

Regular

August 2

2012

Ontario City Council met in regular session on August 2, 2012, in the City Offices, with Council President Pro Tem Mark Weidemyre presiding. The meeting opened at 7:02 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, Mr. Weidemyre, Michele Webb, Pamela Drake, Acting Mayor Daniel Zeiter, Law Director Allan Sowash, Auditor Jane Hammond, 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 July 19, 2012 were presented for approval. Mr. Hairston made a motion to approve the minutes with a second by Mrs. Hellinger. At roll call, seven members voted Aye, zero Nay, and the motion to approve the minutes passed.

PUBLIC COMMENTARY

Sam Van Cura, 777 Cyprus Drive, was first to come before Council in support of the aquatic center levy and felt there was some public confusion. Mr. VanCura clarified if the levy passes it would not take money away from the Rock Road bridge nor would it affect the lift station. This would be a great addition to Marshall Park.

Kevin Titler, 3371 Elmstone Court, was next to stand before Council opposing the aquatic center because it has been two years that a similar levy was overwhelmingly defeated. Nothing in the city has changed financially in order to support the pool. He said his neighbors feel the same way. Mr. Titler suggested those in favor of the pool spending their own money and only those who use the pool pay for it instead of those who won't use it.

Dave Rehfeldt, 3479 Ridgestone Drive, reiterated the pool would cost \$35/\$100,000 property value and it would be of no extra cost to the citizens on an annual basis. He felt it was a decision for the residents to make and asked that Council pass the legislation to place the levy on the ballot so the voters can make that choice. Five years ago the request for a pool lost by 133 votes and things have gotten tougher but the schools and the parks are the amenities Ontario has to offer the residents.

Mike Stallings, 170 S. Rock Road, came forward to say he felt a pool would require turn lanes at an additional expense and if the lazy river was built later it would be an additional expense. Mr. Stallings said there are other things that need done, such as the Rock Road bridge, which he has driven around for over a year, and the lift station.

COMMITTEE REPORTS

Mr. Williams reported on the Parks Committee meeting held prior to Council this evening to discuss the legislation pertaining to the proposed OYS sponsorship sign to be placed near the soccer field pavilion

- Mr. Sowash explained the Parks Regulations ordinance was amended allowing Council to permit the sign and then a resolution was prepared approving the sign. Both pieces are on this evening's Agenda.

Mr. Arnold said the Personnel Committee has met numerous times during the past couple of months to review a draft document of personnel guidelines and the City of Mansfield's personnel procedures to prepare a manual for city employees. The process is almost completed and will be distributed to Council members for review. This document incorporates not only the Working Ordinance but also the Civil Service Rules and Regulations. Mr. Arnold thanked Mrs. Webb, Ms. Drake, and Mr. Heston for their efforts in this process.

- The Employee Health Insurance Committee will meet tomorrow morning to continue discussion on what can be done to offset the rising insurance costs.

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Mr. Arnold said if the Rock Road bridge is torn down then from a safety perspective the city would like the insurance company to widen the road so it doesn't go from a double lane road into a single lane, and then back to a double lane. He hasn't received any new information to report.

- When Mr. Heston referenced there was additional information, Mr. Arnold expressed his frustration as Chairman of the Streets Committee, and as one who attended the meetings pertaining to the bridge, because he was not informed with the most current update in order to provide a report or answer questions from the residents.
- Mr. Weidemyre commended the Personnel Committee for the in-depth work they have done toward creating a personnel manual.

Mrs. Hellinger deferred to Mr. Weidemyre to report on the Utilities Committee meeting held prior to Council.

- After options were discussed for the Rock Road overflow tank the decision was made there wasn't enough information available and they will obtain a second opinion on the study. This is a \$1 million to \$3 million project. The Service-Safety Director should have that information available at the next Council meeting.

Ms. Drake said she would like to discuss some street issues with Mr. Arnold to determine if a Streets Committee meeting will be necessary.

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

SERVICE SAFETY DIRECTOR'S REPORT

Mr. Heston gave the following report:

- No decisions have been made regarding the bridge, only a suggestion how to pay for the improvements.
- Crack sealing will finish in approximately three weeks.

In response to Mr. Williams' question on the final decision to fix the water valve across from Shafer Valve, Mr. Heston said there was concern if our employees could do the job, if the pipe might split, and the inconvenience of shutting down the company's water supply for several hours. Overtime would be required for city employees to do this project. If the work was done on a Saturday there would be no interruption of water service to Shafer Valve.

- Mr. Heston will get the information as to why the decision was made not to have city employees perform the work.
- Ms. Drake asked for an estimate of overtime costs for city workers to complete the job.
- Mr. Arnold referred to several questions that were asked during the July 14th Personnel Committee meeting that have not been answered. He will meet with Mr. Heston after tonight's meeting.

LAW DIRECTOR'S REPORT

Mr. Sowash had no report.

Mr. Sowash responded to a question regarding the Flowerama van and said the length of time the city was required to keep the van should be close to expiring. The safety concerns on how the van was being stored have been corrected.

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CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 12-19

(SECOND READING) AN ORDINANCE AMENDING SECTION 1146.02(b) DEFINITIONS AND SECTION 1146.03(d)(5) SIGNS BY NUMBER, SIZE AND LOCATION OF THE CODIFIED ORDINANCES OF THIS CITY TO REVISE THE REGULATIONS OF THE DISPLAY OF BANNERS BY BUSINESSES AND INDUSTRIES.

Mr. Williams made a motion to table Ordinance No. 12-19. Mr. Hairston seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

ORDINANCE NO. 12-21

(SECOND READING) AN ORDINANCE DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING AND FURNISHING AN OUTDOOR AQUATIC CENTER, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-21, on three separate days. Mr. Arnold seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Ordinance No. 12-21 for the second time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 12-21. Mr. Williams seconded the motion. Mr. Weidemyre thanked the residents for their comments and approving this ordinance gives the voters the right to make the decision. Six members cast their votes Aye, one Nay by Mrs. Hellinger, and Ordinance No. 12-21 was adopted.

ORDINANCE NO. 12-22

AN ORDINANCE AMENDING THE ESTABLISHED REGULATIONS FOR THE USE OF ALL CITY PARKS, REPEALING ORDINANCE 08-06, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-22, on three separate days. Mr. Arnold seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Hellinger read Ordinance No. 12-22 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 12-22. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-22 was adopted.

RESOLUTION NO. 12-08

A RESOLUTION GRANTING APPROVAL TO ONTARIO YOUTH SPORTS, INC. TO ERECT AND MAINTAIN A DISPLAY IN THE CITY OF ONTARIO MARSHALL PARK TO HONOR SPONSORS OF THE ONTARIO YOUTH SOCCER PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 12-08, on three separate days. Mr. Hairston seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Hairston read Resolution No. 12-08 for the first time, by title only.

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Mr. Hairston made a motion to adopt Resolution No. 12-08. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 12-08 was adopted.

ORDINANCE NO. 12- 23

AN ORDINANCE AMENDING ORDINANCE NO. 12-07 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2012 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND, SPECIAL REVENUE FUND AND ENTERPRISE FUND.

Mrs. Webb made a motion to waive the 24-hour rule on Ordinance No. 12-23. Ms. Drake seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mrs. Webb made a motion to suspend the rules requiring the reading of Ordinance No. 12-23, 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. Mrs. Webb read Ordinance No. 12-23 for the first time, by title only.

Mrs. Webb made a motion to adopt Ordinance No. 12-23. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-22 was adopted.

Mr. Hairston made a motion to return Ordinance No. 12-19 to Planning Commission for reconsideration of the proposed amendments. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion passed.

At 7:35 p.m., Mr. Arnold made a motion to enter into executive session per O.R.C. 121.22, Section G, Number 1, to discuss employee compensation. Mr. Williams seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed.

At 8:28 p.m., Mr. Williams made a motion to reconvene into regular session. Ms. Drake seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed.

At 8:29 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 Mr. Hairston. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

Mark Weidemyre
President of Council Pro Tem

Cathy VanAuker, Clerk of Council