

Regular

April 17

2008

Ontario City Council met in regular session on April 17, 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 Joseph W. Cinadr; Mr. Metzger; Mayor Kenneth Bender; Law Director Rebecca Thomas; and Clerk of Council Cathy VanAuker. A number of interested citizens were present in the audience.

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

The minutes of the regular Council meeting of April 3, 2008 were presented for approval. Mr. Weidemyre stated the correct name of the Director of the Mansfield/Richland County Fair Housing Commission is Don Mitchell, not Don Lewis as shown in the minutes. Mr. Weidemyre made a motion to approve the minutes as amended and Mr. Zeiter seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Jim Evans of 2075 Willowood Drive South came before Council to say: Thanks for this opportunity. I've lived on Willowood South for the past twenty years and for the past twenty years we've had drainage problems. My Councilman, Mr. Cinadr, is aware and he was out there April 3rd and the Mayor sent out two street engineers who agreed we have a serious problem. I would like to send these pictures around for everyone to take a look at. We've substituted underground drains to the street because we have no curbs, black pipe 20' from the front and the back of my house. I also have pictures of my neighbors but theirs is not as bad but they do still have the problem. I have had mold in two rooms of the house that I've just cleaned off. My Councilman will attest to that because he was at my house the 3rd of this past month. I think it is time for this matter to be cleaned up.

Mr. Metzger thanked Mr. Evans for speaking this evening and explained this issue has been discussed and is taken care of.

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

COMMITTEE REPORTS

Mr. Weidemyre commented on the two Streets Committee meetings that pertained to the Streets Paving Program for 2008. The consensus was to pave the following: the railroad underpass on Park Avenue, the broken parts on W. 4th Street from Stumbo Road to St. Rt. 314, W. 4th St. from Home Road to the St. Rt. 309 bridge, a portion of Ferguson and Fulwell, Hemlock Drive, and the Willowood subdivision.

Mr. Lewis reported on the Safety Committee meeting held April 15, 2008. Discussion evolved around purchasing a generator that would accommodate the entire City building during a power outage. The current generator only supports a small portion of the building. Pricing for the generator will be pursued along with pricing for two tornado warning sirens that will provide better coverage throughout the City. There was also conversation regarding unfit dwellings that are either in need of repair or demolished this year. Structures that are being considered are two houses located at 1892 and 1892 ½ Park Avenue West at Sunset; a garage at 2431 PAW; Pelican Cove on Ferguson Road; the unfinished church on PAW. The Law Director was given

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information from other Ohio cities that recently passed new solicitation laws and she is going to research preparing a solicitation permit for Ontario.

Mr. Cinadr reported on the Economic Development Committee meeting held April 3, 2008. This meeting was held with the Ontario Growth Association and the decision was made to establish a liaison between the two groups. Mr. Metzger will be the representative for the City and Greg Boyce will represent the Ontario Growth Association. The two groups will link their web sites. In conjunction with the 50th Anniversary Celebration the OGA will sponsor a business open house for residents to visit and get a card punched to enter into a drawing. Also, a family oriented birthday party will be held at Marshall Park following the parade. Both organizations will continue working together to project a positive image for the City of Ontario. In response to Mr. Weidemyre's question, Mr. Cinadr said no funding issues were discussed during the meeting.

Mr. Zeiter, Mr. Blackwell, Mr. Williams, and Mrs. Hellinger had no report this evening.

MAYOR'S REPORT

Mayor Bender stated the winter storm damage brush pick-up began April 14th and will continue daily. The first sweep should be completed tomorrow and pick-up will continue until April 23rd. Storm damaged limbs not exceeding six inches should be placed near the road.

The City of Ontario will celebrate Arbor Day on April 25, 2008. Ontario was awarded the distinction of Tree City for the third consecutive year. This year's tree planting will take place at the Dunlap Drive entrance of Marshall Park at 1:00 p.m. Stingel Primary second graders will participate in the program; one of their presentations will be an Arbor Day Pledge.

Ontario Growth Association President Greg Boyce donated \$250 through his business, The Modern Woodsmen of America, for the purchase of extra trees that will be planted on Arbor Day in honor of the 50th Anniversary Celebration.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

MISCELLANEOUS MATTERS

Mr. Zeiter made a motion to take Resolution No. 08-05 from the table. Mr. Cinadr seconded the motion.

At roll call seven members vote Aye, zero Nay, and the motion to take Resolution No. 08-05 from the table was approved.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Resolution No. 08-05 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. Zeiter made a motion to amend the title of Resolution No. 08-05 by appending the words, "DATED APRIL 17, 2008." Mr. Weidemyre seconded the motion. At roll call, seven members voted Aye, zero Nay, and the amendment to Resolution No. 08-05 was approved.

Mr. Weidemyre read Resolution No. 08-05 for the first time, by title only.

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RESOLUTION NO. 08-05

A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO BID AND AWARD A CONTRACT FOR THE 2008 STREET IMPROVEMENT PROJECTS DATED APRIL 17, 2008.

Mr. Zeiter made a motion to adopt Resolution No. 08-05. Mr. Weidemyre seconded the motion. Mr. Williams commented: They need to get this through, they have waited long enough and it has cost the Ontario tax payers enough money by stalling and tabling while asphalt prices keep going up. I encourage you to just get this done and move on. Seven members cast their votes Aye, zero Nay, and Resolution No. 08-05 was adopted.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 08-06

A RESOLUTION OPPOSING H.R. 3359.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 08-06 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. 08-06 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 08-06. Mr. Blackwell seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 08-06 was adopted.

ORDINANCE NO. 08-17

AN ORDINANCE APPROVING THE EDITION AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ONTARIO, OHIO AND DECLARING AN EMERGENCY.

Mr. Zeiter made a motion to suspend the rules requiring the reading of Ordinance No. 08-17 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. Cinadr read Ordinance No. 08-17 for the first time, by title only.

Mr. Cinadr made a motion to adopt Ordinance No. 08-17. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 08-17 was adopted.

ORDINANCE NO. 08-18

AN ORDINANCE ENACTING CHAPTER 1146 AND REPEALING SECTIONS 1133.02(12), 1133.02(17), 1133.02(21), 1133.02(34), 1133.02(71), 1133.02(63.1), 1133.02(141) AND 1145.27 TO THE ZONING ORDINANCE OF THE CITY OF ONTARIO, OHIO AND DECLARING AN EMERGENCY.

Mrs. Hellinger made a motion to suspend the rules requiring the reading of Ordinance No. 08-18 on three separate days. Mr. Williams seconded the motion. Four members cast their votes Aye, two Nay votes by Mr. Zeiter and Mr. Weidemyre, and the motion to suspend the rules failed. Mrs. Hellinger read Ordinance No. 08-18 for the first time, by title only.

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At 7:23 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Zeiter and a second by Mr. Blackwell. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council