

Regular

March 21

2013

Ontario City Council met in regular session on March 21, 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, 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.

The minutes of the regular Council meeting of March 7, 2013 were presented for approval. Mrs. Hellinger 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.

Mayor Collins presented a Proclamation to Carla Rumas, Director of Therapy Services for Newhope Industries.

### **DEVELOPMENTAL DISABILITIES AWARENESS MONTH MARCH 2013**

WHEREAS, the more than 1,700 individuals served by Richland Newhope, their families, friends, neighbors and co-workers encourage everyone to focus on the abilities of all people; and

WHEREAS, the most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individual's contribution; and

WHEREAS, opportunities for citizens with developmental disabilities to function as independently and productively as possible must be fostered in our community; and

WHEREAS, we encourage all citizens to support opportunities for individuals with developmental disabilities in our community that include full access to education housing, employment, and recreational activities; and

NOW THEREFORE, I, Larry C. Collins, Mayor of the City of Ontario, do hereby proclaim March, 2013, as Developmental Disabilities Awareness Month and recognize that our communities are stronger when everyone participates. *Look Beyond* the disability and see the capabilities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ontario to be affixed this 21st day of March in the year of our Lord Two Thousand Thirteen.

Larry C. Collins, Mayor

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Ms. Rumas was thankful for the Proclamation and then introduced Ontario resident Michael Tagg, who they have been privileged to work with his entire life and has great potential. Michael recently received an award from Upward Basketball for making baskets at every basketball game.

## COMMITTEE REPORTS

Mr. Williams scheduled a Parks Committee of the Whole meeting on April 4, 2013 at 5:30 p.m.

In response to Mr. Arnold's question, Mr. Heston said Rock Road still needs to be widened and the base needs put in before the asphalt can be poured which is contingent upon the weather. The asphalt companies open for the season on April 15<sup>th</sup>. Shelly & Sands is doing the entire project.

Mr. Hairston called an Economic Development Committee meeting on March 26, 2013, at 3:00 p.m. to discuss the proposal from the Ontario Growth Corp. Mr. Weidemyre asked Mr. Arnold to sit in for him during the meeting due to his involvement with this organization.

Mr. Weidemyre reported on the March 7, 2013 Economic Development Committee meeting where there was discussion regarding the possibility of a new company coming to Ontario. Plans are moving forward and a formal offer has been made on the property. In order to mirror the State of Ohio offering a seven year incentive package, the city's incentive package would need reduced from ten to seven years.

Mr. Weidemyre shared the information discussed during the recent meeting involving the OSU branch and plans to create a campus district on the north end.

- OSU is discussing moving the entrance of the campus closer to the city limits. They would like to make the campus more visible from the street, possibly add a YMCA near the entrance, and have additional student housing.
- Campus officials are willing to grant an easement allowing sewer to run across their property in order to provide service to that area.
- The Home Road extension was included in the plan.
- Mr. Zeiter referred to a previous moratorium on the north end until the lift station was updated and asked if there was enough capacity. The school also has ten acres along St. Rt. 39 they could develop. Mr. Heston said that property is entirely within Mansfield's city limits and any sewer would probably go to a location along St. Rt. 39 then into Mansfield. OSU still has a lot of engineering work to complete. Mr. Weidemyre said two proposals were suggesting. One was to run a line along Lex-Springmill and tap into the north to service the area. Another proposal was to run a lateral line near the gas line on Lex-Springmill but that would not service the entire Lex-Springmill area.
- Ms. Drake said she lives on the north side and there are still flooding issues that need addressed.

Mrs. Webb reported on the Personnel Committee meeting where they determined the information that appears in Ordinance No. 13-10 which is on this evening's agenda. The Policy and Procedure manual was also discussed and copies were sent to Council members via e-mail. Minor changes that need addressed should be brought to her attention. The ordinance to adopt the manual will be presented at the next meeting.

Mr. Arnold, Mrs. Hellinger, and Ms. Drake had no report.

## MAYOR'S REPORT

Mayor Collins gave the Mayor's Court Report for the month of February.

- Past due collections were \$17,957.55, current collections were \$15,610.69, with total receipts of \$33,568.24; 138 tickets were written.

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**SERVICE-SAFETY DIRECTOR'S REPORT**

Mr. Heston had no report.

**LAW DIRECTOR'S REPORT**

Mr. Welsh had not report.

**MISCELLANEOUS MATTERS**

Zoning Inspector Fred Kohler came before Council to report Planning Commission's decision pertaining to exterior lighting. On September 20, 2013, Council made a motion to have Exterior Lighting, Section 1145.09, reviewed by the Planning Commission. Mr. Kohler researched the topic and discussed the concern with Regional Planning who felt the code was very workable and well written. The exterior lighting code for approximately twelve surrounding areas were reviewed, none were as comprehensive as Ontario, and none quantified the word 'nuisance' which was addressed in the city code. Mr. Kohler thought Ontario followed code from the City of Delaware who wrote their code when a well lit observatory was being constructed in their municipality. Mr. Kohler said Planning Commission members unanimously voted to leave the code as is because it has worked very well for the city.

- Mr. Hairston asked for the specific situation that prompted this and noted the measurement was taken by the fence which blocked the light. Mr. Kohler said code can't be written case by case. Generally this code does a very good job and has been in existence for a long time.
- Mr. Hairston said it seemed somewhat illogical to use that method in this situation. The light wasn't really being measured because it was being blocked due taking the reading so close to the fence. Mr. Kohler said the fence prevents the passing of light so there wasn't anything to measure. He did suggest a few minor changes to the Code but Commission members liked the existing code and it was working well.

**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.

Mr. Williams read Ordinance No. 13-08 for the third time, by title only.

Mr. Williams made a motion to adopt Ordinance No. 13-08. Mr. Hairston seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 13-08 was adopted.

**ORDINANCE NO. 13 – 10**

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY INCLUDING AN INCREASE IN COMPENSATION EFFECTIVE JANUARY 1, 2013, REPEALING ORDINANCES NO. 12-32 AND NO. 13-09 AND DECLARING AN EMERGENCY.

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Ms. Drake made a motion to suspend the rules requiring the reading of Ordinance No. 13-10 on three separate days. Mrs. Webb seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Ordinance No. 13-10 for the first time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 13-10. Mrs. Webb seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 13-10 was adopted.

At 7:35 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 Ms. Drake. 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