

REGULAR COUNCIL MEETING
June 18, 2019

The Second monthly meeting of Mansfield City Council met on Tuesday, June 18th, 2019 at 7:00 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Lawrence led the audience in prayer.

ROLL CALL: The following answered present at roll call: Falquette, Rock, Van Harlingen, Jefferson, Lawrence, Taddie, Bryant, and Mears, Scott was absent Lawrence made a Motion for him to be excused, seconded by Rock.

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

Public Comments: None

MONDAY DEADLINE

MR ROCK: I move with respect to Bills 19-127, 19-128, 19-129, 19-130, 19-140, & 19-141 that the rule requiring legislation be submitted by 4 PM on Monday be suspended and that Bills 19-127, 19-128, 19-129, 19-130, 19-140, & 19-141 be allowed on the floor this evening, seconded by Mr. Rock and passed by vote: Ayes: 6, Nays: 1 Opposed - Mr. Falquette.

DISCUSSION:

MS. TADDIE: Yes. Mr. President, would like to bring to the topic there has been brought to our attention and discussed outside of this chamber, a, quite a number of late bills, this session, as well as last session and that it does cut short the ability of the various departments to weigh in on due-diligence etc. Would like to bring that up for discussion, publicly, at this point. Mr. Falquette.

MR. FALQUETTE: This has been one of the things I've driven for a long time. We've got a rule set. We've got a Monday evening deadline, a week before, not yesterday, a week ago. Last week 60%, of the legislation brought forward, was brought forward late. Tonight, it's another 30%. I'm not sure any of these things are absolutely burning, at the same time, I don't understand why a little bit of preparation couldn't have gotten these on the floor in a timely manner. Once in a while we've got something that, literally, comes inside there that's really important, has a deadline, but so many of these things should be able to get inside of the normal work rules. And that's been my whole point the whole time. So, it's difficult for me to pass and keep... why have a rule if we're not going to use it? Thank you.

PRO-TEMP JEFFERSON: Is there any other discussion on this? I'd like to know, where is the break down? Can somebody tell me where the break down is that it's not getting in on time?

LAW DIRECTOR SPON: I think I can speak for our office. We currently encourage each of the departments or those that are responsible for Legislation to, please, please, please, get them in earlier and it's not unusual that our office is asked at the eleventh hour to prepare Legislation. I think it's just a matter that each of the departments or sponsors is just so extremely busy that they are doing the best they can to get them in. But, let me just say this that I agree with Council in terms of rule, we should recognize a weight to rule, but at the same time balance it in terms of efficiency. If we have the subject matter of a grant and we run the risk, in theory, of losing the grant, through some unexpected, extraordinary, or unforeseen event, it's best to move on it, accept the grant and then we have a binding contract to receive it. So, I agree with your general thoughts and considerations for the public Um, I guess there's just some things that I think, that I can't think of any type of any type of objection that would be in the best interest of the City, like a grant. I think a grant should be accepted. As long as there's not, as long as we know that we can meet a match or something like that. Matches, local match isn't a problem.

PRO-TEMP JEFFERSON: Well, I would, I would agree with your suggestion and what you're saying about grant money, but other times it might not be grant money, just moving money from one fund to another fund. I, Mr. Falquette, I'm in the same with you; I think they should adhere to the rule, and if they late then they have to wait an extra Council session. Any more discussion on this? Mrs. Taddie.

MS. TADDIE: Well, just to wrap, my thought on the process is, if it's coming in, in the middle of the week, after the deadline, maybe we should start thinking of it that they're really early for the next Council and you know, move on that basis and as it's been discussed, if there's a time sensitive issue on the table that I work in grant timelines all the time; you miss the deadline you don't get the grant, so I understand that there are moments when we have to make these motions to move, but we seem to be depending on it more and more as those order of business and we want to make it as definitely the exception. So, if we could, you know do our part to share that, uh, on down the chain and the departments as well. With that said, we did move, tonight, to move Bill 140 and 141 through for a vote.

PRO-TEMP JEFFERSON: Are you done Mrs. Taddie?

MS. TADDIE: Yes.

PRO-TEMP JEFFERSON: Mr. Lawrence.

MR. LAWRENCE: I'm sorry. No, I'm not sorry I'm sorry... laughs, I'm sorry for apologizing.

AUDIENCE: Laughter.

MR. LAWRENCE: I agree with my colleges, Mr. Falquette and Mrs. Taddie, um, but in the same sense there are some pieces of Legislation, I don't want to say weightier or of more importance, I think every piece of Legislation has its own life to it and I think we're all bright enough and smart enough to what's important and what's not important. What can be hurried and what can't be hurried. I just want us to keep that I mind moving forward, there are some big issues that come

before us that, in the past, what I've seen so far, in my five years of Council, we've slowed down or we've sped up, so, um let's also keep that in mind in moving forward.

MR. MEARS: If I may, make a comment?

PRO-TEMP JEFFERSON: Oh, Okay.

MR. MEARS: I agree with my colleges here, I think, the point is, that we see a lot of routine Legislation, things that come up that are regular, not emergencies that tend to get processed late, so I think, keeping mind, the emergencies, the impact that it would have if it was not accepted, yes, but for the most part, I think most of what we've seen are things that are not emergencies, that are just late in being handed in. So, my question for tonight is do we want to let it go for tonight because we're adhering a deadline that maybe the departments are used to us accepting late, and maybe impose a stricter guideline for upcoming Council meetings. That's something we might want to consider tonight.

PRO-TEMP JEFFERSON: Mrs. Taddie.

MS. TADDIE: I'm in agreement with that. I think you want to set standards and clarify that the slide is, that we've drawn the line in the sand and I'm not against moving these forward tonight.

COUNCIL VOTE:

Electronic vote was taken to move Bills trough for June 18th Council and begin adhering to the rules as of the next Council Meeting, July 2nd: Ayes 8, Nays 0

SUSPEND RULES

MR TADDIE: 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.

Public Comment:

NONE

PRO- TEMP JEFFERSON: Are there any Committee Reports?

MR. BRYANT: Mr. President, I just have one. There is a Commission, a Committee, a Gold Star Family's Committee, who has invited us all to participate or to attend a Gold Star Family, or Gold Star Memorial ground breaking ceremony at the Court House on July 6th at 11:30. A Gold Star Family is for any families who've lost a loved one, Okay. So, they've invited us to, uh, attend that Ceremony. It's a ground-breaking Ceremony; July 6th at 11:30.

PRO-TEMP JEFFERSON: Could we have a reminder when it gets a little closer?

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MR. BRYANT: Absolutely. Absolutely.

PRO-TEMP JEFFERSON: Thank you. Thank you very much!

APPROPRIATION: GENERAL FUND TO H.R. \$32,300.00

BY: VAN HARLINGEN

BILL # 19-121

ORDINANCE # 19-117

BY: MR. VAN HARLINGEN

Appropriating the sum of thirty-two thousand three hundred dollars (\$32,300) from the unappropriated General Fund to the Human Resources Department, for ID badge software update (\$800), Network ID card printer (\$4,000), and Union Contract Negotiations Consultants (\$27,500), and declaring an emergency.

FIRST READ

DISCUSSION: NONE

TAX BUDGET: RICHLAND CO., BEGINNING JANUARY 1, 2020

BY: MR. MEARS

BILL # 19-125

ORDINANCE # 19-118

Adopting the Tax Budget of the Township of Mansfield, Richland County, Ohio, for the fiscal year beginning January 1, 2020, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Van Harlingen, that Bill 19-125 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

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

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DISCUSSION: NONE

TAX BUDGET: CITY OF MANS., BEGINNING JANUARY 1, 2020

MR. VAN HARLINGEN:

BILL # 19-126

ORDINANCE # 19-119

Adopting the Tax Budget of the City of Mansfield, Ohio, for the fiscal year beginning January 1, 2020, and directing submission of the same to the County Auditor, and declaring an emergency.

Upon motion by Mr. Van Harlingen, that Bill 19-126 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

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

DISCUSSION: NONE

DEMOLITION: 42 SHERMAN AVENUE

BY: MR. LAWRENCE

BILL # 19-127

ORDINANCE # 19- 120

Declaring the remains of a designated dwelling (42 Sherman Avenue) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

Upon motion by Mr. Rock that Bill 19-127 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.

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

DISCUSSION: NONE

DEMOLITION: 156 BARTLEY AVENUE

BY: MR. LAWRENCE

BILL# 19-128

ORDINANCE # 19-121

Declaring the remains of a designated dwelling (156 Bartley Avenue) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 19-128 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.

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

DISCUSSION: NONE

DEMOLITION: 161 WEST FIFTH STREET

BY: MR. LAWRENCE

BILL # 19-129

ORDINANCE # 19-122

Declaring the remains of a designated dwelling (161 West Fifth Street) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor, materials and equipment, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 19-129 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.

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

DISCUSSION: NONE

DEMOLITION: 1109 WYANDOTTE AVENUE

BY: MR. LAWERNCE

BILL # 19-130

ORDINANCE # 19-123

Declaring the remains of a dwelling (1109) Wyandotte Avenue) to be insecure, unsafe, structurally defective and dangerous to life and other property; directing the demolition thereof by City forces or contract labor materials and equipment, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-30 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.

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

DISCUSSION: NONE

ACCEPT/APPROPRIATE FUNDS: PARKS & REC.

BY: MR. VAN HARLINGEN

BILL # 19-131

ORDINANCE #19-124

Authorizing the Public Works Director to accept and appropriate a donation from S/C Parties, LLC. in the amount of three hundred five dollars (\$305.00) to be used for the City's Parks and Recreation Department Summer Fun in the Parks Program, declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-131 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.

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

DISCUSSION: NONE

ACCEPT/APPROPRIATE DONATIONS: PARKS & REC

BY: MR. VAN HARLINGEN

BILL # 19-132

ORDINANCE # 19-125

Authorizing the Public Works Director to accept and appropriate donations from Mansfield Association of Realtors in the amount of four hundred thirty-five dollars (\$435.00) to be used for the City's Parks and Recreation Department at Liberty Pools, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-132 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.

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

DISCUSSION: NONE

TRANSFERRING APPROPRIATIONS: GRANT FUND/#224

BY: MR. VAN HARLINGEN

BILL # 19-133

ORDINANCE # 19-126

Transferring appropriations in the amount of seven thousand two hundred thirty-six and 76/100 dollars (\$7,236.76) within the Grant Fund (#224), and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-133 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.

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

CAPITAL PROJECTS FUND XFER: Downtown Imp. Tax Fund

BY: MR. VAN HARLINGEN

BILL # 19-134

ORDINANCE # 19-127

Establishing new Capital Projects Fund #425, entitled "Downtown Improvements (\$5.00 Tax) Fund," to be funded by transfers from the General Fund in an amount equal to that generated by the annual motor vehicle license tax pursuant to ORC 4504.06, and to be used solely for downtown improvement projects, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 19-134 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.

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

DISCUSSION: NONE

APPRORIATIONS: DOWNTOWN IMPROVEMENTS FUND

BY: MR. VAN HARLINGEN

BILL # 19-135

ORDINANCE # 19-128

Appropriating the sum of eighteen thousand dollars (\$18,000) from the unappropriated Downtown Improvements (\$5 Tax) Fund #425, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-135 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.

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

DISCUSSION: NONE

APPROPRIATIONS: DOWNTOWN IMPROVEMENTS FUND #425

BY: MR. VAN HARLINGEN

BILL # 19-136

ORDINANCE #19-129

Appropriating the sum of one hundred eighty-eight thousand seven hundred forty-four dollars (\$188,744) from the unappropriated General Fund for the purpose of transferring funds to the newly created Downtown Improvements (\$5 Tax) Fund #425, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-136 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.

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

DISCUSSION: NONE

ACCEPT/APPROPRIATE DONATIONS: PARKS AND REC

BY: MR. VAN HARLINGEN

BILL # 19-137

ORDINANCE # 19-130

Authorizing the Public Works Director to accept a Grant from the Richland County Foundation in the aggregate amount of four thousand two hundred dollars (\$4,200) for the purpose of hiring an intern in the Community Development Department, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-137 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.

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

DISCUSSION: NONE

TRANSFERING APPROPRIATIONS/GRANT FUND/#224

BY: MR. VAN HARLINGEN

BILL # 19-138

ORDINANCE # 19-131

Authorizing the Safety-Service Director to accept funding from the Ohio Department of Rehabilitation and Correction for the Probation Improvement and Incentive Program in the amount of three hundred sixty-five thousand six hundred ninety-six dollars (\$365,696), and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 19-138 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.

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

DISCUSSION: NONE

COMMUNITY CORRECTIONS GRANT

BY: MR. VAN HARLINGEN

BILL # 19-139

ORDINANCE # 19-132

Accepting a Community Corrections Act Grant in the amount of two hundred fifty-nine thousand five hundred four dollars (\$259,504), authorizing the Safety-Service Director and any other appropriate City official, to execute a Subsidy Grant Agreement for Community-Based Corrections Programs with the Ohio Department of Rehabilitation and Correction, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-139 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.

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

DISCUSSION: NONE

ADVANCING FUNDS FOR IT

BY: MR. VAN HARLINGEN

BILL # 19-140

ORDINANCE # 19-133

Authorizing the advance of funds from the General Fund to the Information Technology Fund for the purpose of providing resources to the Information Technology Fund, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-140 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.

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

DISCUSSION: NONE

APPROPRIATION: \$1,500.00 FROM IT FUND (#602)

BY: MR. VAN HARLINGEN

BILL # 19-141

ORDINANCE #19-134

Appropriating the sum of one thousand five hundred dollars (\$1,500) from the unappropriated Information Technology Fund (#602) for the purpose of updating New World version 2017.1 to 2019.1 for both the live and test environments, and migrating to a new server, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-141 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.

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

DISCUSSION: NONE

FALSE ALARMS ACCRUAL

BY: MR. BRYANT

BILL # 19-142

ORDINANCE # 19-135

Amending Sections 755.04 and 755.05 of the Mansfield Codified Ordinances of 2004 concerning the accrual of false alarm offenses, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 19-142 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.

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

DISCUSSION: NONE

CLOSING COMMENTS:

DIRECTOR SPON: Wanted to make one comment just for Council member's consideration. I understand the idea of reading each piece of Legislation three times, but I just throw this out as an example. We have, roughly, eight pieces of Legislation, that were read that were to be moved up for vote today, and I can't think of in any single instance a legitimate rational reason to delay not voting on them, as we did tonight. But, if you give three reading to everything that comes before you, then if we didn't pass these eight, you're going to add those eight to the agenda at your next meeting. The second meeting you're going to be up to adding sixteen. The third meeting you're going to be adding twenty-four, possible pieces of Legislation, that there may not have been a legitimate reason to, to delay. And also, we'll have to find out on any of these grants, is there a deadline, and we'll have to ask on every piece of Legislation is there a deadline.

PRO-TEMP JEFFERSON: Okay. Thank you very much. Mr. Falquette.

MR. FALQUETTE: Just in a quick rebuttal to that, it doesn't have to do with the multiple readings. It has to do with the preparation for the very first reading. The very first reading, we need to get our email on time and have proper amount of time to read it prepare for it; give us the opportunity to ask questions. We certainly, I don't see how that has anything to do with multiple readings, it has to do with the very first reading. And as far as these grants go I don't know, I didn't keep a tally, but multiple times annual grants come up, annual grants, and they're on the deadline. "I got to have this at this meeting, cause it's due on the 30th." It's the same grant every year, there's no reason somebody can't mark it on the calendar. That's where I'm coming from.

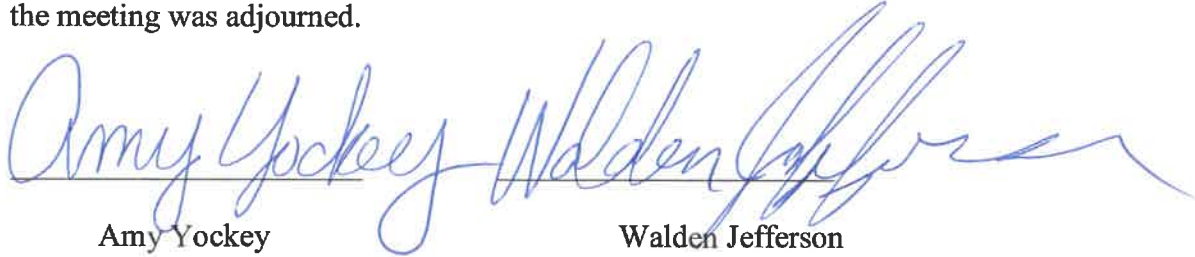
PRO-TEMP- JEFFERSON: I agree with you. Mr. Mayor.

MAYOR THEAKER: The only thing about those grants is, usually, the individuals doesn't even know until the week before or the week of. I mean that's how grants are. They may be the annual grant, that we may luck-out and get...but, sometime we don't know for sure that we're getting it until it's been awarded and that's when the crunch-time comes into play, sometimes.

MR. BRYANT: Wasn't that an example of that with the Victim's Assistant Grant, Mr. President? Mr. Mayor? That we had in October that happened, it came in the week before, it came in on that Friday and we had to rush it in or something?

PRO-TEMP JEFFERSON: I think most of our Council members, like Mr. Falquette said, get it in on time. They can read it and make a decision to push it forward, or two to three readings. I don't think that would be a problem. I think Mrs. Taddie and Mr. Falquette just wanted to put some information out there that there's too much slowness or late-time going on Mr. Mears even made comment to that. So, we just need to get that tightened up.

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



Amy Yockey
Clerk of Council

Walden Jefferson
Pro-Temp