

Regular

December 17

2009

Ontario City Council met in regular session on December 17, 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, and Clerk of Council Cathy VanAuker. Treasurer Linda Stoodt, Director of Engineering Jerrod Swinehart, and a number of interested citizens were present in the audience.

The minutes of the regular Council meeting of December 3, 2009 were presented for approval. Mr. Blackwell made a motion to approve the minutes and Mr. Weidemyre 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 scheduled an Organizational meeting for the Council of the Whole on January 7, 2010, at 5:30 p.m.

Council members expressed Holiday greetings and thanked the outgoing elected officials for their leadership, dedication and the hard work they gave to the City of Ontario.

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

MAYOR'S REPORT

Mayor Bender reported on several items.

- The Mansfield/Ontario/Richland County Health Department is having two of their five H1N1 flu shot clinics on December 21, from 1:00 p.m. until 6 p.m. at Wooster Heights Elementary School and December 30, from 9:00 a.m. until 7 p.m. at the Health Department in Mansfield.
- Mayor Bender distributed two reports. The first report highlighted the City's accomplishments from 2006 through 2009, and the second report covered the General Motors closing beginning in June 2009. He did not feel this plant should have been closed and there was overwhelming evidence indicating this was the best plant in the system.
- During his meetings with state officials he stressed that communities the size of Ontario should be given preference on any federal stimulus money in the State of Ohio. The closing of a General Motors plant in a smaller community should be criteria to become more eligible for funding.
- Meetings were held with representatives from the Ohio Department of Transportation and the Ohio Department of Development concerning the repaving of St. Rt. 309 and St. Rt. 430 (Park Avenue West). Positive feedback indicated the City could receive either in part or whole the City's portion of the paving project which is approximately \$803,000. The State is going out to bid in early January. The infrastructure repairs will be completed first with paving beginning in March.

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- The passage of the Safety Tax will be a tremendous help for the upcoming budget.
- Mayor Bender thanked everyone for their support and all of their work during the past four years. He wished everyone a Merry Christmas and a safe and happy New Year. Mayor Bender thanked all of the employees in the City of Ontario, they have done an outstanding job and always go above and beyond the call of duty in every occasion. In closing, he wished the new Administration well and said to continue working hard because everyone wants to see the City prosper.

Mr. Weidemyre asked if the stimulus money could be used for the widening of Park Avenue West. Mayor Bender responded that improvements on a state route are the responsibility of the City and the estimated cost was \$3 million. Ontario was fortunate to receive a \$30,000 Safety grant to lengthen the west bound left-turn lane on St. Rt. 309.

Mayor Bender encouraged Council to consider the \$222,000 grant for the Home Road Lift Station.

LAW DIRECTOR'S REPORT

Mrs. Thomas presented information current to December 14, 2009.

- On January 1, 2009, 113 criminal cases were pending from 2008. There are currently 88 cases pending.
- There were 1,455 charges against 1,135 people in 2009. This number is up from last year and does not include the holidays for this year.
- Bonds will be closing on December 22, 2009 for the TIF project. All documents have been signed.
- The 6th Circuit Court of Appeals has not made a decision on the Briner #1 case. The Briner #2 case is in the discovery stage and depositions will be taken after the first of the year. Mrs. Thomas is being deposed on January 14, 2010. Depending on the outcome of the Briner #1 case, the Briner #2 case could be eliminated due to the issues being addressed in the first case. These cases originated in 2004 and this year there has been \$125,000 in legal fees.

MISCELLANEOUS MATTERS

Mr. Weidemyre read the Notice of Public Hearing in its entirety.

Notice is hereby given that a public hearing will be held before the Council of the City of Ontario, Ohio, at a Regular Meeting at 7:00 p.m. on Thursday, January 21, 2010 at the Charles K. Hellinger Ontario Municipal Building, 555 North Stumbo Road, Ontario, Ohio, upon a proposal to amend the City Zoning Ordinance as follows:

Application to rezone the following properties located on the north side of Park Avenue West from R-1 Low Density Residential District to OS Office Service District:

1.36 acre parcel located at 2280 Park Avenue West and owned by Roger D. and Cindy Hoover;

1.7 acre parcel located at 2294 Park Avenue West and owned by Gary W. and Rebecca M. Thomas;

5.7 acre parcel (038-60-171-03-000) and .658 acre parcel (038-60-170-17-000) on Park Avenue West and owned by Keith and Mary Beth Wright.

The City Planning Commission has recommended in favor of this rezone.

All persons interested in these issues are invited to attend and express their views.

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Mrs. Hellinger explained that Howard Harriman of the Lions Club has requested the City share in the \$900 replacement cost for a used piano at the Senior Citizens Center. Mrs. Hellinger made a motion that City Council go half with the Lions Club to purchase the used piano with money from the Contingency Fund. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion was approved.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 09-60

AN ORDINANCE AMENDING ORDINANCE SECTIONS 1146.03(d) AND 1146.03(d)(6) OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO, OHIO.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 09-60 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay and the motion passed. Mr. Williams read Ordinance No. 09-60 for the first time, by title only.

Mr. Williams made a motion to adopt Ordinance No. 09-60. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 09-60 was adopted.

ORDINANCE NO. 09-61

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

Mrs. Hellinger made a motion to suspend the rules requiring the reading of Ordinance No. 09-61 on three separate days. Mr. Williams seconded the motion. Mrs. Hellinger said this ordinance makes no changes to the total appropriations in the budget, it merely changes money around. Seven members cast their votes Aye, zero Nay and the motion passed. Mr. Blackwell read Ordinance No. 09-61 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 09-61. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 09-61 was adopted

At 7:27 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Cinadr 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