

Regular

November 19

2009

Ontario City Council met in regular session on November 19, 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; Mayor Kenneth Bender; Law Director Rebecca Thomas; Service/Safety Director Charles Au; Director of Engineering Jerrod Swinehart; and Clerk of Council Cathy VanAuker. A number of interested citizens were present in the audience.

The minutes of the regular Council meeting of November 5, 2009 were presented for approval. Mr. Weidemyre made a motion to approve the minutes and Mr. Lewis 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 a couple of items.

- As a result of the audit, a recommendation was made that Council members should receive a monthly reconciliation report from both the Auditor and Treasurer. Council members have received reconciliation reports for two months so he is now going to suggest both the Auditor and the Treasurer initial the document next to their names.
- The Auditor researched and found out that a separate line item was not necessary for the safety tax unless the revenue for the tax is more than what the safety forces require in their budget, which will not be the case. Should the tax bring in more money than the safety forces cost the City then a special account would need created. The extra money could only be used for safety items.
- The Auditor checked with Delaware County regarding the TIF. The legislation follows a schedule which will be administered for the payments over a period of twenty-five years. She did not have any concerns pertaining to the legislation or the administering of it.

Mr. Blackwell scheduled a joint Personnel and Finance Committee of the Whole meeting for November 24, 2009, at 5:00 p.m., to review the bids for the employee health insurance for the coming year.

Mr. Weidemyre announced the 5th Annual Christmas Tree Lighting will be held on December 1, 2009 at 6:00 p.m. The Ontario High School Marching Band, Majorettes and Golden Girls will be performing. At approximately 6:15 the tree will be lit, followed by pictures with Santa. Fliers for the coloring contest will be sent home with the school children and will also be inserted in the Tribune.

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

MAYOR'S REPORT

Mayor Bender reported on several items.

- The holiday season is approaching and everyone is reminded to be extra cautious.
- The traffic signals on Lex-Springmill that are normally on flash in the mornings will be reset to 3-4 a.m. to accommodate the early shoppers.

Regular

November 19

2009

Mayor Bender provided information on the local retail and restaurant businesses that have opened and closed during the past three years.

Year	New Businesses	Closed Businesses
2007	11	7
2008	15	10
2009	12	10

There are three businesses under construction that could still open this year. Over the past three years there has been an increase of 14 businesses or restaurants.

Mayor Bender continued to say:

- Ontario will continue to grow and should have a good year next year. He thanked the voters for keeping the police force where it needs to be to protect everyone. The safety tax will make up approximately 90% of the assumed deficit in the income tax with the closing of General Motors.
- The General Motors building is world class and he is very optimistic that good things will happen.

Mr. Weidemyre asked if a decision has been made to bring back the laid-off Street employees. Mayor Bender said he will talk with Mayor-elect Collins but there are no plans for the remainder of the year.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au deferred to Mr. Swinehart to present the report.

- Electrical problems caused a pump station to go down in the Shangri-La subdivision which resulted in some back-ups. It is unknown if there will be any City liabilities.
- Shangri-La is the smallest pump station and is still in its design life. The Home Road Lift Station is the second largest, it has been installed for 33 years but should have been in a maximum of 27 years, and it serves the restaurants along Lex-Springmill to Fulwell Drive and down to the fairgrounds. Parts are not readily available for the Home Road Lift Station so an electrical problem could cause overflow conditions which will result in a fine from the EPA.
- The Shangri-La Lift Station has self-priming pumps. Both self-priming and submersible pumps are used throughout the City on a case by case basis.
- The contract with the City of Mansfield permits 742 gallons per minute to flow out of the Home Road Lift Station. Past attempts to gain approval from Mansfield to increase the flow have been unsuccessful.

When Mr. Zeiter asked how long it will be before they see a report on the cause and damages at Shangri-La, Mrs. Thomas said it may end up in a lawsuit and it is now with the insurance company. Mr. Swinehart said there was a power surge but the bad fuse has been replaced. They are contacting the Health Department to check the internal check valves on the residences to prevent this from happening again.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

RECREATION DIRECTOR'S REPORT

Mrs. Van Cura reported on several items.

Honkin' Haulin' Hands on Trucks. The first annual event was very successful with approximately 350 people attending with 150 of them children. Each child was given a drivers

Regular

November 19

2009

license, a key chain and keys. City vehicles, a school bus, an ambulance, a police cruiser and a fire engine were on display.

Family Swim. This is held on Monday evenings from 7:00 to 8:15 p.m. Attendance has been increasing and now there are approximately 38 participants.

Aerobics. Originally dropped from the schedule, instructor Julie Keyes has offered to conduct the class at no charge after the beginning of the year on Tuesday and Thursday evenings.

33rd Annual Ontario Community Craft Show. The show will be held on December 5th from 8:30 a.m. – 4 p.m. at the Richland County Fairgrounds. The entrance fee is \$1.00 and the Lion's Club will accept toy donations for TOY TIME.

MISCELLANEOUS MATTERS

2010 Rules of Council

Mr. Blackwell recommended changing the last sentence in Section 1 from: "Council shall caucus before each regular meeting at 6:15 p.m. in the *Council Conference Room*" to read: "Council shall caucus before each regular meeting at 6:15 p.m. in the *Council Chambers*".

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 09-22

A RESOLUTION AUTHORIZING THE SERVICE/SAFETY DIRECTOR TO BID AND AWARD A CONTRACT FOR THE HOME ROAD LIFT STATION PROJECT.

Mr. Cinadr read Resolution No. 09-22 for the third time, by title only.

Mr. Cinadr made a motion to adopt Resolution No. 09-22. Mr. Williams seconded the motion. Mr. Zeiter made a motion to table Resolution No. 09-22 until after the first of the year. Mr. Lewis seconded the motion. When Mr. Blackwell asked for the purpose of tabling Resolution No. 09-22, Mr. Zeiter responded the new administration will oversee the project and he would like them on board with what the project will entail. Four members cast their votes Aye, three Nay votes by Mr. Williams, Mr. Blackwell, and Mr. Cinadr, and Resolution No. 09-22 was tabled.

ORDINANCE NO. 09-55

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF BONDS OF THE CITY OF ONTARIO, OHIO, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,300,000 FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTION AND IMPROVEMENT OF ROADWAYS WITHIN THE BOUNDARIES OF THE CITY (AS MORE FULLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE), PAYING CAPITALIZED INTEREST ON THE BONDS AND PAYING FINANCING COSTS INCURRED IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 09-55 on three separate days. Mr. Zeiter seconded the motion. Seven members cast their votes Aye, zero Nay and the motion passed. Mr. Weidemyre read Ordinance No. 09-55 for the second time, by title only.

Regular

November 19

2009

Mr. Weidemyre made a motion to adopt Ordinance No. 09-55. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 09-55 was adopted.

ORDINANCE NO. 09-56

AN ORDINANCE AMENDING SECTION 191.12(b) ALLOCATION OF FUNDS OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO, OHIO.

Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 09-56 on three separate days. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay and the motion passed. Mr. Blackwell read Ordinance No. 09-56 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 09-56. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 09-56 was adopted

ORDINANCE NO. 09-57

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010 AND EXPIRING DECEMBER 31, 2010.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 09-57 on three separate days. Mrs. Hellinger seconded the motion. Seven members cast their votes Aye, zero Nay and the motion passed. Mrs. Hellinger read Ordinance No. 09-57 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 09-57. Mr. Cinadr seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 09-57 was adopted

At 7:31 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Lewis and a second by Mr. Weidemyre. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council