

REGULAR COUNCIL MEETING FEBRUARY 7, 2017

The first semi-monthly meeting of Mansfield City Council met on Tuesday, February 7, 2017 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Garnetta Pender and led the audience in prayer.

ROLL CALL: The following answered present at roll call: Bryant, Hill, Jefferson, Lawrence, Pender, Scott and Van Harlingen.

There being no objections, the reading of the Journal and Communications were dispensed with.

COMMITTEE REPORTS

MR. BRYANT: The Mansfield Airport Commission met last Thursday and I want to share some details from that meeting and Mayor, if you want to help me out, but we talked about Airport Day. We're looking for a new chairman for Airport Day because the person that's been doing it is no longer interested in continuing, who's done a fantastic job, so we're looking for a person, if you want to be the male or female out in front of this project for Airport Day, just let us know to help organize this event. But this year's Airport Day is going to be July 1st.

MAYOR THEAKER: It's going to be scaled back. There'll be a car show, breakfast and then a few airplanes and also, if we could still get the Airport Club to fly the kids.

PRESIDENT SCOTT: May I ask why it's being scaled back?

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MAYOR THEAKER: Because no one wants to take charge of it.

PRESIDENT SCOTT: I understand.

MAYOR THEAKER: I heard Phil Scott's name come up. (laughter)

SUSPEND RULES

MR. HILL: 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. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0.

LEGISLATION

REPEAL & REPLACE CHAPTER 751 – TAXICABS

BY: MR. BRYANT

ORDINANCE 16-269

Repealing and replacing Chapter 751 of the Mansfield Codified Ordinances of 1997 to allow for updates and revisions that modernize and simplify the Codified Ordinances to better suit the needs of the community.

Upon motion by Mr. Jefferson that Bill 16-262 be read and placed upon the floor for discussion, seconded by Mrs. Pender. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 5, Nays: 2. Ayes: Bryant, Hill, Mears, Pender and Van Harlingen. Nays: Jefferson and Lawrence.

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

PRESIDENT SCOTT: Since it passed 5-2, does it still go in as an emergency?

LAW DIRECTOR SPON: Only 5-2?

PRESIDENT SCOTT: I didn't think it did.

AUTH SSD ENTER CONTRACT TO REPAIR CERTAIN STREETS

BY: MR. JEFFERSON

ORDINANCE 17-015

Authorizing the Safety-Service Director to enter into a contract or contracts for repairing certain streets, and declaring an emergency

Upon motion by Mr. Jefferson that Bill 17-010 be read and placed upon the floor for discussion, seconded by Mrs. Pender. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

HONOR OFFICER JACK SHAY

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 17-016

Honoring Officer Jack H. Shay upon his retirement from the Mansfield Division of Police.

Upon motion by Mr. Bryant that Bill 17-016 be read and placed upon the floor for discussion, seconded by Mrs. Pender. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

AUTH SSD ACCEPT DONATION FROM RINEHARDT LAW FIRM FOR DARE

BY: MR. VAN HARLINGEN

ORDINANCE 17-017

Authorizing THE Safety-Service Director to accept and appropriate a donation from Rinehardt Law Firm, LTD in the aggregate amount of Two Thousand One Hundred Twenty-four Dollars (\$2,124.00) for the DARE Donation fund, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-017 be read and placed upon the floor for discussion, seconded by Mrs. Pender. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

THEN & NOW – KIRK BROS. \$37,992.55

BY: MR. VAN HARLINGEN

ORDINANCE 17-018

Authorizing the payment to Kirk Brothers Company Inc. in the amount of Thirty-seven Thousand Nine Hundred Ninety-two and 55/100 Dollars (\$37,992.55) by affirming a then and Now Certificate of the Finance Director, and declaring an emergency

Upon motion by Mr. Van Harlingen that Bill 17-018 be read and placed upon the floor for discussion, seconded by Mrs. Pender. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

AUTH SSD ENTER CONTRACT FOR 2017 SANITARY SEWER INFLOW PROJECT

BY: MR. VAN HARLINGEN

ORDINANCE 17-019

Authorizing the Safety-Service Director to advertise for bids and enter into a contract or contracts for the 2017 Sanitary Sewer Inflow and Infiltration Reduction Project, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-019 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was placed upon the floor for final passage, seconded by Mr. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

AGREEMENT WITH WILLIAM J. TAYLOR LODGE – PATROL OFFICERS

BY: MRS. PENDER

ORDINANCE 17-020

Authorizing the Mayor, Safety-Service Director and Human Resource Director to enter into a Collective Bargaining Agreement with the William J. Taylor Lodge #32 of the Fraternal Order of Police and the Ohio Labor Council, Inc., regarding the patrol officers within the City's Police Department, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 17-021 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was placed upon the floor for final passage, seconded by Mr. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

AGREEMENT WITH WILLIAM J. TAYLOR LODGE – COMMAND STAFF

BY: MRS. PENDER

ORDINANCE 17-021

Authorizing the Mayor, Safety-Service Director and Human Resource Director to enter into a Collective Bargaining Agreement with the William J. Taylor Lodge #32 of the Fraternal Order of Police and the Ohio Labor Council, Inc., regarding the command staff within the City's Police Department, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 17-022 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was placed upon the floor for final

passage, seconded by Mr. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

ODOT – RESURFACING RT 39 FROM TAYLORTOWN TO COUNTRY CLUB

BY: MR. JEFFERSON

ORDINANCE 17-022

The following Resolution enacted by the City of Mansfield of Richland County, Ohio, hereinafter referred to as the City, in the matter of the stated described project.

Upon motion by Mr. Jefferson that Bill 17-023 be read and placed upon the floor for discussion, seconded by Mrs. Pender.. The bill was placed upon the floor for final passage, seconded by Mrs. Pender. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender and Van Harlingen.

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

AFTER LEGISLATION

MR. VANHARLINGEN: I probably should have brought this up in Caucus. I'd just like to make a quick comment here about Bill 17-024. It still has some readings coming and I'm just kind of looking at the dates and what have you, and the final reading's going to come up on March 21st, which will also be our final reading for the 2017 final budget. Now, just one thing I want to share with the council members tonight, of course there's some things about personnel and what have you, and maybe now's not the time, we don't have the final numbers yet for the final budget. The finance dept. and the administration are working on that. When we passed the temporary budget, we did not have the numbers for the PD at that time. For the PD, what happened was, we added another \$426,485 personnel costs, that's he's increased also \$46,061. Now these are just preliminary numbers, for what it's worth, for a total of \$472,546 When the Finance Director gave her 5 years projections, we were heading for some very serious red ink. The Finance Dept., along with the Administration made some cuts, made some adjustments, just for the temporary budget until we got into 2017. Right now, the Police, they're manning are at 86 and fire was reduced to 89. My concern is, just simply a concern, we need to keep that in the back of our minds because I heard it mentioned and suggested, more than once, that maybe we should hire more personnel, JR said he needs some help, he's gonna need some help, if we're talking about hiring personnel in Codes & Permits, let's be fair with Police and Fire, we've already reduced 6 positions in the temporary budget. This is nothing but just food for thought, we don't have the final numbers yet, I know they're coming. I just wanted my colleagues to have time to think about that. It's just not a matter of the homeowner vs. yea or nay. I'm trying to be fair with everybody. It's just throwing the numbers out there for the time being temporarily,

and I apologize for not bringing that up in Caucus, that maybe would have been a more appropriate time. But it needed to be said.

MR. JEFFERSON: So you're saying we should wait, more police and fire, compared to getting someone to check on chickens. That what you're saying? (laughter) I just wanted to make sure I understood you totally. So we can hire more police and fire or we can have more Codes & Permits and have chickens.

MR. VAN HARLINGEN: Well, ok, in putting in that context, if we're going to reduce safety forces, how are we fair bringing up Codes & Permits, and I'm sitting here thinking about conversations when JR addressed Council 2 weeks ago, and it's a consideration. I'm not saying one way or the other, I'm waiting to see the final numbers in our budget, and it's, I haven't seen them yet, I don't know. I just got some preliminary projects.

MR. JEFFERSON: That's good information though. That's some more information to the whole issue.

MR. VAN HARLINGEN: We have plenty of readings yet, so I know it's not a problem with that, but something else for members of Council to think about.

LAW DIRECTOR SPON: There's also another issue that I'm trying not to mix the two, but since you're talking about the big picture,

MR. VAN HARLINGEN: Money.

LAW DIRECTOR SPON: Well it's something different than money, it's that you find yourselves in a situation where Codes & Permits might need another individual to force the chicken codes, that's my interpretation. I don't think it's been sacred that my major concern was the life and death issue of pit bulls and an animal control officer. So we have, out there, this issue, good issues for everyone, but I certainly am more concerned about the danger of pit bulls, which would require enforcement of more aggressive animal control laws involving dogs, so I'm not saying what direction anybody should go, and I think it's a good point looking at the numbers, cuz I'm told the numbers are looking a little strong, but not so strong that we don't desperately need for a tax levy to pass. Every tax payer, as we, ourselves know, we desperately, desperately need for our renewals of all our tax levies, that's the only way we can move forward in the future, very slowly but very effectively eradicating light in our community, maintaining our streets and staying on the course. Slow, steady growth. But that doesn't necessarily mean that we don't have these other issues of animal control, chickens, police, animal control officer.

MR. VAN HARLINGEN: These are the things that I'm sure we will be discussing in the near future prior to the passage of the full budget for 2017 cuz there was some unknowns when we were talking about the temporary. Now we have some facts and figures and as the Director just said, there's concerns about animal control, there's

concerns about do we have enough personnel in Codes & Permits. These are all going to be issues in the future. I didn't mean to start a debate, just something to think on.

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

Amy Yockey
Clerk of Council

Phillip Scott
President of Council