

REGULAR COUNCIL MEETING
August 18, 2020

The Second monthly meeting of Mansfield City Council met on Tuesday,
August 18, 2020 at 8:54 PM via Zoom Meeting,
due to COVID-19 pandemic

The Pledge of Allegiance was recited by Council.

Councilman Lawrence led the audience in prayer.

ROLL CALL: The following answered present at roll call, via Zoom: Burns, Van Harlingen (in Chambers), Davenport, Lawrence, Taddie, Scott, Falquette, and Mears. Mrs. Meier was excused by Mr. Scott, Seconded by Mr. Falquette.

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

PUBLIC COMMENTS: NONE

NOTE: All emails are currently being ready proxy by Ward Council Members due to COVID-19 requirements.

COMMITTEE REPORTS: NONE

ADMINISTRATION COMMENT:

DIRECTOR COPE: I would like to one more thing. Um, just to say thank you to the Mayor and his staff and team for putting together this COVID qualification document and to Council for seriously considering it. As you know, I will speak to safety only, safety is our ultimate first responders in this pandemic and like Lee Tassif just gave us the documents showing that the majority of people are choosing to stay indoors and our safety forces don't have that luxury, but second to that, they would not do that. They're... they are very committed and dedicated to our citizens and we're just very grateful, that you're considering these expenditures to help them out as they do that.

PRESIDENT MEARS: Well put Director Cope. Well put.

DIRECTOR COPE: Thank you, Sir.

END OF DISCUSSION

MONDAY DEADLINE

NONE

SUSPEND RULES

COUNCILWOMAN BURNS: I move with respect to all the bills 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. Falquette. The vote was taken and resulted as follows: Ayes: 7, Nays: 0.

AUTHORIZING BONDS FOR THE WATER SYSTEM: \$35,000,000.00

BY: MR. VAN HARLINGEN

BILL #20-157 * 1ST Read

ORDINANCE #20-152

Authorizing the issuance of bonds in the amount of not to exceed \$35,000,000 for the purpose of constructing, renovating and improving the water system, including facilities, water mains and other structures and appurtenances related thereto; furnishing and equipping the same; improving the sites thereof; and acquiring land and interests in land necessary in connection therewith and authorizing and approving related matters; and declaring an emergency

Upon motion by Mr. Van Harlingen, Bill 20-157 be read and placed upon the floor for discussion, seconded by Mr. Falquette.

DISCUSSION:

PRESIDENT MEARS: I know that we've discussed this at quite a length tonight, is there any other discussion?

JON VAN HARLINGEN: Just a quick question, Mr. President. Uh, it was suggested that, uh, we move this forward to the fifteenth, I uh, I feel it should have probably have been done in Committee, would it still be proper to make it right, so that it coincides with all the other Legislation, relating to this issue; to go ahead and put a motion on the floor just to make sure it's proper?

PRESIDENT MEARS: I think that'd be fine.

JON VAN HARLINGEN: Okay. Thank you, Mr. President, in reference BILL 157, I would like to put a motion on the floor for its final reading to be September the 15th.

DAVID FALQUETTE: Second.

PRESIDENT MEARS: We have a motion and a second to move BILL 20-157 for a vote on the 15th of September. Councilwoman Burns how do you vote?

DAVID FALQUETTE: Mr. Mears.

PRESIDENT MEARS: Yes.

DAVID FALQUETTE: Discussion real quick, sorry. Discussion point.

PRESIDENT MEARS: Yes.

DAVID FALQUETTE: Should we have, are we including, a second reading of September the first?

PRESIDENT MEARS: Yes, we should be. I don't think we'll by-pass that. Yes.

JON VAN HARLINGEN: I don't see why not.

DAVID FALQUETTE: Okay. Okay. Is that inclusive of the motion the way that it sits?

PRESIDENT MEARS: Yes, as Amy has changed it. Today is the first reading the second reading is September 1st, vote September 15.

DAVID FALQUETTE: Wonderful! Thank you.

PRESIDENT MEARS: Okay, any further comments or questions about the motion to change the vote date?

JEAN TADDIE: Just a procedural question and maybe it would be a separate issue, but maybe not. Um, I agree with Mr. Van Harlingen, we should, I think we should vote on the rates before we vote on the Bond and is there a way that we could change the numbering or just change the order that we vote so that it does come up 158 and 159, come up for that vote? I'm sorry...yes...comes up for their vote and then this bill comes up and maybe that's a separate discussion. I don't know. I'm not sure.

PRESIDENT MEARS: Well, that's a good question. I think that when the vote comes we can certainly vote on them out of order, I believe. Amy, do you have any insight into that?

CLERK AMY: We can add a third reading. If that's what you talking about...(inaudible).

PRESIDENT MEARS: Are we talking about, Councilwoman Taddie, having the vote a week later or just on the same night, just later in sequence?

JEAN TADDIE: The same night, but to have the first vote that night be about the rates and then we go ahead and decide if we vote on the Bond. On the same night if we could just, like you said, if we could just switch the order of the Bills or how we can vote on them.

LAW DIRECTOR SPON: Mr. President? This is Law the Director.

PRESIDENT MEARS: Yes, Sir?

LAW DIRECTOR SPON: Uh, Council could pass a motion tonight to, uh, pass a motion to consider the Water Rate Bill before the \$35,000,000.00 finance bill. To switch the order, if they're one after the other.

PRESIDENT MEARS: Okay. That's an excellent idea.

JEAN TADDIE: I would make that motion then. We can finish the motion that we're on and I would make that motion, if it's appropriate, or whoever wants to do it.

JON VAN HARLINGEN: I would think that Mr. Lawrence, being the Chair of the Public Utilities Committee...

PRESIDENT MEARS: ...Okay...

JON VAN HARLINGEN: ...Might want to do that.

PRESIDENT MEARS: (Inaudible) ...Excellent idea Mr. Van Harlingen... (Inaudible)...

DAVID FALQUETTE: Mr. Mears. Point of Order. I think what he was trying to say is; lets; vote on this, finish the vote's that's on the floor, to add the reading, as soon as that's done then make another motion to reorder the sequence for that meeting at a later time. Otherwise you're going to have two different things open on the floor at the same time and you should only have one.

PRESIDENT MEARS: Absolutely right.

DAVID FALQUETTE: Okay. Thank you.

PRESIDENT MEARS: Thank you, Mr. Falquette.

JON VAN HARLINGEN: We're voting on what?

PRESIDENT MEARS: Right now, we're going to vote on changing the date of the vote.

JON VAN HARLINGEN: Oh, okay.

PRESIDENT MEARS: And then we'll vote on the sequence in which the vote will be taken on that same night.

JON VAN HARLINGEN: That is correct. We have to finish that first.

PRESIDENT MEARS: So, what we'll vote for first, and I believe that we have a motion and a second already, on changing the date on 20-157 for the vote on the 15th, regardless of sequence at this point.

Motion was made and vote was taken to change the date on Bill #20-157 for vote on the 15: Ayes: 7, Nays: 0 Motion passed 7-0.

PRESIDENT MEARS: That motion passes. Now, Councilwoman Taddie, would you like to make your motion?

JEAN TADDIE: Thank you Mr. President. I will make a motion, that on September 15th, the night we vote on these Bills, that we vote on the Water Rate increase, before we vote on the Bond issues. So, the motion would be to put 20-159... the vote on 20-159 before the vote on 20-157:

PRESIDENT MEARS: And would that also include the vote on 20-158?

JEAN TADDIE: Yes.

DAVID FALQUETTE: And I'll second that.

JASON LAWRENCE: Mr. President that was my question also. Are we...is this motion on both of those Bills?

JEAN TADDIE: I would say yes. I would make that motion, that the votes on 20-158 & 159 occur before the vote on 20-157.

DAVID FALQUETTE: Second.

PRESIDENT MEARS: Okay. I think that's clear. Is there any confusion on the motion for anyone? Okay. So, voting on the Bill on September 15th, of 20-157 to follow the votes on 20-158 and 159. We have a motion and a second.

Motion was made and vote was taken to change the sequence of Bill #20-157 to follow bills 20-158 & 159 : Vote was taken: Ayes:, Nays 0, Motion passed 7-0

PRESIDENT MEARS: And that makes perfect sense so, I think it's the right thing to do, well done.

JASON LAWRENCE: Now we have to have the First Reads on them correct?

JON VAN HARLINGEN: Yes.

PRESIDENT MEARS: Yes. Although I think we've had the First Read on 157.

JON VAN HARLINGEN: Correct.

END OF DISCUSSION

AMENDING MANSFIELD CODIFIED ORDINANCE TO REVISE SEWER RATES

BY: MR. VAN HARLINGEN

BILL #20-158 *1ST Read

ORDINANCE #20-153

Amending Sections 937.11 and 937.12 of the Mansfield Codified Ordinance of 1997, as amended, to revise sewer user rates by measurement, and declaring an emergency.

Upon motion by Mr. Van Harlingen, Bill 20-158 be read and placed upon the floor for discussion, seconded by Mr. Falquette.

DISCUSSION:

PRESIDENT MEARS: Is there any discussion? Okay, this is the First Read.

JEAN TADDIE: President Mears, I believe that this is the one that we had some revisions, from Director Remy, and do we need to make a motion to adopt those revisions so that we could discuss them further next time?

JON VAN HARLINGEN: This is the sewer Ms. Taddie, he was talking about water.

JEAN TADDIE: There were also some revisions on the sewer side.

JON VAN HARLINGEN: Correct.

DAVID FALQUETTE: I ... Mr. President?

PRESIDENT MEARS: Mr. Falquette.

DAVID FALQUETTE: I think that's correct. I think Director Remy did have sewer commentary. Whether it was the BOD number or whatever it was, but he wanted to change something. I think uh, Ms. Taddie's ready to make a motion to adopt those changes that he suggested. I...

JEAN TADDIE: I would make a motion that we do adopt those changes for review, so we can have those for our September 1st.

DAVID FALQUETTE: Second.

PRESIDENT MEARS: Okay. We have a motion and a second to accept the proposed changes, to Bill 20-158. Is there any discussion on that motion? Okay, I will call for the vote, to accept the proposed changes to the Bill.

Vote was taken to accept changes to Bill#20-158 :Ayes:7, Nays 0. Motion passed 7-0

END OF DISCUSSION

AMENDING MANSFIELD CODIFIED ORDINANCE TO REVISE SEWER RATES

BY: MR. LAWRENCE

BILL #20-159 *1st Read

ORDINANCE #20-154

Amending Section 941.08 (Water Charges) of the Mansfield Codified Ordinance of 1997, as amended, to revise sewer user rates by measurement, and declaring an emergency.

Upon motion by Mr. Lawrence Bill 20-159 be read and placed upon the floor for discussion, seconded by Mr. Falquette.

DISCUSSION:

PRESIDENT MEARS: Is there any discussion?

JEAN TADDIE: I would make the same motion here; to accept the Director's suggested amendments. I'm not sure, if we would make a second amendment, because I would like him to relook at that first tier, as Mr. Van Harlingen mentioned, perhaps bumping that up to four hundred, etc....So, I would at least in one motion like to accept the Director's adjustments and if we could in that same motion, also request them to add...review the lowest tier on the increases.

DAVID FALQUETTE: Second.

PRESIDENT MEARS: Okay, so the motion is to accept the proposed changes and also review them further. Is that correct?

JEAN TADDIE: Yes, Mr. Van Harlingen and Mr. Falquette were talking about, and I would agree with them, that two hundred is very small and for a single family that even might be too low, and if we could even double that or look even further.

PRESIDENT MEARS: Okay, we have a motion and a second, on accepting those purposed changes to 20-159. I'll call for the vote.

Motion was made to accept changes to Bill#20-159: Ayes:7 Nays: 0. Motion passed 7-0

END OF DISCUSSION

DEMOLITION: 8 STOODT AVENUE

BY: MR. VAN HARLINGEN

BILL # 20-160

ORDINANCE#20-155

Declaring the remains of a designated dwelling (8 Stoodt 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 Bill 20-160 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.

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

DISCUSSION: NONE

DEMOLITION: 28 FLINT STREET

BY: MR. VAN HARLINGEN

BILL # 20-161

ORDINANCE # 20-162

Declaring the remains of a designated dwelling (28 Flint 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. Van Harlingen, that Bill 20-161 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

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

DISCUSSION: NONE

DEMOLITION: 132 SOUTH ADAMS STREET

BY: MR. VAN HARLINGEN

BILL # 20-162

ORDINANCE # 20- 163

Declaring the remains of a commercial structure (132 South Adams 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. Van Harlingen, that Bill 20-162 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

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

DISCUSSION: NONE

DEMOLITION: 148 BOWMAN STREET

BY: MR. VAN HARLINGEN

BILL # 20-163

ORDINANCE #20-164

Declaring the remains of a designated dwelling (148 Bowman 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. Van Harlingen, that Bill 20-163 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

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

DISCUSSION: NONE

DEMOLITION: 226 SOUTH DIAMOND STREET

BY: MR. VAN HARLINGEN

BILL # 20-164

ORDINANCE # 20-165

Declaring the remains of a designated dwelling (226 South Diamond 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. Van Harlingen, Bill 20-164 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.

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

DISCUSSION: NONE

DEMOLITION: 239 WEST FOURTH STREET

BY: MR. VAN HARLINGEN

BILL # 20-165

ORDINANCE#20-166

Declaring the remains of a designated dwelling (239 West Fourth 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. Van Harlingen, Bill 20-165 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.

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

DISCUSSION: NONE

DEMOLITION: 326 WEST SIXTH STREET

BY: MR. LAWRENCE

BILL # 20-166

ORDINANCE # 20-167

Declaring the remains of a designated dwelling (326 West Sixth 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. Van Harlingen, that Bill 20-166 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

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

DISCUSSION: NONE

DEMOLITION: 430 WEST THIRD STREET

BY: MR. VAN HARLINGEN

BILL # 20-167

ORDINANCE # 20-168

Declaring the remains of a designated dwelling (340 West Third 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. Van Harlingen, that Bill 20-167 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

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

DISCUSSION: NONE

DEMOLITION: 605 HAROLD AVENUE

BY: MR. VAN HARLINGEN

BILL # 20-168

ORDINANCE # 20-169

Declaring the remains of a designated dwelling (605 Harold 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 a motion by Mr. Van Harlingen, that Bill 20-168 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

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

DISCUSSION: NONE

REVISING CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES

BY: MR. LAWRENCE

BILL # 20-169

ORDINANCE # 20-170

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

Upon motion by Mr. Lawrence that Bill 20-169 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

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

DISCUSSION: NONE

AUTHORIZING & ACCEPTING FUNDING FROM THE OHIO ATTORNEY GENERAL'S OFFICE (\$50,000)

BY: MR. VAN HARLINGEN

BILL # 20-171

ORDINANCE# 20-171

Authorizing the acceptance of funding from the Ohio Attorney General's Office in the amount of fifty thousand dollars (\$50,000) to assist with the Opiate Response Team (ORT) Project, and declaring an emergency.

Upon motion by Mr. Van Harlingen Bill 20-171 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 (Falquette)

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

DISCUSSION: NONE

GRANTING LICENSE FOR INSTALLATION OF BUS SHELTER: 1160 WEST FOURTH STREET

BY: MR. LAWRENCE

BILL # 20-172

ORDINANCE # 20-172

Granting a license to Oakmont Education, 1160 West Fourth Street, Mansfield, Ohio, to use the public right-of-way for the installation of a bus shelter, and declaring an emergency.

Upon motion by Mr. Lawrence, that Bill 20-172 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

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

DISCUSSION: NONE

APPROVING EXPENDITURES: CARES ACT FUNDS (1,690,386.14)

BY: MR. VAN HARLINGEN

BILL # 20-173

ORDINANCE # 20-173

Approving the expenditure of \$1,690,386.14 of funds received under the CARES Act in the manner prescribed by and consistent with the requirements of the CARES Act, and declaring an emergency.

Upon motion by Mr. Van Harlingen, that Bill 20-173 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

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

DISCUSSION:

PRESIDENT MEARS: Is there any further discussion, beyond what we discussed earlier tonight?

LAURA BURNS: Mr. President, may I ask a question, really quick?

PRESIDENT MEARS: Absolutely Councilwoman Burns.

LAURA BURNS: I just want to verify that what we are voting on is the second version of the numbers that we saw this week.

JON VAN HARLINGEN: I would say, yes.

LAURA BURNS: Okay.

JON VANHARLINGEN: The body...

MAYOR THEAKER: You are correct.

JON VAN HARLINGEN: The body cams are out.

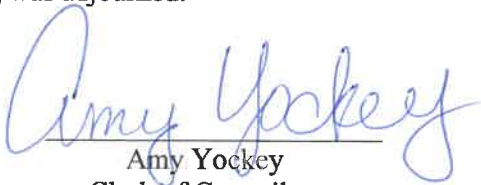
LAURA BURNS: Alright. Okay. Thank you.

PRESIDENT MEARS: Good question Councilwoman Burns, because the revised numbers did come in, rather late in the game, but I think we had sufficient discussion, but certainly good to clarify. Any further questions or discussion?


END OF DISCUSSION

CLOSING COMMENTS: NONE

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



Amy Yockey
Clerk of Council



Cliff Mears
President