

Regular

September 3

2009

Ontario City Council met in regular session on September 3, 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, Barry Lewis and Joseph W. Cinadr; 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.

The minutes of the regular Council meeting of August 20, 2009 were presented for approval. Mr. Blackwell made a motion to approve the minutes and Mr. Cinadr seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

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

COMMITTEE REPORTS

Mr. Zeiter commented on the Finance Committee of the Whole meeting held earlier this evening where they reviewed information provided by the Auditor. The income tax revenue for the year is down \$472,992.95 compared to 2008 and total receipts are down \$237,150 compared to last year. Year-to-date receipts exceed year-to-date expenditures by \$866,534. The appropriation statement was reviewed and the only change was requested by the City Treasurer to increase the Income Tax Refund line, 101-7041-52730, by \$1,200. The request to increase this line item from \$35,000 to \$36,200 was approved unanimously by the Committee.

Mrs. Hellinger reported on the Utilities Committee of the Whole meeting held August 26, 2009. This meeting was called by Committee members Mrs. Hellinger and Mr. Zeiter to discuss the concerns of Mr. Green who approached Council at the August 6, 2009 meeting. Present water lines are more than 800' from his home. The City Engineer presented cost estimates for the Mabee Road water main extension at \$563,000 with the cost to Mr. Green at approximately \$47,000 for water and \$68,000 for sewer. It was the opinion of the Service/Safety Director and Council that this project is cost prohibitive at this time.

The Utilities Committee also addressed the water and sewer rates. The material presented by the Water Department employees and Engineer at the previous meeting was reviewed. A motion to increase rates by 3% across the board for one year was approved and rates will be reviewed again at the end of that year. Legislation is on this evening's agenda for the increase. Although this is less than what the Administration requested, it is moving in the correct direction.

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

MAYOR'S REPORT

Mayor Bender presented a proclamation to the Jared Mansfield Chapter of the Daughters of the American Revolution in recognition of Constitution Day which is September 17th. The Jared Mansfield Chapter of the Daughter of the American Revolution was organized in 1919 and celebrated their 90th Anniversary last March.

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Constitution Day Proclamation

Whereas, our founding fathers did ordain and adopt a Constitution for the United States of America and on September 17, 1787 thirty-nine men signed their names to this document that established the world's first government of the people, by the people and for the people; and

Whereas, every American shares in the legacy of liberty, and we are grateful for the courage, conviction and sacrifice of all those who have helped preserve and uphold the principles of our free society; and

Whereas, "We the people of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution of the United States of America" is the renowned preamble to the Constitution of the United States, and these most honorable words should be embraced by all citizens; and

Whereas, in celebration of the signing of the Constitution of United States and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship.

Now, therefore, I, Kenneth A. Bender, Mayor of the City of Ontario, Ohio, do hereby proclaim September 17, 2009 as "Constitution Day" in the City of Ontario. I encourage all citizens, civic, social and educational organizations to conduct ceremonies and programs that celebrate our Constitution that we all may be reminded of our rights and our responsibilities granted under this great document.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ontario to be affixed this 17th day of September, in the year of our Lord, Two Thousand and Nine.

Kenneth A. Bender, Mayor

Mr. Weidemyre commented that Taco Bell has closed its establishment on W. 4th Street and opened on Walker Lake Road. In reply to his question, Mayor Bender said he is not aware of the plans for the vacated property. Mr. Metzger felt the ingress/egress to the property should be blocked to prohibit cars from using it as a cut-through.

When Mr. Lewis asked for an update on the Grace Brethren Church, Mayor Bender said they were inspected by the Richland County Building Codes and the Health Department. Specific items were addressed that needed done and they are in the process of completing them. The church is under the jurisdiction of the Richland County Building Codes and the Health Department.

Mr. Cinadr asked that everyone remember the attack on this country on September 11, 2001 by flying American Flags everywhere possible.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report.

When Mr. Weidemyre asked for a status on the Ferguson Road property that was inspected last year, Mr. Au said he is satisfied with their progress.

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LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 09-17

A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS FOR HOSPITALIZATION AND PRESCRIPTION DRUG INSURANCE, FOR CITY OF ONTARIO EMPLOYEES.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 09-17 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. Williams read Resolution No. 09-17 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 09-17. Mrs. Hellinger seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 09-17 was adopted.

ORDINANCE NO. 09-51

AN ORDINANCE INCREASING WATER AND SEWER RATES FOR THE CITY OF ONTARIO.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 09-51 on three separate days. Mr. Cinadr seconded the motion. Five members cast their votes Aye, two Nay by Mr. Zeiter and Mr. Weidemyre, and the motion to suspend the rules failed. Mr. Zeiter read Ordinance No. 09-51 for the first time, by title only.

At 7:17 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.

President of Council

Clerk of Council