

Regular

February 7

2013

Ontario City Council met in regular session on February 7, 2013, 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, Jim Hairston, Mark Weidemyre, Michele Webb, and Pamela Drake, Council President Daniel Zeiter, 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. Williams made a motion to excuse Mrs. Hellinger from this evening's meeting. Mr. Weidemyre seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of January 17, 2013 were presented for approval. Mr. Hairston made a motion to approve the minutes with a second by Mr. Weidemyre. At roll call, six members voted Aye, zero Nay, and the motion passed.

PUBLIC COMMENTARY

Calling twice and hearing no one who wished to speak, the Public Commentary portion of the meeting was closed.

COMMITTEE REPORTS

Mr. Arnold reported on the Streets Committee meeting where they reviewed the bids for the 2013 street paving project. A base bid was determined with nine alternatives. Two contractors turned in bids; Shelley and Sands was lower than KoKosing. The base bid price was \$322,470 with hopes of adding several alternatives. The Committee recommended awarding the base bid and one alternative. The remainder will be determined once they see how the initial project goes. The entire project amount is \$574,000 which would require additional funds to be appropriated prior to approving more of the alternate projects. Two streets were not included due to the need for sewer line replacements. A combined meeting of the Personnel, Finance and Streets Committees of the Whole will meet on February 13, 2013 at 3:00 p.m.

- Mr. Weidemyre stated the pricing was very favorable which is the reason additional streets are being considered.
- The Engineer has asked for funding to cover additional depth, compaction, and asphalt testing as the asphalt is put down in order to avoid receiving the same unacceptable paving that was done on Park Avenue West.

Mr. Hairston said the Finance Committee met to work through the process of finalizing the permanent budget. The next Finance Committee of the Whole meeting will be February 13, 2013 at 3:00 p.m.

Mr. Weidemyre said he met with the bonding company who needs to gather additional information. Many options are available and the rates are extremely low. They discussed pursuing \$1 million but the Engineer has more options they may want to consider.

Mrs. Webb said the Personnel Committee has met twice since the last Council meeting. The topics discussed were:

- (1). The HSA payout and the higher health insurance deductible.
- (2). The Service-Safety Director is to notify employees how to contact the Agent of Record to receive their payment for medical bills once the employee's deductible is met.
- (3). Two items in the signed MOU with the Police Department need modified to match the agreed upon procedure.
- (4). The structure of the Service Department was discussed but not completed so the ordinance on this evening's agenda will be tabled.

Regular

February 7

2013

- (5). Some changes were made to the proposed Policy and Procedure Manual along with recommendations from the Assistant Law Director. The collection of forms has not been completed but the manual could be rolled out once discussions are concluded and forms can be obtained as needed.
- (6). Administration was asked several times to conduct training meetings between the Agent of Record and the employees on how to best utilize the health insurance and advise them how to add to their HSA account. The Service-Safety Director has been asked again to schedule these meetings.
- (7). The last item discussed was the hiring of a Laborer into the open position created by a recent retirement. Committee members agreed to hire this position at the Laborer wage.

Mr. Williams and Ms. Drake had no report.

MAYOR'S REPORT

Mayor Collins reported the January Mayor's Court collected \$20,287.13. The increase in this amount is due to fines and unpaid income tax. Current collections were \$8,294.99 for a total of \$28,582.11 and 100 tickets were written.

Mayor's Collins read his State of the City report:

STATE OF THE CITY
Ontario, Ohio
Mayor Larry C. Collins
February 7, 2013

As I reflect on 2012, it was another very good year and a successful year in many respects for the City of Ontario. Success is most often made possible by the competent, passionate and caring people with whom we work. That includes the cooperation and dedication of the employees, the Administration and City Council.

The 2012 budget of \$8,190,485.00 began with a balance of \$9,494,653.50. There were receipts of \$8,716,736.30, expenses of \$7,671,653.34, encumbrances of \$354,437.06 and a carryover of \$690,646.00 with a beginning balance for 2013 of \$10,185,299.00. The year end totals for 2012 are attached. The city income tax received in the amount of \$4,321,092.63 shows zero because it has been disbursed to the appropriate accounts. For the third year in a row we were able to end the year with a balanced budget. In 2012 we received a refund check from the Ohio Department of Transportation for \$159,106.92 for the 2010 paving projects on Park Avenue West and State Route 309, which we initially paid \$808,226.00 of a \$3,500,276.02 total cost. In that project we received, at no cost to the city, major culvert work on 309 and a new intersection at State Route 314 and West 4th Street.

2012 Income Tax Receipts came from 601 business accounts total \$495,547.67, 4181 residential accounts total \$1,005,996.05, 4189 withholding accounts total \$2,819,548.91 for a grand total of \$4,321,092.63. Part of this total income came from the Safety Tax in the amount of \$1,440,364.23.

Mayor's Court in Ontario had 1843 cases, 2226 charges and 47 OVI charges. Mansfield Municipal Court heard 239 total Ontario transferred cases, 36 OVI charges, 7 felony cases, 53 traffic cases and 143 criminal cases. We collected \$229,706.42 in current cases and \$100,599.19 in past due cases for a 2012 total of \$330,305.61. Since March 2010, the court has collected \$330,830.65 in past due collections of the original amount of \$447,000.00. Magistrate Amy Skropits sees most of the cases on Thursdays and I see cases on Monday, Tuesday, Wednesday and Friday.

Regular

February 7

2013

The Ontario Police Department responded to 11,150 calls for service in 2012. This was up 3% over 2011. I am attaching the Crime Total details from Chief Smith.

The year 2012 saw the resignation of Jerrod Swinehart, City Engineer; the hiring of part time City Engineer, Linda Timmer; the retirement of Zoning Inspector, Dallas Strickler, and the hiring of Zoning Inspector, Fred Kohler; the retirement of the City Law Director, Allan Sowash; the retirement of Service Department employee, Ken Burrer; the announced resignation of Auditor, Jane Hammond for February 28, 2013; the retirement of Police Lieutenant Randy Hutchinson and the hiring of Police Officer, Casey Bly.

In January 2012 we welcomed three new council members, Pam Drake, Ward One, Michele Webb, Ward Two and Jim Hairston, Ward Four.

The Zoning Department had 27 residential permits issued with fees of \$745.00 and a valuation of \$304,900.00. The department also issued 20 commercial permits with fees of \$2,255.00 and a valuation of \$3,255,000.00. There were 79 sign permits written with fees of \$6713.75 and 4 miscellaneous permits. Total permits for the year was 131 with fees of \$14,149.75 and total valuation of \$3,559,900.00. There are numerous violations each year for which the Zoning Inspector sends out letters to the violators.

McDonald's Restaurant, Zara Construction and Spitzer Motors were new construction in 2012. There were four additions and renovations in 2012 which was the Area Agency on Agency, Planet Fitness, Pediatric Consultants and Animal Medical Center. There were 20 new businesses that came to Ontario in 2012 and 10 businesses that left Ontario. A list is attached.

On August 16, 2012 Racer Trust held an event at the former General Motors Plant for the signing of the Purchase and Sale Agreement for the entire General Motors property. Michael Adler, CEO of the Adler Group from Miami, FL and Jeffrey Heckman, CEO from Hilco Real Estate from Northbrook, IL formed the Brownfield Communities Development Company and purchased the property. A Development Agreement between the City of Ontario and the BCDC was also signed on this same day. On December 28, 2012 the sale was completed on the property and work has begun to restructure the Ontario Business Park and tenant number one, Sunfest Herbs from Florida, has been announced.

The Personnel Committee worked diligently over the past year to develop a Policy and Procedure Manual for the City. Currently it is in the final stages for approval by Council. A great debt of gratitude is owed to the Committee. The Committee was also part of realigning the structure for the Service Department.

Mark Weidemyre, Economic Development Chair; Kim Miers, a citizen of Ontario and a member of the Mayor's Vision Team along with the Mayor worked over the past year on a new website for the City, which is now in operation at www.ontarioohio.org.

We were once again able to have three Concerts In the Park in the summer of 2012 and was a huge success. The costs of these concerts was funded by donations from Ontario businesses.

We were fortunate to be able to purchase 2 dump trucks, a front end loader for the Service Department and 2 Police Cruisers for the Police Department. We put a new roof on the Senior Center Building on Park Avenue West. We relined the Old Oak Trail Culvert and was able to pave several streets in the city. Out of the Selective Tree Harvest of 2011, where we received \$56,130.00, we were able to build a large Pavilion, 2 Volleyball Courts and Horseshoe Pits in Marshall Park. We are hoping to have a Band Shell built this summer in the Park. Pioneer Career Center is currently working on the project.

Our greatest strength as a City are the employees who work diligently to take care of the needs of the residents of Ontario and those who visit us for various reasons each day. In the Police Department we have a total of 20 Officers – a Chief, a Captain, 3 Lieutenants, 3 Sergeants, 10 Patrol Officers, a Detective and a School Resource Officer. We have 4 Dispatchers and we operate 24/7.

Regular

February 7

2013

In the Water Department, the Sewer Department, the Street Department and Parks Department we have a total of 12 Employees, who work together as needed on whatever project is on the daily schedule.

In the Administration Building, we have the Service Safety Director, Clerk of Council, Treasurer, Auditor, Deputy Auditor, Income Tax Administrator, Water Clerk, Administrative Assistant to the Mayor and the Clerk of Courts, along with our Custodian who cares for four buildings.

Our Magistrate, along with Assistant Law Directors, Renwick, Welsh and Burton, handle court and day to day legal opinions of issues that come before City Government. Council does their work in caucus and council meetings on the first and third Thursdays of each month as well as various committee meetings.

We are indebted to Dave Rehfeldt, Jim Henry and the host of volunteers who help make the Ontario Fourth of July Celebration such a huge success each summer. We are also indebted to Janet Van Cura, our Recreation Director, who hosts a number of activities throughout the year for adults, youth and children.

To the Planning Commission, the Civil Service Commission, the Shade Tree Commission, the City Records Commission, the Tax Board of Review, the Recreation Board and the Board of Health, we extend our gratitude for the part they play in making this City function effectively as we serve the needs of our residents.

As we look to the future, we are under Findings and Orders from the EPA and will be building this year a lift station and tank to contain the overflows at the Rock Road Lift Station. We will also be addressing I & I (Inflow and Infiltration) issues of our sewer system. We will also be looking at the paving of West Fourth Street in cooperation with ODOT and the installing of new water taps. There is much to be done on an annual basis.

The Rock Road Bridge, owned by Norfolk and Southern Railroad, was hit on July 22, 2011 and after eighteen months is coming to a conclusion and the road will be made two lanes and paved and opened as soon as the asphalt companies open this spring.

I continue to strongly urge all citizens and businesses to use Ontario 44906, 44903 and 44862 as your mailing address and to encourage those who send you mail to do the same.

Ontario has had a Strong Past and what I believe will be a Bright Future. The challenge before this City is to keep pace with increased costs and still serve the citizens of Ontario. With the coming of new businesses that bring jobs, I am optimistic about what is yet to be. The best is still ahead.

Perhaps yet this year, or in the coming years, I would recommend that a City Charter Commission be authorized by Council, elected and formed that would address the real needs and issues surrounding City Government. I also would strongly recommend that Veteran's Day be added as a Holiday for the City employees. It is only right that we honor our veterans.

As Mayor, it has been my privilege and honor to have been a small part of serving this community and to represent the City of Ontario around the county and state, including but not limited to – the Mayor's Association of Richland County, The Richland County Regional Planning Commission, the Richland Community Growth Corporation, the Richland Community Development Group and as a Foundation Trustee for North Central State College.

As I leave office as Mayor at the end of 2013, I wish those who follow, in all areas of leadership of this City, the very best. May God indeed bless!

Regular

February 7

2013

SERVICE-SAFETY DIRECTOR

Mr. Heston provided the following report.

- The refuse contract for the city was renegotiated for a savings of \$1,072.23 this year.
- The copier contract was renegotiated for a savings of \$509.43 per month which included all but one new copier. The 63 month savings totals \$32,900.
- Salt is also being renegotiated for a possible cost reduction.
- Council is encouraged to include as much paving as the budget will tolerate based on the very favorable pricing and next year the entire paving project budget will be the W. 4th Street project.
- The Rock Road demolition should be completed next week then the work on the storm drainage and widening of the road will be completed in preparation for paving.
- As part of the Frazier Road I/I project the east side of the road was televised and the results indicated the storm system is in good condition. When the west side of the road was flow metered the results showed a number of root balls in the system which is probably causing the problem. The engineering contractor is working with OPWC to determine if the work can be redirected to the west side of the road and still be in compliance with the agreement.

Mr. Heston responded to questions.

- The Rock Road bridge project has been going very slowly, basically due to weather. The contractor moved the stones to the Service Building.
- Improving the sound system in the Council Chambers would require Kahl's Electric to install another mixer, rewire, and add more outlets for a total cost of \$4,000

LAW DIRECTOR'S REPORT

Mr. Welsh had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS**ORDINANCE NO. 13-04**

AN ORDINANCE PROVIDING FOR THE ORGANIZATIONAL STRUCTURE OF THE SERVICE DEPARTMENT OF THE CITY OF ONTARIO AND ALLOCATING THE RESPONSIBILITIES AMONG THE DEPARTMENT'S SUPERVISORS.

Mr. Weidemyre made a motion to table Ordinance No. 13-04. Mrs. Webb seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to table Ordinance No. 13-04 passed.

ORDINANCE NO. 13-05

AN ORDINANCE AMENDING ORDINANCE 07-33 NOW INCORPORATED AS SECTION 139.01(a) OF THE CODIFIED ORDINANCES OF THIS CITY TO CORRECTLY STATE THE TOTAL NUMBER OF OFFICERS AUTHORIZED IN THE CITY POLICE DEPARTMENT.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 13-05 on three separate days. Mr. Williams seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Ordinance No. 13-05 for the first time, by title only.

Regular

February 7

2013

Mr. Williams made a motion to adopt Ordinance No. 13-05. Mr. Arnold seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 13-05 was adopted.

ORDINANCE NO. 13-06

AN ORDINANCE ADOPTING RULES OF COUNCIL FOR THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Williams made a motion to suspend the rules requiring the reading of Ordinance No. 13-06 on three separate days. Mr. Weidemyre seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Ordinance No. 13-06 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 13-06. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 13-06 was adopted.

At 7:41 p.m., Mr. Arnold made a motion, per Ohio Revised Code 121.22 (G)(4), to enter into executive session to discuss negotiations. Mr. Williams seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

At 8:33 p.m., Mr. Weidemyre made a motion to reconvene into regular session. Mr. Williams seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

At 8:34 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. Arnold. 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