit. All of our directorships should be an Executive level FSLA positions rather than Administrative positions. For some reason, unbeknownst to me or unknown to me, the Economic Development Director position in the Ordinance is labeled as Administrative. It should be made Executive also, so I would ask that both of the directorships under this dept. be labeled, for FSLA purposes, Executive positions vs. Administrative positions, simply because of the duties and the breadth of the job and again, the other 4 directorships under the Mayor’s control are considered, for FSLA purposes, as Executive positions vs. Administrative positions. It’s just a housecleaning maneuver I would request.

**PRESIDENT SCOTT:** So, is it presently in this legislation that we have?

**HR DIRECTOR REMY:** Is it listed Executive or is it listed as Administrative?

**CLERK YOCKEY:** I think he made that change.

**HR DIRECTOR REMY:** Did he make the change? Ok. I haven’t seen the latest version. As long as it’s been corrected.

**PRESIDENT SCOTT:** I thought these both said Executive.

**MR. JEFFERSON:** What is FSLA?

**HR DIRECTOR REMY:** Fair Labor Standards Act which talks about 40 hours in a week and if you work more than 40 hours in a week you get overtime and certain positions are exempt from overtime requirements. Executive and Administrative and Professional positions are exempt from overtime requirements. That's going to change a little bit in December cuz the Administrative personnel may become subject to overtime eligibility depending on how much they make cuz the government is raising the ceiling on extensions.

**MR. JEFFERSON:** So being Executive he won't qualify for overtime.

**HR DIRECTOR REMY:** No.

**RES. ACCEPTING AMOUNTS AND RATES – TWP OF MANSFIELD**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-204**

Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Upon motion by Mr. Van Harlingen that Bill 16-206 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.

**RES. ACCEPTING AMOUNTS AND RATES – CITY OF MANSFIELD**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-205**

Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Upon motion by Mr. Van Harlingen that Bill 16-207 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.

**ODOT – BRIDGE INSPECTION PROGRAM SERVICES**

**BY: MR. JEFFERSON**

**ORDINANCE 16-206**

An Ordinance enacted by the City of Mansfield of Richland County, Ohio, hereinafter referred to as the Local Public Agency.

Upon motion by Mr. Van Harlingen that Bill 16-208 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 SALT SUPPLY**

**BY: MR. JEFFERSON**

**ORDINANCE 16-207**

Authorizing the Safety-Service Director to advertise for bids and enter into a contract for salt supply, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 16-209 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.

**AMEND SEC 2 OF 16-105 – NEW OWNER OF PARCEL**

**BY: MR. LAWRENCE**

**ORDINANCE 16-208**

Amending Section 2 of Ordinance No. 16-105 authorizing the demolition of 220 Park Avenue West, to reflect the new owner of the parcel, the City of Mansfield, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 16-210 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.

**DONATION OF \$999.99 FROM CHILDREN SERVICES**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-209**

Authorizing the City to accept a donation of Nine Hundred Ninety-nine and 99/100 (\$999.99) from the Richland County children Services, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-211 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 DONATE LAND FOR IMPROVEMENTS TO BOWMAN ST BRIDGE**

**BY: MR. JEFFERSON**

**ORDINANCE 16-210**

Authorizing the Safety-Service Director to donate multiple small parcels of land equaling less than an acre of City land to public right-of-way for improvements to the new Bowman Street Bridge, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 16-212 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.

**AMEND CHAPTER 193 – COMPLY WITH OHIO SB 172 – RETIRED CITIZENS – 1<sup>ST</sup> READING**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-211**

Amending portions of Chapter 193 of the Codified Ordinance of the City of Mansfield regarding municipal income tax to ensure compliance with Ohio SB 172 and enacting portions of Chapter 193 to allow for certain exemptions for retired citizens of Mansfield, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-213 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was given its first reading.

**APPROP \$101,934.71 FROM PARKS FOR OPERATIONS**

**BY: MR. VAN HARLINGEN**

**ORDINANCE 16-212**

Appropriating the sum of One Thousand Nine Hundred thirty-four and 71/100 Dollars (\$101,934.71) from the unappropriated Parks and Recreation Fund (#236) to be used for operations and potential capital outlay through the remainder of the fiscal year, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 16-214 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.

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Amy Yockey  
Clerk of Council

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Phillip Scott  
President of Council