

**REGULAR COUNCIL MEETING April 16<sup>th</sup>, 2019**

The second monthly meeting of Mansfield City Council met on Tuesday, April 16<sup>th</sup>, 2019 at 8:10 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Rock led the audience in prayer.

**ROLL CALL:** The following answered present at roll call: Falquette, Rock, Van Harlingen, Lawrence, Taddie, Bryant, Mears and Scott. Jefferson was absent

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

**PRESIDENT SCOTT:** Are there any Committee Reports? None.

**MONDAY DEADLINE**

**MS. TADDIE:** I move with respect to Bill 19-053 that the rule requiring legislation be submitted by 4 PM on Monday be suspended and that Bill 19-053 be allowed on the floor this evening, seconded by Mr. Rock and passed by vote: Ayes: 6, Nays: 2 Opposed - Mr. Falquette, Ms. Taddie.

**SUSPEND RULES**

**MS. TADDIE:** I move with respect to all bills that come before Council this evening 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: 8-0

**PRESIDENT SCOTT:** Public Comments?

**MR. JOHN FERNYAK:**

I'm John Fernyak and I represent Engle Properties. I'd just like to thank Mr. Bianchi for a brilliant plan on Mulberry Street. I think Mr. Bianchi has put together a plan that the last three plans couldn't solve. So, I'd just like to say that our investors are one hundred percent behind that.

**PRESIDENT SCOTT:** Thank you very much.

**PRESIDENT SCOTT:** Are there any Committee Reports? None.

**MONDAY DEADLINE**

**MS. TADDIE:** I move with respect to Bill 19-078 that the rule requiring legislation be submitted by 4 PM on Monday be suspended and that Bill 19-078 be allowed on the floor this evening, seconded by Mr. Rock and passed by vote: Ayes: 7, Nays: 0.

## SUSPEND RULES

**MS. TADDIE:** I move with respect to all bills that come before Council this evening 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. Jefferson. The vote was taken and resulted as follows: 7-0

## LEGISLATION

### Public Works Director Agreement with Utility Service Company Inc.

**BY: MR LAWRENCE**

**BILL 19-053**

**\*\*Second Read**

**ORDINANCE # 19-053**

Authorizing the Public Works Director to enter into an agreement with the Utility Services Co., Inc. for the replacement of the City's water meter system, and declaring an emergency.

**PRESIDENT SCOTT:** Discussion?

**MR. VAN HARLINGEN:** I just wondered, Mr. Bianchi are we going to have a final number for contract that we can put into this legislation for the next, reading?

**MR. BIANCHI:** It was my understanding that the amount 10,000,000.00 was going to be put in the legislation. Is that what was motioned last, last meeting?

**MR. LAWRENCE:** Yes.

**MS. TADDIE:** It was discussed... (inaudible chatter of several voices), it hasn't happened yet, though.

**MR. BIANCHI:** So, I don't know how that...how that...

**MR. LAWRENCE:** Is that the info still missing on my piece, I still don't have that in there....

**CLERK AMY:** I guess I could just put that in there...

**MR. VAN HARLINGEN:** So, we can just have that in there for the next meeting...?

**CLERK AMY:** So, I'm just throwing that in there?

**MAYOR:** That's...That's what it...

**CLERK AMY:** Law Director?

**LAW DIRECTOR SPON:** What was the question?

**CLERK AMY:** Am I just to put the amount in there or uh...is that something that's coming from your office?

**PRESIDENT SCOTT:** For the amount...?

**VARIOUS PERSONS:** Inaudible mumblings.

**DIRECTOR SPON:** Yeah, \$18,000,000.00

**CLERK AMY:** So just put, write it in there? Alright!

**DIRECTOR SPON:** Yeah, not to exceed \$18,000,000.00

**CLERK AMY:** That's cool.

**PRESIDENT SCOTT:** Any other questions discussion? Ms. Taddie.

**MS. TADDIE:** Well, I, I'm not sure that we came to a meeting of the minds regarding the challenge with needing to fund water; everybody wants good safe water, now and in the future. With the potential shock value of someone's water bill, positive shock, if it goes down, no one will complain, I promise we won't get calls about that one. (**President Scott:** Chuckles) but um I think the comments previously brought up about the residents and we really don't know if it would be a ten percent or somebody might have a really old meter or who knows it could double or fifty percent increase even and so I'm wondering if is there a way that we can kind of buffer that, that potential increase for the most vulnerable citizens? People that might not be able to see a fifty dollar a month increase as something they can just (snaps fingers) right away get into and if indeed we are capturing some or already capturing, from the Mayor's reports, some of the meters have already been replaced. We set a small pool of money aside that could help support people, the most vulnerable population that has the most modest means that could either be formulated into the bill and saying hey this is your true bill, but because you applied for this you're going to get a cut; or maybe through partnership with a non-profit agency that already income verifies people and already, you know donates money to people to pay their utility bills; that could be some sort of safety net, incase, a resident gets hit hard, harder than they could afford, so, think we could still then, see the value in getting all the meters changed over but still have a cushion for be it six months or ten months or something a transition, you know, backing that credit down a little each month until they're paying the full bill, is something or some other suggestion of a way we can protect the most vulnerable resident from getting a shock and being really put out and in danger of, you know, losing their utilities.

**PRESIDENT SCOTT:** Mr. Falquette.

Mr. Falquette: Mr. President we currently have a Board of Utilities Appeals that already meets so that if you don't like your bill you can go to that body and ask for a relief or any of those suggestions that you made....

Ms. Taddie: And is there money set aside to support people that may say, oh yeah, I've used the water, but it went from fifty dollars to a hundred dollars a month and uh, uh, that's a lot for me, um, you know *they're* not necessarily saying that they didn't use it there just saying that they're aren't able to absorb that increase so quickly. I don't know does it apply to that sort of situation? I've seen twelve hundred-dollar bills get...

**PRESIDENT SCOTT:** Mr. Falquette.

**MR. FALQUETTE:** If, if you don't mind, I I've sat on a couple of those meetings and a lot of the time when somebody has a thousand and I think they've been up to five thousand dollars, somebody's has a serious leak. Unfortunately, the most popular leak's a toilet leak, and a lot of people don't hear them, and don't even know they have a leak. Um, I think, to me, a lot of the vulnerable people that I'm imagining are elderly, singles, couples even if their water meter was accurate how much could they use in a normal situation. I just don't see a hundred-dollar bill being normally possible, any thing's possible, but (inaudible mumblings from others), I don't have a good answer, just a thought. Thank you.

**PRESIDENT SCOTT:** Mayor.

**MAYOR THEAKER:** I what I would like to do is, defer to the Law Department, because, I would like to get some type of ruling or... just some information from Director Spon, because that is a Utility Company and are we allowed, are we able to offset the costs and provide compensation?

**DIRECTOR SPON:** Yes. Let me say first of all I think they are separate issues, we have the issue of the essentially operating the distribution of water and we are operating, technically at a loss, because our meters are not up-to-date and it would be untenable to...for a city to function knowing it's losing money. So, I think the purchase, installation, modernization of the water meters is a separate issue. Beyond that, City Council I 'll have the authority at any time to modify rates based upon certain lawful factors. Like age; age is one example. Handicap, may be another. So, there are categories where rates can be modified for certain select groups, that are authorized by law and I think it would be somewhat, uh, dangerous to tie in the passage of legislation to install new meters with a type of promise or effort to sort out what rates should be and applied at home before we have the experience and facts of the impact of the new system. So that would be my answer.

**PRESIDENT SCOTT:** Any other questions, concerns, comments? Mr. Bryant.

**MR. BRYANT:** Thank you Mr. President. I am... this is the second request, um, can I please have an outline of the entire meter project? Um, a timeline, cost estimate, how many meter's we're installing, um just a whole outline of what we're doing here? If I could get that information from you. Whenever. Thank you. I don't feel comfortable voting on this until I have that information.

**MAYOR THEAKER:** Nineteen thousand meters...

**MR. BIANCHI:** I'm sorry I don't have the sheet I handed out last time...you were given.

**MR. BRYANT:** That's the...that the sheet? It gives you the cost...?

**MR. BIANCHI:** Yeah, the cost, the meters, um we discussed timelines I...I.

**MR. BRYANT:** And then labor? Are we... Is it all outsourced Labor or is it...?

**MR. BIANCHI:** Yes.

**MAYOR THEAKER:** They will do the whole thing. Come in and, and that's what this whole project is we're doing.

**MR. BRYANT:** Okay. And not necessary, but can we have this information, uh, uh, I guess we're pairing this with three other projects, the Dry Dam (which we delayed), then we have the water meter project and then the third one. So, I would just like to see where we're at with all of our projects, "cause we're talking a lot of money that's being spent here. Not necessary, but if I could just, if you could give me a sheet of something... I don't know who it's directed towards. But, outlining the projects that you're looking to explore this year and put into action.

**MR. BIANCHI:** What was the third one?

**MR. BRYANT:** I can't recall at this time. I have to go through my notes. There are several projects.

**DIRECTOR REMY:** Clearfork. He's probably talking about the Clearfork reservoir. The Dam at Clearfork. We talked about that, as being our project at some point and time.

**MR. BRYANT:** So many Projects, if I could just get...

**MR. BIANCHI:** I can give you, I have a ten-year capital improvement plan as well if, if you, we've got all the projects outlined, and projected out, and cost, um...

**MR. BRYANT:** And this would better help me understand where we're at.

**MR. VAN HARLINGEN:** Thank you Amy.

**PRESIDENT SCOTT:** Any other questions, comments, concerns on 19-053? None.

**HONORING CHIEF KENNETH COONTZ**

**BY: MR. BRYANT**

**BILL 19-071**

**ORDINANCE 19-071**

Honoring Chief Kenneth A. Coontz upon his retirement from the Mansfield Division of Police.

Discussion:

**PRESIDENT SCOTT:** Well, it's unfortunate that Chief couldn't be here tonight, cause I'm sure a lot of us would like to uh make a lot of special comments and uh, Mr. Mears.

**MR. MEARS:** The only comment I would like to make is that he is, he is a great guy and I'm glad he's going to be sticking around.

**PRESIDENT SCOTT:** There you go!

Upon motion by Mr. Bryant that Bill 19-071 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

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

**ADVERTISE FOR BIDS & ENTER INTO CONTRACT FOR SALT**

**BY: MR. BRYANT**

**BILL 19-073**

**ORDINANCE 19-072**

Authorizing the Public Works Director to advertise for bids and enter into a contract for salt supply, and declaring an emergency.

Discussion:

**PRESIDENT SCOTT:** Is there any discussion?

**MR. FALQUETTE:** Mr. President. Is this the same month and time that we did this last year or is this earlier?

**MAYOR THEAKER:** Slightly earlier.



**MR. FALQUETTE:** Wonderful! Thank you.

**PRESIDENT THEAKER:** Yes. Have we heard any of the same concerns where there were problems at some of these salt-mines...is...?

**MAYOR THEAKER:** The same the same...well...well...the um, the mine under Lake Erie is still not producing as much as it could, and not even (inaudible) we have not heard anything about the salt mine under Michigan, because Michigan's, uh, Michigan's problem last year was transporting that salt to this area, and that was some issues that they had with they're employees, the other one Upstate New York, we did not know, uh, the reason that we, always in the past um, and Bobbie can confirm this, going out at the same time uh, is August time Frame, uh everybody else goes out at the timeframe; if this is a gamble, this is a big time gamble. Cause usually when you go out in August to get the salt you they the producers already know what they're producing throughout the summer. They already know what they are, have left over for last year and then they can price their salt according to that. So, this is a gamble that we're trying to take to be out there a little earlier and we're hoping that it'll be successful.

**PRESIDENT SCOTT:** Thank you for the input. Any other discussion? None.

Upon motion by Mr. Bryant that Bill 19-073 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.

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

#### **LICENSE TO CYPRESS HILL – 51 EAST FOURTH STREET**

**BY: MR. BRYANT**

**BILL 19-074**

**ORDINANCE 19-073**

Granting a license to Cypress Hill Winery Hudson and Essex Restaurant, 51 East Fourth Street, Mansfield, Ohio, to use the public right-of-way for the installation of steps, accessibility ramp, and canopy, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 19-074 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.

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

#### **ACCEPT HONOR GUARD DONATION \$800**

**BY: MR. VAN HARLINGEN**

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**BILL 19-075**

**ORDINANCE 19-074**

Accept and appropriate Honor Guard Donation in the amount of eight hundred dollars (\$800), to be used for expenses for the Honor Guard Program, and declaring an emergency.

Upon motion by Mr. Bryant that Bill 19-075 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.

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

**ACCEPT GRANT FROM RICHLAND CO FOUNDATION - \$700 HOOKED ON FISHING**

**BY: MS. TADDIE**

**BILL 19-076**

**ORDINANCE 19-075**

Authorizing the Public Works Director to accept and appropriate a grant from the Richland County Foundation in the amount of seven hundred dollars (\$700) to be used for the City's Parks and Recreation Department Hooked on Fishing - Not on Drugs Program, and declaring an emergency.

Upon motion by Mr. Taddie that Bill 19-076 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.

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

**TRANSFER \$4,500 WITH OCIE HILL OPS FOR SECURITY CAMERAS**

**BY: MR. VAN HARLINGEN**

**BILL 19-077**

**ORDINANCE 19-076**

Transferring appropriations in the amount of four thousand five hundred dollars (\$4,500) within the General Fund (#101) from the Ocie Hill Center Operations (101.63.01) Contractual Services Classification to the Ocie Hill Center Operations (101.63.01) Capital Outlay Classification to be used for security cameras and security equipment, and declaring an emergency.

**PRESIDENT SCOTT:** Any Discussion on bill 19-077?

Upon motion by Mr. Lawrence that Bill 19-077 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.

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

**ACCEPT FUNDING FROM OCJS \$112,500 FOR METRICH**

**BY: MR. VAN HARLINGEN**

**BILL 19-078**

**ORDINANCE 19-077**

Authorizing the Mayor and Safety-Service Director to accept funding from the Ohio Office of Criminal Justice Services under the 2018 Subgrant in the amount of one hundred twelve thousand five hundred dollars (\$112,500) to be used for METRICH operations, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 19-078 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.

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

**ODOT: RESURFACING**

**BY: MR. BRYANT**

**BILL 19-084**

**ORDINANCE 19-078**

WHEREAS, the State has identified the need for the described project:

Performing a concrete field paved of the culvert invert and the culvert structural repair under Home Road of the northern intersection leg of SR 0430 within the city of Mansfield in Richland County.

Construction is Tentatively to begin in the summer of 2021.

Upon motion by Mr. Lawrence that Bill 19-084 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.

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

**PRESIDENT SCOTT:** Are there any closing comments before adjournment this evening?

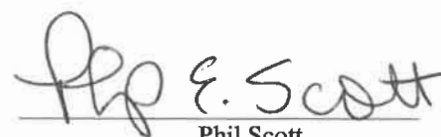
**MR. BRYANT:** Just a minute Mr. President. Uh, regarding that bill 19-079 for the downtown improvement operations; what it looks like is that we created this board for the downtown improvement, um for Mansfield, but it's looking like a private club, if, I support the work that you are doing, I love it but, uh if you can create an opportunity for your public officials to um stay involved in the entire process, that would be appreciated, but uh.

**MAYOR THEAKER:** I If I may Mr. President? That's why we bring it to council and we can debate it here.

**MR. BRYANT:** Okay. Thank you.

**ADJOURN:** Upon motion by Mr. Falquette, 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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Phil Scott  
President