

## Regular

December 6

2012

Ontario City Council met in regular session on December 6, 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, Council President Daniel Zeiter, Mayor Larry Collins, Assistant Law Director Jon Burton, 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 November 15, 2012 were presented for approval. Mr. Weidemyre made a motion to approve the minutes with a second by Ms. Drake. At roll call, seven members voted Aye, zero Nay, and the motion passed.

### **PUBLIC COMMENTARY**

Stevie Regula, 101 Lynn Drive, came before Council to urge the city to support the RTA busline service. Bus service will be needed when the Area Agency on Aging opens in Ontario. RTA is going to offer free service this Saturday; there are over 300 riders who utilize the RTA on Saturdays. Approximately five tenants, with over 180 employees, will reside at the new Hawkins Corner by the end of April and many services will be needed for the clients. In 2012 over 16,008 people were transported between January through October with 1,774 riders dropped off in Ontario during October; this does not include pick-ups. In response to Mrs. Regula's question if anything was discussed regarding reimbursement, Mr. Weidemyre said the Finance Committee has not met recently because the temporary budget has been completed, so it would be after the first of the year before they discuss permanent appropriations.

- Ms. Webb referred to the RTA information that was distributed during the November 1, 2012 Council meeting, noting that most local cities contribute Block Grant money in lieu of using money from their General Fund. The city hasn't applied for Block Grant money for a long time because Ontario didn't qualify with General Motors.
- The procedure to apply for Block Grant money will be researched.
- When Ms. Drake asked if the bus route included the OSU/NCSC campus, Mrs. Regula said yes, but the schools provide \$10,000.

### **COMMITTEE REPORTS**

Mr. Arnold reported on the Personnel Committee meeting held earlier in the day where they discussed additional means of saving insurance premiums. They plan to meet with employees during the next couple of weeks to educate them on the new ideas which will save the city money but will have no impact to the employees.

- Once the final review is completed, Mrs. Webb will provide copies or email a draft of the Personnel Policy and Procedure Manual to any Council member who requests a copy.

Mr. Arnold said the Streets Committee met to discuss street paving for 2013 and are working closely with Administration and the City Engineer.

- The Railroad would prefer to tear down the Rock Road bridge before the end of the year and they have hired a contractor to complete the task. The city would prefer they wait until asphalt companies reopen in the spring so the road improvements could be completed at the same time. The City Engineer is working closely with the contractor and the EPA to ensure there are no violations.

Mrs. Hellinger said she will contact the Project Manager and Service Safety Director to ensure the Findings and Orders deadline for December 31, 2012 are in compliance. Mr. Weidemyre and Ms. Drake offered any assistance she made need.

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Mr. Weidemyre reported the Spitzer project is moving forward as shown in the TIF legislation on this evening's agenda, which must be passed this evening.

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

### **MAYOR'S REPORT**

Mayor Collins gave the following report:

- The new roof is on the Senior Citizen's Center.
- The Old Oak Trail culvert replacement project is scheduled to begin on Monday.
- Street painting and markings are completed for the year.
- During the month of November, Mayor's Court received \$5,201 in past due fines, \$17,970 in current collections, for a total of \$23,171; 119 tickets were written.

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

Mr. Burton had no report.

Mr. Zeiter explained the procedure for appointing the Law Director. The Republican Party had forty-five days after the position became vacant to appoint someone. Also, during that timeframe, the Mayor could have appointed a licensed attorney from within the city, but he did not. The forty-five days will end December 15, 2012, at which time Council can make an appointment. The current Assistant Law Directors were appointed by the former Law Director and he did not alter the agreement before he left. Council may choose to leave the Assistant Law Directors in place. Mayor Collins said through Attorney Welsch's recommendation he was advised not to appoint anyone because of past complications in other communities for which there is case law.

### **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

#### **ORDINANCE NO. 12-33**

(THIRD READING) 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 table Ordinance No. 12-33, with a second by Ms. Drake. Seven members cast their votes Aye, zero Nay, and the motion passed.

#### **RESOLUTION NO. 12-16**

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR VARIOUS MATERIALS AND SERVICES NEEDED DURING THE YEAR 2013 AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 12-16 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. 12-16 for the first time, by title only.

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Mr. Williams made a motion to adopt Resolution No. 12-16. Mr. Arnold seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 12-16 was adopted.

ORDINANCE NO. 12 – 43

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

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 12-43 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. 12-43 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 12-43. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-43 was adopted.

ORDINANCE NO. 12-44

AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPTING THOSE IMPROVEMENTS FROM REAL PROPERTY TAXES, REQUIRING THE OWNERS OF THAT REAL PROPERTY TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, SPECIFYING THE PURPOSES FOR WHICH RECEIPTS OF SUCH SERVICE PAYMENTS MAY BE USED, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND, AND DECLARING AN EMERGENCY.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 12-44 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. Mrs. Hellinger read Ordinance No. 12-44 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 12-44. Mr. Williams seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-44 was adopted.

ORDINANCE NO. 12 – 45

AN ORDINANCE AUTHORIZING THE SERVICE- SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS AND AWARD A CONTRACT FOR THE 2013 CITY OF ONTARIO PAVING PROGRAM AND DECLARING AN EMERGENCY.

Mr. Arnold made a motion to suspend the rules requiring the reading of Ordinance No. 12-45 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. Hairston read Ordinance No. 12-45 for the first time, by title only.

Mr. Hairston made a motion to adopt Ordinance No. 12-45. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 12-45 was adopted.

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At 7:28 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