

Regular

November 1

2007

Ontario City Council met in regular session on November 1, 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, Debbie Konczak, Dan Zeiter and Carol Shrader; Mr. Metzger; Mayor Kenneth Bender; Assistant Law Director Ryan Hoovler; Service/Safety Director Chuck Au; and Clerk of Council Cathy VanAuker. A number of interested citizens were present in the audience.

Mrs. Hellinger made a motion to excuse Mr. Weidemyre from this evening's meeting. Mrs. Konczak seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion to excuse Mr. Weidemyre was approved.

The minutes of the regular Council meeting of October 18, 2007 were presented for approval. Mr. Shook made a motion to approve the minutes. Mr. Williams seconded the motion. At roll call, six 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

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

MAYOR'S REPORT

Mayor Bender referenced the October Zoning Report showing twenty-seven activities resulting in \$1,698.25 in fees with a total property valuation of \$2,217,000.

Mayor Bender announced the upcoming events:

- Flu shots will be administered by the Health Department on November 12th from noon until 4:00 p.m. in the Community Room.
- City crews have begun the leaf pick-up program and will continue until the leaves are down.
- Grand Opening ceremonies will be held Saturday for two new local businesses. AT&T, 805 N. Lexington-Springmill will have their celebration from 11 a.m.-3 p.m. with the ribbon cutting at 11:30. Hobby Force, located in the Town and Country Shopping Plaza will have their Grand Opening at 10:00 a.m.

In response to Mr. Williams' question if there was a charge for the flu shot, Mayor Bender replied the letter he received did not indicate a price which typically is about \$20.

Mr. Zeiter then asked Mayor Bender about the recent news report indicating that deer hunting is not being permitted within the City limits. Mayor Bender responded, the Ordinance states there is no hunting within the City of Ontario with the exception of a Nuisance Permit that is granted by the Wildlife Division. The permit must be for safe designated zones and submitted to the Chief of Police. Mayor Bender added that he received a particular request to hunt next to the General Motors Plant during the two-day strike but public safety is more important than hunting deer. Mayor Bender shared information from a two year report on the number of accidents involving deer which is lower this year than last year. Mrs. Konczak said hunters need to be registered with the State of Ohio in order to hunt under the Nuisance ordinances. Mayor Bender explained that he has received two requests from property owners requesting to hunt in the City's

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Industrial Park, areas surrounding General Motors and the UAW Hall. The permit was for a hunting period of 10-14 days but the hunters were requesting to hunt for five months. Bow hunting for deer is the only Nuisance hunting allowed which includes a requirement of being elevated 8' and shooting downward.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report

LAW DIRECTOR'S REPORT

Mr. Hoovler had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

**** Resolution No. 07-23, Resolution No. 07-24, and Ordinance No. 07-35 were inadvertently adopted. The motion to suspend the rules requiring three separate readings did not receive the mandatory three-fourths votes, therefore, this legislation was read for the first time, by title only.**

RESOLUTION NO. 07-23

**** (FIRST READING) A RESOLUTION DIRECTING THAT THE ORDER FOR DEMOLITION OF PROPERTY AT 3437 WEST FOURTH STREET 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. 07-23 on three separate days. Mr. Shook seconded the motion. At roll call, five members voted Aye, one Nay by Mr. Zeiter, and the motion to suspend the rules passed. Mrs. Shrader read Resolution No. 07-23 for the first time, by title only.

Mrs. Shrader made a motion to adopt Resolution No. 07-23. Mr. Williams seconded the motion. Hearing no discussion, five members cast their votes Aye, one Nay by Mr. Zeiter, and Resolution No. 07-23 was adopted.

RESOLUTION NO. 07-24

**** (FIRST READING) A RESOLUTION DIRECTING THAT THE ORDER FOR DEMOLITION OF PROPERTY AT 148 SOUTH ROCK ROAD UNDER A CONTACT 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. 07-24 on three separate days. Mr. Shook seconded the motion. At roll call, five members voted Aye, one Nay by Mr. Zeiter, and the motion to suspend the rules passed. Mr. Shook read Resolution No. 07-24 for the first time, by title only.

Mr. Shook made a motion to adopt Resolution No. 07-24. Mrs. Hellinger seconded the motion. Hearing no discussion, five members cast their votes Aye, one Nay by Mr. Zeiter, and Resolution No. 07-24 was adopted.

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RESOLUTION NO. 07-25

A RESOLUTION CONSENTING TO THE UNIVERSAL TUBULAR SYSTEMS, INC.
URBAN SETTING DESIGNATION REQUEST.

Mrs. Konczak made a motion to suspend the rules requiring the reading of Resolution No. 07-25 on three separate days. Mr. Shook seconded the motion. At roll call, six members voted Aye,

zero Nay, and the motion to suspend the rules passed. Mr. Williams read Resolution No. 07-25 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 07-25. Mr. Shook seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Resolution No. 07-25 was adopted.

ORDINANCE NO. 07-35

**** (FIRST READING) AN ORDINANCE LEVYING A SPECIAL ASSESSMENT FOR THE DEMOLITION OF STRUCTURES UPON PROPERTY LOCATED AT 3633, 3635, AND 3651 PARK AVENUE WEST WITH PERMANENT PARCEL NUMBERS 038-60-181-08-000, 038-60-256-04-000, AND 038-60-234-13-000.**

Mr. Shook made a motion to suspend the rules requiring the reading of Ordinance No. 07-35 on three separate days. Mr. Williams seconded the motion. At roll call, five members voted Aye, one Nay by Mr. Zeiter, and the motion to suspend the rules passed. Mrs. Hellinger read Ordinance No. 07-35 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 07-35. Mr. Williams seconded the motion. Hearing no discussion, five members cast their votes Aye, one Nay by Mr. Zeiter, and Ordinance No. 07-24 was adopted.

At 7:19 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Shook, and a second by Mr. Williams. At roll call, six members voted Aye, zero Nay, and the motion to adjourn passed.

 President of Council

 Clerk of Council