

Regular

May 16

2013

Ontario City Council met in regular session on May 16, 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, 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 May 2, 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**

Fred Kohler, 1482 Lex-Springmill Road, came before Council to address the third reading of Ordinance No. 13-14, Economic Development Agreement with Ontario Growth Corporation. Mr. Kohler felt this would provide a number of opportunities to fill the vacancies and encouraged Council to pass this legislation.

Kerri Westfield, representing Ontario Growth Corporation, came forward to say they have a proactive plan and will also initiate a website for retail.

### **COMMITTEE REPORTS**

Mr. Williams reported on the Utilities Committee meeting where they discussed the faulty water meter readers and purchasing a new system will be very expensive. Ordinance No. 13-17 on this evening's agenda raises the tap fees due to the increasing cost to purchase the taps and installation.

- Mr. Zeiter referred to residents who receive high water bills because they didn't know they had a leak or the water was left on. Some of this could be avoided if billing was monthly instead of quarterly.
- Mr. Williams said this has been discussed in the past and the additional postage prohibited them from making any changes but neighboring municipalities bill monthly. Mr. Zeiter asked that it is addressed again at the next Utilities meeting because it is more difficult for some residents to pay a quarterly bill than if they received it monthly.
- Ms. Drake concurred that often times residents aren't aware of a problem until they receive an extraordinarily high water bill that could have been avoided if the billing was monthly but there are cost concerns that need discussed prior to making the decision to change the billing cycle.

Mr. Arnold said during the Streets Committee meeting a couple of residents attended and said they had a view of the Rock Road bridge but now see the lift station. They are requesting the city plant trees. This land is not owned by the city. Mayor Collins said he contacted a railroad representative who would be here this week to address these concerns including the low covering grass that was planted and to make sure the right-of-ways are clean. Century Link is scheduled to look at the telephone pole by June 3<sup>rd</sup>.

- Mr. Heston said application was going to be submitted to pave all of W. 4<sup>th</sup> Street. This project probably won't be done in 2014 but if it is part of fiscal year 2015 it could possibly be done at the end of 2014.

Mr. Weidemyre attended the RCDG meeting where they approved \$5,000 toward the Lincoln Highway project which was less than anticipated for the \$16,000 design.

- Mr. Arnold said there was some criticism on the use of the stones from the Rock Road bridge for the Lincoln Highway. Neighboring residents were interested in submitting a drawing to use the stones closer to where the bridge was located.

Regular

May 16

2013

Mrs. Webb said the Personnel Committee discussed the distribution procedure of the Policy and Procedure Manual. More information was needed before reviewing the wage ordinance which will be reviewed during the meeting on May 22, 2013 at 9:00 a.m.

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

### **MAYOR'S REPORT**

Mayor Collins had no report.

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

Mr. Heston said the lawsuit the Auditor filed against him and previous Engineer Jerrod Swinehart has been dismissed. Mr. Heston thanked those who supported him.

Mr. Heston reported on the following:

- K.E. McCartney was contracted to redesign the redirect project of the I/I Phase 2 project in the amount of \$16,536.
- Originally the EQ basin project was going to be a no interest loan for \$243,848 but OPWC is providing a grant in the amount of \$243,847 which doesn't have to be paid back. The PTI should be received in about a week.
- Shelley and Sands began today on the 2013 paving schedule and should finish by June 4<sup>th</sup> with weather permitting. Letters were sent to residents being affected by the paving.
- Mr. Heston is in the process of researching a new Firefly system and the amount of savings that would be noticed when there is no longer the loss of water and a gain of manpower time. The monthly billing is a good idea but also consider bi-monthly billing as another option. There have been numerous no-reads that requires someone to go to each home to get a reading and find out what was wrong which takes a great deal of time.
- Mansfield and Galion's street sweepers are in the repair shop so that function may need contracted which would cost approximately \$2,500.
- The company scheduled to study the traffic light timing has provided information that requires clarification. In the meantime, they have been asked to sync the Walker Lake/Lex-Springmill traffic signal with the rest of Lex-Springmill.
- On April 29<sup>th</sup> the city applied to be the lead agency on the W. 4<sup>th</sup> Street paving project so the city's time could be used as part of the shared payment.
- Bridge inspections for this year will be contracted at a cost of \$17,350.
- A city worker was injured today and will be off work for an undetermined length of time following surgery at the end of the month. Transitional work will be offered.

Mr. Hairston asked Mr. Heston if it was possible for him to provide his updates as a written report.

In response to Mr. Zeiter's questions, Mr. Heston said a grant was offered equivalent to the \$243,000 zero percent loan. Bridge inspections are high because it includes load rates.

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

Mr. Welsh had no report.

Regular

May 16

2013

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

## ORDINANCE NO. 13 – 14

(THIRD READING) AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THIS CITY AND ONTARIO GROWTH CORPORATION, INC., AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE IT ON BEHALF OF THIS CITY, AND DECLARING AN EMERGENCY.

Mr. Hairston read Ordinance No. 13-14 for the third time, by title only.

Mr. Hairston made a motion to adopt Ordinance No. 13-14. Mr. Arnold seconded the motion. Hearing no discussion, five members cast their votes Aye, two Nays by Mrs. Webb and Ms. Drake, and Ordinance No. 13-14 was adopted.

## RESOLUTION NO. 13-04

A RESOLUTION ACKNOWLEDGING THE CHANGES IN EMPLOYEE CONTRIBUTION RATES TO THE OHIO POLICE & FIRE PENSION SYSTEM AND CONFIRMING THE INTENT OF THIS CITY TO CONTINUE TO PICK-UP (TAX DEFER) THESE CONTRIBUTIONS FOR FEDERAL AND STATE INCOME TAX PURPOSES.

Hearing no motion to suspend the rules requiring the reading of Resolution No. 13-04 on three separate days, Mr. Weidemyre read Resolution No. 13-04 for the first time, by title only.

## ORDINANCE NO. 13-17

AN ORDINANCE AMENDING SECTION 921.01 RATES AND FEES OF THE CODIFIED ORDINANCES OF THIS CITY BY INCREASING THE TAPPING CHARGES FOR 3/4 INCH AND ONE INCH WATER LINES.

Mrs. Webb made a motion to suspend the rules requiring the reading of Ordinance No. 13-17 on three separate days. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Webb read Ordinance No. 13-17 for the first time, by title only.

Mrs. Webb made a motion to adopt Ordinance No. 13-17. Mr. Williams seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mr. Weidemyre, and Ordinance No. 13-17 was adopted.

## ORDINANCE NO. 13-18

AN ORDINANCE AMENDING ORDINANCE NO. 11-10 BY EXCLUDING ALL CITY EMPLOYEES OR OFFICIALS WHO ARE ENROLLED IN MEDICARE OR WHO ARE RECEIVING SOCIAL SECURITY RETIREMENT BENEFITS AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER FROM PARTICIPATION IN THE CITY'S HEALTH SAVINGS ACCOUNT PROGRAM AND DECLARING AN EMERGENCY.

Mr. Arnold made a motion to suspend the rules requiring the reading of Ordinance No. 13-18 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. Ms. Drake read Ordinance No. 13-18 for the first time, by title only.

Regular

May 16

2013

Ms. Drake made a motion to adopt Ordinance No. 13-18. Mrs. Webb seconded the motion. Mr. Williams said this is the law and we must do what the law requires but the paybacks should be set up over a period of time in lieu of a lump sum to avoid causing any hardship on those involved. Hearing no further discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 13-18 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. Weidemyre 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