

Regular

January 18

2007

Ontario City Council met in regular session on January 18, 2007 in the City Offices, with Council President Dave Metzger presiding. The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Bobby Shook, Paul Williams, Mark Weidemyre, Dan Zeiter, and Carol Shrader; Mr. Metzger; Mayor Kenneth Bender; Law Director Rebecca Thomas; Service/Safety Director Chuck Au; Recreation Director Janet VanCura; and Clerk of Council Cathy VanAuker. A number of interested citizens were present in the audience.

Mr. Weidemyre made a motion to excuse Mrs. Konczak and Mrs. Hellinger from this evening's meeting. Mr. Williams seconded the motion. A roll call, five members voted Aye, zero Nay and the motion passed.

The minutes of the regular Council meeting of January 4, 2006 were presented for approval. Mr. Zeiter made a motion to approve the minutes. Mr. Weidemyre seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Mr. Metzger opened the floor for the Public Commentary portion of the meeting. Mr. Ed Gradel of 456 N. Rock Road came before Council to say: I have a question regarding the parks tax and implementing a new levy. It seems like we're putting in a blank check on that. They're saying it's for improvements but we don't know what those improvements will be. I've heard that there may be a swimming pool but we don't know if that's a fact or not. Will we know what the improvements will be before that is voted upon?

Mrs. Shrader responded to his question by saying he will know before it is voted on but that information is currently not available. The master plan that was designed several years ago will be reviewed and then a projected plan will be created. The swimming pool may not be done immediately. This information will become available to the community through meetings and the media.

Mr. Gradel continued: I keep hearing about this plan that was brought up ten years ago and we're all living with the plan. I live right across from the park so it's in my best interest to follow this. The park is beautiful but I think some of the improvements are not improvements. To keep doing things in the park because the money exists may not be the best idea. It's congested over there. I spoke with you about the next plan is to pave Dunlap Drive and I think they should shut that darn road. Everybody is using that as a short-cut, the kids getting out of school think it's neater than hell to come down there as fast as they can. You want to take a walk in the park with your kids, your grandkids, your dogs, they're going faster through the park than on Rock Road and there is nothing being done about it. So, I don't see that as an improvement. Our soccer fields, the people that come from out of town treat them like shit. I've seen them leave and there's garbage over there and we have to clean it up and if it's not cleaned up it blows over into my lawn. Like I say, maybe it's an improvement, but to me it's going downhill because we're making it nice for everyone else, at our expense. I think this ten year plan should be reconsidered or at least brought before the people who live here now. I wasn't part of the original ten year plan, it just went in there and the swimming pool keeps floating to the top and I personally don't want to be paying for one.

Mr. Weidemyre explained the park tax will be presented for a specified number of years. That will be discussed at the next joint Finance/Parks meeting and the public is welcome to attend all committee meetings. A committee will be organized to inform the public of the levy details and drawings will be available detailing the plan. Mr. Zeiter added this tax will only affect those who work inside the City.

Mr. Grater said: I used to work inside the City but I'm retired now. The money for me wouldn't be so bad but I'm sure it would be an expense for some people, especially when I see the jobs going out of the City. It's kind of negative from where I see it, there's more businesses closing down than what we're getting. We start committing to something like the swimming pool that I was talking about, you have the expense of building it but the maintenance and the insurance is probably going to outpace the cost of building the darn thing. Sooner or later, we, the residents, are going to be stuck

Regular

January 18

2007

paying for that. There's a swimming pool over there now that is closed down that the owner couldn't make money on. Mr. Metzger clarified that was a private pool.

COMMITTEE REPORTS

Mr. Williams highlighted information from the Economic Development meeting held on January 17, 2007.

- Mayor Bender briefed the Committee with an update on Menards.
- Law Director Thomas explained a TIF. After the Committee discussed the TIF they gave their vote of support.
- Law Director Thomas informed the Committee on tier zoning and an ordinance amending Section 1137. The Committee voted in favor of amending the ordinance.
- Mayor Bender and the Committee discussed the City Wide Impact Fee and the Committee confirmed their support by voting in favor of replacing Ordinance 06-08.

Mr. Weidemyre commented on the Finance meeting held January 17, 2007 to discuss the City's investment portfolio. The investment advisor shared a very nice presentation showing the 2006 investments for the City accrued interest in the amount of \$216,739.86. Mr. Weidemyre scheduled a Finance Committee meeting on January 23, 2007 at 5:00 p.m. where they will discuss the Parks Levy including the tax duration and some of the details. The public is invited to attend.

Mr. Zeiter said a Streets Committee meeting was scheduled but at the conclusion of the Economic Development meeting it was determined the Streets Committee meeting was not necessary due to overlapping agendas. He recently spent a couple of hours driving with Mr. Au to evaluate the condition of the streets within the community. Mr. Au and the City Engineer will create a prioritized list of what streets need replaced along with a timeframe for completion. Mr. Zeiter encouraged other Council members to drive through their Wards and submit a list of streets they would like considered during this process. Mr. Zeiter pointed out there is a safety concern at Millsboro and Sugar Maple Lane which he addresses in his handout and more information will follow. A Streets Committee meeting will be called in early February.

Mrs. Shrader announced a Parks Committee meeting will be held in conjunction with the Finance Committee meeting on January 23, 2007 at 5:00 p.m.

Mr. Shook had no report this evening.

MAYOR'S REPORT

Mayor Bender commended the City's school staff for their professional handling of the hostage situation on January 10th. The positive outcome is a reflection that our school system, along with the Police Department, is prepared for emergency situations.

Although the City has noticed a savings in maintenance, overtime, salt and everything involved in keeping the streets safe, he cautioned everyone to be careful in the upcoming months because winter is not over.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au expressed the large amount of rain over the weekend caused the Rock Road lift station to overflow soon after the rain began, therefore, pumping continued most of the weekend. A plan will be presented to Council soon to eliminate this ongoing problem. A collaborative effort

among the consultants, engineering, and legal associates to prepare a permanent solution will be presented first to the Utilities Committee.

The Police Department is at full staff for the first time in several years. Recently, two police officers were sworn in, Bradley Hackedorn and Anthony Grimwood, and Kristen Statts has filled the Dispatcher position.

Regular

January 18

2007

Mr. Au echoed the Mayor's comments on the hostage situation and that it was handled very professionally by both the staff of the school and the Police Department. A few years ago a Lieutenant, who is now our Chief, initiated a training program that became an integral part of the recent success at the school. Mr. Au invited Chief Smith forward to explain.

Chief Smith stated: Two years ago we found out that law enforcement wasn't handling some of these instances as well as they could be with the change in times. We picked up on that training two years ago and conducted a training scenario inside our school. It involved every one of our officers along with the school staff and the administration. We spent a whole day doing nothing but responding to incidents just like we had last week. Following up with that, last year we went out and I gave a discussion to the entire staff at one of their meetings and gave them an open forum to address all of the issues of what we do when we respond to one of these situations. The staff was very well briefed on what they should do and what we want them to do and the safest ways to do it. Although I've said over the last few days that I don't truly condone taking on somebody with a knife, their actions and their hearts involved with that very much saved this girl's life, in my opinion. The backside of that was the cooperation with the school and the cooperation with the Police Department was already engaged and all it had to do was be put into place, and it did that day. The school was prepared for our arrival before we ever got there. Our response time was three minutes to that particular call and they were there to direct us in. Although they had already taken this situation and knocked the most serious part out of it, we were able to take care of the rest of it. By the actions of the officers that work for me now, they made this case what it is today, from the legal standpoint. It was a very successful outcome.

LAW DIRECTOR'S REPORT

Mrs. Thomas made the following statement:

I will be making one and only one comment concerning the Briner case that was filed yesterday in Federal Court in Cleveland. It has been stated in the media that Officer Tommy Hill admitted in court that he falsified documents. That statement is totally inaccurate and casts a cloud on the name of a very good officer who is an integral part of the Ontario Police Department. The police department had a standard form for statements that had been used for many years. The usual procedure was that when a statement was given to the police that was written elsewhere, the officer physically receiving the document would sign on the line next to Witnessed by and/or "in the presence of _____". Under this procedure, signing on the line did not mean that the officer saw the statement being written. This procedure was in place before Officer Hill joined the Ontario Police Department. All of the officers were trained in this procedure. Officer Hill testified truthfully concerning this procedure and stated that he did not see Larry Paone write the statement, but followed the procedure by signing his name since he physically received the paper on which the statement was written. The written statement signed by Larry Paone matched the verbal statement given to Officer Hill on the telephone. Officer Hill never falsified any documents and did not testify that he did.

RECREATION DIRECTOR'S REPORT

Mrs. VanCura reported on several items:

- Over 3,000 people attended the 30th Annual Community Craft Show. The Lion's Club collected and gave to Toy Time \$2,471 and over 542 toys.
- Family Swim is on Monday evenings from 7 p.m. – 8:20 p.m. at the school pool.
- Aerobics is offered on Tuesdays and Thursdays from 6:45 p.m. – 7:45 p.m.
- Yoga is a new class on Tuesdays and Thursdays immediately following the Aerobics class. There is a \$3 charge for this class.
- A Swim Clinic is scheduled for two weeks beginning the week of February 20 (Tuesday through Friday) and the week of February 26 (Monday through Thursday). This is for elementary students from 3 p.m. – 4 p.m. and middle school students 4 p.m. – 5 p.m. Pre-registration is required and forms will be sent home with the Stingel students.
- The Easter Egg hunt is Saturday, March 31st at noon at Marshall Park. The Easter Bunny and Miss Ontario will be present.

Regular

January 18

2007

- Summer Recreation is scheduled for the weeks of June 11 and June 18 for students currently through the 5th grade. Registration forms will be sent home in May. Employment applications will be available beginning March 12th at the High School and Middle School offices for Ontario students who have completed the 8th grade.

Mr. Weidemyre posed the question if there is any consideration of moving the Craft Show back to the High School where it was held in previous years. Mrs. VanCura stated that was discussed at a recent Board Meeting along with the person requesting it return to the school. However, safety issues and school activities being held throughout the day prohibit the Craft Show from returning to the school.

Mayor Bender expressed his appreciation and that of the City for the hard work Mrs. VanCura puts into the projects and the Recreation Board. The success of the Craft Show reflects well on the City and the staff that coordinate the event along with the donation to Toy Time.

Mrs. Thomas explained the new minimum wage law took effect January 1, 2007 but the legislature must act on the amendment. Since that has not happened the details of implementing the new minimum wage are unknown but the wages will be retroactive to the first of the year. Mrs. VanCura added the pay for the students hired in the summer will increase from \$5.15 to \$6.85 per hour.

MISCELLANEOUS MATTERS

Mr. Weidemyre made a motion to reappoint Dr. Daniel Burwell to represent the City of Ontario as a Board member at the Mansfield/Richland County/Ontario Health Department. Mr. Williams seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

Consideration of Ordinances and Resolutions:

ORDINANCE NO. 07-05

**AUTHORIZING THE EXECUTION OF A TRANSPORTATION AGREEMENT
BETWEEN THIS CITY AND THE RICHLAND COUNTY TRANSIT BOARD FOR THE
YEAR 2007 AND DECLARING AN EMERGENCY.**

Mr. Williams read Ordinance No. 07-05 for the first time, by title only.

At 7:30 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre, and a second by Mr. Shook. At roll call, five members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council