

Regular

May 3

2012

Ontario City Council met in regular session on May 3, 2012, 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, Jim Hairston, Mark Weidemyre, Michele Webb, Pamela Drake, Mr. Zeiter, Mayor Larry Collins, Law Director Allan Sowash, Auditor Jane Hammond, Treasurer Linda Stoodt, Service-Safety Director Roger Heston, and Clerk of Council Cathy VanAuker. A number of interested employees and citizens were in the audience.

The minutes of the regular Council meeting of April 19, 2012 were presented for approval. Ms. Drake made a motion to approve the minutes with a second by Mr. Hairston. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

The minutes of the special Council meeting of April 20, 2012 were presented for approval. Ms. Drake made a motion to approve the minutes with a second by Mrs. Hellinger. At roll call, six members voted Aye, zero Nay, one Abstain by Mr. Williams and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Auditor Jane Hammond, 2411 Park Avenue West, came before Council to say: Due to the outburst by the Engineer and the Service Safety Director at the last meeting, I am compelled to let you know that I will no longer tolerate the bullying, the verbal abuse, the lies, and the slander that is being told about me. I will protect myself with every inch of the law. I challenge the Mayor and this Council to not tolerate this action at a public meeting. Thank you.

Mr. Zeiter invited Dan DeVille, Area Manager for First Energy Corporation, to come forward. As a proactive measure Mr. DeVille distributed a new document pertaining to items such as power restoration and storms. First Energy is taking a new approach in communication with public leaders. When storms are pending in the area with anticipated damage full communication will be provided on how they are preparing to handle the situation. Damage conferences will be held with participation from area Mayors, Presidents of Council, and leaders. The corporate website includes an interactive page showing where the storms and outages are located.

COMMITTEE REPORTS

Mr. Arnold reported on the Safety Committee meeting held earlier this evening. Township Trustee Bob Currens provided information about their legislation on inspection fees for local businesses.

Mr. Arnold said earlier in the year approval was given to purchase two vehicles for the Police Department. The new Tahoe, which will replace three existing vehicles, is ready for use today and the new Taurus will be placed in service next week.

Mr. Weidemyre said during the last Finance Committee meeting the budget line items above 50% usage were identified and will be reviewed.

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

MAYOR'S REPORT

Mayor Collins said four residential and four commercial permits were written for \$490 in fees with a valuation of \$58,900.

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Mayor's Court collected \$9,797 in past due fines and current collections of \$18,930 for a total of \$28,727; 135 tickets were written last month.

Mayor Collins distributed informational sheets to Council members pertaining to the Engineer's position as it relates to legislation on this evening's agenda.

Mayor Collins said it was his understand that only part of the BCI report was passed out to some. He has full copies available to any Council member who wanted one.

Mr. Zeiter referred to an email sent to the Engineer a week and a half prior to his leaving, and also to the Mayor and Service Safety Director, no one has responded. Two specific questions were: 1) the Park Avenue West and State Route 309 paving was to have a \$30,000 - \$70,000 rebate, and 2) correspondence between the railroad and anyone involved in the Rock Road bridge. Did the Engineer leave a status report of everything he was working on and how does he get that information? Mayor Collins said he wasn't aware he didn't have the information and understood that Mr. Swinehart was making a disc so he will check on it.

- Mr. Heston said the paving rebate was still in federal audit; it included several communities and will take a long time.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston had no report.

When Mr. Hairston asked if there was an update on the Rock Road bridge, Mayor Collins said he spoke to Solomon Jackson who is contacting the company assisting with the bridge and he is to contact him early next week. They are much closer to completing the process.

LAW DIRECTOR'S REPORT

Mr. Sowash had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 12-11

(SECOND READING) AN ORDINANCE FINDING AND DETERMINING THAT THE PURCHASE OF MEALS AND RELATED EXPENSES FOR PERSONS PROPOSING TO EXPAND OR BRING NEW BUSINESSES TO ONTARIO FROM THE MAYOR'S AND COUNCIL'S SUNDRY ACCOUNTS CONSTITUTES A PUBLIC PURPOSE.

Mr. Hairston made a motion to amend Ordinance No. 12-11, as received this evening. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-11, as amended, on three separate days. Ms. Drake seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Ordinance No. 12-11 for the second time, as amended, by title only.

Mr. Williams made a motion to adopt Ordinance No. 12-11. Mr. Arnold seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mrs. Hellinger, and Ordinance No. 12-11 was adopted.

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ORDINANCE NO. 12-12

(SECOND READING) AN ORDINANCE SEPARATING THE DUTIES OF THE CLERK OF THE WATERWORKS FROM THE OFFICE OF THE CITY AUDITOR, PLACING THAT POSITION UNDER THE SUPERVISION AND DIRECTION OF THE SERVICE-SAFETY DIRECTOR, PLACING THE INCOME TAX ADMINISTRATOR UNDER THE SUPERVISION AND DIRECTION OF THE CITY TREASURER, REPEALING ORDINANCE 10-39, AND DECLARING AN EMERGENCY.

Mr. Arnold made a motion to amend Ordinance No. 12-12, as received this evening. Mr. Williams seconded the motion. Seven members voted Aye, zero Nay, and the motion passed.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-12 on three separate days. Mrs. Webb seconded the motion. Five members cast their votes Aye, two Nays by Mrs. Hellinger and Mr. Weidemyre, and the motion to suspend the rules failed. Mr. Arnold read Ordinance No. 12-12, for the second time, as amended, by title only.

ORDINANCE NO. 12-14

AN ORDINANCE REPEALING ORDINANCE NO. 04-46, ELIMINATING THE POSITION OF CITY ENGINEER, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 12-14, on three separate days, Mrs. Hellinger read Ordinance No. 12-14 for the first time, by title only.

ORDINANCE NO. 12-13

AN ORDINANCE PROVIDING FOR A SYSTEM OF PURCHASE ORDERS FOR THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Hairston made a motion to take Ordinance No. 12-13 from the table for reconsideration. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-13, on three separate days. Ms. Drake seconded the motion. Six members cast their votes Aye, one Nay by Mrs. Hellinger, and the motion to suspend the rules passed. Mr. Hairston read Ordinance No. 12-13 for the second time, by title only.

Mr. Hairston made a motion to adopt Ordinance No. 12-13. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-13 was adopted.

At 7:56 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Williams and a second by Mr. Hairston. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

Daniel J. Zeiter, President of Council

Cathy VanAuker, Clerk of Council