

Regular

November 4,

2010

Ontario City Council met in regular session on November 4, 2010, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:05 p.m. with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Paul Williams, 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, Director of Engineering Jerrod Swinehart and Clerk of Council Cathy VanAuker. Also in attendance were a number of interested employees and citizens.

Mr. Williams made a motion to excuse Mr. Arnold from this evening's meeting. Mr. Blackwell seconded the motion. At roll call five members voted Aye, one Nay by Mr. Lewis and the motion passed.

The minutes of the regular Council meeting of October 21, 2010 were presented for approval. Mr. Weidemyre made a motion to approve the minutes, and Mr. Lewis seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Keith Poland, 3359 Elmstone Court, came before Council to express opposition to the water and sewer rate increases and to find another way to fund what needs done in a manner that won't place additional financial hardship on the residents.

COMMITTEE REPORTS

Mrs. Hellinger said Ordinance 10-45 was amended for tonight's Agenda. As much as possible was cut in order to continue furnishing residents with water and sewer.

Mr. Weidemyre scheduled a Finance Committee meeting on November 9, 2010, at 4:00 p.m., for the purpose of reviewing the 2011 Budget they will receive tonight from the Mayor. The temporary budget must be passed by December 31, 2010. Mayor Collins informed Council he will provide budget explanations at the meeting.

Mr. Weidemyre announced the Ontario Growth Association's annual Christmas Tree lighting is scheduled for November 30, 2010, in the Community Room, at 6:15 p.m. A magician will be included in this year's event.

Mr. Cinadr reported on the combined Finance and Economic Development meeting held October 14, 2010. The topic of discussion was the tax incentive passed as legislation on October 21. Earlier this evening the Economic Development Committee met to consider the request by PR Machine Inc. for a land acquisition needed for a plant expansion.

Mr. Williams, Mr. Blackwell and Mr. Lewis had no report this evening.

MAYOR'S REPORT

Mayor Collins reported on the following items:

- The October Zoning Report reflected a value of \$945,000 which is being paid by the owner of Select Auto Brokers. The owners are making model solar panels to use for demonstration to promote future sales in the community.
- Mayor's Court total revenue was \$23,341.91, with the total amount to the City of \$18,835.91, and the total to the State of \$4,508. Fines were down last month for a total of \$4,588.50 with a YTD total of \$100,399.05.
- Additional appropriations are needed in the Mayor's Court Fund.

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- City Offices will be closed for the following holidays: Thanksgiving on November 25th and 26th; Christmas on December 23rd and 24th, and New Years on December 31st.
- The 2011 Budget is prepared and copies will be given to the Finance Chairman.
- Lumber Liquidators is opening a new business adjacent to Old Navy. An Internet Café was previously going into that location.

Mr. Williams addressed Mayor Collins: Recently this Council approved the Mayor to bid up to \$37,000 on the Ontario pool property for parking at the ballfields. The property was acquired for \$17,000. Councilmen Arnold and Williams voted no. We keep telling everyone we are strapped but spend \$17,000 to buy the land which sends the citizens and employees a mixed message. Was anyone else on the Council informed the land could have been put in a land bank and saved \$17,000? Did you or anyone else on Council know about it? Mayor Collins said he did not know about the land bank.

- Madison and other cities are developing a land bank.
- Land banks are set up through the County when property taxes are not paid.

Mr. Lewis asked Mayor Collins if he asked for, directed, requested, or caused the BCI to investigate the members of this City Council. Mayor Collins responded, no.

Mr. Cinadr said he would like more information regarding the land bank.

- Mr. Williams said they go to the County to set up the land bank.
- Access to the property is frozen and the City takes over through the County.
- Mr. Sowash will look into getting more information.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston provided the following report to Council.

- The media in the water softener system is 12 years old and has an expected life span of 10-15 years. Relining could cost \$100,000. They are researching the feasibility of the EPA statewide recommendation to changeover from the current gas chlorination system to liquid chlorination due to the safety issues associated with chlorine gas. Costs would include the purchase of tanks, pumps, and the creation of an isolation room at the plant.
- Leaf pickup continues, road salt and grit are being stockpiled, the parks are being closed and winterized, traffic control boxes are being inspected, bridge inspections are completed and will be submitted. Aldi provided a tentative construction schedule of beginning in January and opening the store in June or July. We will install the water lines around March.
- The Water Department repaired a water break on Hilltop, has been repairing inoperable valves and still has about 10 hydrants to flush. Water Well #2 is currently in the process of being refurbished.
- Police activity was as follows: 28 crashes, 30 alarm drops, 74 suspicious circumstances, 6 calls to 911, 2 B&E's, 183 traffic stops, and 48 arrests for a total of 627 calls.
- The Lex-Springmill traffic study was completed in late 2007 and early 2008. Since then certain changes have occurred to the traffic patterns, counts, accident records and intersection improvements, therefore, ODOT is requiring an update to the study. This is their third update and K.E. McCartney is working on the new requirements.
- The electric meter at the Home Road Lift Station was installed today by Ohio Edison. Startup of the lift station should occur within two weeks.
- We received notice on October 19th from the Ohio Department of Natural Resources that we must update our Storm Water regulations as they apply to the Federal Flood Insurance Rate Maps and submit them to ODNR by March 4, 2011 and to FEMA by April 4, 2011. Because this must go through the public hearing process, Mr. Heston requested a Utilities Committee meeting after the November 10th Planning Commission meeting for the purpose of discussing the regulations update and to discuss the Rock Road EQ Basin and I&I project.

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Mrs. Hellinger scheduled a Utilities Committee meeting on November 15, 2010 at 4:30 p.m.

When Mr. Zeiter asked who was paying for the additional request from ODOT, Mr. Heston responded, the State. The City paid 10% but will not have to pay any additional funds.

In response to Mr. Weidemyre's question if a response was received from Shelley & Sands regarding the unacceptable quality on some of the recent street paving, Mr. Heston said he did not receive any specific complaints.

- Mr. Williams said he will provide him with the information along Park Avenue West that needs attention.
- Mr. Heston said, one reason it may not look as good is because the City declined some of the berm work the State typically does. They put down some grinding and asphalt that is not conducive to city streets but works well on country roads. Also, some of the irregularity is due to the curves in the pavement in front of mailboxes.
- Mr. Heston encouraged everyone to let him know if there is anything that seems substandard.
- Mr. Blackwell referenced the right-hand lane, eastbound, on St. Rt. 309 at Stumbo Road and Lex-Springmill Road, where the pavement appears to be rolling up from the trucks stopping.

Mr. Zeiter announced the Ontario boys football team is in the first round play-offs for the first time since 2001. The Ontario girls soccer team advanced after winning in the second round shoot-out last night near Toledo.

LAW DIRECTOR'S REPORT

Mr. Sowash had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

Mrs. Hellinger commented Ordinance No. 10-45 was amended by reducing the timeframe to two years and from 8% to 7%. They are trying to listen to everyone but they must have money for the Water Department.

ORDINANCE NO. 10-45

(THIRD READING) 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.

Mrs. Hellinger made a motion to adopt Ordinance No. 10-45 as amended. Mr. Blackwell seconded the motion.

Mr. Williams said, over a year ago as Utilities Chairman he attempted a 6% raise that was reduced to 3% and now we need 7%, plus a surcharge. Councilmen Lewis and Mr. Zeiter spoke out against this and Councilman Weidemyre wanted to hold it to three readings. After the recent election, he got the message, and he will be voting no and let the chips fall where they may.

- Mr. Williams said he received many calls against this rate increase and will now do what the people want.
- Mr. Blackwell asked what will they do when the sewer system or water system break?

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- Mr. Weidemyre said he was not in favor when the increase was for five years but it was reduced to two years. Costs have gone up and there is no longer the money in the water and sewer system, it runs in a deficit. We have more water line breaks than in the past due to the aging lines and we don't have the money.
- When Harold Mortimer spoke from the audience and asked to see employee head counts, the water ways, repair costs, and anything connected to the Water Department because it was owed to the people of the community, Mr. Zeiter said the discussion could only take place between Council members at this time. Mr. Zeiter invited anyone interested in additional information or wanting to ask questions to remain after the meeting.
- Mr. Blackwell said the increase is necessary because the EPA is requiring specific improvements to the aging system.
- Mr. Lewis said he has not been for the increase, now there are two surcharges, and the rate increase is compounded.
- Mrs. Hellinger said the surcharge is for repairing lines. We now have more breaks in the lines because of their age. The EPA requires a plan that will show an increase and beginning with last year, this will show a three year increase. The increase is necessary to get a grant to build the EQ basin at Rock Road. If the EPA mandates aren't followed the City can be fined.
- Some Council members felt if the residents don't want the increase they should pull the legislation and wait to see what happens.

Two members cast their votes Aye, four Nays by Mr. Williams, Mr. Blackwell, Mr. Weidemyre, and Mr. Lewis, and Ordinance No. 10-45 failed.

At 7:40 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mrs. Hellinger and a second by Mr. Cinadr. At roll call, six members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council