

## Regular

March 7

2013

Ontario City Council met in regular session on March 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, Charlotte Hellinger, Jim Hairston, Mark Weidemyre, Michele Webb, and Pamela Drake, Council President Daniel Zeiter, 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.

The minutes of the regular Council meeting of February 21, 2013 were presented for approval. Mr. Weidemyre made a motion to approve the minutes with a second by Mr. Hairston. At roll call, seven 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 referred to a previous discussion regarding the requirements to obtain Tree City status and the need for clarification. One question was what could be included to establish the \$2 per capita expenditure requirement. Mr. Arnold spoke to Urban Forester Lisa Bowers who explained 25% of the overall cost for leaf pick-up could be applied which includes labor hours. Also, tree trimming, mulching, purchases or anything related to tending to the trees in the parks.

- As the Streets Chairman, Mr. Arnold is a member of the Shade Tree Commission and said he would like to reconvene and, along with the help of Administration, reestablish their purpose.
- Mr. Arnold felt they should discuss what happened to the commitment to complete the lining the park entrance with trees.
- Mr. Weidemyre agreed that he would like to see them continue lining the park entrance before the existing trees get too far ahead in size.
- Mr. Heston said the Shade Tree had to be funded with approximately \$12,000 to meet their requirements. After the 25% for leaf pickup is applied the remaining 75% is difficult to attain and there are many other issues. The original reason the Shade Tree was established was based on the thought there was grant money available which was not the case. It has been a struggle to meet the requirements.
- Mr. Arnold asked Mr. Heston to contact the Shade Tree Commission members who resigned and solicit their assistance in rebuilding the Commission.
- The intent is to have trees or shrubs planted around the new EQ basin but also leave access to the tank.
- Mr. Zeiter recommended scheduling a Shade Tree Commission meeting and invite Ms. Bowers to decide if the Commission wants to stay intact and move forward. Based on the plans for this year there shouldn't be any difficulty in reaching the required amount.
- Mr. Weidemyre and Ms. Drake volunteered to serve on the Commission.

Mr. Weidemyre reported on the Economic Development Committee meeting held prior to Council where they discussed the job creation tax for a company looking to locate in Ontario. This company would offer manufacturing positions and add approximately 100 jobs to the tax base over a three year period.

Mr. Weidemyre made a motion for the Law Director to prepare the necessary documentation offering the perspective company the job creation tax credit. Mr. Hairston seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Regular

March 7

2013

Mrs. Webb said the Personnel Committee met to discuss three items.

1. The insurance procedure which was to either have the employees submit their EOB to the Agent of Record for reimbursement or to have Medical Mutual pick-up the gap portion and billed through them for a \$17,300 annual fee which is 4% of the premium. The preference was to have this done in-house. A letter will be distributed tomorrow to all employees with the procedure and contact information.
2. In 2012 some of the pay rates were changed incorrectly in Ordinance No. 13-09 so those will be corrected during the next meeting when other changes are made to the pay ordinance.
3. Ordinance No. 10-18 determines the number of employees in each department. A decision was not made so the Mayor has been asked to inform Mrs. Webb how many employees he would like in the departments.

When Mrs. Webb asked for the status of the Laborer test, Mr. Heston said Civil Service is handling that so he wasn't sure where they were in the process. Mrs. Webb asked Mr. Heston to check on the delay because they rushed so someone could be hired.

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

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

Mr. Heston reported on several items.

- Mr. Heston attended the Premier Trade Organization for Paving Awards and accepted the award from the Flexible Pavements of Ohio to the City of Ontario for achieving the highest quality in asphalt paving as exhibited by superior workmanship in the resurfacing of the Shelby Ontario Road by Kokosing Construction. Over thirty 2012 asphalt paving quality awards were presented and Kokosing received ten awards. Shelly and Sands also received several awards.
- \$1,000 was saved on renegotiating the refuse contract, \$32,000 was saved on the copier contract, and 35% was saved on cell phones.
- The Rock Road bridge has been seeded and straw matted. The paving contract is being finalized and they are waiting for the asphalt company to open.
- The Frazier Road I/I project was going to be redirected to the west of the road due to large root balls and a hole in the top of a main sewer line. Because OPWC is supplying \$60,000 toward this project they were asked if changing the scope was acceptable but they don't like making changes to the plans. A meeting is scheduled on March 22<sup>nd</sup> to discuss the changes.
- The waterline replacement cost for Friday Lane and Creston Road exceeds \$50,000 each. They will need bid separately and cannot be included in the 2013 paving project.
- The new truck should be delivered very soon.
- The Fire Fly system is antiquated and no longer supported. New Fire Flies that send out the signal are no longer available and can now only be purchased as reconditioned units with a one year warranty for the same price that used to buy a new unit with a five year warranty. There were 60 failed units this quarter with a replacement cost of \$90 each, last quarter there were 40 failed units and the previous quarter there were 20. The current supplier quoted over \$200,000 for a new system which will be needed soon. Another company will be contacted for a quote.
- A meeting is scheduled on March 14<sup>th</sup> with OSU and the City of Mansfield to discuss the sewer line extension.
- The Utility Committee has chosen to locate the EQ basin at the entrance of Marshall Park which saves \$90,000 if the tank had been installed farther back on the hill.
- ODOT has asked that a new scope is completed on the W. 4<sup>th</sup> Street paving project. Mr. Heston thought they may not pave to St. Rt. 314 but stop west of the GM plant.
- A performance bond is always required but based on the poor quality of the last paving project an independent company will be hired to monitor the upcoming paving installation for temperature and thickness. The last project was overseen by the state and paved according to their specifications.

Regular

March 7

2013

- The contractor who worked on the Rock Road bridge hauled the bricks to the Service Building. During the brief discussion on what to do with the bricks, one idea was to have the Parks Committee or form a committee of residents to decide how to best utilize the bricks.

Mr. Arnold said paving projects for 2014 aren't being considered due to the W. 4<sup>th</sup> Street project. He asked if the state sends notification when they intend to begin paving so if they encounter any delays then other paving projects could be considered. Mr. Heston said he does not receive specs and the W. 4<sup>th</sup> Street project is scheduled during the 2014 fiscal year which could be the end of this year or early next year.

Mrs. Webb asked if the Fire Flies were budgeted for replacement but Mr. Heston said it was not because they thought the units would last longer. He will ask for payment options when he speaks with the product representatives.

Mrs. Webb asked Mr. Heston if he received a response from Poggemeyer who was to check with the EPA to see if the project could be altered by adding another ring to the EQ basin and at what cost. Mr. Heston said he has not heard anything. Altering the Tappan Road flow should reduce the overflow at Rock Road. Mr. Heston will check with the engineer to see if she has been notified if Poggemeyer has contacted the EPA.

## **LAW DIRECTOR'S REPORT**

Mr. Welsh said they have reached a tentative agreement with the FOP for a 1 ½% raise retroactive to January 1, 2013 which has been ratified by the union. They received no raise in 2011 or 2012. Mr. Welsh requested a motion from Council to ratify the tentative agreement.

Mrs. Webb made a motion to ratify the tentative agreement. Mr. Williams seconded the motion. Mr. Weidemyre asked if something similar was going to be done for the rest of the employees so everyone is treated equally. Mrs. Webb said they already discussed it and Mr. Williams said he thought it was a done deal. Mr. Welsh said some adjustments need done to the ordinance he sent them but he added 1 ½% to employees hired prior to February 21, 2013. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mr. Welsh said this is the third year of the FOP contract which expires December 31, 2013. The Agreement has an opening date of August 1, 2013.

Mrs. Webb scheduled a Personnel Committee meeting on March 12, 2013 at 3:00 p.m.

## **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

### **ORDINANCE NO. 13-08**

AN ORDINANCE ESTABLISHING PERMANENT 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.

Hearing no motion to suspend the rules requiring three readings on Ordinance No. 13-08, Mr. Hairston read Ordinance No. 13-08 for the second time, by title only.

At 7:46 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. Weidemyre. 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 VanAuken, Clerk of Council