

Regular

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2009

Ontario City Council met in regular session on July 23, 2009 in the City Offices, with Council President Pro Tem Mark Weidemyre 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 Paul Williams, Dan Zeiter, Charlotte Hellinger, Leon Blackwell, Barry Lewis and Joseph W. Cinadr; Mr. Weidemyre; Law Director Rebecca Thomas; Mayor Kenneth Bender; Service/Safety Director Charles Au; Recreation Director Janet VanCura; and Clerk of Council Cathy VanAuker. A number of employees and interested citizens were present in the audience.

Mrs. Hellinger made a motion to excuse Council President Dave Metzger from this evening's meeting. Mr. Blackwell seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of July 2, 2009 were presented for approval. Mr. Cinadr made a motion to approve the minutes and Mrs. Hellinger seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Sandy Arnold, 182 Lexington-Ontario Road, was first to come before Council to say: I would like to address Council this evening about the funding in question for the Substance Abuse Coordinator. My first interaction with a Substance Abuse Coordinator came when my children were in preschool and kindergarten, at the then Bedford building, when Doug Carr was in charge of the program. One of the things that has always stayed with me is the fact that he believed in empowering parents to stand up for what they felt in their heart was right, not necessarily to go with popular opinion. As I go through those years, one of my children is now a junior in college this fall and the other one will go to college this fall as a freshman. When I look at what value we have received as a family has a lot to do with the fact that there has been a safety net. There's been a network created for families, not just parents but also for these kids. I would like to credit Veronica for continuing that tradition and what she's trying to do is establish relationships with students beginning at a young age. This is how we build a community and that is why it is important as a city we continue to share in the funding of this position. I think that it's real important to see the value that we get when a student first meets Veronica and her programs when they're in elementary school and carrying into intermediate, middle school and high school. They have a common person they can turn to. I also like the fact that in Veronica's programming she gives middle school and high school students a chance not only to say they want to be drug free by being part of the programs but they can assume leadership roles which are very important in forming an opinion about who they are and what they want to be as young adults. I'd like to ask you to strongly consider the level of funding, now, as well as in the future, where you're presently at. As a property owner in the area I think it is also important that our schools are a very strong selling point. What sets us apart in Ontario is that we are a community, we fund things, and we do things together. Let's try to keep that mindset as we move forward and share the funding responsibility because we're creating a safety net for our kids in our community. Thank you.

Next to come before Council was Roger Heston, 2419 Ferguson Road, to say: I'd like to talk about the water and sewer proposal. It is my understanding the water and sewer departments are currently running in the black. Our taxes are being raised at every level of government right now to pay for, in many cases, irresponsible and wasteful spending. Richland County is considering raising property taxes and or sales taxes, Ontario wants to raise our income tax, the State of Ohio is looking for ways to increase their revenue probably by raising taxes, the Federal Government will certainly be raising taxes to pay for their outrageous and unprecedented spending programs. Many of us are laid off or have had our income significantly reduced and almost all of us are on the austerity program. We feel that the government needs to be on the same program. We all realize we have to pay taxes to cover certain services. But, when we have city and county safety forces laid off it's really not the time to ask us for so much money for a rainy day cushion to pad an entity that is already self-sustaining. This

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proposal is unreasonable and would inflict undo hardship on the taxpayers. We're not a bottomless pit of money. The size of this increase is way too high. I urge you to exercise your responsibility to the citizens and to the taxpayers of the community and vote against this increase. Thank you.

Karen Miller, 647 Dirlam Lane, Executive Director of Community Action for Capable Youth (CACY), stood before Council to say: I'm here to recommend, and hoping that you will recommend, to keep the position at Ontario for the Substance Abuse Coordinator. CACY works with nine school districts. We get a lot of calls from parents and it is great to be able to tell them to contact Mrs. Cain at the Ontario School District. We have a great asset in your community. She has worked endlessly and tirelessly to make sure the programs go smoothly. She has held several parents nights and has had the largest attendance of any other parent night that I have ever attended in all of the school districts, bringing together the law enforcement and giving parents the opportunity to know the signs, symptoms, and dangers that are in our community. More than ever with our society changing we're talking about the stresses that we're going through in the community, especially with GM announcing closing. Those families are going to need her more than ever to have somebody to go to that they can contact, their kids can go and have somebody to talk to about the stresses they are dealing with. We know that in an economy when times get tuff there is more substance abuse and having prevention is cost effective. I really hope that you would continue to fund the position. Mrs. Cain and I have constantly searched for grants; CACY is 65% funded by grants and as you know grants don't last very long. We're trying to look for funding in the future that can help with the position because we do feel that it is so important and hope that you realize that it is too. Thank you.

Mark Arnold, 182 Lexington-Ontario Road, approached Council to say: Thank you for paving Lexington-Ontario Road and thank you for changing the light sensors at the lights. What's interesting was the email that was submitted by the guy on the motorcycle and was he contacted? To me, this is a public service announcement that you could work on. You have the school website that you could post information on, they'll post videos, Mr. Hall's School Slate, the Tribune, WMFD can create a video and put it on the news, the News Journal, and WMAN. What I'm getting to is the fact that no one, and even those on Council, understands unless you've been here awhile what they mean by those traffic sensors. For those who come south, up to Larry's Barber Shop on Lexington-Ontario Road, for years would go almost all of the way to the light, you sit there, there is no turn on red, and you wait. They've done a good job previously with sensors but not everybody understands when it says pull up to this point for the sensors, then it will flip it. What I'm recommending to you is work with WMFD, you can educate the public if you have a motorcycle driver on that line. It is not weight sensitive, it is the mechanics. Please work with the media, put something out on the school website, provide an educational opportunity and basically get notoriety as far as what is being provided. You could work with law enforcement. I think it would be a great opportunity. Thank you very much for your consideration.

Next to approach Council was Darlene Arnold, 658 Lexington-Ontario Road: I want to say how important the Substance Abuse Coordinator is to Ontario. Our family has been through a nightmare in the last five months and that program has been so, so beneficial and helpful. Mrs. Cain directed us to the help we needed and by the grace of God our son is doing very well now. I just think it is a shame if that program disappears. I also want to say that our eyes have been opened so much. If you think in this community there isn't a problem, we have a big problem, a very big problem. It just has to go on somehow and I'd appreciate that. Thank you.

Bob Stout, 2393 Whitney Avenue, addressed Council: I'm also here to address the proposed water and sewer increase. First of all, I would like to thank everyone that was involved in getting me the information. I met with our Engineer, Jerrod Swinehart, for about an hour and had a good discussion with him. I would like to recall to Council my water and sewer bill from December 2001 through December 4, 2007, for the same amount of usage, has gone up 66% already. What the City is proposing for the water is actually a 60% increase over the present rates. They are asking for a 24% increase in the sewer. If those were combined again, my water and sewer bill would take a total increase of 40%. As I mentioned, Mr. Swinehart and I spent an hour. We looked over his reports which are in very good detail but he also mentions, and I

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hope everyone on Council has gone through these reports, the age of our system is 50 years newer and the average expectancy is 120 years. The same thing for our water tanks, the life expectancy is 99 years and we are roughly at 40 years on two of those. As Mr. Zeiter indicated earlier, we have money in the coffers for the water and sewer system but after the Engineer and I were done talking I asked one thing: If you know you're running low on money you start cutting back, you tighten your belt, you cut your spending. At General Motors, where I work, Mr. Williams and Mr. Blackwell will verify in 1980 we took wage concessions, in 1990's it was wage and benefit freezes, and now you work for half price with no benefits. So, I asked Mr. Swinehart, his report for the water was dated December 2008, six months ago, I said, what cuts have you made to lower costs? He said what do you mean? I said, any cuts anywhere, have you thought about cutting anywhere to save money? He said, no, we have not. I said what is the reason for wanting the rate increases? His main reason was, and I agree, he said it would be nice to have the interest off of \$4 million to spend. I'm not going to retire; I think Mr. Williams indicated that he is. I'm sure he would indicate also that he would love to have \$4 million off the interest just to spend. I looked over all of the proposals, there's no big payout for the first nine years of a water and sewer department that's indicated. So, what I propose is, if you're going to pass anything on to the residents, cut your proposal rates by 50%, let the City of Ontario see if they can come up with the other 50%. Also, it was just on tv the State of Massachusetts received over a \$150 million to benefit that state for its water and sewer projects and that may be something Ontario and the State of Ohio needs to look into instead of just passing everything on to the consumer. Thank you.

Last to speak before Council was Substance Abuse Coordinator Veronica Cain, 4852 W. Smiley, to provide another perspective on prevention from the financial end. Three weeks ago I highlighted several of the program activities sponsored by the Ontario Substance Abuse Program that took place over the past year. This information was also given to each of you a week or so prior to the second June Council meeting. I hope that you were able to identify that many of the activities of the Ontario Substance Abuse Program take place in the evening, on a weekend or other times when students are not under the supervision of the school. These activities are also structured to involve parents and community members.

Since we are here today to discuss finances, I'd like to focus on the cost of substance abuse and addiction. I touched on this briefly during my annual report when I cited a study showing almost a \$10 return on each dollar spent on prevention programs. One program in particular was cited, the LifeSkills Training Program. This is a program I implemented in the first year I took my position and one which was grown to include all of Ontario's middle school students receiving the training.

The National Center on Addiction and Substance Abuse at Columbia University published their findings in May 2009 in a document titled "Shoveling Up II: The Impact of Substance Abuse on Federal, State and Local Budgets." Here are some of the findings in their 176 page document:

- For every dollar federal and state governments spend to prevent and treat substance abuse and addiction, they spend \$59.83 in public programs shoveling up its wreckage.
- If substance abuse and addiction were its own state budget category (remember its primarily shoveling up), it would rank second just behind the spending on elementary and secondary education.
- If substance abuse and addiction were its own budget category at the federal level (again remember its primarily shoveling up), it would rank sixth, behind social security, national defense, income security, medicare and other health programs including the federal share of medicaid.
- Federal and state governments spend more than 60 times as much to clean up the devastation of substance abuse and addiction visits on children as they do on prevention and treatment for them.
- Education is responsible for the second largest area of local spending on the burden of substance abuse and addictions to local governments. Total local substance abuse-related education spending accounts for 24.4% of the burden to local programs.

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- In Ohio, for every dollar spent on substance abuse and addiction, 1 cent is spent on prevention, 1 cent on treatment, 7 cents on regulations & compliance and 90 cents burden to public programs.
- The National Center on Addiction and Substance Abuse states that there are four types of alternative actions that governments should take in order to substantially avoid or reduce the more than \$467.7 billion this nation spends annually on the burden of substance abuse and addition to government:
 1. Prevention & Early Intervention
 2. Treatment & Disease Management
 3. Tax & Regulatory Policies; and
 4. Expanded Research
 - The Ontario Substance Abuse Program falls into the first category, prevention and early intervention. Their study indicates that comprehensive prevention messages are the cornerstone to any public health initiative. Prevention initiatives should be focused on children; 17 years of research have shown that a child who reaches age 21 without smoking, using illicit drugs or abusing alcohol is virtually certain never to do so. Prevention strategies should focus on curbing the human and social costs of substance abuse and addiction and co-occurring problems through comprehensive messages and approaches that are provided early and are reinforced in families, schools and communities.

At the personal level, the cost to a family who has a loved one addicted to alcohol or other drugs, the costs are almost immeasurable. I could tell you many stories of those in the Ontario community who “shovel up” more than their share of the expenses. They experience financial, emotional and physical costs on a daily basis. Parents mourn for the child they used to have before drugs took over, children mourn for the parent they always wanted their parent to be, families mourn for those who are no longer with us, who, because of their addiction, have died.

I would ask you to consider the total cost of substance abuse and addiction to Ontario (including the shoveling up) while you are making the tough decisions our economy has dictated must be made. It is my hope that you will invest in prevention.

In the event you still find it necessary to remove all funding, it is my hope that this will not be a permanent “solution.” And that you will make it a priority to once again invest in Ontario in a proactive way. You really can’t afford not to. Thank you.

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

COMMITTEE REPORTS

Mr. Zeiter reported on the joint Finance/Personnel Committee of the Whole meeting held prior to this evening’s Council meeting where the Mayor and Auditor informed Council members of the current financial status which is looking good at this time. This is the direct result of the work and contributions from all of the city employees which is very much appreciated and they look for it to continue through the rest of the year. The next Finance meeting will be scheduled in August.

Mr. Blackwell commented on the Personnel meeting that was held in conjunction with the Finance meeting. The School Resource Officer position was discussed along with the pending legislation.

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

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MAYOR'S REPORT

Mayor Bender said the 2009 paving program is almost completed. Lex-Ontario has been paved from PAW (309) to the city limits south, Rock Road is almost completed from the city limits north of Park Avenue, and Old Oak Trail off of Walker Lake Road was paved.

The Police Department was mentioned on the state news media for a pursuit and the manner in which they handled a dangerous situation. They are to be commended.

Mayor Bender agreed they should be very proud of all of the employees working together to maintain spending at a minimal level and keeping it below the amount available to spend.

The Mansfield/Ontario Makes Sense Committee has been aggressively pursuing a change in the order given to close the Mansfield/Ontario plant. Through the U.S. Senators, Congressmen, Governor and Lt. Governor, numerous letters have been sent out to the President's Task Force and General Motors headquarters. As a result of the letters, a meeting is scheduled for July 31, 2009 with the General Motors Vice President of Global Manufacturing, Timothy Lee. Details have not been finalized. The Committee will be permitted to present their facts showing this to be the most efficient and productive stamping plant. When the Lt. Governor addressed the Committee he brought up four significant points for focus.

1. Keep the plant open.
2. Modification in the plant for future use.
3. Take care of the people being displaced by the closure. There is currently a GM response team in place.
4. Resale or reuse of the property. Mayor Bender received a call yesterday from an interested investor.

Mr. Williams highlighted that GM employees were given ten days to tear down a line and in less than five days the line was disassembled, removed, and packaged to quality specifications.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

RECREATION DIRECTOR'S REPORT

Mrs. Van Cura presented the following report.

Lifeguard Certification Class. Six students successfully completed the class. In return for the free class they will work during the Family Swim program and Summer Recreation next year. Lifeguard classes are held once a year during the first week of June.

Summer Rec. The two week program averaged 230 children each week; 80 teens and 5 adults were hired to supervise the activities.

Swim Lessons. Fifty children participated in the swim lessons that were offered immediately following the Summer Rec program. Some children were turned away due to the classes being filled to capacity. A \$40 per student fee was charged for the lessons.

Upcoming Events.

- Mrs. Van Cura is in the process of determining the dates for Family Swim.
- The Ontario Community Craft Show will be held December 5, 2009.

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MISCELLANEOUS MATTERS

The Ohio Division of Liquor Control submitted a transfer request at 900 N. Lexington Springmill Road to Johnny Biggs, Mansfield, LLC from the Cleveland Restaurant Operation. Council did not request a hearing on this transfer.

CONSIDERATION OF ORDINANCES AND RESOLUTIONSORDINANCE NO. 09-45

(SECOND READING) AN ORDINANCE AMENDING ONTARIO CODIFIED 921.01(a)(3)(4) RATES AND FEES FOR WATER SUPPLIED BY THE CITY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 09-45 on three separate days, Mr. Williams read Ordinance No. 09-45 for the second time, by title only.

ORDINANCE NO. 09-46

(SECOND READING) AN ORDINANCE AMENDING ONTARIO CODIFIED 929.11(b) AND ENACTING ONTARIO CODIFIED 929.091 RATES AND FEES FOR SEWER SUPPLIED BY THE CITY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 09-46 on three separate days, Mr. Zeiter read Ordinance No. 09-46 for the second time, by title only.

RESOLUTION NO. 09-15

A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF ONTARIO FOR THE REPAIR AND/OR REPLACEMENT OF HOME SEWAGE TREATMENT SYSTEMS.

Mr. Zeiter made a motion to suspend the rules requiring the reading of Resolution No. 09-15 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. Mrs. Hellinger read Resolution No. 09-15 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Resolution No. 09-15. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 09-15 was adopted.

ORDINANCE NO. 09-47

AN ORDINANCE AMENDING ORDINANCE 06-33 CONCERNING THE ONTARIO SUBSTANCE ABUSE PROGRAM COORDINATOR.

Mrs. Hellinger made a motion to amend Ordinance No. 09-47 to include the wording: One-third of the compensation shall be paid by the City to the Ontario Local School District for the year 2009/2010. Mr. Cinadr seconded the motion. Six members cast their votes Aye, one Nay by Mr. Lewis, and the motion to amend Ordinance No. 09-47 passed.

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Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 09-47 on three separate days. Mrs. Hellinger seconded the motion. Six members cast their votes Aye, one Nay by Mr. Lewis, and the motion to suspend the rules passed. Mr. Blackwell read Ordinance No. 09-47 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 09-47, as amended. Mrs. Hellinger seconded the motion. Six members cast their votes Aye, one Nay by Mr. Lewis, and Ordinance No. 09-47 was adopted.

ORDINANCE NO. 09-48

AN ORDINANCE AMENDING ORDINANCE 09-08 KNOWN AS THE PERMANENT APPROPRIATION ORDINANCE FOR 2009 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND, SPECIAL REVENUE FUND, ENTERPRISE FUND, AND SPECIAL ASSESSMENTS FUND.

Mr. Lewis made a motion to table Ordinance No. 09-48. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to table Ordinance No. 09-48 passed.

Mr. Zeiter made a motion to pay the outstanding invoice to Calfee, Halter and Griswold, LLP in the amount of \$27,300.50 from the Contingency line item of 101-9099-52499. Mrs. Hellinger seconded the motion. Mr. Lewis asked who authorized the hiring of the attorney who is to receive this amount. Mrs. Thomas said authorization came from the insurance company because this was the same attorney who handled the state case. They authorized him to handle the federal case as soon as the federal case was filed. There was no discussion on it because he was at the trial and knew the background which was cost effective instead of starting with a new attorney. Mr. Lewis noted, this invoice was from the McClaran case. Five members cast their votes Aye, two Nays by Mr. Lewis and Mr. Weidemyre, and the motion to pay the invoice was approved.

Mr. Zeiter thanked the audience for their attendance and expressing their views. He realized how difficult it was for them to speak before Council, he appreciated them doing so, and encouraged them to come back. Council members concurred with his statement and reminded everyone that they work for the residents.

At 7:45 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. Cinadr. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council