

Regular

May 6

2010

Ontario City Council met in regular session on May 6, 2010, in the City Offices, with Council President Daniel Zeiter 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, Larry Arnold, Charlotte Hellinger, Leon Blackwell, Mark Weidemyre, Barry Lewis and Joseph W. Cinadr; Mr. Zeiter, Mayor Larry Collins, Law Director Allan Sowash, Service-Safety Director Roger Heston, and Recreation Director Janet Van Cura. Also in attendance were Auditor Jane Hammond, Treasurer Linda Stoodt, Clerk of Council Cathy VanAuker and a number of interested employees and citizens.

The minutes of the regular Council meeting of April 15, 2010 were presented for approval. Mr. Lewis 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. Zeiter closed the Public Commentary portion of the meeting.

#### **COMMITTEE REPORTS**

Mr. Arnold expressed his gratitude, as well as the positive feedback he received from OYS, for the work performed at Stowell Park by the City employees. The safety concerns have been addressed and a job well done.

Mrs. Hellinger attended the recent EPA meeting but deferred to Mr. Heston who will give the report. The next Utilities Committee meeting was scheduled for May 11, 2010, at 4:00 p.m., then a Utilities Committee of the Whole meeting will be scheduled for the following week.

Mr. Blackwell announced a Personnel and Finance Committee meeting of the Whole will be held on May 20, 2010, at 5:00 p.m.

Mr. Weidemyre reported on the Finance Committee meeting held this evening at 5:15 p.m. The budget was discussed along with the revenue falling below spending and the shortfall in the projected revenue. The Mayor was asked to present a list of recommendations to respond to the deficit at the Personnel and Finance meeting on May 20<sup>th</sup>. Legislation will be prepared for the next Council meeting addressing the income tax forgiveness.

Mr. Lewis scheduled a Streets Committee meeting to follow the Utilities meeting on May 11<sup>th</sup>. He then addressed the crack-sealing that needs done and confirmed the payment will be appropriated to the correct line item.

Mr. Cinadr reported the Vision Team continues to meet. The speakers and information received are impressive. This community is represented in every facet of Ontario life. The project with NCSC should be available in a month and should project a positive image for the City.

Mr. Williams had no report this evening.

#### **MAYOR'S REPORT**

Mayor Collins reported on several items.

- Community Recycling is a new business located in the former Moore's Lumber building. The owner is working with the school system and the community
- Legislation was prepared to cancel the Enterprise Zone Agreement with General Motors. This process has been completed.

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- The Vision Team meetings are held the first Tuesday of each month at 4:00 p.m.
- Mayor Collins represented the City at several functions: the Ontario Free Methodist Church when they were praying for the City and all of government; worked with the mayors of five cities on a monthly basis; Merle Orewiler's retirement party D.A.R.E graduation at Stingel Elementary; Chamber of Commerce with Sherrod Brown's office in regards to General Motors leaving; tree planting at Marshall Park; EPA meeting in Bowling Green; Miss Ontario Pageant; and the fourth grade class at Stingel toured the Administration Building.
- Wal-Mart is having a grand re-opening at 9:00 a.m. on Friday.
- The City of Ontario received an award for outstanding Safety Performance sponsored by the Richland County Safety Council which was presented by the Bureau of Workman's Compensation.

Mayor Collins asked several City employees to come forward and read a Proclamation for Public Service Recognition Week.

### PUBLIC SERVICE RECOGNITION WEEK

In honor of the millions of public employees at the federal, state, county and city levels:

Whereas, Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation working;

Whereas, Public employees take not only jobs, but oaths;

Whereas, Many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professions and others, risk their lives each day in service to the people of the United States and around the world,

Whereas, Public servants include teachers, doctors and scientists, train conductors and astronauts, nurses and safety inspectors, laborers, computer technicians and social workers, and countless other occupations. Day in and day out they provide the diverse service demanded by the American people of their government with efficiency and integrity, and

Whereas, Without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials,

Therefore, I, Larry C. Collins, Mayor of the City of Ontario do hereby announce and proclaim to all citizens and set seal hereto, that May 3 - 9, 2010, is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels – federal, state, county and city.

Mr. Lewis asked Mayor Collins about the new recycling business because Council previously turned down a scrap metal business at that same location. Community Recycling is using only a portion of the building to recycle electronics which will be done inside.

### SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston reported on several items.

The City is required to review their Identity Theft Prevention Program on an annual basis. There does not appear to be any changes needed at this time.

#### Street Department

- The spring storm debris pickup program has been completed. The program may be eliminated next year due to the cost and because many residents are using the program to get rid of their tree and shrub trimmings.

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- Mansfield has approved the use of their street sweeper in exchange for some used overhead street sign poles no longer needed by the City. This will save hiring a contractor at \$2,250 to sweep the streets.
- Four catch basins were repaired. Sewer mains are being cleaned and rehabilitated sewer laterals and lower cleanouts are being inspected.

#### Water Department

- Power washing, repainting and repairing of the City's fire hydrants will begin next week.
- Concrete work and lawn repair from the winter dig-ups has been completed.
- A new water tap was installed in the Shangri-la development.
- They have responded to approximately 100 OUPS tickets requiring water and sewer lines to be marked in an effort to prevent damage to those systems.

#### Police Department

- Calls for service totaled 546: 29 crashes, 29 alarm drops, 92 suspicious persons or circumstances, 1 B&E, and 51 arrests.
- Crawford County has offered to house our prisoners at a cost which may represent a savings. This option is currently being reviewed.
- Due to budget restrictions the City is no longer supplying or replacing uniforms for dispatchers. The Chief has authorized dispatchers to wear casual attire provided it meets with his approval.

#### Zoning Department

- Three permits were written for deck and porch additions.

#### Parks Department

- The two oak trees originally approved by the Shade Tree Commission were exchanged for three maple trees.
- Eleven trees were planted in Marshall Park to provide shade at the ball fields and pavilion. Six of the trees were planted in observance of Arbor Day with assistance from students at Stingel Elementary.
- Eight motion detectors were installed on the park restroom lights to reduce energy consumption.

#### Shade Tree Commission

- Eight Autumn Blaze Maple and two Red Oak trees were purchased for Marshall Park to provide shade at the ball fields. The cost for these trees was \$900. Planting will be done by the Street Department.

#### Fireworks Committee

- The contract for fireworks has been renegotiated to meet all of the City's requirements. Our insurance carrier has approved the contractor's insurance certificate. The agreement has been signed.
- The Committee arranged to have the last of the C-130 flyovers this year. The C-130s are being phased-out at the 170<sup>th</sup> Airlift Wing.

#### Engineering Department

- The Home Road Lift Station Project is on track for mid-July or early August. The pump station shop drawings are expected this week.
- Preliminary preparations are underway for the paving of St. Rt. 309 and Park Avenue West. The white flag markers on residents' property are related to the paving of Park Avenue.
- The EPA has mandated a plan by July 31, 2010 to resolve issues including the construction of an overflow (EQ) basin for Rock Road and redirecting the Tappan Park forced main to reduce the load on Rock Road. The EQ basin deadline might be extended a maximum of five years but the EPA wants the Tappan Park issue resolved within 18 months. Time was granted to do a study by installing flow monitors on the

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sewer system. The EQ basin is estimated to cost between one and two million dollars. The Tappan Park project has not yet been estimated. Findings and orders will be issued at the time the plan is submitted.

- The average quarterly sewer bill for Ohio in 2008 was \$122.25. Our current average sewer bill is less than half at \$54.60. A typical minimum bill in the state is \$40 - \$50 but our minimum billing is \$15 per month. The EPA strongly recommends increasing our sewer rates in order to fund the high cost of these and future projects. Storm sewer maintenance and improvement issues were not addressed at this meeting.

Mr. Williams asked if grant money was available. Mr. Swinehart said stimulus money was submitted for the Home Road Lift Station but was not approved. They will submit for the OPWC grant. Mr. Arnold said the EPA encouraged them to address the rates which are 100% - 200% less than the state average before asking for grant money.

Mr. Zeiter asked if the decision of housing prisoners would be a Council or Administration decision. Mr. Sowash responded they are studying this and it would necessitate a contract which would be in ordinance form and presented to Council for approval. Mr. Zeiter wanted Richland County to have the opportunity to offer a match before taking money out of the county. Mr. Heston said Richland County doesn't always have a bed available. Mr. Sowash added that transportation for hearings is also a consideration.

#### **LAW DIRECTOR'S REPORT**

Mr. Sowash had no report.

#### **RECREATION DIRECTOR'S REPORT**

Mrs. Van Cura reported on the following classes.

Aerobics Class. Classes are held on Monday and Thursday evenings at the Ontario Senior Center from 6:45 p.m. – 7:45 p.m. Julie Keyes is the instructor and the cost is \$2.00 per session. The Recreation Department is not paying for her services. The last class is May 27<sup>th</sup>.

Professional CPR – Lifeguard Review. Twenty people took the class on April 18<sup>th</sup>. Debby Henry was the instructor.

Lifeguard Certification Class. The Recreation Department offers this class in exchange for paid life guarding during the year for Family Swim and Summer Recreation. Five people have signed up so far for the class which will be held June 1– 4 from 9 a.m. – 4 p.m.

Summer Recreation. The dates are June 14 – 17 and June 21 – 24. Middle school and high school students have been hired to teach the classes. The registration forms are due by May 10<sup>th</sup> for the thirteen activities being offered. The swim lessons offered after the Rec program are filled with 25 in each session.

Zumba Classes. They are looking into offering summer classes to the community. The instructor will be paid directly by class participants and not by the Recreation Department.

#### **MISCELLANEOUS MATTERS**

Mr. Zeiter read a notice of Public Hearing pertaining to amending Chapter 1145, General Provisions, prohibiting the use of travel trailers, truck campers, mobile homes or motor homes as dwellings within this city. The Public Hearing will be held before Council on June 17, 2010.

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**PUBLIC HEARING**

At 7:37 p.m., Mr. Zeiter opened the Public Hearing for amending Section 1146.02, Definitions, to include “Free-Standing Signs”, “Post and Panel Signs” and to redefine “Ground” and “Pole” Signs.

With no signatures on the sign-in sheet and hearing no one who wished to speak, the Public Hearing was closed at 7:38 p.m.

At 7:38 p.m., Mr. Zeiter opened the Public Hearing for amending Chapter 1146 by adding to Section 1146.09(d), Permit Fees, dealing with signs installed prior to the issuance of a required permit.

With no signatures on the sign-in sheet and hearing no one who wished to speak, the Public Hearing was closed at 7:39 p.m.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 10-04 – A RESOLUTION IDENTIFYING WHICH CITY OF ONTARIO OFFICIALS ARE AUTHORIZED TO SERVE AS CONTACTS FOR RICHLAND BANK TO CONFIRM NECESSARY INFORMATION REQUIRED BY RICHLAND BANK IN REGARDS TO CITY ACCOUNTS.**

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 10-04 on three separate days. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Resolution No. 10-04 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 10-04. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 10-04 was adopted.

**ORDINANCE NO. 10-23 – AN ORDINANCE TO AMEND SECTION 1146.09 OF THE ZONING ORDINANCE OF THE CITY OF ONTARIO, OHIO BY THE ADDITION OF PARAGRAPH (d) THAT PROVIDES FOR THE DOUBLING OF PERMIT FEES FOR SIGNS ACTUALLY ERECTED WITHOUT A PERMIT.**

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 10-23 on three separate days, Mr. Arnold read Ordinance No. 10-23 for the first time, by title only.

**ORDINANCE NO. 10-24 – AN ORDINANCE TO AMEND SECTION 1146.02 OF THE ZONING ORDINANCE OF THE CITY OF ONTARIO, OHIO BY THE ADDITION OF DEFINITIONS FOR FREE-STANDING SIGN; MONUMENT SIGN; POST AND PANEL SIGN; AND TO AMEND THE EXISTING DEFINITIONS FOR GROUND SIGN AND POLE SIGN.**

Mrs. Hellinger made a motion to suspend the rules requiring the reading of Ordinance No. 10-24 on three separate days. Mr. Blackwell seconded the motion. Three members cast their votes Aye, four Nay by Mr. Williams, Mr. Arnold, Mr. Weidemyre, and Mr. Lewis, and the motion to suspend the rules failed. Mrs. Hellinger read Ordinance No. 10-24 for the first time, by title only.

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ORDINANCE NO. 10-25 - AN ORDINANCE AMENDING ORDINANCE 08-07 WHICH ESTABLISHED THE WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT CITY EMPLOYEES BY ESTABLISHING THE COMPENSATION FOR THE SERVICE-SAFETY DIRECTOR EFFECTIVE JANUARY 1, 2010, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 10-25 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. Blackwell read Ordinance No. 10-25 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 10-25. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-25 was adopted.

At 7:40 p.m., Mr. Williams made a motion to enter into executive session per Ohio Revised Code, Title 1, Chapter 121.22, Section G, Number 1, to discuss the employment and compensation of a public employee. Mr. Weidemyre seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed.

At 8:14 p.m., Mr. Williams made a motion to reconvene into regular session. Mr. Weidemyre seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion was passed.

At 8:15 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. Weidemyre. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

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President of Council

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Clerk of Council