

REGULAR COUNCIL MEETING
October 4, 2022

The first monthly meeting of Mansfield City Council met on
Tuesday October 4, 2022 at 7:19 pm in the
Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Eleazer Akuchie led the audience in prayer.

ROLL CALL: The following answered present at roll call: Burns, Meier, Akuchie, Davenport, Diaz, Moton, Zader, and Scott. Falquette was Acting Mayor during this meeting.

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

PUBLIC COMMENTS:

PRESIDENT PRO TEMP SCOTT: I believe we have a couple people signed up for public comment. I think Mr. McNeil was first so. Mr. McNeil if you would come up. I won't start your three minutes until you get up there.

ESTHER MCNEIL: Mr. Mayor...Oh! You look different. Well if you were running, I would vote for you. You came to the church. Nobody else up here did. But thank you. I got a couple things. First, I'd like to say if I was giving money to HUD, if I was in charge, I personally would not have given it. And she knows why. Another thing, a tree fell in my backyard, it was on city property. They made me pay to get it cleaned up. Ride along. I see you ride along. Do you take notes of all the trash or do you just ride along and talk to the person that's driving? Well answer to them. Mr. Smith...my times cut off. Alright, well I'm going to take 2 minutes. Water leak, Mr. Diaz. Up on Sherman. Sherman Estates. They got a water leak. Been up there. Need to look at it. Times up. Did anyone else in the neighborhood get a water about boiling the water? On the leak in our area. I asked some other people, they didn't get it. Our water leaks in the city are leaking all over. I don't know what your gonna do about it. Other than dig them up and fix them. You got a 100-year-old pipes, maybe 200 years old. And there busting all over. I know we got some money. We had money last year. 24 million dollars. I know we aint spent it all, cuz we didn't spend the money before. So, we need to fix these water leaks. 10 seconds? 20 seconds. I gotta ask you this cuz he was talking. on the Air Guard, did we do anything about that?

PRESIDENT PRO TEMP SCOTT: We have one other person signed up, Nancy Jones. You get three minutes to address council.

NANCY JONES: Oh, my name is Nancy Jones and I live at 1602 N. Stewart Road. And what else did you want? That's it? Ok. Ok, sorry. I've never been here before. I'm not a frequent flier. Anyways, what happened, is on June 14th we had that big storm that came through on June 14th. And the tornado came down through Bellville. Well I have rental properties all over Mansfield, ok? And I property manage for two other people in Mansfield that I take care of as if I own them myself. On June 14th I got a phone call from a tenant on 627 Springmill Street that she had sewage in her basement. Well I naturally first thing I thought of was just for the fact that it was a backed-up sewer line. When I get there, I was like "whoa". And I brought boots, like 18" boots. And I went to the place and I was like I couldn't get down to the steps and I was like "whoa". And she said she smells this overwhelming sewer. And anyways I was like floored on how much water was in that, or sewage was in the basement. It was raw sewage that had backed up into the basement. Well in the meantime I get a phone call from the lady who lives next door

and she told me there's water shooting, or sewage, shooting out of my driveway on 629 Springmill. Cuz I have 3 apartments there and it was shooting up like a geyser ok. And I took video, I have a video of it shooting up out of my driveway. And I was like "whoa". So, when I...so I...let me handle one situation at a time. Went to the 627. I couldn't get in there. I called Brads Drain Service. I said "you need to come over here".

STEPHANIE ZADER: Mr. President if I could. Sorry to interrupt but we actually made a decision on your claim that you filed.

NANCY JONES: Yea?

STEPHANIE ZADER: During the claims committee and we did make payment on your claim.

NANCY JONES: Ok.

STEPHANIE ZADER: So, they've shared with us the...what's happened and stuff, just to let you know. I didn't want you to feel like you had to go through that if you...and I can give you what we did with that if you would like. I can step out with you and let you know.

NANCY JONES: Ok. Ok...I've got it. Thank you for that because this is actually like my third time at this with, just to let you know. I didn't think about it when I wrote my letter out. But on 10 months prior to that I had the same situation happened to the same tenant who lost a washer and a dryer. She lost two dryers and washing machine on that incident on August of 2021. Two dryers and washing machine. No, I'm sorry one washing machine, one dryer. And I didn't lose anything. Well this last one because I had...I did actually have 3 feet of sewage, 3 feet in her basement. And she lost two dryers this time and a brand-new washing machine and then I didn't think anything about it. And a couple days later she goes I don't have any hot water and I'm like "gaspd." So, I panicked and I'm like found out that I lost my hot water tank and I lost my furnace. And which my furnace just got put in 2 weeks ago. But when I...the thing I do have to say is when I went to the city and I talked to the guy in charge, very nice man. Talked to him. I asked him, I said what I don't understand this is like my third or fourth incident that I had with this situation with the same houses, with the same sewage backing up in my basement. The only thing that save my rental next door with 3 furnaces of 3 hot water tanks was because it was gysing up out of my driveway, okay. That's the only thing that saved those, because it didn't come in my basement cuz it was shooting out of my driveway. Okay but when I went down there to the...to the workers I found out that they have several workers that wait for emergency calls, okay. And I'm like why don't you guys send them out, since you're paying them to sit for hours, why don't you send them out on calls. I just this is why I said why don't you send them out on calls and use that money wisely. That was just an input.

PRESIDENT PRO TEMP SCOTT: Ok wrap it up real quick cuz your over time and Mrs. Zader will talk to you about the other claim.

NANCY JONES: But I just...I just ya know. They said they would put it on general maintenance to do it all the time now. Which I'm glad they did that because this has been an ongoing problem on that street. So I'm glad that they're taken care of it. I'm glad to take care of my claim. My tenant might be down here for a claim because she's lost thousands and thousands of dollars' worth of damage.

STEPHANIE ZADER: Well I'll step out and talk to you. One thing I do want to...one comment if I could Mr. President is that we don't just have guys sitting around doing nothing. So I just want to make that clear that our guys work very hard and stay busy and we can talk about that when I step outside.

NANCY JONES: Wellll...well. Ok.

PRESIDENT PRO TEMP SCOTT: Can you turn the mic off please? Ok, moving on. Mrs. Burns do we have any late bills?

LAURA BURNS: Yes sir.

PRESIDENT PRO TEMP SCOTT: Op, I'm sorry. Back up just a hair. Acting Director Mayor do you have anything?

ACTING MAYOR FALQUETTE: Nothing, thank you.

PRESIDENT PRO TEMP SCOTT: Director Remy?

DIRECTOR REMY: Nothing, sir.

PRESIDENT PRO TEMP SCOTT: Director Brown?

JOHN SPON: No sir. Thank you.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Now sorry. Mrs. Burns.

LAURA BURNS: Now it's my turn.

PRESIDENT PRO TEMP SCOTT: Now it's your turn.

LATE BILLS

I move with respect to bills 22-190 and 22-191 that the rule requiring legislation be submitted by Monday at 4:00 pm be suspended and that bills 22-190 and 22-191 be allowed on the floor this evening. Ayes: 8, Nays: 0

PRESIDENT PRO TEMP SCOTT: We need Mrs. Zader in to vote or it won't...thank you Mr. Whatever your name is. Motion passes 8-0. Once again Mrs. Burns.

SUSPEND RULES

LAURA BURNS: Thank you Mr. President. 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 Mrs. Zader. The vote was taken and resulted as follows: Ayes: 8, Nays: 0

PRESIDENT PRO TEMP SCOTT: Thank you. We will now proceed with legislation starting with 22-182, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-182 be read and placed upon the floor for discussion.

AURELIO DIAZ: Second.

PRESIDENT PRO TEMP SCOTT: Right, the clerk will now read 22-182.

DELAINÉ WEINER: Authorizing the Public Works Director to purchase a new Front Mount Snow Blower and Chassis from M-B Companies Inc. for the Mansfield Lahm Airport, and declaring an emergency.

FRONT MOUNT SNOW BLOWER AND CHASSIS FOR THE MANSFIELD LAHM AIRPORT

BY: MR. DAVENPORT

BILL #22-182

ORDINANCE: 22-186

Authorizing the Public Works Director to purchase a new Front Mount Snow Blower and Chassis from M-B Companies Inc. for the Mansfield Lahm Airport, and declaring an emergency.

Upon motion by Mr. Davenport that Bill 22-182 be read and placed upon the floor for second read, seconded by Mr. Diaz. 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.

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-182? Hearing none, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-182 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: Council will cast their vote on final passage of bill 22-182. Motion passes 8 to 0.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Bill 22-185, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-185 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: Right, the clerk will now read 22-185.

DELAINÉ WEINER: Appropriating the sum of fifty thousand dollars (\$50,000) from the unappropriated Transient Occupancy Tax Fund (#808), for the purpose of making payments to Downtown Mansfield, Inc., Destination Mansfield and transferring funds to the General Fund and declaring an emergency.

TRANSIENT OCCUPANCY TAX FUND #808 - PAYMENTS TO DOWNTOWN MANSFIELD, INC.

BY: MR. DAVENPORT

BILL #22-185

ORDINANCE: 22-187

Appropriating the sum of fifty thousand dollars (\$50,000) from the unappropriated Transient Occupancy Tax Fund (#808), for the purpose of making payments to Downtown Mansfield, Inc., Destination Mansfield and transferring funds to the General Fund and declaring an emergency.

Upon motion by Mr. Davenport that Bill 22-185 be read and placed upon the floor for second read, seconded by Mrs. Zader. 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.

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-185? Hearing none, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-185 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. Council will cast their vote for final passage for bill 22-185. Bill passes 8 to 0.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Bill 22-186, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-186 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: The clerk will now read bill 22-186.

DELAINE WEINER: Authorizing the Public Works Director to purchase, according to STS pricing contract RS1007536, from Valley Ford Truck Inc., one (1) 2022 Ford F-550 chassis 4x4 dump truck for the Sewer Repair Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.

2022 FORD F-550 CHASSIS 4X4 DUMP TRUCK FOR THE SEWER REPAIR DEPARTMENT

BY: MR. DAVENPORT

BILL #22-186

ORDINANCE: 22-188

Authorizing the Public Works Director to purchase, according to STS pricing contract RS1007536, from Valley Ford Truck Inc., one (1) 2022 Ford F-550 chassis 4x4 dump truck for the Sewer Repair Department, through the state bidding schedule and without competitive bidding, and declaring an emergency.

Upon motion by Mr. Davenport that Bill 22-186 be read and placed upon the floor for second read, seconded by Mrs. Zader. 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.

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-186? Hearing none, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-186 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. Council shall cast their vote for bill 22-186. Bill passes 8 to 0.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Bill 22-187, Mr. Davenport.

ALOMAR DAVENPORT: Oh, were not voting on this one today.

PRESIDENT PRO TEMP SCOTT: Oh, that's right. I'm sorry. Moving on. Then how about 22-188 Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-188 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. The clerk will now read bill 22-188.

DELAINE WEINER: Authorizing the Public Works Director to purchase according to STS pricing, a new backup storage appliance for the City's disaster recovery site from Dell using revenue replacement funds received under the American Rescue Plan Act in the manner prescribed by and consistent with the requirements of the American Rescue Plan Fund, and declaring an emergency.

BACKUP STORAGE APPLIANCE FOR THE CITY'S DISASTER RECOVERY SITE

BY: MR. DAVENPORT

BILL #22-188

ORDINANCE: 22-189

Authorizing the Public Works Director to purchase according to STS pricing, a new backup storage appliance for the City's disaster recovery site from Dell using revenue replacement funds received under

the American Rescue Plan Act in the manner prescribed by and consistent with the requirements of the American Rescue Plan Fund, and declaring an emergency.

Upon motion by Mr. Davenport that Bill 22-188 be read and placed upon the floor for second read, seconded by Mrs. Zader. 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.

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-188? Hearing none, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-188 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. Council will cast their vote for final passage of bill 22-188. Passes 8 to 0.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Bill 22-189, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-189 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: The clerk will read bill 22-189.

DELAINE WEINER: Authorizing the Public Works Director to enter into a contract with DRM Productions, Inc for website redesign services, including countywide branding, using revenue replacement funds received under the American Rescue Plan Act in the manner prescribed by and consistent with the requirements of the American Rescue Plan Fund, and declaring an emergency.

CONTRACT WITH DRM PRODUCTIONS, INC FOR WEBSITE REDESIGN SERVICES

BY: MR. DAVENPORT

BILL #22-189

ORDINANCE: 22-190

Authorizing the Public Works Director to enter into a contract with DRM Productions, Inc for website redesign services, including countywide branding, using revenue replacement funds received under the American Rescue Plan Act in the manner prescribed by and consistent with the requirements of the American Rescue Plan Fund, and declaring an emergency.

Upon motion by Mr. Davenport that Bill 22-189 be read and placed upon the floor for second read, seconded by Mrs. Zader. The vote was taken and resulted as follows: Ayes: 7, Nays: 0, Abstention: 1 (Laura Burns)

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

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-189? At this time, we will vote on the motion for Mrs. Burns.

DISCUSSION:

ALOMAR DAVENPORT: I make a motion that we allow Councilwoman Burns to abstain from the vote.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: Thank you. Council shall cast their vote on the motion. Motion passes 8 to 0. Now Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-189 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. Council will cast their vote on final passage of bill 22-189. Passes 7 yes with 1 abstention, so the bill passes.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Bill 22-190, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-190 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. The clerk shall read bill 22-190.

DELAINE WEINER: 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.

BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES

BY: MR. DAVENPORT

BILL #22-190

ORDINANCE: 22-191

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. Davenport that Bill 22-190 be read and placed upon the floor for second read, seconded by Mrs. Zader. 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.

PRESIDENT PRO TEMP SCOTT: Thank you, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-190 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: Been moved and seconded. Council shall cast their vote for final passage of bill 22-190. Passes 8 to 0.

END OF DISCUSSION

PRESIDENT PRO TEMP SCOTT: Our last piece of legislation for this evening. Bill 22-191, Mr. Davenport.

ALOMAR DAVENPORT: Thank you Mr. President I move that bill 22-191 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. The clerk will now read bill 22-191.

DELAINE WEINER: 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.

BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES

BY: MR. DAVENPORT

BILL #22-191

ORDINANCE: 22-192

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. Davenport that Bill 22-191 be read and placed upon the floor for second read, seconded by Mrs. Zader. 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.

PRESIDENT PRO TEMP SCOTT: Is there any discussion on bill 22-191? Hearing none, Mr. Davenport.

DISCUSSION:

ALOMAR DAVENPORT: Thank you Mr. President I move bill 22-191 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded. Council shall cast their vote for on bill 22-191. Passes 8 to 0.

END OF DISCUSSION

CLOSING COMMENTS:

PRESIDENT PRO TEMP SCOTT: Before I ask if there's anything further, I apologize for my little bit of rustiness. But it's been a while since I sat in this chair, so hopefully I didn't do too bad. Is there anything else to come before council this evening?

CHERYL MEIER: Thank you Mr. President. I would like to request that the administration possibly, if possible by the next council meeting, could we get an update on the utility collections that were sent to DRS? As well as an update from Deana West-Torrence on the money we had set aside for the NECIC project. Thank you.

PRESIDENT PRO TEMP SCOTT: Since were asking, I'll add on to that the water meter replacement, where were at on at as well. Now is there anything else?

STEPHANIE ZADER: Move to close.

CHERYL MEIER: Second

PRESIDENT PRO TEMP SCOTT: It's been moved and seconded we adjourn. All those in favor signify by saying aye.

COUNCIL MEMBERS: Aye

PRESIDENT PRO TEMP SCOTT: Opposed? We are adjourned.

END OF DISCUSSION

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

Delaine Weiner
Assistant Clerk of Council

Phil Scott
President Pro-Temp