

## Regular

October 7,

2010

Ontario City Council met in regular session on October 7, 2010, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:30 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, Auditor Jane Hammond, Treasurer Linda Stoodt, Service-Safety Director Roger Heston, and Administrative Assistant Meda Giffin. Also in attendance were a number of interested employees and citizens.

The minutes of the regular Council meeting of September 16, 2010 were presented for approval. Mr. Cinadr 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**

Sue Martin, 3616 N. Mary Lou Lane, and Don Hipsher, 582 N. Rock Road, came forward on behalf of the Ontario Growth Association, seeking assistance from the City for their volunteer organization. Their goal is to not only help the citizens of Ontario but also help with the growth of Ontario. The OGA has a good website that needs enhanced. Funds are also needed for office supplies and to cover expenses when marketing the City to potential businesses. OGA would like to work with the City as a team but funds are needed to promote the area.

Mr. Blackwell made a motion to donate \$5,000 to the OGA for economic development purposes. Mr. Williams seconded the motion. Mrs. Hellinger said the YTD Fund Report shows the City is ahead just \$30,700. Five members cast their votes Aye, two Abstain by Mr. Weidemyre and Mr. Cinadr, zero Nay, and the motion passed.

Next to come before Council was Thomas Conn, 2540 Fairway Crossing, concerning the increase in the water and sewer rates that is on this evening's Agenda. This will increase his costs by 40% and hopefully not everyone will be affected the same. He suggested implementing an electronic transfer payment option and having it in place before passing the increase because not everyone is in town all year. When the bills are forwarded by mail they are sometimes two to three weeks late and he does not want to be penalized because he received his mail late. He was late paying his bill one time because of the mail and he would like the option of electronic transfer before the new rates are put into effect. The 40% increase is due to the \$10 surcharge that will become \$20 per quarter for water and sewer and his water bill is \$42. He conserves water but is penalized because there is a minimum amount which is what he pays.

- Mr. Arnold asked Mr. Conn if he would prefer paying on-line or call in with a credit card and be assessed with a convenience fee. Mr. Conn said he would prefer automatic withdrawal from his checking account. He doesn't want to pay online in case he isn't able to get somewhere to access a computer. The payment could be made automatically from his account, he would still be sent the bill for his records, and if he has a question concerning the bill he can call. Mr. Conn did not want to be charged a fee or risk not getting a bill and returning home at the end of winter to find his water was turned off.
- Mrs. Stoodt said she has set up a meeting on the 21<sup>st</sup> to discuss automatic deduction. Her understanding is there will be a \$45 charge per month to the City to maintain the database and 13¢ per transaction fee. There would not be a charge to the resident. Set up for this system would take approximately ten days. Mr. Arnold asked Mrs. Stoodt if she could arrange to hold the meeting at an earlier date so Council could possibly make a decision at their October 21<sup>st</sup> meeting.

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Kevin Titler, 3371 Elmstone Court, was next to approach Council to speak in opposition of the proposed water rate increases. In 1996 his first water bill was \$48.78. He has kept all of his water bills since 1999 when the combined unit cost was \$2.76 but is now \$4.60. His bill in 1999 was \$57.96 and the current cost for the same amount of water is \$109.54, a 100% increase in the cost of water. Mr. Titler asked what was he getting through his water and sewer lines now that he wasn't getting in 1996? In 2014, the same 21 units of water will cost \$163.01 compared to the current amount of \$109. Mr. Titler wanted to know when was this going to stop because people can't keep coming up with the money. There have been four increases since he moved into his home. If a larger sewer system or larger water distribution system is needed to supply the businesses, let them pay for it and not the homeowners.

Next to come before Council was Diane Lambert, 93 Chambers Road, to ask questions pertaining to the utility billing procedure, the timeliness of monthly billing, and the costs of changing from quarterly to monthly billing. Ms. Lambert said there will be upfront costs for changing that will be labor intensive, costs if there is a new system, additional mailings, postage, and envelopes. There may be more money coming in each month but will it be cost effective by the end of the year? What are the adjustments for the estimated readings for two months and an actual reading the third month? How will it be fair? What information was used to make the decision to change, the cost effectiveness, and how it will be implemented?

- Ms. Hammond responded by explaining with quarterly billing they don't locate people who have moved away during that three months. Those on social security have difficulty paying the larger quarterly payment where a lesser monthly bill would be more feasible. A new machine will produce the monthly statements. Currently, the three Pitney Bowes machines are leased at a cost of \$25,000 over the past three years. The new machine has a one-time cost of \$3,000. The annual savings will be \$10,000 and envelopes will no longer need purchased. The new bill is folded and perforated. Everyone is welcome to see a demonstration of the new machine.
- Ms. Lambert said she would prefer monthly readings to ensure more accuracy. Ms. Hammond pointed out that electric and gas companies don't provide accurate readings each month, they use estimations.

Stephen Miskey, 3676 N. Mary Lou Lane, was opposed to the monthly billing which he felt would be an inconvenience to many people. He did not agree with the new plan to shut off the water if the bill was not paid within 14 days because people go on vacation or are in the hospital. This will also cause the Water Department employees extra work. Sending water bills every month is labor intensive with extra envelopes, postage, and more people to handle the work. There are other means to collect delinquent bills such as an assessment to property taxes. Mr. Miskey said he wanted the City to prosper but not hinder a resident, business or the City.

- Ms. Hammond explained the new machine will produce 2,600 bills in 20 minutes to an hour. Currently, it takes two days to process the 2,600 quarterly bills.

Mrs. Hellinger addressed the concerns pertaining to the rate increases in Ordinance No. 10-45.

- The timed saved producing the bills will give the Water Clerk more time to do other duties.
- The Water Clerk has moved back to the Municipal Building.
- Utility rates in neighboring areas increased many times over the years but not in Ontario. The rate increases were put off as long as possible and now they must be raised.
- Designs will be prepared next year for the Tappan plant, this was ordered by the EPA, which must be completed by 2013 at a cost of \$620,000 to the City. Every subsequent year has a project attached such as the EQ basin and realignment of pipes at an expense of over a million dollars.
- The rate increase last year only provided an extra \$30,000 and that money is only being spent on items of necessity. The infiltration project must continually be addressed.

Mr. Arnold said several of them met with the EPA who mandated that the infiltration problem is corrected. Due to the financial shortfall there isn't funding available for the million dollar EQ basin without obtaining grants. State funded grants are contingent upon the rates being in line

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with the surrounding area and if the rates are notably lower grants will not be award. The EPA will accept a rate plan showing a gradual increase over a period of years. Ontario is an aging City and a lot of work needs done but we aren't spending any money. A great deal of research has been done on this and the rates weren't randomly increased.

## COMMITTEE REPORTS

Mrs. Hellinger thanked Mr. Arnold for explaining the necessity of the rate increase.

Mr. Blackwell reported on the Personnel Committee meeting held September 30, 2010 that was held in executive session to discuss collective bargaining items.

Mr. Weidemyre referred to the current financial monthly/quarterly statement. The Auditor and Treasurer have reviewed the report that shows a negative \$108,286. When Mr. Weidemyre asked Mayor Collins if he would have the temporary budget prepared for the next Council meeting, Mayor Collins said there was a change in the status as to what the County Auditor said could be spent and it will take more time to prepare.

- Mr. Zeiter said there are five meetings remaining in the year, they need time to review the budget, and the temporary budget could take three readings.

When Mr. Lewis asked Mr. Heston if he heard anything about the turn lanes on Ferguson Road and W. 4<sup>th</sup> Street, Mr. Heston said he has not. Mr. Lewis scheduled a Streets Committee meeting for October 21, 2010, at 5:30 p.m.

Mr. Cinadr said an Economic Development Committee meeting was held September 21, 2010, and the minutes have been approved. The main item discussed was the expansion of P. R. Machine Works on Nussbaum Pkwy. Since that meeting he learned the property will need surveyed and those additional costs should be considered when determining the price of the property. Once the survey is completed they will be better able to determine the amount of property required for the expansion. Signage for advertising the property on Beer Road was also discussed.

Mr. Cinadr made a motion to pay \$360 to produce the sign to advertise the Beer Road property. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Cinadr completed his report by referencing the work of the Vision Team and the finalization of a new promotional package for the City of Ontario.

Mr. Williams and Mr. Arnold had no report this evening.

## MAYOR'S REPORT

Mayor Collins reported on the following items:

- The monthly zoning report for September showed four permits were issued with fees of \$480, and a valuation of \$49,000.
- The total revenue for Mayor's Court in September was \$29,051.40. \$22,725 went to the City, \$4,430 to the State, and \$1,901.15 was collection fees. Past due fines included in that total was \$8,890.40 with current fines of \$20,161.
- A collective bargaining meeting was held this morning with the FOP.
- Trick or Treat is October 28<sup>th</sup>.

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## **SERVICE-SAFETY DIRECTOR'S REPORT**

Mr. Heston addressed the concerns regarding the water and sewer rate increases by saying the Engineer provided him with considerable needs for the infrastructure. The Frazier Road Lift Station, the Shafer Valve Lift Station, and the Tappan Road Lift Station are running at full capacity. The Home Road Lift Station has been overflowing for many, many years. The EPA has mandated making the corrections. Mrs. Hellinger and many Council members tried to deter the rate increases but most of Ontario was built in the 60's and 70's and the infrastructure is falling apart. The rate increases are not to improve the system but to keep the water and sewer working, but if the lines aren't maintained the service can't be provided.

Mr. Heston continued with his report.

- Leaf pick-up will begin Wednesday, October 20<sup>th</sup> and end on Monday, November 15<sup>th</sup>.
- The Home Road Lift Station completion date is extended to December 31<sup>st</sup> due to delays in acquiring materials.
- A decision has not been received from the ODOT application submitted on the traffic study for improvements to the Lexington-Springmill corridor.
- Police activities for the past four weeks include: 36 crashes, 45 alarm drops, 102 suspicious circumstances, 68 arrests, 9 calls to 911. Calls for service totaled 421.
- Ontario has several old traffic signal controllers that can no longer be used due to equipment upgrades. The Village of Lexington has a need for these controllers and is willing to let the City use their Durapatcher machine in exchange for four of the controllers. The Ontario Law Director and the Lexington Village Solicitor agree this exchange is plausible with a motion from Council.

Mr. Weidemyre made a motion to approve the exchange of four signal controllers to the Village of Lexington for use of their Durapatcher machine. Seven members cast their votes Aye, zero Nay, and the motion was approved.

When Mr. Williams asked if the Rock Road Lift Station flow meter was installed, Mr. Heston confirmed that it was installed.

Mr. Zeiter said he has not received a response to the email he sent to Mayor Collins and Mr. Heston concerning damage to their City cars. Mr. Heston said he was admonished in the email for damage that he did not know how occurred and because he was offended he didn't respond. He made a police report but doesn't intend to have the car fixed because it is not a noticeable issue and the City doesn't have the money. Mr. Zeiter responded by saying he was asking if they knew if there was damage to their vehicles, if they were personally responsible for the damage, and what was going to be done.

## **LAW DIRECTOR'S REPORT**

Mr. Sowash had no report.

## **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

RESOLUTION NO. 10-12

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR VARIOUS MATERIALS AND SERVICES NEEDED DURING THE YEAR 2011 AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 10-12 on three separate days. Mr. Blackwell seconded the motion. Seven members cast their votes

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Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Resolution No. 10-12 for the first time, by title only.

Mr. Williams made a motion to adopt Resolution No. 10-12. Mr. Cinadr seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 10-12 was adopted.

#### ORDINANCE NO. 10-44

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. 10-44 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. Arnold read Ordinance No. 10-44 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No.10-44. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 10-44 was adopted.

#### ORDINANCE NO. 10-45

AN ORDINANCE INCREASING WATER AND SANITARY SEWER RATES FOR RESIDENTIAL AND PUBLIC SCHOOL CUSTOMERS, AMENDING THE SURCHARGE FOR CAPITAL IMPROVEMENTS IN THE WATER FUND, AND ENACTING A SURCHARGE FOR CAPITAL IMPROVEMENTS IN THE SANITARY SEWER FUND.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 10-45 on three separate days, Mrs. Hellinger read Ordinance No. 10-45 for the first time, by title only.

#### ORDINANCE NO. 10-46

AN ORDINANCE AUTHORIZING THE CITY TREASURER TO ENTER INTO AN ELECTRONIC TRANSACTION PROCESSING AGREEMENT WITH OFFICIAL PAYMENTS CORPORATION.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 10-46 on three separate days, Mr. Blackwell read Ordinance No. 10-46 for the first time, by title only.

At 8:25 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. Williams. 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