

Regular

August 19,

2010

Ontario City Council met in regular session on August 19, 2010, in the City Offices, with Council President Daniel Zeiter 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, 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, Auditor Jane Hammond, Treasurer Linda Stoodt, Director of Engineering Jerrod Swinehart, Zoning Inspector Dallas Strickler and Clerk of Council Cathy VanAuker. Also in attendance were a number of interested employees and citizens.

The minutes of the regular Council meeting of August 5, 2010 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

Grant Gardiner, 775 E. Debby Lane, came before Council. Grant is a member of Boy Scout Troop 170, and along with his cousins, Lucas and Brian Wonder, were fulfilling requirements to receive their Citizenship and Community Merit Badge by observing a City Council meeting. Grant's mother and sister were in the audience supporting his achievement.

COMMITTEE REPORTS

Mr. Williams reported on the Safety Committee of the Whole meeting held earlier this evening where they discussed Ordinance 10-40, increasing false alarm fees. Mr. Williams also asked for legislation to be prepared to prohibit texting while driving.

Mr. Blackwell said the Personnel Committee of the Whole meeting held prior to Council concentrated on comp time and flex time. As a result of that discussion an ordinance will be prepared for the next Council meeting.

Mr. Weidemyre scheduled a Finance Committee of the Whole meeting on August 26, 2010, at 4:00 p.m. The main topics of discussion will be health insurance, potential candidates to audit the books, and the budget.

Mr. Cinadr said the Vision Committee met on August 16, 2010 and toured the General Motors plant. The facility is in excellent shape and could be sub-divided if necessary. There is joint cooperation between those involved in the shut-down process and disbursement of equipment; there is a union representation to ensure the building stays intact and can be reused. The Vision Committee worked on a Vision Statement and a Mission Statement that should be approved at the next meeting.

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

MAYOR'S REPORT

Mayor Collins said the first Concert in the Park, featuring The Rib Ticklers, was well received with approximately 160 people in attendance. Because it is late in the season that will be the only concert this year but more are planned for next summer.

The drug testing procedure is now compliant with the ordinance.

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SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston provided the following report.

- A demonstration of the Durapatcher street patching equipment was given yesterday. This machine might represent a way to improve street maintenance and save money. The Engineer and the Street Supervisor visited Lexington today to discuss their Durapatcher and received positive information.
- ODOT will close the Home Road Bridge over SR 309 for five days beginning August 25th for paving.
- The SSO pipe for the Rock Road Lift Station has arrived but we are still waiting on the flow meter. This project, as well as the repair of the cracked pipe under the creek, should begin by early September.
- We have been advised by the EPA, and other entities, that until we enact a multi-year plan for bringing water/sewer rates more in line with state averages we may not qualify for certain grant monies for infrastructure improvements. This means that the people of Ontario will have to bear the estimated cost of the EQ project of possibly up to 3 million dollars, as well as other projects. Up to half of those costs could be covered by grants which might include a combination of rate adjustments, bonds, and loans. I would like to request a meeting of the Utilities Committee to discuss this issue.
- Water shut-offs are scheduled for Tuesday and Wednesday.
- Police calls for the past two weeks week were 16 crashes, 34 alarm drops, 61 suspicious persons or circumstances, 2 B&E's, 3-911 calls and 27 arrests.
- There will be a fund raiser at Applebee's Restaurant on Lex-Springmill on Tuesday, Aug 31st, from noon till 9 p.m. to help pay for the balance of the cost of the Ontario Police Tactical Response Vehicle. Thanks to Greg Boyce of Modern Woodmen of America for organizing this event and donating \$2,500, and to Applebee's, who is donating 15% of all checks presented with a flyer.
- I would also like to thank Mike Volk of Mike Volk Construction for volunteering his manpower and equipment to make major alterations to one of our buildings for storing the Tactical Response Vehicle. These contributions are very significant and greatly appreciated
- The Chief received a call from a woman, who was involved in an accident and received a traffic citation. She wanted to praise Officer Brian Williams for his professionalism and willingness to carefully explain the ticket to her. If you give someone a ticket and they thank you, you must be doing it right.

Mr. Heston responded to questions.

- He expects to hear something by the end of the month about the turn lanes at both Ferguson Road and W. 4th Street at Lex-Springmill Road. Until he receives information on the corridor study he doesn't want to make any changes.
- Mr. Heston will look into the outstanding water bill from the previous owners of Ontario Commons.
- Mr. Strickler will be notified about the high grass at General Motors along the fence on Stumbo Road and Park Avenue.

Mrs. Stoodt said efforts were made to collect the outstanding water bill at the Commons but the previous company rented the facility so a lien could not be applied. When Mr. Lewis said he thought the water bill followed the building owner rather than the tenant, Mrs. Stoodt said the lien wasn't filed but the previous law director attempted to find out who owned the building.

LAW DIRECTOR'S REPORT

Mr. Sowash had no report.

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CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 10-35

AN ORDINANCE AMENDING ORDINANCE 10-13 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2010 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND, SPECIAL REVENUE FUND, AND ENTERPRISE FUND.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 10-35, 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. Blackwell read Ordinance No. 10-35 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 10-35. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-35 was adopted.

ORDINANCE NO. 10-36

AN ORDINANCE AMENDING ORDINANCE 10-13 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2010 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 10-36, on three separate days. Mr. Blackwell seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 10-36 for the first time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 10-36. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-36 was adopted.

ORDINANCE NO. 10-37

AN ORDINANCE AMENDING ORDINANCE 10-13 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2010 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND.

Mr. Lewis made a motion to suspend the rules requiring the reading of Ordinance No. 10-37, 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. Lewis read Ordinance No. 10-37 for the first time, by title only.

Mr. Lewis made a motion to adopt Ordinance No. 10-37. Mr. Cinadr seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-37 was adopted.

ORDINANCE NO. 10-38

AN ORDINANCE AMENDING ORDINANCE 10-13 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2010 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND.

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Mr. Cinadr made a motion to suspend the rules requiring the reading of Ordinance No. 10-38, on three separate days. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Cinadr read Ordinance No. 10-38 for the first time, by title only.

Mr. Cinadr made a motion to adopt Ordinance No. 10-38. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-38 was adopted.

ORDINANCE NO. 10-39

AN ORDINANCE MERGING THE DUTIES OF CLERK OF THE WATERWORKS (WATER CLERK) WITH THE OFFICE OF THE CITY AUDITOR, ASSIGNING THE INCOME TAX ADMINISTRATOR TO WORK UNDER THE DIRECTION OF THE CITY AUDITOR, RENAMING THE DEPUTY AUDITOR AS PAYROLL CLERK REPEALING ORDINANCE 04-16 AND 08-48 AND DECLARING AN EMERGENCY.

Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 10-39, on three separate days. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Ordinance No. 10-39 for the first time, by title only.

Mr. Williams made a motion to adopt Ordinance No. 10-39. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-39 was adopted.

ORDINANCE NO. 10-40

AN ORDINANCE ESTABLISHING A FALSE ALARM RESPONSE FEE OF FIFTY DOLLARS (\$50.00) FOR EXCESSIVE FALSE ALARMS RECEIVED BY THE ONTARIO POLICE DEPARTMENT FROM BUSINESS AND INDUSTRIAL PROPERTIES.

Mr. Weidemyre made a motion to waive the 24-hour notice for Ordinance No. 10-40. Mr. Lewis seconded the motion. Seven members cast their votes Aye, zero Nay, and the 24-hour notice was waived on Ordinance No. 10-40.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 10-40, 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. Mr. Arnold read Ordinance No. 10-40 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 10-40. Mr. Cinadr seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 10-40 was adopted.

At 7:26 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre and a second by Mr. Williams. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

 President of Council

 Clerk of Council