

SPECIAL COUNCIL MEETING
Nov. 28, 2023

The special meeting of Mansfield City Council met on
Tuesday, November 28, 2023 at 5:30 pm in the
Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

ROLL CALL: The following answered were present at roll call: Burns, Meier, Akuchie, Davenport, Diaz, Moton, Zader, and Scott.

Since this was a special meeting the reading of the Journal and Correspondence was dispensed with.

PRESIDENT PRO-TEMPORE SCOTT: We're not required to have any mandatory public comments. Would the Mayor like to address Council?

MAYOR THEAKER: No, Mr. President, I have nothing.

PRESIDENT PRO-TEMPORE SCOTT: Director Remy?

PUBLIC WORKS DIRECTOR REMY: Yea, just one item. In front of you, in addition to the legislation tonight, are two emails which is what I was going to email out on Monday but did not get done. I thought I would take the opportunity to hand it out, hard copy today.

LEGISLATION

PRESIDENT PRO-TEMPORE SCOTT: With that I'll call on Mr. Diaz for the bill 23-201.

AMY YOCKEY: I need to take roll.

PRESIDENT PRO-TEMPORE SCOTT: We did.

AMY YOCKEY: Ok.

AURELIO DIAZ: Thank you Mr. President. Regarding Bill 23-201, I'd like to make a motion to adjourn into executive session for (unable to understand) imminent, for action regarding airport litigation.

AMY YOCKEY: We are going to do it here because I am having technical difficulties back there. I'm gonna kick everybody out.

STEPHANIE ZADER: Second.

PRESIDENT FALQUETTE: It's been moved and seconded. All in favor of going into executive session, signify by saying Aye. Passes 8-0.

PUBLIC WORKS DIRECTOR REMY: You have to do a voice vote.

PRESIDENT PRO-TEMPORE SCOTT: OK. Mrs. Burns?

LAURA BURNS: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Meier?

CHERYL MEIER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Akuchie?

ELEAZOR AKUCHIE: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Davenport?

ALOMAR DAVENPORT: No.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Diaz?

AURELIO DIAZ: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Miss Moton?

KIMBERLY MOTON: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Zader?

STEPHANIE ZADER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: And Mr. Scott, I say Yes. Motion passes Ayes-7, Nays-1 (Davenport). So, entered into executive session at 5:35 pm.

(executive session in process)

PRESIDENT PRO-TEMPORE SCOTT: I will state for the record that at 5:57 pm, we are out of executive session and back open to the public. Thank you. With that, I will call on Mr. Diaz for Bill 23-201.

AMY YOCKEY: I think we need to suspend our rules with Laura.

PRESIDENT PRO-TEMPORE SCOTT: That's what I wondered a while back. Ok. Mrs. Burns?

LAURA BURNS: Thank you. I move with respect to Bill 23-201 that the rule requiring legislation be submitted by Monday at 4:00pm be suspended and that Bill 23-201 be allowed on the floor this evening.

STEPHANIE ZADER: Second.

PRESIDENT PRO-TEMPORE SCOTT: It's been moved and seconded. We will now have a voice vote. Mrs. Burns?

PRESIDENT PRO-TEMPORE SCOTT: OK. Mrs. Burns?

LAURA BURNS: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Meier?

CHERYL MEIER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Akuchie?

ELEAZOR AKUCHIE: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Davenport?

ALOMAR DAVENPORT: No.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Diaz?

AURELIO DIAZ: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Miss Moton?

KIMBERLY MOTON: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Zader?

STEPHANIE ZADER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Now, Mr. Diaz Bill 23-201.

AURELIO DIAZ: Thank you Mr. President. Late Bill.

PRESIDENT PRO-TEMPORE SCOTT: Ok. Mrs. Burns.

LAURA BURNS: Thank you. I also move with respect that 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.

STEPHANIE ZADER: Second.

PRESIDENT PRO-TEMPORE SCOTT: Ok. It's been moved and seconded. Mrs. Burns?

LAURA BURNS: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Meier?

CHERYL MEIER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Akuchie?

ELEAZOR AKUCHIE: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Davenport?

ALOMAR DAVENPORT: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Diaz?

AURELIO DIAZ: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Miss Moton?

KIMBERLY MOTON: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Zader?

STEPHANIE ZADER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Diaz Bill 23-201.

AURELIO DIAZ: Thank you Mr. President. I move that Bill 23-201 be read and placed on the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT PRO-TEMPORE SCOTT: Been moved and seconded. The clerk will read Bill 23-201.

AMY YOCKEY: Authorizing the Public Works Director, to sign documents which must be executed in order to participate in the relevant two partial settlements of the pending PFAS litigation as it relates to DuPont (and entities related to DuPont) and 3M, and declaring an emergency.

PFAS LITIGATION

BY: MR. DIAZ

BILL #23-201

ORDINANCE: 23-201

Authorizing the Public Works Director, to sign documents which must be executed in order to participate in the relevant two partial settlements of the pending PFAS litigation as it relates to DuPont (and entities related to DuPont) and 3M, and declaring an emergency.

Upon motion by Mr. Diaz that Bill 23-201 be read, seconded by Mrs. Zader. The vote was taken and resulted as follows: Ayes: 7 Nays: 0

PRESIDENT FALQUETTE: Questions? Comments? Mr. Davenport.

ALOMAR DAVENPORT: Yeah, what documents are we signing? Typically, with these opt in opt out. When you opt in, there's nothing that you do. But, what are we signing?

PUBLIC WORKS DIRECTOR REMY: It's just a resolution to authorize me or my position to sign documents. Your right, normally you have to sign to opt out. In this case, you don't. You have to execute documents to stay in. It's not any different in reality than the settlements that we have now. There are a couple other ones that we are involved in where we get checks on a monthly basis or a quarterly basis.

This just allows me to execute documents that the law firm will supply at the city to stay in these settlement discussions.

LAW DIRECTOR SPON: It is also created to create a master list for the court and all other relevant personnel to demonstrate who is going to be participating in a settlement with one or more defendants and who is not.

ALOMAR DAVENPORT: Thank you.

PRESIDENT PRO-TEMPORE SCOTT: Any other discussion? Hearing not, Mr. Diaz.

AURELIO DIAZ: Thank you Mr. President. I move that Bill 23-201 be read and placed upon the floor for final passage.

STEPHANIE ZADER: Second.

PRESIDENT PRO-TEMPORE SCOTT: It's been moved and seconded. We will now have a voice vote for Bill 23-201. Mrs. Burns?

LAURA BURNS: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Meier?

CHERYL MEIER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Akuchie?

ELEAZOR AKUCHIE: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Davenport?

ALOMAR DAVENPORT: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Diaz?

AURELIO DIAZ: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Miss Moton?

KIMBERLY MOTON: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mrs. Zader?

STEPHANIE ZADER: Yes.

PRESIDENT PRO-TEMPORE SCOTT: Mr. Scott, Yes. So, it does pass 8-0.

END OF DISCUSSION.

PRESIDENT PRO-TEMPORE SCOTT: Is there anything else to come, well we really can't...

STEPHANIE ZADER: Motion to adjourn.

CHERYL MEIER: Second.

PRESIDENT PRO-TEMPORE SCOTT: Been motioned and seconded. All signify by saying Aye?

COUNCIL: Aye

PRESIDENT PRO-TEMPORE SCOTT: We are adjourned. *(6:13pm)*

END OF DISCUSSION

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

Amy Yockey
Clerk of Council

Phil Scott
President Pro-Tempore