

Regular

November 1

2012

Ontario City Council met in regular session on November 1, 2012, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:05 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, Mayor Larry Collins, Assistant Law Director Harry Welsh, Service-Safety Director Roger Heston, and Clerk of Council Cathy VanAuker. A number of interested employees and citizens were in the audience.

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

The minutes of the regular Council meeting of October 18, 2012 were presented for approval. Mr. Weidemyre made a motion to approve the minutes with a second by Mr. Arnold. At roll call, six members voted Aye, zero Nay, and the motion passed.

The minutes of the special Council meeting of October 24, 2012 were presented for approval. Mr. Arnold made a motion to approve the minutes with a second by Mr. Weidemyre. At roll call, five members voted Aye, zero Nay, one Abstain by Mr. Hairston, and the motion passed.

PUBLIC COMMENTARY

Stevie Regula, 101 Lynn Drive, was first to approach Council to say she has been a resident of Ontario for 52 years, was on Planning Commission for 9 years, served on Council, was interim Mayor, and currently is on the Advisory Council for the Area Agency on Aging, Daysprings and RSVP which will be located in the Hawkins Building. Mrs. Regula said she is disappointed that Ontario has not provided any funding to the Richland Transportation System since March 2010 - this participation began in the 1990's. What would happen to all of these people if there was no transportation; there are many disabled seniors and handicapped riders. Letters were sent to the city from Kathy Adams who is in charge of this program. Mansfield, Shelby, and Richland County Commissioner give to this fund. Why has Ontario stopped giving and not acknowledged any of their letters? What will happen when the Hawkins corner opens with the Area Agency on Aging, as well as other agencies, with over 100 employees and transportation is needed?

Mrs. Regula asked Mayor Collins why he has not responded to them with their request for additional funds. Mayor Collins said the requests were brought to City Council and due to the climate of 2010 the decision was made to remove it from the budget. There was no discussion about the recent letter that everyone received. Mrs. Regula addressed Finance Chairman Mr. Weidemyre who said the request was for \$30,000. He personally followed some buses and never saw more than 3 or 5 riders. The transit was part of the \$300,000 budget reductions along with other cost saving cuts to service, police cruisers and equipment. The city lost over \$1 million in revenue when GM closed. Mrs. Regula encouraged the Mayor and Council members to address this topic and the need to support the buses.

Next to come before Council was Ruth Wolf, Ontario Library Branch Manager, asking for support of the upcoming levy. Since 2001 the State has cut funding to libraries by 35%. There is an average of 2,500 visitors each day to the county libraries taking out books and movies, computer usage for job applications where they are teaching people how to use the computers or signing up for unemployment. These levies won't increase any services but would allow them to maintain the current services after the State funding cuts. The \$2 mil renewal and the new \$1.9 mil would cost the average \$100,000 home owner an additional \$5.54.

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COMMITTEE REPORTS

Mr. Arnold gave a Streets Committee report pertaining to recent discussions with the Railroad and insurance companies resulting in the unlikelihood of any construction taking place this year on the Rock Road bridge. Some of the language in the agreement is holding up approval between attorneys.

- Mayor Collins said there was an acceptable agreement between the City and the Railroad until they noticed the insurance company left out one party who was to sign off, which was Speck Builders.
- Mr. Williams expressed his concern that he voted in favor of giving up the \$7,000 in order to get it done this year and now it won't be completed. He felt they were misled.
- Council members agreed the decision was made in good faith that the bridge would be taken care of this year and the road reopened. Mr. Welsh was asked to look into their options since that isn't going to happen.
- The Railroad owns the bridge and aren't willing to put any money into it.

Mr. Weidemyre reported on the Streets Committee meeting where they discussed the streets in need of paving so they would be prepared to go out for early bid after the first of the year. A five-year paving plan was prepared and will be adhered to. The roads being considered include Ferguson Road, Westlawn Drive, Friday Lane, Nussbaum Parkway, and patchwork or paving on Creston and Crestfield. If there is remaining funding then Longview Avenue to Rosewood, additional streets in Chambers and the end of Spring Village Lane would be added to the list. The Engineer will prepare an estimate to determine if more streets can be added or if some need eliminated. The 2014 paving budget will go toward W. 4th Street and the 2015/2016 paving budget will go toward Lex-Springmill Road.

- Mr. Williams asked they look at the end of Sloboda at Vivian because it is cracking.
- Ponderosa and Victoria Village Court are also being reviewed.

Mr. Arnold scheduled a Personnel Committee meeting on November 5, 2012, at 4:00 p.m.

Mr. Arnold made a motion authorizing the Police Chief to accept a \$500 donation from the Ontario McDonalds and to be allocated to the appropriate fund. Mr. Weidemyre seconded the motion. Six members cast their votes Aye, zero Nay, and the motion was approved.

Mrs. Webb said the striping on Lex-Springmill is not complete and work will continue. The turn lanes are not marked on Lex-Springmill from Walker Lake nor are the lane markers south of Walker Lake Road.

Mr. Weidemyre distributed copies of the 2013 Temporary Budget that he would like placed on this evening's Agenda and read for the first time. The YTD finance report shows positive numbers.

Mr. Williams, Mr. Hairston, and Ms. Drake had no report.

MAYOR'S REPORT

Mayor Collins had no report.

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Heston acknowledged there is some concern pertaining to the additional paving contract. Because this was added late in the season it was placed at the end of the paving list with hope it would be completed before the holiday shopping season.

Work is still being done to receive a refund from the 1st Energy lighting program.

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The non-performance refund from ODOT on the 2010 Park Avenue West U.S. 30 Paving Project has been received. The original thought was for a refund in the \$60,000 range but the check was issued for \$159,106.92.

Legislation will be needed at the next Council meeting for the relining of the Old Oak Trail culvert. This project was originally funded at \$100,000; one proposal has been submitted for under \$50,000 with five more proposals expected.

- Last year the Ohio General Assembly raised the threshold for bidding to \$50,000 but Ontario's ordinance requires Council's approval for anything over \$25,000.
- The current legislation will be reviewed to determine if any changes are necessary. Mr. Weidemyre preferred leaving the mandate that Council approval is required for expenditures over \$25,000.

Mr. Weidemyre made a motion to prepare legislation for the next Council meeting authorizing the Service/Safety Director to accept the contract for the Old Oak Trail culvert project. Mr. Williams seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

The amount of the 1st Energy light program refund is \$3,218 which is considerably lower than the original offer which was to cover the entire project. Once they learned 1st Energy was cutting back on the refunds not all of the proposed lighting fixtures were replaced.

The Senior Center roofing project is ready to move forward with a complete removal and replacement of a metal roof for \$15,800. This would not include costs for any damage in the entrance that can't be seen until it is torn out and the insulation that may need added.

The meeting with the EPA went well and they were very cooperative.

LAW DIRECTOR'S REPORT

Mr. Welsh said, as the Assistant Law Director he is happy to cover during the transitional period until a Law Director is appointed.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 12 – 32

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT CITY EMPLOYEES, REPEALING ORDINANCES 08-07, 08-10, 08-13, AND 10-25 AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 12-32 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. Mrs. Webb read Ordinance No. 12-32 for the first time, by title only.

Mrs. Webb made a motion to adopt Ordinance No. 12-32. Mr. Williams seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 12-32 was adopted.

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ORDINANCE NO. 12-33

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND EXPIRING DECEMBER 31, 2013.

Mr. Weidemyre made a motion to waive the 24-hour rule on Ordinance No. 12-33. Mr. Williams seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to waive the 24 hour rule passed.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 12-33 on three separate days, Mr. Weidemyre read Ordinance No. 12-33, for the first time, by title only

At 8:03 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre and a second by Mr. Williams. At roll call, six members voted Aye, zero Nay, and the motion to adjourn passed.

Daniel J. Zeiter, President of Council

Cathy VanAuker, Clerk of Council