

Regular

June 7

2007

Ontario City Council met in regular session on June 7, 2007 in the City Offices, with Council President Dave Metzger presiding. The meeting opened at 7:05 p.m. with the Pledge of Allegiance.

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

The minutes of the regular Council meeting of May 17, 2007 were presented for approval. Mr. Weidemyre made a motion to approve the minutes. Mr. Shook seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Fred Kohler of 1482 Lex-Springmill Road came before Council to say: I would like to address Ordinance No. 07-24 by simply saying that I would hope that this body would vote 'no' for this legislation because this is an ordinance that puts the taxpayers of the City of Ontario paying for improvements to the Menards development which should be paid by the developer and not by the taxpayers. We've had numerous cases of other developments of this size that developers paid for this kind of improvement, that being Wal-Mart, K-Mart, Target and many others and you all know about them. I think it is a very poor use of taxpayers money that we should have to pay for the improvements when Menards agreed to pay for these things and I just don't think you should agree to pay for those. You should vote 'no' on this legislation, and if you don't, I think the taxpayers of the City of Ontario should note that and, in fact, I might even lead a taxpayer revolt. Secondly, I understand there is a movement afoot to add another full-time engineer. Again, I think it is a poor use of taxpayer's money. In the four years I was on Council and the seven years on Planning Commission we got along just fine with one engineer and I don't think you can justify another engineer. I hope you turn that request down. You've got to realize that Ontario is not in a growing mode. We have big-box, many big-box, empty big-box buildings, such as K-Mart, Hawkins, and Burner Systems, so there is not a whole lot of development going on. Please use our taxpayer's money wisely. We need to spend it on the improvements of the streets we have and on sewers and other projects. Thank you very much.

Hearing no one else who wished to speak, Mr. Metzger closed the Public Commentary portion of the meeting.

COMMITTEE REPORTS

Mr. Williams shared information from the Economic Development Committee meeting held on June 4, 2007. The TIF was discussed and Committee members voted to send it before Council. He added it was a win-win situation for the City of Ontario and for the schools. There is money available for that. Mr. Williams disagreed with Mr. Kohler stating there is progress in Ontario and there will always be empty buildings.

At this time, Mr. Williams stated he would like to honor Ester Dunlap who was present in the audience. Fifty years ago, along with her husband who was one of the first Councilmen of Ontario and several others incorporated the Village of Ontario. The first Council meetings were held in her kitchen. Mr. Williams extended heartfelt thanks to Mrs. Dunlap and her belated husband.

Mrs. Konczak reported on the Personnel Committee meeting held on June 4, 2007. The wage adjustment for the Parks Foreman was discussed and is on this evening's agenda as Ordinance No. 07-25. The Service/Safety Director's request for an additional engineering position which would be second in command to the current engineer was also discussed. Mr. Au was given permission to advertise to see if there was any interest but the position has not been created or

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monies allotted. Some Personnel Committee members also wanted clarification of full-time and part-time hours. The Law Director informed them they could only set how many people are in a department.

Mrs. Shrader gave a report on the Parks Committee meeting held this evening prior to Caucus. The Committee decided to not put the Parks Levy back on the ballot in November but wait until spring which will allow more time to provide the appropriate information to the community.

Mr. Shook, Mr. Weidemyre, and Mr. Zeiter had no report this evening.

MAYOR'S REPORT

Mayor Bender announced the May Zoning Report shows \$1,568 in fees with a valuation of \$3,740,900 which is mainly from residential. He has received some inquiries regarding the commercial areas.

The 4th of July celebration will be held on Saturday, June 30.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

OTHER REPORTS

Mr. Metzger announced the Council meetings have been changed for June and July. The next meeting will be held June 14th at 7:00 p.m. with Caucus at 6:15 p.m. A special Council meeting is scheduled for June 19th at 7:00 p.m. The first meeting in July will be on July 19th at 7:00 p.m.

MISCELLANEOUS MATTERS

Mr. Weidemyre made a motion to authorize Administration to enter into an agreement between Ontario Youth Sports and Marc Wilkins for the use of the Marshall Park Ballfields. Mr. Shook seconded the motion. At roll call, six members voted Aye, zero Nay, one Abstain by Mr. Zeiter and the motion passed.

Consideration of Ordinances and Resolutions:

ORDINANCE NO. 07-23

AN ORDINANCE AMENDING SECTION 1349 OF THE ZONING CODE OF THE CITY OF ONTARIO, OHIO UNFIT DWELLINGS AND BUILDINGS DEFINED.

Mr. Shook made a motion to suspend the rules requiring the reading of Ordinance No. 07-23 on three separate days. Mrs. Hellinger seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to suspend the rules passed. Mr. Shook read Ordinance No. 07-23 for the first time, by title only.

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Mr. Shook made a motion to adopt Ordinance No. 07-23. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 07-23 was adopted.

ORDINANCE NO. 07-24

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE DIRECTLY BENEFITING THOSE PARCELS, AND REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS AND PROVIDING FOR THE PAYMENT OF A PORTION OF THOSE SERVICE PAYMENTS TO THE ONTARIO LOCAL SCHOOL DISTRICT; APPROVING AND AUTHORIZING THE EXECUTION OF TAX INCREMENT FINANCING AGREEMENTS, A COMPENSATION AGREEMENT, AND AN INFRASTRUCTURE AGREEMENT; AND DECLARING AN EMERGENCY.

Mr. Williams read Ordinance No. 07-24 for the first time, by title only.

ORDINANCE NO. 07-25

AN ORDINANCE AMENDING ORDINANCE 06-50 CONCERNING THE COMPENSATION OF THE PARKS FOREMAN FOR 2007.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 07-25 on three separate days. Mr. Williams seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 07-25 for the first time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 07-25. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 07-25 was adopted.

At 7:22 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Williams, and a second by Mr. Shook. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council