

Regular

August 6

2009

Ontario City Council met in regular session on August 6, 2009 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 Paul Williams, Dan Zeiter, Charlotte Hellinger, Leon Blackwell, Mark Weidemyre, and Barry Lewis; Mr. Metzger; Law Director Rebecca Thomas; Mayor Kenneth Bender; Service/Safety Director Charles Au; and Clerk of Council Cathy VanAuker. A number of employees and interested citizens were present in the audience.

Mr. Williams made a motion to excuse Joseph Cinadr from this evening's meeting. Mr. Blackwell seconded the motion. At roll call, five members voted Aye, one Nay by Mr. Lewis, and the motion passed.

The minutes of the regular Council meeting of July 23, 2009 were presented for approval. Mr. Weidemyre made a motion to approve the minutes and Mr. Zeiter seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Pete Waleskowski, 2398 Woodland Park Drive, came before Council to say: I come before Council this evening to address a concern that I have regarding actions taken at the last meeting and more importantly the process that was used in regard to a specific topic. As you remember, at the last meeting there was an issue brought up late in the meeting regarding an expenditure, something in the neighborhood of \$20,000 plus dollars regarding a legal fee. I understand that Council had to take action based upon the expenditure that had occurred. However, having been in Caucus I'm very concerned about the fact that this issue was not brought up in Caucus, that there wasn't an appropriate discussion at Council, or an opportunity for public comment. The concern that I have, and I will apologize I have not come to a lot of meetings although I'm sure you recognize my face having been here for several months, there may have been things that have occurred prior to that. However, as that topic was brought up and the inability to have this commentary, it triggered my mind as to the appropriateness of that whole discussion. The question was brought up at Council, if I remember correctly by Mr. Lewis, about the authorization and he asked a very appropriate question, "Who had authorized that expenditure?" My understanding being that our charter requires there be a certain authorization when thresholds are exceeded. That question was responded to by Mrs. Thomas, that it was the insurance company. Unfortunately, Council did react or respond to that. I believe that your question is very appropriate. I believe the response clearly does not, unless authority had been given to the insurance company to make that expenditure on behalf of the good people of the City of Ontario. I'm very concerned about that. My voicing today is the fact that I believe when questions like this come up it is very important that when the issues have not been discussed that they be tabled so they can go through the appropriate consideration and input from the citizens who are ultimately responsible for those bills. Again, I apologize if I'm not fully informed about what has happened previously and obviously this is a long term issue. However, the actual expenditure, I think, does require that we have the appropriate discussion and have the opportunity. Mr. President, I know you weren't here, I know you had a substitute that may have had some impact but I would encourage Council at this point, or at some point in the near future, to make it very clear to all of the employees, elected officials, of exactly what is expected and what our charter requires under these circumstances. Thank you for your consideration.

Next to come before Council was Gerald Greene, 3254 Mabee Road, to say: I have a problem, my well is going dry. There are no water lines within 800' of my home. At that distance it is cost prohibitive for me to run water lines that far even though the water line is on my property on 4th Street. The problem is, I don't know what to do, I can't afford it. I can have the well drilled out but they give me absolutely no estimate of what it will cost because the water table is falling in this area and they don't know what they would get into. Evan Hellinger, Water Distribution Supervisor, suggested I speak to Council. Thank you.

Regular

August 6

2009

City Engineer Jerrod Swinehart agreed to contact Mr. Greene and discuss his concerns.

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

COMMITTEE REPORTS

Mr. Williams scheduled a Utilities Committee of the Whole meeting on August 20, 2009, at 5:00 p.m.

Mr. Zeiter said the next Finance meeting will be scheduled no later than September 3, 2009.

Mr. Blackwell commended Mayor Bender for all of his hard work that went above and beyond all expectations while on the Mansfield Makes Sense Committee.

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

MAYOR'S REPORT

Mayor Bender announced the Planning Commission meeting scheduled for August 12, 2009 has been canceled.

The Mansfield Makes Sense Committee held two meetings on July 31st with General Motors Vice President of Global Manufacturing Timothy Lee, U.S. Senator Sherrod Brown, Governor Ted Strickland, Lt. Governor Lee Fisher, President of the Ohio Senate Bill Harris, and State Representatives Margaret Ruhl and Jay Goyle.

- The first meeting was a closed session and it was apparent there would be no change in their decision to close the plant.
- The second meeting was opened to the public with comments and questions. Mr. Lee said this was a very polite and studious group.
- The Mansfield Makes Sense Committee will meet next week to determine if anything further can be done.

Mr. Williams thanked the Mayor for all of his time involved in this committee, going above the call of duty, and handling this very professionally.

Mayor Bender continued his report.

- The first hope was to keep the plant open. The second hope was having them make a modification in their plans, the third was to provide services for the displaced people which is well under way, and the fourth is to be helpful in marketing this plant and workforce.
- Several interested contacts have been made concerning the plant.
- They will be meeting with the Motors Liquidation Company that is now in charge.
- Mr. Lee said the bulk of the equipment would remain but it will not be useable. Mayor Bender will ask for a list of what the bankruptcy court has given as the assets that are retained by the new GM and what remains in the old GM.
- The water bill from the last quarter will not be paid because they filed bankruptcy but from this point forward they are a new customer under new owners, The Motors Liquidation Company.

Mr. Metzger said all of this hard work allowed for national attention and an article in USA Today which hopefully will entice people to look at the facility and the area. Mayor Bender agreed and said they have received inquiries from various locations.

Regular

August 6

2009

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONSORDINANCE NO. 09-45

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

Mrs. Hellinger said many years ago when Gary McNeely was at the water plant the rates were raised for approximately three years. The rates are very low and they should be raised but not as fast or as much as proposed in Ordinance No. 09-45. Mrs. Hellinger made a motion to send Ordinance No. 09-45 back to the committee to rework and try to make it more feasible to the people and to Council. Mr. Weidemyre seconded the motion. Mayor Bender asked Council to consider several things. The County Commissioners raised their rates Tuesday higher than this proposal, this proposal has been halved from what was originally intended, and every community is facing the same problems. In 2008 the water and sewer income was down \$95,000 from the previous year; as of July 2009 we are down \$75,000 from the same time last year, which by the end of the year will be down close to \$125,000; this is over \$200,000 difference from 2007 to 2009. Close consideration needs to be given because the City cannot continue to operate in a deficit; this is not gouging. At the end of this six year rate increase Ontario will still be one of the lowest rates in today's market. Five members cast their votes Aye, one Nay by Mr. Williams and the motion passed.

ORDINANCE NO. 09-46

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

Mrs. Hellinger stated Ordinances 09-45 and 09-46 go together. Therefore, Mrs. Hellinger made a motion to send Ordinance No. 09-46 back to the Utilities Committee. Mr. Lewis seconded the motion. Five members cast their votes Aye, one Nay by Mr. Williams, and the motion passed.

ORDINANCE NO. 09-49

AN ORDINANCE AMENDING ORDINANCE 07-30 CONCERNING THE SCHOOL RESOURCE OFFICER POSITION.

Mr. Zeiter made a motion to suspend the rules requiring the reading of Ordinance No. 09-49 on three separate days. Mr. Blackwell seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Hellinger read Ordinance No. 09-49 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 09-49. Mr. Williams seconded the motion. Six members cast their votes Aye, zero Nay, and Ordinance No. 09-49 was adopted.

Regular

August 6

2009

At 7:22 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Blackwell and a second by Mr. Zeiter. At roll call, six members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council