

## Regular

October 4

2012

Ontario City Council met in regular session on October 4, 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, Charlotte Hellinger, Jim Hairston, Mark Weidemyre, Michele Webb, Pamela Drake, Mayor Larry Collins, 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 September 20, 2012 were presented for approval. Ms. Drake made a motion to approve the minutes with a second by Mr. Weidemyre. At roll call, six members voted Aye, zero Nay, one Abstain by Mrs. Hellinger, and the motion passed.

### **PUBLIC COMMENTARY**

Mike Finley, 605 St. Rt. 314 N, came before Council questioning the rumor that a trash transfer station was going into the former General Motors plant.

- Mayor Collins said the property was sold to Brownfield Communities who is bringing tenants into the building and the building will be reconfigured. Mayor Collins was not aware of what Mr. Finley was talking about. The front offices will be torn off because they are not useable and the property will become a modern industrial park. One of the tenants does hydroponics and they have asked for more space than originally proposed.
- Mr. Finley asked if the city could petition the state to legalize gambling in this community to occupy the empty Lazarus building. Gambling would bring a lot of revenue to this area. Mr. Sowash said the constitutional amendments specifically designate the areas permitted to allow gambling.

### **COMMITTEE REPORTS**

Mr. Williams reported on the Parks Committee meeting where they discussed placing a bandshell at Marshall Park with Pioneer Joint Vocational School providing the craftsmanship. When more information is received on this project a meeting will be scheduled to discuss the details.

- Mr. Hairston said OYS was considering reconfiguring the soccer fields to accommodate the growing program. Therefore, if bleachers are purchased they would recommend placing them at the fields closest to Park Avenue. Bleachers cost approximately \$800 each. OYS suggested if there are additional funds to use in the parks they would like the size of the concession stand increased.

Mr. Arnold mentioned that A & A Safety began striping the streets and asked if they were coming back to the Walker Lake Road intersection because the lines are not defined causing unsafe traffic flow. The Streets Committee will meet later in the month to review and prioritize the streets in need of repair to use for competitive bids at the beginning of the year.

Mr. Arnold provided information from the Personnel Committee meeting. He is waiting to receive more information from Thompson Benefits Solutions but the health insurance rates will not increase next year; last year's rate increased 36%. There are some options still being considered, such as increasing the deductibles which would create a large savings for the city.

- Mrs. Webb said Chapters 1 and II of the Policy and Procedure Manual were distributed and no one who received the draft provided any feedback. Chapter III will be distributed next week and those who don't participate with feedback will not receive future chapters to review.

Mr. Arnold scheduled a Streets Committee of the Whole on October 30, 2012 at 4:00 p.m. and a Personnel Committee meeting on October 15, 2012 at noon.

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Mr. Weidemyre reported on the Utilities Committee meeting where they discussed Resolution No. 12-12 that was tabled during the last meeting. Bob Jablonski of the Poggemeyer Design Group attended the Committee meeting to answer questions and is in attendance this evening. Mr. Jablonski came before Council to inform them of the changes. After reviewing the contract with the Committee, full-time observation of the project was eliminated but design engineering, videoing, and construction administration were included; the contract was reduced by \$67,900. The cover on the tank was included which added \$275,000 and the capacity of the tank was increased to a million gallons. The OPWC application was prepared and submitted to Regional Planning.

Mr. Weidemyre reported the Finance Committee reviewed the 2013 temporary appropriations and the accounts low in funding. Mr. Weidemyre thanked Mr. Hairston for the time he spent reviewing the accounts.

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

### **MAYOR'S REPORT**

Mayor Collins reported on Mayor's Court for the month of September. Past due collections were \$3,800.49, current collections totaled \$16,919, for a total of \$20,719.49; 114 tickers were written. The total amount of past due collections since January 2010 is \$341,337.42.

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

Mr. Heston thanked Council members for the cooperative effort in the interviewing process for selecting a new engineer. The help was greatly appreciated and resulted in an excellent selection. The new City Engineer is Linda Timmer who is a Civil Engineer and Professional Engineer in Ohio with full licensing in Hawaii. She has more than 40 years of experience as a designer, planner, program manager, and construction manager. She has nine and half years of service with the city of Cleveland as Chief Engineer, Administrator of Engineering and Planning for the Department of Port Control. Ms. Timmer has experience with public bidding requirements and procedures, budget approvals and spending requirements, managing contractors, consultants and both professional and non-professional civil service staff. Places she has worked include: Guam, Honolulu, Miami, Abu Dhabi, New Orleans, Minneapolis, and Cleveland. In the week she had been with the City of Ontario she is moving forward at a fast pace. Ms. Timmer's office hours are Monday thru Friday, 8 a.m. – 12:00 p.m.

Leaf pickup will be October 17 – November 21. Residents are encouraged to take leaves to the curb without sticks or yard waste and away from mailboxes.

Trick or Treat will be October 25<sup>th</sup> from 5:00 – 7:00 p.m.

Ms. Drake said vehicles were parked half the length of her street facing the wrong way and on both sides making it difficult for cars to get through. There are a number of children playing outside in this neighborhood. Mr. Heston advised her to call the Police Department to respond.

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

Mr. Sowash reminded Council the city is under Findings and Orders from the EPA and the time frames stipulated are not negotiable. Therefore, the priority needs to be that we are on track to meet those Findings and Orders.

### **MISCELLANEOUS MATTERS**

Ms. Hammond asked Finance Committee members why there is legislation increasing appropriations for the new roof at the Senior Center when it could be taken from Capital

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Improvements since it is a whole roof project. At the end of the year the budget will appear \$25,000 higher than it needed to be. Mr. Weidemyre said he thought it would be cleaner to add the funds. After discussion, Council decided to use the Capital Improvement funds and table the ordinance on this evening's agenda.

The ES Consulting bill was discussed at the last meeting and the Law Director said it was Council's decision on what to do. Mr. Heston was going to see if he could get a discount on the bill which was originally \$1,400, submitted to the city at \$1,200, and after another adjustment was \$1,000. Ms. Hammond verified to Council that it was her understanding if there was no motion made tonight then no one wanted her to pay the bill.

- A bill has never been received. The amount appeared on the Zoning Inspector's bill as 120 days late.
- Mr. Sowash said there was no purchase order and the Auditor never received an invoice for this specific service. Because the Auditor did not receive a bill, she should not be in trouble during an audit for non-payment.

Mr. Weidemyre made a motion to take Resolution No. 12-12 from the table. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Weidemyre read Resolution No. 12-12 for the first time, by title only.

Ms. Drake made a motion to suspend the rules requiring the reading of Resolution No. 12-12 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed.

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

Mrs. Webb made a motion to reconsider Ordinance No. 12-26. Mr. Weidemyre seconded the motion. Mr. Weidemyre said everyone voted for this the last time. Mr. Sowash said per the Rules of Council and the Ohio Revised Code this reconsider is to actually reconsider approval of the ordinance which takes a 2/3 vote to approve adoption. Seven members cast their votes Aye, zero Nay, and Ordinance No. 12-26 was adopted.

Mrs. Webb made a motion to reconsider Ordinance No. 12-27. Mr. Weidemyre seconded the motion. Mr. Hairston said he wanted to clarify this was not demoting anyone, this was just setting the structure and not mandating any personnel moves. Seven members cast their votes Aye, zero Nay, and Ordinance No. 12-27 was adopted.

Mrs. Hellinger made a motion to pay a bill to Snyder Funeral Home for approximately \$750 for an indigent burial, per O.R.C. 9.15. Mr. Arnold seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Arnold made a motion authorizing the Service-Safety Director to provide a Firefly and deduct meter to the Springfield Township Fire Department at no cost. Mr. Hairston seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Arnold made a motion authorizing the Service-Safety Director to write-off the uncollectable amount that was provided by the collection agency and have that amount removed from the books. Mr. Hairston seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion passed.

## **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

### **RESOLUTION NO. 12-13**

**A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN AGREEMENT ON BEHALF OF THIS CITY WITH THE STATE OF**

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OHIO DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE CONTROL  
ON US 30 WITHIN THE CITY OF ONTARIO, RAMPS TO AND FROM US 30 AND  
LEXINGTON SPRINGMILL ROAD AND STATE ROUTE 314 WITHIN THE CITY  
OF ONTARIO.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 12-13 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. Williams read Resolution No. 12-13 for the first time, by title only.

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

ORDINANCE NO. 12-28

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

Mr. Hairston made a motion to table Ordinance No. 12-28. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and the motion passed.

At 9:02 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. Williams. 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