

**PUBLIC HEARING – REZONE PET. #533  
1500 & 1512 PARK AVENUE WEST – R-2 TO B-2  
JANUARY 5, 2010 – 7 PM**

**TED SCHLUTER, 1718 ALTA WEST RD.:** We've been through on this to change the latter part of this property on Park Avenue so we could maybe develop it. All the property next to us is all zoned all the way through so we thought it would be sensible.

**PRESIDENT SCOTT:** It's already zoned business now? I mean a lot of the...

**MR. SCHLUTER:** The site (inaudible) business all the way back and makes (inaudible) to the west is business also, so we, I didn't even know it when I bought it.

**PRESIDENT SCOTT:** Now is this to the, where's this in relationship to the dealership?

**MR. SCHLUTER:** Right across the street. That mattress place is on the corner. I don't own it, but they had a little problem about two years ago, 16 inches under water. I'm on higher ground. We need to do something with that property.

**PRESIDENT SCOTT:** So this is kinda between where the mattress place was and the old Swallen's building, kinda in between there? Ok.

**MR. SCHLUTER:** Yeah. The barber shop is next to....the back half of the lot. Originally we were going to use it for fill and they had so much fill out to Gorman Rupp and brought it in for the same money. We haven't done it yet. We still have a lot of hole over there. We could still put a lot of dirt on the other side of the street. That property next to us that we don't own needs to be filled up a couple, three feet to get above the water level. That building needs torn down anyhow. (Someone asked a question). The front of it blew off in a storm and the insurance company paid to put it back on and that's when two (inaudible) met. That's what my son said. I told him, I'll buy it and you can take the insurance money and he decided to have the insurance put it back together.

**MR. HAZEN:** Did not have microphone on.

**MR. JEFFERSON:** So is this going to be vacant for awhile or are you going to wait and see what develops?

**MR. SCHLUTER:** We'll have to see if we can build something. I don't think we'll build another car dealership. We have a pretty decent piece of ground, about 3 acres. The guy on the corner, I said to him, I says, if you find somebody that's wants the corner and they want some of mine, there's no point in me putting out more money for the corner. We need to find somebody that needs 3 ½ acres.

**MR. JEFFERSON:** But you're getting ready to rezone to B-2 so you're getting it ready for business.

**MR. SCHLUTER:** Yes.

**MR. JEFFERSON:** This R-2 that's right next to it, is that yours too or is that behind the building? The map shows R-2.

**MR. SCHLUTER:** Those are apartments back there. You see the corner? The corner is that metal building and behind him are those apartments.

A lot of discussion amongst themselves but not at microphones.

**PRESIDENT SCOTT:** And notices were sent to all abutting property owners in the area, so, about this public hearing so nobody's here so obviously must not be any real heartburn or concern with anybody.

**END OF PUBLIC HEARING**

---

Mary Heminger  
Clerk of Council

---

Phillip Scott  
President of Council

## REGULAR COUNCIL MEETING JANUARY 5, 2010

The first semi-monthly meeting of Mansfield City Council met on Tuesday, January 5, 2010 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Pat Hightower led the audience in prayer.

**ROLL CALL:** The following answered present at roll call: Haring, Hazen, Hightower, Hill, Jefferson, Rock, Scott and Versaw. Upon motion by Mr. Hazen and seconded by Mr. Hill, Mrs. Carmichael was excused.

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

**JOHN FERNYAK, 4<sup>TH</sup> STREET:** Tonight we're going to begin, I understand, considering a federal grant for over \$1 million to do some substantial work downtown. I placed at each person's microphone two pieces of literature that outline the value of two-way streets and the revitalization of downtown. You have the grant work done already for the downtown and as I understand, it's been approved by the federal grant commission. I'm simply asking you to reconsider doing North and South Main Street. We've had three surveys now. All three of the them, the city's paid for to the tune of at least \$15,000. The last two were also paid for by businesses and banks in the downtown. The last one was done by Kelson(?). Again, for the third time, recommended that two-way streets revitalized the downtown area. If you do Main St. now with these federal funds, you'll be unable, as I understand it, to change it for 8-10 years. I would hope that if you would cut that out of the program, we could go back through the engineering of the two-way streets and leave the two-way streets, which I think would be a tremendous advantage for downtown. Because if we can get more people working downtown, more people spending money downtown, you're tax base is going to increase and it's going to be a healthier, better downtown for Mansfield. I'll be happy to answer any questions.

**MR. HAZEN:** I don't know if this is the appropriate person to ask, I'm not sure, John, you're the right person to ask this or not. By voting for this piece of legislation, would I, at some point, have the opportunity or would the city have the opportunity to exclude Main St.? What you're suggesting makes sense, but if we're voting for this and it's a \$1.1 million project, can I pick this apart after it's been approved? I don't know that answer to that. Jim? Do you know?

**JIM DESANTO:** The piece of legislation you have before you tonight is asking for authorization to enter into an agreement with ODOT. This is, as I explained last night, this is the paperwork side of things. We are not asking, at this point, for authority to bid this job. I will still have to come back and get authority to bid an award a contract for the project, so, to answer your question, at that point, if that's the desire of council to parse

this project up, I would think that would be the point where council would have an opportunity to do that.

**MR. HAZEN:** What's the consequence of doing that?

**MR. DESANTO:** The consequence of doing that would be to reduce the scope of the project by over \$300,000, which means that's money that would not be available to use for any other part of the project, that's money that would go back into the federal pot, if you will, to be re-awarded to other projects in other communities.

**MR. HAZEN:** But we would not lose the total funding for the project if we chose to do that, at that point?

**MR. DESANTO:** We've been told by ODOT that that's the case. That we would be able to reduce the scope of the project, although you'd be leaving , in excess, of \$300,000 on the table.

**MR. HAZEN:** So is the perspective here that it's in our best interest, pass 05, and then when you come back later, then we debate whether or not to remove the \$300,000 worth of funding or more from S. Main St.

**MR. DESANTO:** I would definitely recommend passage of this piece of legislation before you tonight and if you choose to discuss and debate parts of the project at a later date, then that is your choice and you have the ability to do that. If I may clarify one point that John brought up, this doesn't preclude us from converting Main St. to a two-way street. To be clear about it, what it does, because we're using federal monies on the curbs, we would not be able to use federal monies on those curbs again for a 10 year period of time. You'd still be able to paint a yellow stripe down the middle of Main St. as I think that one article talks about. There's nothing precluding you from doing that. What would be the issue would be trying to then tear curbs out to widen the street further to build a larger highway through the downtown.

**MR. HAZEN:** Do we have to stick to the plan, as submitted? Could we not replace the curbs in preparation for (inaudible)?

**MR. DESANTO:** No we would not be able to do that. We're not able to change the alignment of the curbs to remove streetscape. The grant is set up to replace what we have. That doesn't have much of a public involvement process because it's just a repair and replacement project. When you start widening and adding capacity or changing capacity, that triggers certain requirements from the federal side as far as getting into public involvement, public discussion process. It brings more agencies in for environmental review and so on. As just a repair and replacement project, it's fairly straight forward from the feds perspective.

**MR. HAZEN:** The (inaudible) that I had last evening was that we had to put these plans in place and we were preparing to move forward at some point in time with the two-way

streets, at least in (inaudible). So, I think that clarifies, if we vote for 05, that doesn't mean, necessarily, that we're saying we aren't going to have two-way streets.

**MR. DESANTO:** That's a fair statement. I would also point out that I'll be back at either the next council meeting or probably the first meeting in February to seek authorization to go forward with construction because the feds will be authorizing this project, giving us the final authorization soon.

**MR. HAZEN:** So at that point, that's when we would have to make sure (inaudible).

**MR. DESANTO:** If that's your choice.

**MRS. HIGHTOWER:** Last night, did you give us a time frame in regard to the two-way streets? When we were speaking about two-way streets?

**MR. DESANTO:** What I had suggested was that federal funding wouldn't be available to make major improvements to Main St. for probably another 5 years based on the funding schedule across the street at Regional Planning.

**MRS. HARING:** So if we pass 5 this evening and that authorizes you to enter into an agreement and you come back in February to legitimize the funding. What goes on in between tonight, let's say, and February 1 as far as discussion on a two-way street? Is that a discussion that's ongoing, is that part of your plan, is this in the scope of things in the future here or is that just really not?

Someone spoke without microphone.

**MAYOR CULLIVER:** I would urge you to go ahead and pass 5 and make a decision on the other later. I would warn you that you can fix Main St. two-way, any way, any time you get ready if you have the cash to do it. Only thing Jim is telling you is we got told by state folks is you can do anything you want to with your money, but this is only precluding the federal funds that are going into this project. So there's private monies or there's city monies, we can put it in one day or the next week and turn that over to a two-way street. That's the whole problem. Really, what you got to think about is, where's the private money and where's the city money going to come from to change that to two-way streets. (inaudible) is saying you won't get it for a certain amount of time if you use their money. That's the whole issue.

**MR. HAZEN:** One other quick question. Do we have the opportunity, let's say we make the decision that we, during our next set of discussions, that we want to hand some of this money back. Do we have to hand back the entirety of the street or could we say, you know what, this portion of Second St. here, that's going to stay the same, or this portion off of Fourth St. is going to stay the same, we'd like to keep that portion of the money. Is it a street by street thing or...

**MR. DESANTO:** I'd have to check with ODOT on that issue.

**MR. HAZEN:** Because there might be areas where it might make sense to do that in keeping with the spirit of what the plan of downtown Mansfield is and that would just provide clarification.

**MRS. HIGHTOWER:** If we do not pass this today, then do we lose part of our money?

**MR. DESANTO:** What it does is, it holds up the process, which, the feds are under obligation to have their funding obligated by President's Day this year, so Feb 17. There's a run up of work that has to happen. One of those things that needs to be put in place is this LPA agreement, so it will definitely make things a lot more difficult from the state and the federal if this isn't passed. Again, we still are not, I can't go out and award a contract until I come back and get a majority yes vote that says I can go out and award a contract. I do need to come back but I do need this part of the process to continue forward as soon as possible.

**MR. HAZEN:** When we get to the point where we're looking at allocating, let's say we pass 5 today and we get to the point in two weeks or whatever and we're going to talk about allocating the funds. Is there is a possibility that you can give someone from the Downtown Mansfield Assoc. a heads up so they can come in and we can discuss all the different elements of this because I'd like to be able to have some representation, I don't know if John's schedule would allow it, but, someone from that organization so they can represent what the questions are from their perspective.

**MR. DESANTO:** I don't see a problem with that.

More conversations away from the microphone.

**MRS. HIGHTOWER:** Help me out here. Isn't this about repairs?

**MR. DESANTO:** Yes ma'am. This is in response to, this project, initially is in response to complaints we've received over the years regarding the conditions of the uneven bricks and the curbs and the broken sidewalks throughout the downtown. We did a pilot project two years ago in the cut through. I'm sure we all remember what the conditions of the cut through were and what that looked like versus what we've turned it into. We did that as a demonstration project of what the rest of the streetscape (inaudible). Prior to the stimulus funds being made available, it was very unlikely that we were going to be able to secure that kind of enhancement money to do this kind of a project. With the stimulus monies being made available, we put that project in, along with a suite of 30 other projects to secure funding. Projects that involved repairing sewers, water plant, repair water lines and so on. The feds, of all the projects that we asked money for, to be able to take sewer related projects and street projects. One was the Industrial Park and the other is this. So that was (inaudible). I know there was some concerns about, well can't we use this money to spend on police and fire. That was a question that's come up. The fact is that we can't. This money has a very specific purposes, it was granted to us for a very specific purpose and if we chose to use it, we can use it for that purpose or we chose not to not use it at all.

**MRS. HARING:** I just wanted to, you brought up a point that was interesting in that the Ohio Department of Transportation thought it was in alignment with their objectives that we get a street project. And I think, possibly, that is because in older cities like Mansfield, and we have a whole bunch of them in the state of Ohio, their downtowns need a lot of help. And to repair the curbs and to enhance the streetscape certainly is a project that would be welcomed in any downtown in the state of Ohio. However, it would seem to me that the best way to use that money would be in alignment with what the people want, especially business owners in the downtown. What is the general plan for enhancement of the downtown district for the re-growth of the city. That's just on the side. My actual question here is, the Mayor said we can use private or city money to do a two-way street. Mr. Fernyak has said, if federal money is used in any way on Main St. there will be no more federal money for Main St. in the future. Mr. DeSanto, you have said, we're only fixing the curbs and therefore, would we be eligible for federal money on Main St. if it required a large sum of money to dig up plazas and repair and change and do things.

**MR. DESANTO:** Part of this project, beyond the curbs and the plazas are part of that, all the areas will be brick work and part of this project. So, to be quite clear, you're not going to be able to use federal money to dig up the concrete that you put down with federal money.

**MRS. HARING:** So pretty much, if you reinforce and repair anything that's now obstructing two-way traffic on Main St., you will never get federal money in the future to change it.

**MR. DESANTO:** No, that's not true.

**MRS. HARING:** In 8-10 years you would.

**MR. DESANTO:** There's a 10 year limitation on using federal money to change something that federal money built as far as the physical nature of it. There's nothing to preclude you from making minor modifications to put two-way traffic through Mansfield. What's precluded would be widening Main St. and removing all that parking and the streetscape and the plazas to put a larger facility to facilitate the through traffic plus turning lane. It would be a major change to make that, to add all the things the feds would want you to have, but if we, the local community, chose to take the pavement we have now and put a yellow stripe down the middle of it, and move a couple traffic signals at our local expense, there's nothing precluding us from doing that. What's precluded would be then meeting all the other federal standards in terms of turn lanes (inaudible) but there's nothing precluding us from using local money other than the lack of it.

**MRS. HARING:** But you wouldn't be able to do that with all the plazas and streetscapes and everything. You wouldn't be able to paint a line down the center and turn it into two-way streets, cuz there wouldn't be enough room, so you would have to move sidewalks and trees and plazas.

**MR. DESANTO:** It would depend on what level of congestion the community is willing to tolerate in terms of two way traffic. If you're not willing to tolerate much congestion then there is a significant amount of work, I would offer that there's possibly even some buildings that would have to be looked at, in terms of making Main St. a fully functional two-way street. If you're willing to put up with some congestion, some delays for people when somebody turns left and you got to wait a few minutes, then there's nothing from keeping you from (inaudible). It's about what your priorities are. I'm offering to you that the studies that Mr. Versaw keeps alluding to, although I've said it a couple different times there's nothing precluding us from doing that, but apparently we have a difference of opinion on that issue. There is, I lost my train of thought. About the studies. What the studies have shown is that, and with limited back up so far, limited supporting documentation, there are recommendations that would be good for (inaudible), however the state (inaudible). Those are some hard facts that have to be overcome, one of which is that a two-way street is apparently less safe for pedestrians than a one-way street by the very nature that you only have to look one way. You have to come up with other safety improvements for the street in order to overcome ODOT's standard for safety, you'll have to come up with other standards for traffic.

**MR. HAZEN:** We're going to have red light cameras for that. (laughter).

**MR. DESANTO:** Thank you Scott. In short, the point is that it's, ODOT set a very large burden to overcome in terms of use of federal monies. The Mayor pointed out there's nothing precluding us from using local money.

**MAYOR CULLIVER:** The one question, I think, council needs to ask is the time limit, or any requirements or any knowledge of any federal grants that's coming in. If you know of any grants, that's one thing. If you don't know of any grants, there's not any possibility of grants. Anybody know of any monies we can use on Main St., we're talking about that as a hindrance, but as far as I know, I haven't heard of any money out there that we can even use. Do you know of any Jim?

**MR. DESANTO:** No, at this point, just the conventional means of going for the normal transportation funds and getting in line for those funds.

More conversation amongst themselves without microphone.

**MR. VERSAW:** This project, Main St. to two-way, the whole thing just aggravates the heck out of me when you only had a certain amount of weeks to throw all of the projects together in this big hopper for the stimulus projects. We didn't have a chance to really look at these projects like this one as far as doing it the right way. We had to have it done immediately and as of today, I just read and heard many times, that we've only spent 25% of all the stimulus dollars. \$800 billion worth of money that we had to rush to spend and only 25% of it's been spent. And it's our \$800 billion of our taxpayers money that's sitting there and I understand if they spend it then inflation will just go out of site, so who knows what Congress has got up their sleeve and what they want to really accomplish,



but we need to get this shovel ready in case the federal government thinks that they need to spend more money on top of what they've already spent.

**MRS. HARING:** I think it's important to have, and I know Jim and the Mayor agree with this wholeheartedly, to have these shovel ready projects on the shelf because hindsight has proven we just don't really know what's down the road. Some states **require** that it's mandatory that you have those projects on the shelf. Ohio is not one of them. So, if we think ahead of the game from now on and like you said, maybe start talking a little bit more seriously about the two-way street project with interested community individuals, this is a good thing.

**PRESIDENT SCOTT:** I think we'll continue from here and have a Street Committee meeting.

**JASON HILLS, 280 REFORM ST.:** As a citizen of Mansfield, I've been reading lately in the newspaper that we've been considering a red light camera program in the city and as an ordinary citizen and a driver who has put many miles on the road in multiple professions, I would like to speak out against that idea. I believe that there are many more alternatives to this that will actually improve safety. Many studies, and I have information for anybody who may like to read it, have shown that red light cameras really have a wash effect on safety. They may decrease certain types of intersection accidents, however, in most cases, rear endings increase and a lot of people, like rear endings, it seems minor but think about this point too. Where do you seat your children in the car? If you've got somebody unfamiliar with the area tailgating you, and you see that light turn yellow, you panic, you hit the brakes, what happens to your children if that mack truck comes up behind you? I have read many studies on this issue, I've seen some that show slight decreases in accidents, but many more that show just a change, a shift, in the type of accident that happened and several reports and studies that show increases, actually, in accidents. Now what I would like to recommend as an alternative, that has actually, studies have proven works, is effective. Number 1, eliminate the dilemma zone. A lot of times, traffic lights are timed in such a way that normal moving traffic will encounter a yellow light at that point where they cannot decide whether to stop or go. It's a split second decision. An increase in the yellow light timing has been shown, in a few studies, to take away that dilemma zone and cut down, actually, the number of red light runs considerably. We're talking along the lines of 80% in certain studies. Another implementation that has proven to be effective is to have a 2 second all red phase. This allows anybody who might have misjudged the intersection to clear the intersection or say there's bad weather. Today's a really good example of that. Somebody misjudges the yellow, they can't stop in time, that 2 seconds, that's when most of your red light runs take place. Most people, believe it or not, do not run red lights on purpose. It is usually an accident, a misjudgment. I would like to see other methods put in place first. These methods aren't very costly, simple retiming of lights. Also, maybe take a look, I'm not sure which intersections are being focused on on this, I didn't get enough information from the news sources, but sometimes there's other reasons. Maybe the intersection is too confusing. Maybe there's too much going on in that intersection and it needs to be made clearer. Maybe the traffic light is hard to see. I know I've had many instances

where I have accidentally ran a light because I was behind a truck and the light changed quicker than I thought it would and I couldn't see the light because of the large semi in front of me. That would have gotten me a \$78 ticket that I would have had to fight a camera rather than an officer, which, any of you can answer me this, it's harder to prove or disprove a camera than it is an officer sitting on the side that may have seen the circumstance himself. Another concern I have is that this has been put to us as a civil proceeding to challenge these as opposed to a criminal proceeding, and that removes due process. I believe that the burden of proof should be on the police officer to prove that you were guilty of your crime committed, in this case, running a red light. It's really hard to argue with a camera. Another instance would be, say you have an emergency vehicle come up behind you and they can't get through the intersection. You have to pull off to the side. That camera's going to take your picture, it may or may not see the emergency vehicle. If it doesn't, guess what, you're slapped with a fine.

**MR. HAZEN:** It looks like you brought some materials. Are those materials for us?

**MR. HILLS:** They're intended for you, I was not sure how many people would be here tonight.

**MR. HAZEN:** Pass them out and we'll take a look at them.

**MR. HILLS:** I've compiled these from various sources on the internet, news publications, (stepped away from microphone).

**MR. HAZEN:** It's nice to see a natural alternative because to this point, we've heard Chief Messer and (inaudible) the red light camera and why they believe it's an effective tool and proven safety and we've heard from various citizens who've expressed displeasure but I think this is the first structured argument for an alternative (end of tape).

**MR. HILLS:** ...don't see the light for whatever reason or distracted in another way, maybe they're intoxicated. Red light cameras have proven to be completely ineffective at preventing those accidents and you can see why. If they don't know the light's there and they don't know the camera's there either. In fact, some studies have shown a slight increase in t-bone accidents after red light cameras have been installed. (someone asked a question). I believe I have some information in that packet on that.

**MR. HAZEN:** If you can get us that information too and if you can send it to Mary's email address in the council office (inaudible).

**MR. HILLS:** And also, another local point of view, that is actually contained in this packet in a News Journal article that I have printed out, is the view of the Sheriff. The Sheriff is generally opposed to these for many of the same reasons that I am. He believes in better enforcement, better timing, maybe taking a look at intersections, see why people might run red lights at certain intersections, is a better alternative than automated enforcements and I'll tell ya. Automated enforcement, another fact that I looked up, every time it has to come to a vote of the people, it has been turned down.

**PRESIDENT SCOTT:** I think we all have the packets and we can go through it and if you find out that it's not in there, you can...

**MR. HILLS:** It was small section, it was in when I was reading and reviewing this and putting it together. I had notice that the Sheriff had spoken on the issue.

**PRESIDENT SCOTT:** I think I remember reading that in the paper too.

**MR. HILLS:** I would propose that we take a serious look at some alternative means of traffic control. See if those work. They're a lot more driver friendly. They're a lot more commerce friendly. Believe me, and I'm sure all of you know well, this town cannot afford to lose any more commerce or any more tourism and when you get a bad rating, which usually happens with these cameras, with travel organizations such as AAA, or motorists.org, that reflects on your tourism. Also people in outlying areas may chose to go to Findlay rather than Mansfield to do their shopping or Columbus or Cleveland. They're not really that far away.

**MAYOR CULLIVER:** We, myself and the administration, have been looking at our budget and going through some things and one of the things that I think that we need to do, I've always said this, that we come down to the way that we actually, pay grades and council pay, elected officials, how we actually pay them and the process that we do. I always said it should be a budgetary system and this year we will have to make some hard decisions on many things and those hard decisions, I think, could come from the top and also to make sure that we equalize things, make things fair for everyone. Try to do the necessary things we need to do across the board, I'm asking the council to set up a committee meeting, Mr. Jefferson, a finance committee and check into, the beginning of the year, check into the wages and salaries of the elected officials and the council members so that we can lead the way in this budget. This budget is, in some ways, seems to be insurmountable but we have to do what we can do this year and actually have a plan. We did have a plan last year, but there was some barriers. But this year, I believe, that if all of us work together, we can have a better communications and make sure we shrink our deficit and do the right thing by our citizens. Mr. Jefferson, since you're the chair of the Finance Committee, I would ask you to call a Finance committee meeting and I would ask that you have communication with the other elected officials and the council because my recommendation is cutting salaries 20%. Thank you.

**DIRECTOR KREUTER:** Ken, you want to stand up? As you all know, Mark Swihart retired and we hired and Ken started this week. Ken's going to be our new Operations Supervisor in charge of building maintenance for the city. He comes to us by way of Embarq/Sprint/Century Link and he left there because he was tired of changing names all the time, no, I'm just kidding. He come highly recommended. Ken's got a lot of experience, a lot of back ground. I think he's going to be a good addition to our staff and we'd like to welcome him.

**MR. HAZEN:** I worked with Ken for about 11 years over at Sprint and enjoyed working with Ken immensely. We both come from the same backgrounds with decision making.

We were both in a program called, Quality Facilitation, so I know Ken's going to be thought provoking and he's going to be very thorough in his work and I appreciated the 11 years I worked with him and I'm glad to see he's with the city and look forward to working with you. Thanks.

## **SUSPEND RULES**

**MR. HILL:** I move with respect to all bills that come before Council tonight, except Bill 09-312, 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, Absent: 1.

## **LEGISLATION**

### **ENACT CHAPTER 315 – PHOTO TRAFFIC ENFORCEMENT SYSTEM – 2nd READING**

**BY: MRS. HARING**

**ORDINANCE 09-309**

Enacting Chapter 315 (Photo Traffic Enforcement System) of the Mansfield Codified Ordinances of 1997, as amended, enabling the use photographic equipment to be utilized in the detection of light violations and speeding violations and establishing a civil penalty for such violations, and declaring an emergency.

Upon motion by Mrs. Haring that Bill 09-312 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was given its second reading.

**MR. JEFFERSON:** Last night I didn't make the meeting, I won't tell you why.

**MR. HAZEN:** You ran a red light didn't you!

**MR. JEFFERSON:** No, but was there anything new that came up in committee or suggested that we do with this legislation, within the committee itself?

**MR. HAZEN:** Not as far as the legislation itself.

**MRS. HARING:** We heard again it was basically another public meeting, it was not well attended by the public but we had a wonderful discussion with Sgt. Newberry and Chief Messer, again, just talking about the benefits and the details, I don't think there was anything new that we hadn't talked about before, so unless there's someone else who feels there was, is my recall not good? You agree Scott?

**MR. JEFFERSON:** So, no council members came forward with any new ideas or suggestions about business practice or, that we can institute in this legislation?

**MR. VERSAW:** I really think we should shut them off about 2 in the morning. Just shut those cameras off because there's some people that want to run those at 2 in the morning.

**MRS. HARING:** I'm sorry Mr. Jefferson. What was your questions again?

**MR. JEFFERSON:** I think I asked was there any new suggestions or how we can incorporate something into the business practice. It's my understanding that the business practice, you can make some adjustments with the cameras.

**MRS. HARING:** Well, yes, and we were corrected by the Law Director, Mr. Remy, that it's not a business plan, it's actually policy and procedures, so, yes, apparently not all of those details have been worked out yet and those are the finer details that would be decided once we give them the authority from Bill 312 to go forward with that.

**MR. JEFFERSON:** Ok. I was hoping we could, I mean, the Chief's trying to institute this legislation with safety. I don't think anybody on council would want to be held responsible for somebody's life by not doing something to keep them from being injured or killed. So, we need to really discuss that to the point, maybe have these cameras but at the same time, I don't know, we can have them but they don't have to be working all the time, or they work at peak hours or we need to discuss it and see what we can come up with. It's not necessarily that we can have them or not have them, but we may be able to have them and only have them operating at peak times. Maybe somebody else got better ideas.

**MR. HAZEN:** One of the things I did suggest last night, Butch, was that if you look at the legislation, it covers a lot different areas, not just red light (inaudible) a provision in there for speeding. My comment last night was, just give us something that specific to speeding in school zones with cameras, I'll support that, because I think there is a real serious problem there, but as far a alternatives, I thought this gentleman here, we didn't hear that particular perspective before. But as far as anything as altering the legislation or revising the legislation, that wasn't discussed at all.

**MR. JEFFERSON:** That answers my question. At least we've got some dialogue going on and looking at some other angles instead of one specific thing of catching people speeding, so that answers my question.

## **APPROVE APPT TO HISTORIC PRESERVATION COMMISSION**

**BY: MRS. CARMICHAEL**

**RESOLUTION 10-001**

Approving reappointment of a Council member to the Historic Preservation Commission.

Upon motion by Mr. Hill that Bill 10-001 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final

passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Hazen, Haring, Hightower, Hill, Jefferson, Rock and Versaw.

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

**MRS. HARING:** I would just like to say that I would be pleased and honored to serve again on the Historic Preservation Commission. I have enjoyed being part of that group, I've learned a lot. I think they are a very viable group for a city and now that they have received consultant status, in using HUD money for demolition and rehabilitation of our homes, I think that this will be, truly, an honor for me to serve on that commission. If there's anyone else who would be interested, I don't want monopolize it, I'd be more than happy to share this responsibility.

**AUTH SSD EXECUTE AGREEMENT WITH DRCA AND RIC. CO. COMMUNITY HUB**

**BY: MR. JEFFERSON**

**ORDINANCE 10-002**

Authorizing the Service-Safety director to execute a Consultant Agreement on behalf of the City's Department of Regional Community Advancement, retroactive to November 20, 2009, to provide care management services to the Richland County Community HUB, and declaring an emergency.

Upon motion by Mr. Jefferson that Bill 10-002 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw.

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

**GRANT LICENSE TO RENAISSANCE FOR MARQUEE SIGN**

**BY: MR. VERSAW**

**ORDINANCE 10-003**

Granting a license to Renaissance Performing Arts, Inc. 138 Park Avenue West, Mansfield, Ohio, to use the public right-of-way for the erection and display of a marquee sign, and declaring an emergency.

Upon motion by Mr. Versaw that Bill 10-003 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw.

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

**MR. VERSAW:** The expansion of the Renaissance is just about complete. I think they're going to have what they call a dual event the last Saturday of this month, so it's very close to completed. If anybody want's to stop up there, they're doing finishing touches, but they've now gotten rid of the old restrooms now and they've opened that right up between the old part and the new part so it's one big lobby. Big, big restrooms, large restrooms for men and women and big concession area and it looks really nice. This marquee will be an electronic marquee, LED or whatever it is that they're putting up. That's what this legislation is for because it's going to hang over the sidewalk, the right-of-way, so it's kind of exciting to see all of this coming down into this month where they'll be able to dedicate the new addition for the Renaissance Theatre.

**MR. JEFFERSON:** Will you be getting us VIP tickets for the gala?

**MR. VERSAW:** Spoke without microphone.

**MR. JEFFERSON:** Did you ask me for money?

**MR. VERSAW:** Spoke without microphone.

**MR. JEFFERSON:** Just use your pull and get me a VIP ticket.

**AUTH SSD SUBMIT APPLICATION FOR FUNDING FROM ODOT**

**BY: MR. VERSAW**

**ORDINANCE 10-004**

Authorizing the Service-Safety Director to submit an application for funding a certain public improvement project with a grant from the Ohio Department of Transportation, and declaring an emergency.

Upon motion by Mr. Versaw that Bill 10-004 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was read and placed upon the floor for final passage, seconded by Mr. Jefferson. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Haring, Hazen, Hightower, Hill, Jefferson, Rock and Versaw.

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

**AUTH SSD ENTER INTO LOCAL PUBLIC AGENCY CONSTRUCTION AGREEMENT WITH ODOT**

**BY: MR. VERSAW**

**ORDINANCE 10-005**

Authorizing the Service-Safety Director to enter into a Local Public Agency Construction Agreement with the Director of the Ohio Department of Transportation for the funding and construction of a certain public improvement project, and declaring an emergency.

Upon motion by Mr. Versaw that Bill 10-005 be read and placed upon the floor for discussion, seconded by Mr. Hazen. The bill was read and placed upon the floor for final passage, seconded by Mr. Hazen. The vote was taken and resulted as follows: Ayes: 7, Nays: 0. Ayes: Hazen, Haring, Hightower, Hill, Jefferson, Rock and Versaw.

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

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

---

Mary Heminger  
Clerk of Council

---

Phillip Scott  
President of Council