

REGULAR COUNCIL MEETING AUGUST 1, 2017

The first monthly meeting of Mansfield City Council met on Tuesday, August 1, 2017 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilman Jason Lawrence led the audience in prayer.

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

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

MR. BRYANT: The Safety Committee has been investigating the dog issue. I just want to read this little quote. History will judge harshly those who see any coming danger on this issue and I'm not going to tell you which issue he's talking about, but have failed to act, in this age and time, the only path to peace and security is the path of action. So here's what the Safety Committee has done. It's taken a path of action and our job is to investigate possible options to present to City Council and so the options are this. Keep the current Ordinance as it is, with the Pit Bull enforcement suspension, the second option is to scrap the entire thing and go with City Code, the third option is to work on a piece of legislation similar to Avon Lake, which would hold owners more responsible and to build a team and that one requires work, so what I tried to do is bring in some outside sources, some outside experts to testify on this issue, which was that lawyer who did write the Avon Lake legislation. There are other options, I'm sure, but we, as a Safety Committee, we've pretty much exhausted our powers at this point. One more step is to actually review the state code just to see if we do want to scrap the current Ordinance and go City Code, but I am not going to be responsible for triggering a city and county war here on this issue. This is the Mayor's court, Law Director's and if the county wishes to participate, the Commissioners. So, these are our options and the Mayor did present an option to scrap the entire thing and go City Code and so this is it. That's something for that part. The second thing, I want to thank Councilman Mears and Councilman Pender for attending the Safe Summer Fridays event at John Todd Park. Cliff and I were dancing and doing the waffle. Thought we were dancing at weddings. I can't dance. The next Safe Summer Friday is August 11 at North Lake Park, 6 PM. Airport Committee. On behalf of the Mayor and myself, we are seeking to schedule a tour of the 179th Air Force base offered by Commander Cornel James Camp. The Mayor would like to see if we could match up times in the evening to actually take a tour of the 179th campus. They have a simulator and he's interested in talking with us.

MAYOR THEAKER: I think, basically, it was offered and Councilman Bryant and I discussed it. We think it would be good to have Council out there. If you are willing and

want to do it, that's fine. If you don't, that's fine too. But the offer came from Cornel Camp and that way it give you a tour of the base and how important that base is.

PRESIDENT SCOTT: I think it would be a great thing, so how do we go about setting a date? Is there a date that suits better for them? A time frame for them?

MAYOR THEAKER: Well, we could do it on a Council evening or we can do it on a non-Council evening. If we do it on a Council evening, we do it like we did at North Lake Park. We start it at 5:00 and then come back into Council. But then that means that committee meetings, that night, probably would not be able to be there. That would also limit us the amount of time that we're out there.

MR. ROCK: In the past we've moved Council to a different location, would it be possible to move the Council meeting for the night?

MAYOR THEAKER: We could have Council at the Airport.

MR BRYANT: I think this is neat because the President has restricted access to the Air Force bases so Cornel Camp is actually working on this for us.

MAYOR THEAKER: Councilman Bryant and I will get together, we'll come up with a couple dates and we'll send them out.

MR. JEFFERSON: I don't want to have Council out there. That's just my one vote. If Council is out there, there's a good chance I will be calling in absent.

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. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0.

LEGISLATION

DEMO – 114 COLUMBIA AVE

BY: MR. LAWRENCE

ORDINANCE 17-133

Declaring the remains of a designate dwelling (114 Columbia Avenue) to be insecure, unsafe, structurally defective and unsafe 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. Lawrence that Bill 17-135 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final

passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

DEMO – 327 CHESTER AVE

BY: MR. LAWRENCE

ORDINANCE 17-134

Declaring the remains of a designate dwelling (327 Chester Avenue) to be insecure, unsafe, structurally defective and unsafe 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. Lawrence that Bill 17-136 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

AMEND SEC 515.03 – FAIR HOUSING COMMISSION

BY: MR. LAWRENCE

ORDINANCE 17-135

Amending Section 515.03 of the Mansfield Codified Ordinances of 1997 to update and revise requirements of the Fair Housing Commission, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 17-137 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 3. Ayes: Hill, Mears, Pender, Rock and Van Harlingen. Nays: Bryant, Jefferson, Lawrence.

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

THEN & NOW – RANGE DEVELOPMENT SERVICES

BY: MR. VANHARLINGEN

ORDINANCE 17-136

Authorizing payments to Range Development Services in the amount of Forty-four Thousand Five Hundred Dollars (\$44,500) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. VanHarlingen that Bill 17-138 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

APPROP \$25,000 FROM WORKER'S COMP FUND

BY: MR. VANHARLINGEN

ORDINANCE 17-137

Appropriating the sum of Twenty-five Thousand Dollars (\$25,000) from the unappropriated Worker's Compensation Fund for the purpose to cover increases in workers' compensation management fees and dues, and declaring an emergency.

Upon motion by Mr. VanHarlingen that Bill 17-139 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

TRANSFER \$4,000 WITHIN THE SAFETY-SERVICE FUND

BY: MR. VAN HARLINGEN

ORDINANCE 17-138

Transferring appropriations of Four Thousand Dollars (\$4,000) within the Safety-Services Fund (#214), for general equipment needs, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 17-140 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

APPROVE REAPPOINTMENTS TO FAIR HOUSING COMMISSION

BY: MR. LAWRENCE

ORDINANCE 17-139

Approving reappointments by the Mayor to the Fair Housing commission.

Upon motion by Mr. Lawrence that Bill 17-142 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Hill, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

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

AFTER LEGISLATION:

MR. VAN HARLINGEN: I would like to clarify myself and correct myself on something on bill 17-141, when I was discussing and talking about the accounts and transfers for the end of the year. I used the Mansfield Fire Dept. as an example and I mentioned the \$18,000 that was transferred from Contractual Services to Supplies and Materials. I would like to correct myself. I cannot sit here and say that money was strictly for Narcan. It was basically for community overdoses, so not only for the drug but other supplies and materials that our first responders might have needed for that situation, but that was, basically, what it was about.

LAW DIRECTOR SPON: I just wanted to mention, Mr. President, (inaudible) of City Council, as we all have known, home rules for cities has been minimized by the Ohio Supreme Court for the past 20 years, they keep reducing and taking away home rule from municipal corporations. But, just this past week, the Ohio Supreme Court has decided to hear a case that involves traffic stop lights with cameras, etc., and 3 of the Justices of the Supreme Court raised an issue that they're saying that they think the analysis that's been used to take away the power of municipal corporations is something that needs to be reviewed. Now it doesn't mean, necessarily, it would be positive for cities, but there are many of us, throughout the State of Ohio, are hopeful; that the Supreme Court of Ohio will redefine what is considered a general law and what is not, because we have the home rule power to adopt ordinances which are not in conflict with the general statutes, and hopefully the Supreme Court will reanalyze and establish a new standard, which might give us some light to bring back the authority we've had since the inception of the creation of our State of Ohio, so I wanted to bring that to everybody's attention.

MR. HILL: Since Mr. Van Harlingen mentioned Narcan, do we know how much a dose of Narcan costs? (someone responded). \$38 a dose? Who's paying for that? (someone mentioned Fire Dept.) There's no way the city can recoup anything from the expense of that?

MAYOR THEAKER: We could present legislation to do what other communities are possibly looking into and doing is that the individuals that are beneficiaries of that drug, or that Narcan, does, maybe, community service, maybe pays for it. That's something we would have to investigate and present to Council.

MR. HILL: I think Council ought to look into that. It's one thing to save a life that when we hear reports of people using the Narcan 3 or 4 times in one day and abusing the system and have no regards for themselves for what they're doing, I think that there ought to be some kind of reprisal and we ought to look into it.

MR. JEFFERSON: About the Council meeting out at the Airport. I did 20 years in the military and if anything come before Council when I'm here to save or to help the military, I will vote a positive on that, but if I have a choice, I've had enough of the military, so I don't want to go to that. But I can also make the Council meeting and not go to the tour and make the Council meeting, so I'll consider that.

MAYOR THEAKER: The Council meeting would not be on the base. We would not be able to hold that on the base because the general public would not be do that so we would have to have the Council meeting at the Airport terminal, if we were going to do that.

MR. JEFFERSON: If you're going to do it that way, then I can attend Council meeting and go other places. Mr. Bryant, do you have a committee meeting coming up soon?

MR. BRYANT: Yes, I'd like to schedule that for the next session to review that.

PRESIDENT SCOTT: I'd like to go back to Mr. Hill's comment about the Narcan and seeing the possible ways we can't recoup some costs from people. Once is fine, but, like you said, there's people multiple times and you hear multiple, multiple, multiple times of people getting it, so I think we need to start with some discussion and see where we go with that. I think it's a good idea.

MR. LAWRENCE: I've heard some municipalities that are setting a limit to one individual getting does 3-5 and then not getting it after that. We're not the only community feeling this, as we all know.

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

Amy Yockey
Clerk of Council

Phillip Scott
President of Council