

Regular

December 1

2011

Ontario City Council met in regular session on December 1, 2011, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:26 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, Joseph W. Cinadr, Mr. Zeiter, Mayor Larry Collins, Law Director Allan Sowash, Auditor Jane Hammond, Treasurer Linda Stoodt, Service-Safety Director Roger Heston, Water Distribution Manger Evan Hellinger, Streets Supervisor Paul Gleisinger and Clerk of Council Cathy VanAuker. A number of interested employees and citizens were also in the audience.

The minutes of the regular Council meeting of November 17, 2011 were presented for approval. Mr. Lewis made a motion to approve the minutes and Mr. Cinadr seconded the motion. At roll call, six members voted Aye, zero Nay, one Abstain by Mr. Williams, and the motion to approve the minutes passed.

#### **PUBLIC COMMENTARY**

Frank Arnold, representing the Fraternal Order of Police Labor Counsel, 222 E. Towne Street, Columbus, addressed Mr. Zeiter concerning his public records request of November 9, 2011 for the personnel file of one of the police officers. The officers are concerned because this is the second time within four months that a personnel file has been requested and the officers asked him to attend this evening to ask if he is investigating the police department.

- Mr. Zeiter responded no, that he, like anyone else in America, has the right to look at the personnel file of a public employee.
- Mr. Arnold said Mr. Zeiter could ask the Chief or the Service-Safety Director to view the file instead of making a public records request. He asked if Officer Williams is being retaliated against because his father ran against him. These are questions from the officers; they feel they are being singled out because as an elected official you have the right to go to their office and look at the file.
- Mr. Zeiter said he appreciated them asking Mr. Arnold to attend but they have the right to ask him personally, his phone number is published on the bulletin board in the lobby, or stop at his home. He was not singling anyone out and that was not the first request he has made.

Next to come before Council was Kelly Stamper, 3670 Snodgrass Road, requesting the Substance Abuse Coordinator position be put back into the budget. Mrs. Stamper has been involved in the well attended drug awareness programs at the school which have received positive feedback and she has initiated a support group at church called HOPE. The drug and alcohol problem in the area is very bad and people want help and support not only for themselves but also their children. A full time Substance Abuse Coordinator in the school is about prevention and education. People take tests to prevent illness; addiction is a disease with no test for prevention.

Keith Stamper, 3670 Snodgrass Road, was next to approach Council to say that drug addiction does not discriminate. In the United States there are 631,000 teens drinking alcohol every day, which calculates to 143 in Richland County; 586,000 teens are smoking marijuana, 133 in Richland County; 61% of high school students say their school has a drug problem; and 31% of middle school students say their school has a drug problem. Students who consider themselves popular are more likely to use drugs, drink or smoke than students who do not consider themselves popular. 60% of teens said that drugs are sold, used, or kept at school. Teenagers whose parents talk to them regularly about the dangers of drugs are 42% less likely to use them than parents who don't talk to their children about drugs, yet only ¼ of those teens report having any conversations with their parents and that is one aspect of what the Substance Abuse Coordinator does. They have a family member who is a drug addict and they understand how essential this full time educational program needs to be placed back in the budget.

Regular

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2011

Retired pharmacist Robert Cleckner, 3550 Ridgestone Drive, requested Council give consideration to the Substance Abuse Program and how important drug awareness education is needed. Last year he lost a nephew, a Lexington High School and college graduate, to a drug overdose and the pain and suffering the family faces is incomprehensible. Ontario has a superior drug awareness and dedication to the prevention of drug abuse in the school system and encouraged Council to continue this important issue by funding the Substance Abuse Program.

Susan Cleckner, 3550 Ridgestone Drive, came forward in support of the Ontario Substance Abuse Program. The tragedy they have experienced in their families is devastating, it destroys families. Parents need to communicate the dangers of drugs because children will not tell on their friends. Families need to share what is happening. Ontario has a great program in the school and asked Council to make it a priority because it is working.

Auditor Jane Hammond said her office recently paid the school over \$100,000 from the TIF (Tax Increment Finance) which has not yet been dispersed and to contact Treasurer Randy Harvey or the School Board to ask how they are spending the money.

## **COMMITTEE REPORTS**

Mr. Arnold reminded everyone of the Streets Committee of the Whole meeting on December 5<sup>th</sup> at 5:30 p.m.

- Mr. Zeiter asked if Council members could receive a copy of the URS report for the discussion that will take place at this meeting. Mr. Heston has not received the report but anticipates it being very large.
- A representative of the engineering firm will be in attendance at the Streets meeting.

Mr. Weidemyre said there are several interested parties in the General Motors plant and progress is being made. An announcement should be able to be made in the future and there is a lot of work is being done.

- Big Lots will occupy the former Flower Factory store.
- Popeye's restaurant closed.

Mr. Cinadr reported the Finance Committee minutes have been distributed and asked if the January 5<sup>th</sup> oath of office will present a problem should Council need to meet prior to then. Mr. Zeiter said they don't anticipate meeting earlier but if they do the swearing in will take place at that time.

Mr. Williams, Mrs. Hellinger, Mr. Blackwell, and Mr. Lewis had no report.

## **MAYOR'S REPORT**

Mayor Collins provided the following information:

- Confirming there is interest in the General Motors building and they are meeting with another entity next week.
- Residents near the Rock Road bridge have received letters inviting them to either the Streets Committee meeting on December 5<sup>th</sup> at 5:30 or the Town Hall meeting at the Ontario United Methodist Church at 7:00 p.m.

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

Mr. Heston apologized to the Law Director and Magistrate for the interruption to court while work was being performed on the roof. The insulation was not held down by baffling which caused it to expand against the underside of the roof. This in turn cut-off the airflow to keep the humidity down which caused condensation on the underside of the sheeting resulting in rotting.

Regular

December 1

2011

Approximately \$400 was spent to purchase what was needed to hold the insulation down and \$800 to have it applied. The application will prevent this from happening again on this part of the roof and extra clamps were installed around the entire roof perimeter. The extended time it took to fix the roof was spent getting the insurance company to agree with the engineer's opinion as to how it should be applied. This meets code at 90 mph wind resistance; the original roof was 80 mph wind resistance. A different company was used to repair this section of the roof than the last roof repair.

- Microphones and servers are on order. An unexpected expense was a \$350 laptop to run the microphones which was paid out of the Building Maintenance account.
- Resealing the Senior Center roof would not be effective; the roof needs to be completely redone. Estimates will be obtained.
- The purchase order for the servers was \$24,000. The increase was due to purchasing the necessary software.

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

Mr. Sowash had no report.

Mr. Weidemyre asked why a letter of credit is no longer necessary for the Menards/Furniture Row TIF. Ms. Hammond said according to the agreement when a specific amount of money was reached the letters of credit were to be released. The letters of credit served as the protection on the 20 year bond. Mr. Sowash said Attorney Grassbaugh did extensive research on the TIF Agreement.

### **MISCELLANEOUS**

The Auditor and Treasurer responded to questions.

- Revenue for December could not be projected.
- Comparing November 2010 to November 2011 revenue is up \$812,108.81, while expenditures are up \$1,021,017.31 for the same time period.
- Last year the carry-over was \$645,978.15, today the carry over is \$351,115.07, making 2010 ahead by \$294,863.08.
- Outstanding purchase orders that don't have a bill coming will be closed out. This process will begin showing an accurate carry-over.

### **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. 11-57**

AN ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS AND AWARD A CONTRACT FOR HOSPITALIZATION, MEDICAL AND PRESCRIPTION DRUG INSURANCE, FOR CITY OF ONTARIO EMPLOYEES AND DECLARING AN EMERGENCY.

Mr. Blackwell made a motion to suspend the rules requiring the reading of Ordinance No. 11-57 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. Blackwell read Ordinance No. 11-57 for the first time, by title only.

Mr. Blackwell made a motion to adopt Ordinance No. 11-57. Mr. Arnold seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 11-57 was adopted.

Regular

December 1

2011

## ORDINANCE NO. 11-58

AN ORDINANCE AUTHORIZING AND DIRECTING THE SERVICE-SAFETY DIRECTOR TO NEGOTIATE AND ENTER INTO A LEASE AGREEMENT FOR THE AGRICULTURAL CULTIVATION OF CITY LANDS FOR THE SOLE PURPOSE OF GROWING CROPS, THEREBY RESULTING IN CONTINUED REVENUE TO THE CITY FOR OTHERWISE UNUSED LAND AND DECLARING AN EMERGENCY.

Mr. Cinadr made a motion to suspend the rules requiring the reading of Ordinance No. 11-58 on three separate days. Mr. Blackwell seconded the motion. Six members cast their votes Aye, one Nay by Mr. Weidemyre, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 11-58 for the first time, by title only.

Mr. Cinadr made a motion to adopt Ordinance No. 11-58. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 11-58 was adopted.

## ORDINANCE NO. 11-59

AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE OFFICE OF CITY AUDITOR EFFECTIVE JANUARY 1, 2014.

Mr. Lewis made a motion to suspend the rules requiring the reading of Ordinance No. 11-59 on three separate days. Mr. Weidemyre seconded the motion. Five members cast their votes Aye, two Nay by Mr. Williams and Mr. Cinadr, and the motion to suspend the rules failed. Mr. Lewis read Ordinance No. 11-59 for the first time, by title only.

At 7:46 p.m., Mr. Lewis made a motion to enter into executive session for the purpose of discussing public employee compensation pursuant to Ohio Revised Code, Title 1, Chapter 121.22, Section G, Number 1. Mr. Weidemyre seconded the motion. At roll call, five members voted Aye, two Nay by Mr. Williams and Mr. Cinadr, and the motion passed.

At 8:03 p.m., Mr. Lewis 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 passed.

At 8:04 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. Blackwell. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

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Daniel J. Zeiter, President of Council

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Cathy VanAuker, Clerk of Council