

Regular

March 6

2008

Ontario City Council met in regular session on March 6, 2008 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 Dan Zeiter, Mark Weidemyre, Leon Blackwell, Barry Lewis, Paul Williams, Charlotte Hellinger and Joe Cinadr; 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.

The minutes of the regular Council meeting of February 21, 2008 were presented for approval. Mr. Lewis made a motion to approve the minutes and Mr. Weidemyre 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**

Mr. Zeiter reported on the Finance Committee meeting held February 28<sup>th</sup> to discuss the final budget for 2008 which is Ordinance No. 08-11, on this evening's agenda.

Mr. Blackwell shared information from the Personnel Committee meeting held February 26<sup>th</sup> to discuss the salary of the Service/Safety Director as well as other salary related topics but no decisions were made.

Mr. Weidemyre, Mr. Lewis, Mr. Williams, Mrs. Hellinger, and Mr. Cinadr had no report this evening.

#### **MAYOR'S REPORT**

Mayor Bender invited representatives from Richland Newhope forward to receive a Proclamation for Developmental Disabilities Awareness Month. Carla Rumas, Director of Therapy Services for Richland Newhope came forward along with Assistant Program Associate Chris Stansky and Raintree resident Alex Enrico.

#### **Proclamation for Developmental Disabilities Awareness Month**

**March, 2008**

Whereas, mental retardation and other developmental disabilities affects more than 1,300 individuals and their families in Richland County and nearly 80,000 in the state of Ohio; and

Whereas, individuals with developmental disabilities, their families, friend, neighbors and co-workers encourage everyone to focus on the abilities of all people; and

Whereas, the most effective way to increase the awareness is thru everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

Whereas, opportunities for citizens with developmental disabilities to function as independently and productively as possible must be fostered in our community, and

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Whereas, educational, employment, housing, therapy, transportation and recreational opportunities are available through Richland Newhope to support children and adults with disabilities throughout their lifetimes, and

Now, therefore, as Mayor of the City of Ontario, I do hereby proclaim March, 2008 as:

**Developmental Disabilities Awareness Month**

and offer full support to efforts that assist people with developmental disabilities to make choices that enable them to live successful lives and realize their potential; and

Furthermore, I ask all citizens of the City of Ontario to recognize that when “Doors Open” people with developmental disabilities “Can Succeed!”

In witness whereof, I hereunto set  
my hand and caused the seal of the  
City of Ontario to be affixed this sixth  
day of March, in the year of our Lord  
Two Thousand and Eight.

Kenneth A. Bender, Mayor

March is also American Red Cross Month. At this time, Mayor Bender read a Proclamation honoring the American Red Cross and expressing what a tremendous asset the Richland County Chapter was during the recent flooding in Shelby and Mansfield.

**American Red Cross Month 2008**

Whereas, each year during the month of March we formally recognize the American Red Cross Richland County Chapter for its essential humanitarian role in the City of Ontario. We honor the role of the Red Cross’s contribution to making Ontario a better place to live; and

Whereas, every day, Red Cross volunteers and employees carry out the mission by providing essential services to people in their communities with the help of generous donors; and

Whereas, for many years the residents of Ontario have relied on the expertise of the American Red Cross in disaster relief; and

Whereas, each year the American Red Cross Richland County Chapter responds to numerous disasters including house or apartment fires and other natural and human caused disasters; and

Whereas, in 2007 the Red Cross helped the citizens of Richland County by providing food, shelter and much needed supplies during the August flood disaster that wreaked havoc in our community; and

Whereas, the City of Ontario is grateful for the tireless work of the volunteers and employees of the American Red Cross Richland County Chapter; and

Whereas, during this month, we pay tribute to this remarkable organization and all those who have answered the call to serve a cause greater than self and have offered support and healing in the times of need; and

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Now, therefore, I, Kenneth A. Bender, Mayor of the City of Ontario do hereby proclaim March 2008, as:

American Red Cross Month

and, especially during this extraordinary time for our country, I encourage all citizens of the City of Ontario to support this organization's noble humanitarian mission.

In witness therefore, I have hereunto set my hand and caused the seal of the City of Ontario to be affixed this 6<sup>th</sup> day of March in the year of our Lord two thousand and eight, and of the founding of Ontario, Ohio the one hundred and seventy- fourth.

Kenneth A. Bender, Mayor

### **SERVICE/SAFETY DIRECTOR'S REPORT**

Mr. Au reported on several items:

- ODOT is working on a solution to the situation at St. Rt. 309 and Home Road. The engineering is almost completed and the detour route will be discussed soon with the City of Mansfield. The east bound lanes will be closed for three weeks; the work is anticipated to take place at the end of June.
- The City will pick up tree limbs resulting from the ice damage. The limbs are not to exceed six inches in diameter and other types of yard debris and cuttings will not be picked up. An announcement will be made once the date is determined.
- The State of Ohio has a shortage of salt but Ontario does have enough to get through March. The Richland County contract is with Detroit Salt in Toledo and they are struggling to keep salt available.

### **LAW DIRECTOR'S REPORT**

Mrs. Thomas had no report.

### **MISCELLANEOUS MATTERS**

Mr. Metzger reported the City will be enforcing the ordinance stating solicitors must obtain a permit. Residents may ask to see the permit and if they feel they are being harassed they should call the police department.

### **RECREATION DIRECTOR'S REPORT**

Mrs. VanCura updated Council on several events.

Family Swim. One session remains; attendance ranged from 30-50 participants.

Aerobics. Attendance has been down this year; this class will end next week.

Yoga. This class was dropped due to low attendance. Instructor Julie Keyes will offer a new type of exercise class next year.

Swim Stroke Clinic. This is attended by thirty-six elementary students and three middle school students. Swim team members volunteer their time to help instructor Emily Adamescu.

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Easter Egg Hunt. Scheduled for noon on March 15<sup>th</sup>, at Marshall Park, if the snow melts. The Easter Bunny and Miss Ontario will be present, and a local Boy Scout Troop will hide the eggs.

Summer Recreation. The two weeks scheduled for this program are June 16<sup>th</sup> and June 23<sup>rd</sup> for children who have completed kindergarten through 5<sup>th</sup> grade. Registration forms will be sent home in early May with the students and employment applications will be available for students 8<sup>th</sup> grade through high school beginning March 10<sup>th</sup>.

Professional CPR – Lifeguard Review. This class is scheduled for April 6<sup>th</sup> at 1:00 p.m. in the high school health room. Debby Henry will be the instructor.

Lifeguard Certification Class. This is currently scheduled in early June but the dates could change based on the number of snow days that need made up.

Quilt Group. This group meets monthly at the Senior Center. They will be making a quilt to donate for the 50<sup>th</sup> Anniversary Celebration in August. The quilt will display the clock tower and quilt squares with signatures from active community members; residents may purchase their quilt square for \$1.00. The Quilt Group would like the quilt to be displayed at City Hall during the celebration and remain permanently on display.

## **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCE NO. 08-11**

(SECOND READING) AN ORDINANCE ESTABLISHING PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2008 AND EXPIRING DECEMBER 31, 2008.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 08-11 on three separate days. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 08-11 for the second time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 08-11. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 08-11 was adopted.

### **RESOLUTION NO. 08-04**

A RESOLUTION AUTHORIZING THE ODOT PROJECT FOR MAINTENANCE, RESURFACING AND REPAIR OF US ROUTE 30 AND DECLARING AN EMERGENCY.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Resolution No. 08-04 on three separate days. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Resolution No. 08-04 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 08-04. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 08-04 was adopted.

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## ORDINANCE NO. 08-13

AN ORDINANCE ESTABLISHING THE COMPENSATION AND EMPLOYMENT BENEFITS FOR THE POSITION OF DIRECTOR OF ENGINEERING OF THE CITY OF ONTARIO AND DECLARING AN EMERGENCY.

Mr. Zeiter made a motion to suspend the rules requiring the reading of Ordinance No. 08-13 on three separate days. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nays, and the motion to suspend the rules passed. Mr. Blackwell read Ordinance No. 08-13 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 08-13. Mr. Cinadr seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mr. Weidemyre, and Ordinance No. 08-13 was adopted.

## ORDINANCE NO. 08-12

AN ORDINANCE ESTABLISHING A PAY SCALE FOR THE PART TIME CEMETERY SUPERVISOR AND SUMMER HELP.

Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 08-12 on three separate days. Mrs. Hellinger seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Zeiter read Ordinance No. 08-12 for the first time, by title only.

Mr. Zeiter made a motion to adopt Ordinance No. 08-12. Mrs. Hellinger seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mr. Weidemyre, and Ordinance No. 08-12 was adopted.

## ORDINANCE NO. 08-14

AN ORDINANCE AMENDING ORDINANCE 07-37 KNOWN AS THE TEMPORARY APPROPRIATION ORDINANCE, AND ORDINANCE 08-11 KNOWN AS THE PERMANENT APPROPRIATION ORDINANCE FOR 2008 BY MAKING ADDITIONAL APPROPRIATIONS TO THE ADMINISTRATIVE FUND.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 08-14 on three separate days. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Cinadr read Ordinance No. 08-14 for the first time, by title only.

Mr. Cinadr made a motion to adopt Ordinance No. 08-14. Mr. Williams seconded the motion. Hearing no discussion, three members cast their votes Aye, four Nay votes by Mr. Zeiter, Mr. Weidemyre, Mr. Lewis and Mrs. Hellinger, and Ordinance No. 08-14 failed.

## ORDINANCE NO. 08-15

AN ORDINANCE AMENDING ORDINANCE 08-11 KNOWN AS THE PERMANENT APPROPRIATION ORDINANCE FOR 2008 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND.

Mr. Weidemyre made a motion to waive the 24-hour rule on Ordinance No. 08-15. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to waive the twenty-four hour rule passed.

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Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 08-15 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Lewis read Ordinance No. 08-15 for the first time, by title only.

Mr. Lewis made a motion to adopt Ordinance No. 08-15. Mr. Zeiter seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 08-15 was adopted.

At 7:25 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. Cinadr. 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