

## Regular

September 20

2007

Ontario City Council met in regular session on September 20, 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, 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 September 6, 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**

Calling twice and hearing no one who wished to speak, Mr. Metzger closed the Public Commentary portion of the meeting.

**COMMITTEE REPORTS**

Mrs. Konczak scheduled a Personnel meeting for September 26, 2007 at 6:00 p.m.

Mr. Shook, Mrs. Hellinger, Mr. Williams, Mr. Weidemyre, Mr. Zeiter and Mrs. Shrader had no report this evening.

**MAYOR'S REPORT**

Mayor Bender stated the total receipts for Mayor's Court during the month of August was \$25,455.79.

The third Neighborhood Watch meeting will be presented September 25, 2007, 6:30 p.m., at the First Church of God, 1756 Park Avenue West. This will include the area on the south side of Park Avenue West to Home Road; residents are encouraged to attend.

The Flood Mitigation Outreach Team has been setup at Home Depot and Lowe's to provide information on how to prevent flooding. Over 1,600 people have taken advantage of this service. The representatives will return to Home Depot tomorrow, September 21 through September 26, from 9 a.m. – 7 p.m. on weekdays and 10 a.m. – 6 p.m. on Sunday.

The Emergency Disaster Recovery Center located at the Richland County Transit has moved to the Braintree Center at 201 E. 5<sup>th</sup> Street in Mansfield. The Center will remain open until October 27, 2007, which is 60 days from the date the President declared a disaster. Anyone interested in submitting a claim should call 1-800-621-FEMA to register. After applying for a loan or grant an orange envelope will be received for a small business loan. Even though applicants may not want the loan, the information must be filled out. A payout of zero may appear but that is not indicative of the approved funding. Mayor Bender added, those who file should be persistent and follow the instructions.

**SERVICE/SAFETY DIRECTOR'S REPORT**

Mr. Au had no report.

**LAW DIRECTOR'S REPORT**

Mrs. Thomas had no report.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

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## RESOLUTION NO. 07-16

(SECOND READING) A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS AND AWARD A CONTRACT FOR HOSPITALIZATION AND PRESCRIPTION DRUG INSURANCE, FOR CITY OF ONTARIO EMPLOYEES.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 07-16 on three separate days. Mr. Shook seconded the motion. At roll call, six members voted Aye, one Nay vote by Mr. Zeiter, and the motion to suspend the rules passed.

Mr. Weidemyre made a motion to change the wording of Resolution No. 07-16, striking the words: *and award a contract*. Mrs. Konczak seconded the motion.

Mr. Williams responded: I'm not sure where we're going with this at this point because this could interfere with the contract with the FOP and this could be a problem. Last year, when I was new on Council, there was no excuse for this Council to hold the Resolution to three readings, authorizing the Service/Safety Director to get bids and award a contract for hospitalization, and prescription drug insurance for the City, for the Ontario employees. I feel by delaying the Resolution to three readings, it cost the City of Ontario \$10,000. At tonight's Council meeting, we are going to have a second reading on this Resolution that pertains to the same issue. It appears to me that some members of this Council have some personal agendas or something. I recommend we suspend the rules, move on, and put this to bed in the best interest of the City of Ontario. Thank you.

Mr. Weidemyre and Mrs. Konczak pointed out they just voted on and approved suspending the rules.

Mr. Metzger explained only the amendment is going to be voted on. If the amendment passes the wording *and award a contract* will be removed from the Resolution. Should the amendment fail, the Resolution remains intact and will be voted on. If it passes with the amendment, bids can be received but the contract can not be awarded.

Mrs. Thomas added this could interfere with the FOP contract because they remain under the old contract through the end of December. This health insurance will be under the old contract and they will have to follow that contract.

Mr. Zeiter asked, once they go out for bids and come to an agreement for next year the FOP can't receive more than what they currently have because the agreement has already been made?

Mrs. Thomas said: this will take care of next year, the FOP agreement goes into affect January 1 and will affect the next three years but we're still under the contract for this year and that's where this one will be from. Mr. Zeiter reiterated that it won't do the FOP any good to ask for more than they are currently getting because they've already agreed. Mrs. Thomas concurred, that it will already have been awarded, unless it doesn't get awarded before the contract then it may become an issue.

Mr. Metzger summarized, the vote will be on the amendment to strike the wording *and award a contract*. At roll call, four members voted Aye, three Nay votes by Mr. Shook, Mr. Williams, and Mrs. Shrader, and the amendment passed. Mrs. Konczak read Resolution No. 07-16, by title only, reflecting the amendment.

## RESOLUTION NO. 07-16

(SECOND READING) A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS ~~AND AWARD A CONTRACT~~

FOR HOSPITALIZATION AND PRESCRIPTION DRUG INSURANCE, FOR CITY OF ONTARIO EMPLOYEES.

Mrs. Konczak made a motion to adopt Resolution No. 07-16. Mrs. Hellinger seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mrs. Shrader, and Resolution No. 07-16 was adopted.

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## RESOLUTION NO. 07-17

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR GRANTS AND LOW INTEREST LOANS IN THE AMOUNT OF \$500,000 FOR PHASE II OF THE ROCK ROAD LIFT STATION PROJECT.

Mr. Shook made a motion to suspend the rules requiring the reading of Resolution No. 07-17 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. Shook read Resolution No. 07-17 for the first time, by title only.

Mr. Shook made a motion to adopt Resolution No. 07-17. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 07-17 was adopted.

## RESOLUTION NO. 07-18

A RESOLUTION DIRECTING THAT THE ORDER FOR DEMOLITION OF PROPERTIES AT 3635 PARK AVENUE WEST, 3633 PARK AVENUE WEST AND VACANT BUILDING BEHIND 3633 BE EXECUTED UNDER A CONTRACT FOR LABOR, MATERIALS AND EQUIPMENT AWARDED BY THE CITY FOR SUCH PURPOSE AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 07-18 on three separate days. Mr. Shook seconded the motion. At roll call, six members voted Aye, one Nay by Mr. Zeiter, and the motion to suspend the rules passed. Mr. Williams read Resolution No. 07-18 for the first time, by title only.

Mr. Shook made a motion to adopt Resolution No. 07-18. Mr. Williams seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mr. Zeiter, and Resolution No. 07-18 was adopted.

## ORDINANCE NO. 07-32

AN ORDINANCE AMENDING ORDINANCE 07-12 KNOWN AS THE PERMANENT APPROPRIATION ORDINANCE FOR 2007 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND, SPECIAL REVENUE FUND AND ENTERPRISE FUND.

Mr. Shook made a motion to suspend the rules requiring the reading of Ordinance No. 07-32 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. Mrs. Shrader read Ordinance No. 07-32 for the first time, by title only.

Mrs. Shrader made a motion to adopt Ordinance No. 07-32. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 07-32 was adopted.

At 7:18 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. Zeiter. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

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 President of Council

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 Clerk of Council