REGULAR COUNCIL MEETING March 20, 2024

The second monthly meeting of Mansfield City Council met on Tuesday, March 20, 2024 at 8:04pm 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 were present at roll call: Mount (excused absence – passed 7-0), Meier, Akuchie, Daley, Diaz, Burns, Zader, Falquette, and Scott.

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

PUBLIC COMMENTS:

PRESIDENT SCOTT: We'll now have public comment this evening. And at this point in time, I know the gentleman left, but just make a point of record, if you do wish to make any comment during council, you do need to sign up. We cannot have people outbreak and making comments during sessions.

PRESIDENT SCOTT: Mayor, anything further?

MAYOR JODIE PERRY: No, Mr. President.

PRESIDENT SCOTT: Director Blankenship.

DIRECTOR KELLY BLANKENSHIP: No, thank you.

PRESIDENT SCOTT: Director Harper.

DIRECTOR ROELIFF HARPER: Nothing further.

PRESIDENT SCOTT: Director Andres.

DIRECTOR LOUIS ANDRES: Nothing further.

PRESIDENT SCOTT: And, Director Porch.

DIRECTOR KEITH PORCH: Nothing further.

PUBLIC COMMENTS

LATE BILLS

I move with respect to **Bills 24-055**, **24-056**, **24-058** and **24-059** that the rule requiring legislation be submitted by Monday at 4:00 pm be suspended and that **Bills 24-055**, **24-056**, **24-058** and **24-059** be allowed on the floor this evening. An electronic vote was taken. Passes 6-1 (*No – Falquette*)

SUSPEND RULES

ELEAZER AKUCHIE 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. An electronic vote was taken and resulted as follows: Ayes: 7, Nays: 0

LEGISLATION

PRESIDENT SCOTT: Mr. Falquette, Bill 24-045.

DAVID FALQUETTE: Thank you Mr. President. I move that Bill 24-045 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-045.

DELAINE WEINER: Authorizing the Public Works Director to enter into a Remedial Excavation Agreement with the Richland County Land Reutilization Corporation. Approving the expenditure of up to Six Hundred Thousand Dollars (\$600,000.00) from the PRIDE Demolition Fund (#238) for the demolition of the former YMCA site, and declaring an emergency.

REMEDIAL EXCAVATION AGREEMENT

BY: MR. FALQUETTE

BILL #24-045

ORDINANCE: 24-046

Authorizing the Public Works Director to enter into a Remedial Excavation Agreement with the Richland County Land Reutilization Corporation. Approving the expenditure of up to Six Hundred Thousand Dollars (\$600,000.00) from the PRIDE Demolition Fund (#238) for the demolition of the former YMCA site, and declaring an emergency.

Upon motion by Mr. Falquette that Bill 24-045 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Is there any discussion on Bill 24-045? Mrs. Meier.

CHERYL MEIER: I have one further question. What if we do not do this? What happens, how much money do we have at this point to, where would it leave the site? In what condition?

MAYOR JODIE PERRY: I think it would leave it about what it looks like now. Because, the money that the state has put in has gone towards where it sits now. I can't promise you that's exactly. The Land Bank is getting the billings in still, if there would be no back fill and the remaining excavation would not be completed.

PRESIDENT SCOTT: Mrs. Zader.

STEPHANIE ZADER: Follow up to that. So, you talked about the integrity of the structures further up the hill. Clearly, those sit up the hills, we leave a hole at the bottom and it rains, and that turns to mud, then we could look at potential liability as a city probably to those structures right, if we don't finish that and then something happens to those structures up the hill. Or, maybe that's a question more for the Law Director than the Mayor. Put you on the spot, Director Harper.

DIRECTOR ROELIFF HARPER: It seems pretty clear that could be the case.

PRESIDENT SCOTT: Mr. Falquette.

DAVID FALQUETTE: I think one other point that we can bring to council from caucus is the fact that when this was bid several years ago, this bidder was clearly lowest bidder by a lot. And sometimes this is what happens when you have a bidder that's off the charts low. And, he had done work for us in the past, he has done a lot of projects – I'm not gonna comment how good or bad those were cause I don't know. But this one had some short falls and it really is gonna remain, well if we wouldn't have done anything it would just be empty. It's a prime piece of real estate and I think the potential of getting this done, taken care of, and hopefully attracting a development of some sort on one of the busiest roads of Mansfield is where we should be headed. And, it hurts. But, I want to move it forward, get it done and move forward.

PRESIDENT SCOTT: Mrs. Zader.

STEPHANIE ZADER: One last comment that I will make is you mentioned if we didn't do it. And one of the comments that was made on social media was if we could have re-done the building. And I don't think it was understood the magnitude of what that project would have looked like and it would have cost us far more than what it's going to cost us total even with going back and re-doing this project, to go through and re-do that. I don't know the exact cost, I didn't walk through the building, but I can tell you based on the size it would have cost us far more than what it's cost us far more than what it's cost us total even with going us to clean up that site.

PRESIDENT SCOTT: Any other questions or comments on Bill 24-045? Hearing none, Mr. Falquette.

DAVID FALQUETTE: Thank you Mr. President. I move that Bill 24-045 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Please cast your vote for Bill 24-045. Bill passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Zader, Bill 24-046.

STEPHANIE ZADER: Thank you Mr. President. I move with respect to Bill 24-046 that it be read and put on the floor for discussion.

DAVID FALQUETTE: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk shall read Bill 24-046.

DELAINE WEINER: Amending Section 915.01 and Section 915.03 of Chapter 915 (Weeds and Trees) of the Mansfield Codified Ordinances of 1997 and declaring an emergency.

MANSFIELD CODIFIED ORDINANCE – WEEDS AND TREES

BY: MRS. ZADER

BILL #24-046

ORDINANCE: 24-047

Amending Section 915.01 and Section 915.03 of Chapter 915 (Weeds and Trees) of the Mansfield Codified Ordinances of 1997 and declaring an emergency.

PRESIDENT SCOTT: Is there any discussion on Bill 24-046? Hearing none, that shall be considered as **first read** of Bill 24-046.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Burns, 24-047.

LAURA BURNS: Thank you Mr. President. I move that Bill 24-047 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-047.

DELAINE WEINER: Authorizing the Public Works Director to enter into an agreement to purchase a 2024 John Deere Gator, 2023 Boxer 700HDX Boxer Loader, Boxer Bucket, Grapple Rake, and Auger with the trade-in of a 2016 Kubota totaling \$74,892.92 (Seventy-four Thousand Eight Hundred Ninety-two and 92/100 Dollars).

PURCHASE EQUIPMENT BY PUBLIC WORKS DIRECTOR

BY: MRS. BURNS

BILL #24-047

ORDINANCE: 24-048

Authorizing the Public Works Director to enter into an agreement to purchase a 2024 John Deere Gator, 2023 Boxer 700HDX Boxer Loader, Boxer Bucket, Grapple Rake, and Auger with the trade-in of a 2016 Kubota totaling \$74,892.92 (Seventy-four Thousand Eight Hundred Ninety-two and 92/100 Dollars).

Upon motion by Mrs. Burns, that Bill 24-047 be read and placed upon the floor for final passage, seconded by Mrs. Zader 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: Is there any discussion on Bill 24-047? Hearing none, Mrs. Burns?

DISCUSSION:

LAURA BURNS: Thank you Mr. President. I move that Bill 24-047 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for 24-047. Bill Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Meier, 24-048.

CHERYL MEIER: Thank you Sir. I move that Bill 24-048 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk shall read Bill 24-048.

DELAINE WEINER: Appropriating the sum of Forty-one Thousand Three Hundred Twenty-two and 39/100 Dollars (\$41,322.39) from the unappropriated Safety Service Fund (#214) to repair the City's Fire Engine, and declaring an emergency.

SAFETY SERVICE FUND – FIRE ENGINE

BY: MRS. MEIER

BILL #24-048

ORDINANCE: 24-049

Appropriating the sum of Forty-one Thousand Three Hundred Twenty-two and 39/100 Dollars (\$41,322.39) from the unappropriated Safety Service Fund (#214) to repair the City's Fire Engine, and declaring an emergency.

Upon motion by Mrs. Meier that Bill 24-048 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Any discussion on Bill 24-048? Hearing none, Mrs. Meier.

DISCUSSION:

CHERYL MEIER: Thank you sir. I move Bill 24-048 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Please cast your vote for 24-048. Bill Passes 7-0. *(END OF DISCUSSION)*

PRESIDENT SCOTT: Alright, Mrs. Burns, 24-050.

LAURA BURNS: Thank you Mr. President I move that Bill 24-050 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-050.

DELAINE WEINER: Authorizing the Public Works Director to accept a grant and enter into a Local Public Agency Federal Local-Let Project with the Director of the Ohio Department of Transportation to fund the design and construction of a certain public improvement project.

PUBLIC IMPROVEMENT PROJECT

BY: MRS. BURNS

BILL #24-050

ORDINANCE: 24-050

Authorizing the Public Works Director to accept a grant and enter into a Local Public Agency Federal Local-Let Project with the Director of the Ohio Department of Transportation to fund the design and construction of a certain public improvement project.

Upon motion by Mrs. Burns that Bill 24-050 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Any discussion on Bill 24-050? Hearing none, Mrs. Burns.

LAURA BURNS: I move Bill 24-050 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for 24-050. Bill Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Burns, 24-051.

LAURA BURNS: Thank you Mr. President I move that Bill 24-051 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-051.

DELAINE WEINER: Authorizing the Public Works Director to accept a grant and enter into a Local Public Agency Federal Local-Let Project with the Director of the Ohio Department of Transportation for the funding of design and construction of a certain public improvement project, and declaring an emergency.

PWD-GRANT WITH ODOT

BY: MRS. BURNS

BILL #24-051

ORDINANCE: 24-051

Authorizing the Public Works Director to accept a grant and enter into a Local Public Agency Federal Local-Let Project with the Director of the Ohio Department of Transportation for the funding of design and construction of a certain public improvement project, and declaring an emergency.

Upon motion by Mrs. Burns that Bill 24-051 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Is there any discussion on Bill 24-051? Hearing non, Mrs. Burns.

LAURA BURNS: Thank you I move that Bill 24-051 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Please cast your vote for 24-051. Bill Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Burns, Bill 24-052.

LAURA BURNS: Thank you, Mr. President. I move that Bill 24-052 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk shall read Bill 24-052.

DELAINE WEINER: Authorizing the Public Works Director to enter into a contract or contracts for the construction of a tunnel under Trimble Road to facilitate the Trimble Road trail extension, and declaring an emergency.

TRIMBLE ROAD TRAIL EXTENTION

BY: MRS. BURNS

BILL #24-052

ORDINANCE: 24-052

Authorizing the Public Works Director to enter into a contract or contracts for the construction of a tunnel under Trimble Road to facilitate the Trimble Road trail extension, and declaring an emergency.

Upon motion by Mrs. Burns that Bill 24-052 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Is there any discussion on Bill 24-052? Hearing none, Mrs. Burns.

DISCUSSION:

LAURA BURNS: I move that Bill 24-052 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for 24-052. Bill Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Burns, 24-053.

LAURA BURNS: Thank you Mr. President I move that Bill 24-053 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded by Mr. Diaz that time. The clerk will now read Bill 24-053.

DELAINE WEINER: Authorizing the Public Works Director to enter into a subgrant agreement between the Board of Commissioners of Richland County and the City of Mansfield for American Rescue Plan Act (ARPA) funds for the Trimble Road Tunnel Project, and declaring an emergency.

SUBGRANT AGREEMENT – TRIMBLE ROAD TUNNEL PROJECT

BY: MRS. BURNS

BILL #24-053

ORDINANCE: 24-053

Authorizing the Public Works Director to enter into a subgrant agreement between the Board of Commissioners of Richland County and the City of Mansfield for American Rescue Plan Act (ARPA) funds for the Trimble Road Tunnel Project, and declaring an emergency.

Upon motion by Mrs. Burns that Bill 24-053 be read and placed upon the floor for final consideration, seconded by Mr. Diaz. 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: Is there any discussion on Bill 24-053? Hearing none, Mrs. Burns?

LAURA BURNS: I move that Bill 24-053 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-053. Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Burns, Bill 24-054.

LAURA BURNS: Thank you Mr. President I move that Bill 24-054 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded by Mr. Diaz that time. The clerk will now read Bill 24-054.

DELAINE WEINER: Authorizing the Public Works Director to enter into a contract or contracts for the replacement of a culvert under Liberty Park Road, and declaring an emergency.

CULVERT-LIBERTY PARK ROAD

BY: MRS. BURNS

BILL #24-054

ORDINANCE: 24-054

Authorizing the Public Works Director to enter into a contract or contracts for the replacement of a culvert under Liberty Park Road, and declaring an emergency.

Upon motion by Mrs. Burns that Bill 24-054 be read and placed upon the floor for final consideration, seconded by Mr. Diaz. 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: Is there any discussions? Hearing none, Mrs. Burns?

LAURA BURNS: I move that Bill 24-054 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-054. Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Meier, 24-055.

CHERYL MEIER: Thank you Mr. President I move that Bill 24-055 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-055.

DELAINE WEINER: Authorizing the Safety-Service Director to purchase, four (4) Dodge Durangos for the Police Department from Jim Shorkey Auto Group, and declaring an emergency.

FOUR DODGE DURANGOS - MPD

BY: MRS. MEIER

BILL #24-055

ORDINANCE: 24-055

Authorizing the Safety-Service Director to purchase, four (4) Dodge Durangos for the Police Department from Jim Shorkey Auto Group, and declaring an emergency.

Upon motion by Mrs. Burns that Bill 24-055 be read and placed upon the floor for final consideration, seconded by Mr. Diaz. 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: Is there any discussion on Bill 24-055? Hearing none, Mrs. Burns?

LAURA BURNS: I move that Bill 24-055 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-055. Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mr. Diaz, 24-056.

AURELIO DIAZ: Thank you Mr. President I move that Bill 24-056 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded by Mr. Diaz that time. The clerk will now read Bill 24-056.

DELAINE WEINER: Amending the easement granted to the United States of America from the City of Mansfield on Ordinance # 24-024 for Fiber Communication Lines at Mansfield Lahm, Richland County, Ohio.

FIBER COMMUNICATION LINES – MANSFIELD LAHM AIRPORT

BY: MRS. BURNS

BILL #24-056

ORDINANCE: 24-056

Amending the easement granted to the United States of America from the City of Mansfield on Ordinance # 24-024 for Fiber Communication Lines at Mansfield Lahm, Richland County, Ohio.

Upon motion by Mr. Diaz that Bill 24-056 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Is there any discussion on Bill 24-056? Hearing none, Mr. Diaz?

AURELIO DIAZ: I move that Bill 24-056 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-056. Passes 7-0.

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Meier, 24-057.

CHERYL MEIER: Thank you Sir. I move that Bill 24-057 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-057.

DELAINE WEINER: Amending Section 8 of Ordinance No. 23-201 adopting personnel positions, pay grades, and salaries for certain employees of the City of Mansfield 2024 payroll year, and as previously amended by Section 1 of Ordinance 24-028, by adjusting position titles and pay grades for certain employees of the Finance Department, and declaring an emergency.

FINANCE DEPARTMENT – AMENDING ORDINANCE NO. 23-201

BY: MRS. MEIER

BILL #24-057

ORDINANCE: 24-057

Amending Section 8 of Ordinance No. 23-201 adopting personnel positions, pay grades, and salaries for certain employees of the City of Mansfield 2024 payroll year, and as previously amended by Section 1 of Ordinance 24-028, by adjusting position titles and pay grades for certain employees of the Finance Department, and declaring an emergency.

Upon motion by Mrs. Meier that Bill 24-057 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. The vote was taken and resulted as follows: Ayes: 6 Nays: 1(1 - Falguette).

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

PRESIDENT SCOTT: Is there any discussion on Bill 24-057? Hearing none, Mrs. Meier?

CHERYL MEIER: Thank you Mr. President. I move that Bill 24-057 be placed upon the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-057. Passes 6-1 (*No – Falquette*).

(END OF DISCUSSION)

PRESIDENT SCOTT: Mrs. Meier, Bill 24-058.

CHERYL MEIER: Thank you Mr. President I move that Bill 24-058 be read and placed upon the floor for discussion.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. The clerk will now read Bill 24-058.

DELAINE WEINER: Approving the Richland County Final 9-1-1 Plan, and declaring an emergency.

BY: MRS. MEIER

RICHLAND COUNTY - 911 FINAL PLAN

BILL #24-058

ORDINANCE: 24-058

Approving the Richland County Final 9-1-1 Plan, and declaring an emergency.

Upon motion by Mrs. Meier that Bill 24-058 be read and placed upon the floor for final consideration, seconded by Mrs. Zader. 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: Is there any discussion on Bill 24-058? Hearing none, Mrs. Meier?

CHERYL MEIER: Thank you Sir. I move that Bill 24-058 be placed on the floor for final consideration.

STEPHANIE ZADER: Second.

PRESIDENT SCOTT: It's been moved and seconded. Council shall cast their vote for Bill 24-058. Passes 7-0.

(END OF DISCUSSION)

<u>CLOSING COMMENTS</u>:

PRESIDENT SCOTT: Is there anything else to come before council this evening? Hearing nothing a motion to close would be entertained.

STEPHANIE ZADER: Move to close.

DAVID FALQUETTE: Second

PRESIDENT SCOTT: It's been moved and seconded to close. All those in favor say aye.

COUNCIL MEMBERS: Aye

PRESIDENT SCOTT: Great, 8:28pm council is now closed.

END OF DISCUSSION

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

Delaine Weiner Clerk of Council Phil Scott President