

## Regular

February 2

2012

Ontario City Council met in regular session on February 2, 2012, 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, Jim Hairston, Mark Weidemyre, Michele Webb, Pamela Drake, Mr. Zeiter, Mayor Larry Collins, Law Director Allan Sowash, Auditor Jane Hammond, Service-Safety Director Roger Heston, Recreation Director Janet VanCura and Clerk of Council Cathy VanAuker. A number of interested employees and citizens were also in the audience.

Mr. Williams made a motion to excuse Mrs. Hellinger from this evening's meeting. Mr. Arnold seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of January 19, 2012 were presented for approval. Mr. Arnold made a motion to approve the minutes with a second by Mr. Williams. At roll call, six members voted Aye, zero Nay and the motion to approve the minutes passed.

#### **PUBLIC COMMENTARY**

Fred Kohler, 1482 Lex-Springmill Road, came before Council to thank those who attended the public forum on fracking waste wells and, also to Mr. Sowash for being proactive and researching Ontario's zoning codes. The Richland Community Development Group is holding an informational session on February 29<sup>th</sup> on Coping With the Loss of State Revenue. Mr. Kohler encouraged everyone to do what they can to buy local and give local suppliers a chance to bid.

Jim Henry, 1129 Lewis Road, was next to address Council concerning the 4<sup>th</sup> of July Festival. This is the 10<sup>th</sup> year for the festival, and it continues to grow as a marketing tool to show the family aspect of the community. Last year a teen night was held on Friday evening. The 4<sup>th</sup> of July Festival will be held on June 30, 2012. The Festival Committee meetings are open to the public and the next meeting is on February 20, 2012, at 6:30 p.m. at the Ontario Middle School Library. Mr. Weidemyre, Chairman of the Finance Committee, informed Mr. Henry that \$5,000 was included in the 2012 budget for fireworks.

Next to come before Council was Lisa Carmichael, 1957 Tanglewood Drive South, Superintendent of Ontario Local Schools, to emphasize the importance of the Substance Abuse Coordinator position and hopefully city funds can be assigned to support the program and offset some of the costs. The school renewal levy will be on the ballot on March 6. This levy will generate \$1,320,000 annually over a five year period. The district operates on a \$15 million budget and without the proceeds from the levy the district would notice a reduction of \$7,920,000. Ontario has passed every renewal levy on the first attempt; if the levy isn't successful in March they can try again in August and November. Daily operating expenses for the school are \$45,000. The state recommends a carryover balance of sixty days which is over \$2 million; including the levy the anticipated carryover in fiscal year 2015 will be \$800,000. The district anticipates an estimated decrease of \$100,000 from the reappraisal of property values.

Mr. Hairston made a motion supporting the school levy renewal with a second by Mr. Williams. Hearing no discussion, six members voted Aye, zero Nay, and the motion passed.

Mayor Collins presented the following Proclamation:

#### **Supporting the Ontario Schools Renewal Levy**

WHEREAS, Public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality, and

Regular

February 2

2012

WHEREAS, by equipping our students with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future, and

WHEREAS, the Ontario Local Schools have always had excellent ratings in regard to academic achievement, and

WHEREAS, the Ontario Local Schools have always been a strong draw for families and businesses looking for a place to locate, live and work, and

WHEREAS, in these tough economic times schools everywhere are struggling financially to maintain their standards and give a quality education to our children and grandchildren, and

WHEREAS, the Ontario Local Schools have done many things to cut costs, increase revenue and be good stewards of the money entrusted to them by the tax payers, and

WHEREAS, the Ontario Local Schools have a Renewal Levy on the ballot for March 6, 2012 that does not increase taxes, but will provide the urgently needed resources to maintain the high quality education for our students that we have come to expect. It is an investment in our most valuable asset, our young people and one that in years to come we will be proud to have been part of, and

WHEREAS, as Mayor of the City of Ontario, I go on record encouraging all Ontario residents to go to the polls on March 6 and support the Ontario Schools Levy with your vote.

IN WITNESS WHEREOF, I have hereto set my hand and caused the Seal of the City of Ontario to be affixed this 6<sup>th</sup> day of February in the Year of Our Lord Two Thousand Twelve

Larry C. Collins, Mayor

## **RECREATION DIRECTOR'S REPORT**

Mrs. Van Cura updated Council on the current activities.

Family Swim attendance has been down. Newsletters were sent home with students and notification was placed in the Tribune. Family Swim is held on Monday's from 7:00 – 8:15 p.m.

Zumba Classes are very popular and held from 6 – 7 p.m. on Tuesday and Thursday at the Stingel Primary gym; the charge is \$4 per session.

Swim/Stroke Clinic begins in February and will be conducted by the middle school swim coach; high school swim team members volunteer their assistance.

Easter Egg Hunt is scheduled at noon on March 31<sup>st</sup> at Marshall Park.

CPR Lifeguarding class on April 15<sup>th</sup> at the high school; free registration is required.

Lifeguard Certification class will begin May 29<sup>th</sup> and is free to Ontario students in exchange for paid lifeguarding during family swim and summer rec.

Summer Rec is scheduled Monday thru Thursday the weeks of June 11<sup>th</sup> and 18<sup>th</sup>. Applications to work summer rec will be available March 12<sup>th</sup>.

Regular

February 2

2012

**COMMITTEE REPORTS**

Mr. Williams scheduled a Parks Committee of the Whole meeting on February 16, 2012 at 5:30 p.m. The Mayor, Service-Safety Director and Engineer were invited to attend.

Mr. Arnold said the Mayor and the Service-Safety Director were able to meet with Norfolk Southern Railroad representative Solomon Jackson to discuss the Rock Road bridge and the city's preference to save the bridge rather than tear it down. Before anything can be done the city needs to know what the insurance company and the railroad are willing to do.

- Mr. Heston was informed by Mr. Jackson the insurance company has indicated they want to get this resolved. Mr. Jackson has a meeting scheduled on Tuesday and the city would hear from him after that. The bridge is of no value to the railroad.
- Mr. Williams suggested they begin looking at avenues for funding in the event the bridge is torn down and the street requires widening.

Mr. Arnold reported on the Safety Committee meeting where Fire Chief Henry asked for an ordinance approving the Springfield Township Fire Department building inspection fees.

Mr. Sowash said the city is part of the Township and the Township has the authority to enact the fees.

- Mr. Weidemyre does not want the Township to initiate the fees due to the economic times and he would like to make it less cumbersome for people to do business in the city.
- When Mrs. Webb asked if there was a means of communicating to the Township the opposition of charging fees to businesses in our community for inspections,

Mr. Arnold made a motion authorizing the Law Director to notify the appropriate personnel in the Township advising them the city is not enacting legislation regarding inspection fees. Mr. Williams seconded the motion. Hearing no discussion, four members cast their votes Aye, two Nay, by Mr. Hairston and Mr. Weidemyre, and the motion passed.

In response to Mr. Hairston's question if there is any language pertaining to the easement of the Rock Road bridge that would be applicable. Mr. Sowash referred to legislation from 1988, Ordinance 88-76, regarding the easement for installing sanitary sewer lines under the railroad bridge. This doesn't mention the easement or license for the railroad which would be several years earlier.

Mr. Weidemyre reported on the third Finance Committee meeting relating to the 2012 budget which was completed, balanced, and will be presented before Council at the next meeting.

Mrs. Webb made a motion for the Law Director to prepare legislation opposing Springfield Township from imposing charges to the businesses within the City of Ontario for inspection fees. Mr. Weidemyre seconded the motion. Hearing no further discussion, five members cast their votes Aye, one Abstain by Mr. Arnold, and the motion passed.

Mrs. Hellinger, Mr. Hairston, Mrs. Webb and Ms. Drake had no report.

**MAYOR'S REPORT**

Mayor Collins gave the following report:

- In January there were no zoning permits written, 13 sign permits for fees of \$1,640.75.
- Mayor's Court received \$21,772.95 in January for past due collections and \$13,602 for current collections for a total of \$35,374.95; 218 tickets were written which was the highest ticket count for a January in the last three years.
- Texas Roadhouse is opening on Monday, February 6<sup>th</sup>. The ribbon cutting will be held at 1:30 p.m. then opening to the public at 4:00 p.m.
- The initial page of the new website has been prepared and development continues on the remaining pages. The site should be ready in a couple of months.

Regular

February 2

2012

**SERVICE-SAFETY DIRECTOR'S REPORT**

Mr. Heston provided the following information:

- Approximately 10 over-sized weight loads have come out of the former GM plant.
- In addition to the increase in traffic tickets, calls have increased from 600 last year to over 1,000 this year.
- The application for the Tree City designation has been approved by the ODNR and is waiting on approval by the Arbor Day Foundation.
- The Water Department will begin flushing dead-end lines to reduce the chlorine to the citizens and keep the lines from rusting. This is done yearly.
- Mr. Heston requested a Utilities Committee meeting to discuss the SSO Plan update to the EPA which needs done annually, discuss the Rock Road overflow, the valve replacement plan, and a couple of resident's with high water bills exceeding his limit of authorization.

When Mr. Arnold inquired about the van on the Flowerama property, Mr. Sowash said he will follow up and report back to Council. A couple of letters have been sent but no response was received.

Mr. Arnold asked Council members to create a list of streets in their Wards that are in need of attention and bring the list to the Streets Committee meeting on February 7, 2012 at 3:00 p.m.

**LAW DIRECTOR'S REPORT**

Mr. Sowash had no report.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS****ORDINANCE NO. 12-02**

AN ORDINANCE AMENDING ORDINANCE 11-56 KNOWN AS THE TEMPORARY APPROPRIATION ORDINANCE FOR 2012 BY TRANSFERRING AND APPROPRIATING MONEY TO PAY FOR POLICE PENSIONS.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-02 on three separate days. Hearing no second, Mr. Williams read Ordinance No. 12-02 for the first time, by title only.

**ORDINANCE NO. 12-03**

AN ORDINANCE AMENDING ORDINANCE NO. 11-56 KNOWN AS THE TEMPORARY APPROPRIATIONS ORDINANCE FOR 2012 BY MAKING AN ADDITIONAL APPROPRIATION FOR CRUISER PURCHASE IN THE GENERAL FUND.

Mr. Arnold made a motion to suspend the rules requiring the reading of Ordinance No. 12-03 on three separate days. Mrs. Webb seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Ordinance No. 12-03 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 12-03. Mr. Hairston seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 12-03 was adopted.

Regular

February 2

2012

## ORDINANCE NO. 12-04

AN ORDINANCE AWARDDING A CONTRACT TO GERMAIN FORD, INC. FOR THE PURCHASE OF A 2012 FORD INTERCEPTOR SEDAN AND AWARDDING A CONTRACT TO TAYLOR CHEVROLET, INC. FOR A 2012 CHEVROLET TAHOE SUV FOR THE TOTAL SUM OF \$53,690.00 THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Arnold made a motion to suspend the rules requiring the reading of Ordinance No. 12-04 on three separate days. Mr. Hairston seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Hairston read Ordinance No. 12-04 for the first time, by title only.

Mr. Hairston made a motion to adopt Ordinance No. 12-04. Mr. Arnold seconded the motion. Hearing no discussion, five members cast their votes Aye, one Nay by Mr. Weidemyre, and Ordinance No. 12-04 was adopted.

At 8:00 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Arnold and a second by Mrs. Webb. At roll call, six 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