

Regular

March 19

2009

Ontario City Council met in regular session on March 19, 2009 in the City Offices, with Council President Dave Metzger presiding. The meeting opened at 7:03 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; Assistant Law Director Ryan Hoovler; Mayor Kenneth Bender; Service/Safety Director Charles Au; Recreation Director Janet VanCura; and Clerk of Council Cathy VanAuker. Also in attendance were Director of Engineering Jerrod Swinehart and Auditor Nancy Morehead. A number of interested citizens were present in the audience.

Mr. Williams made a motion to excuse Mrs. Thomas from this evening's meeting. Mr. Cinadr seconded the motion and the motion passed unanimously.

The minutes of the regular Council meeting of March 5, 2009 were presented for approval. Mr. Cinadr made a motion to correct the acronym on the first page from JAO to GAO (Government Accounting Office). Mr. Blackwell made a motion to approve the minutes as corrected 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

Calling twice and hearing no one who wished to speak, Mr. Metzger closed the Public Commentary portion of the meeting.

COMMITTEE REPORTS

Mr. Blackwell reported a Personnel Committee of the Whole met on March 17, 2009 in executive session.

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

MAYOR'S REPORT

Mayor Bender made the following announcements.

- Congratulations to the Ontario Warrior Drive-In and Pizza for winning an award for the Best Traditional Pizza at the International Pizza Expo held in Las Vegas with 120 world-wide participants.
- On March 25th from 7:00 p.m. – 8:30 p.m. the Ontario High School will host a Technology Drug Awareness Information Night for parents and concerned adults who want to learn more about drug/alcohol use and technology in the community. The Ontario Substance Abuse Program and the Ontario Police Department are sponsoring the event.
- The Earth Stewardship Celebration Steering Committee will host their 13th annual Earth Day Stewardship Celebration which is open to businesses, schools, organizations and individuals. Last year over a thousand people participated. Interested parties should contact the Steering Committee at 419-755-9699 to register by April 10th. Forms are available at the City Building.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au reported on the following.

- A press release was issued today with information pertaining to winter storm pick up beginning Monday, April 13th and ending Friday, April 17th. In an attempt to minimize

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the budget there will be one pass on each street to collect sticks from the winter storm that are not over 6" in diameter and cut into reasonable lengths. Newly cut brush will not be collected.

- When weather permits the yard work on the west end of town will be completed by the contractor, Elite Excavating. They did an excellent job getting the work done and are expected to do an excellent job fixing up the lawns. The earth must settle as much as possible, then it will be leveled and seeding will be done in late May or early June.
 - Once school is out for the summer the work along Shelby-Ontario Road will be completed for the nine remaining connections.
 - This will complete most of Phase 2 of the I&I project but some monitoring will still be necessary.

LAW DIRECTOR'S REPORT

Mr. Hoover had no report.

RECREATION DIRECTOR'S REPORT

Mrs. VanCura presented the following report before Council members.

Family Swim was popular this year with 58 families enjoying the program.

Aerobics attendance was down so this activity will be reviewed to determine if it will be offered again next year.

Swim Stroke Clinic had 44 students participate which was an increase in attendance. Ontario H.S. swim team members volunteered their time to assist the instructor with this class.

Easter Egg Hunt is scheduled for noon on April 4th at Marshall Park for children 4th grade and under. Three Girl Scout/Brownie Troops, ADIOS and No Use Groups are helping to fill the eggs with candy.

CPR Review Class will be held April 29th at 1:00 p.m. in the health classroom at the high school. This recertification program costs \$20 (\$8 will go to the Red Cross, \$5 to the OHS for the use of mannequins and \$7 to the Recreation Department).

Summer Recreation is scheduled for June 15-18 and June 22-25. Interviews will be April 7th and 9th. The fee has been increased this year to \$10 per child, a family of three or more will pay a maximum of \$25 per week.

Swim Lessons will be held immediately following Summer Rec. The cost is \$40 per child for eight lessons.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 09-14

(SECOND READING) AN ORDINANCE AMENDING ORDINANCE NO. 09-08 KNOWN AS THE PERMANENT APPROPRIATION ORDINANCE FOR 2009 BY MAKING ADDITIONAL APPROPRIATIONS TO THE CAPITAL IMPROVEMENT FUND.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 09-14 on three separate days. Mr. Cinadr seconded the motion. Five members cast their votes Aye,

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two Nays by Mrs. Hellinger and Mr. Lewis, and the motion to suspend the rules failed. Mr. Williams read Ordinance No. 09-14 for the second time, by title only.

Mr. Weidemyre made a motion to amend the title of Resolution No. 09-07 by removing the word DELAY and replacing it with the word STOP. Mr. Zeiter seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

RESOLUTION NO. 09-07

A RESOLUTION REQUESTING THE U.S. CONGRESS TO ~~DELAY~~ STOP THE UNITED STATES POSTAL SERVICE FROM MOVING ITS FACILITY FOR PROCESSING MAIL ORIGINATING IN THE 448 AND 449 ZIP CODES FROM THE MANSFIELD CUSTOMER CENTER TO THE AKRON PROCESSING DISTRIBUTION CENTER.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 09-07 on three separate days. Mr. Zeiter seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed.

Mr. Cinadr made a motion to amend Section 1 of Resolution No. 09-07 by changing the word General Accounting Office to Government Accounting Office. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Zeiter read Resolution No. 09-07 for the first time, by title only.

Mr. Zeiter made a motion to adopt Resolution No. 09-07. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 09-07 was adopted.

RESOLUTION NO. 09-08

A REOLUTION SUPPORTING THE RICHLNAD COUNTY VIETNAM VETERANS MEMORIAL.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Resolution No. 09-08 on three separate days. Mr. Lewis seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Hellinger read Resolution No. 09-08 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Resolution No. 09-08. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 09-08 was adopted.

RESOLUTION NO. 09-09

A RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO ALLOW CITY OF ONTARIO RESIDENTS THE USE OF THEIR 449 ZIP CODE WITH ONTARIO, OHIO.

Hearing no motion to suspend the rules requiring the reading of Resolution No. 09-09 on three separate days, Mr. Blackwell read Resolution No. 09-09 for the first time, by title only.

Mr. Metzger explained to the audience the reason the rules were not suspended was to allow time to research any ramifications there may be to the passage or failure of this resolution which will be back on the agenda at the next meeting.

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ORDINANCE NO. 09-15

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

Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 09-15 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 09-15 for the first time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 09-15. Mr. Williams seconded the motion. Six members cast their votes Aye, one Nay by Mrs. Hellinger, and Ordinance No. 09-15 was adopted.

Mr. Metzger announced the proposed Charter will be mailed to all registered voters beginning Monday March 23rd.

At 7:22 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. Lewis. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council