

Regular

June 6

2013

Ontario City Council met in regular session on June 6, 2013, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:03 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 Jon Burton, Service-Safety Director Roger Heston, Chief Rodney Smith 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 16, 2013 were presented for approval. Mr. Weidemyre made a motion to approve the minutes with a second by Mr. Arnold. At roll call, seven members voted Aye, zero Nay, and the motion passed.

PUBLIC COMMENTARY

John Schoellkopf, 7184 Township Road 39, Mansfield, and Eric Russin, 920 Doris Drive, Crestline, came before Council to provide information on Swampballz paintball and their desire to open a retail store and paintball park in Ontario. A handout explaining their purpose and goals was circulated among Council members. The ultimate goal is to have a speedball course with focus on the high school paintball association which provides a program for colleges to offer a recruiting scholarship program.

- Chief Smith said current code prohibits the discharge of an air gun which is less powerful than a paintball gun but he will research the law. A change in the law would require approval by Council.
- Mr. Zeiter felt this would be an Administrative issue and a copy of their information will be given to the Assistant Law Director.

RECREATION DIRECTOR'S REPORT

Mrs. VanCura provided the following information.

- Zumba Classes went well and will continue this summer.
- A Life Guard certification class is being held this week. This class is free to students in exchange for paid life guarding during Family Swim and the Summer Rec program.
- Summer Recreation begins next week for two weeks at the Middle School from 9:00 a.m. until noon; there are 204 registered the first week and 197 the second week.
- Swim lessons will be offered to 25 children in each of the two session that are held immediately following Summer Rec. Unfortunately, approximately ten children were turned away due to full classes.
- The Ontario Craft Show will be held December 7, 2013.
- Mrs. VanCura wanted to recognize Debbie Kohler who passed away in April and was the President of the Recreation Board. She was active with the Board for over thirty years and served as President for many of those years. She was the unsung hero who truly had the children at heart and worked in all areas of the program. At some point in the future, Mrs. VanCura would like the city to find a way to memorialize Debbie Kohler.

COMMITTEE REPORTS

Mr. Williams made a motion to eliminate the Council meeting scheduled on July 4, 2013. Mr. Arnold seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed.

Mrs. Webb reported the two pieces of legislation on this evening's agenda are from discussions held during the last Personnel Committee meeting.

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Ms. Drake said legislation will be forthcoming on pan handling that will be on the agenda for the next meeting.

- Copies of the draft ordinance will be distributed and any questions should be directed to Ms. Drake by next Thursday.

Ms. Drake made a motion to approve the \$1,000 Wal-Mart donation for upgrades to the Command Truck. Mr. Williams seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion was approved.

Mr. Arnold, Mrs. Hellinger, Mr. Hairston and Mr. Weidemyre had no report.

MAYOR'S REPORT

Mayor Collins reported on the following.

- The May Ontario's Mayor Court received past due collections of \$3,564 and current collections of \$21,591.01 for a total of \$25,155.01; 190 tickets were written.
- The Area Agency on Aging will hold a grand opening for the public on June 11, 2013, from 2:00 – 7:00 p.m.
- There is one summer concert scheduled in the park but they are planning on getting more booked.
- The band shell is not yet completed. It still needs the roof and electricity.
- The Adler Group is working on the second tenant for the Ontario Business Park. They are on schedule with the second demolition phase.

Mr. Hairston thanked Mayor Collins, Mr. Heston, and Mr. Kohler for what they did to help the Area Agency on Aging to get into the building.

Mr. Zeiter referred to the appointment letter for the new Recreation Board member and asked if a background check was done. Mayor Collins said this person was recommended by Mrs. VanCura and he wasn't aware they have ever done background checks on appointments. Mr. Zeiter said the city would be responsible for those working with children.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston had no report.

Mr. Weidemyre was concerned about the amount of time between the milling and the paving of the city streets. Mr. Heston said the Engineer doesn't have any issues with the progress of the project.

- Mr. Weidemyre asked if the street cracks from the sewer laterals would come back or would they need fixed. Mr. Heston said it wasn't from sewer laterals it was just lateral cracks and they may come back.
- Mr. Williams said he was uncomfortable that a tack coat wasn't put down on Sloboda. He has already seen cracks in front of some of the houses and has informed Mr. Heston because he has received feedback from the residents. Mr. Heston said he would check on it but his understanding was there hadn't been enough time for the moisture to dissipate from the base which caused the tack not to adhere to the base very well and the tack came off on wheels. If the streets are ground then you don't need tack.
- Mr. Arnold said Shelby-Ontario was ground and paved the very next day and tack coat was used. If it was in this contract to use tack coat then it was paid. Only one flagger was required on Sloboda because it is a dead-end street but he sat at the end of the street for 20 minutes and never saw a flagger. Mr. Arnold wanted to make sure corners weren't being cut in other areas of this project that may not show up for a couple of years.
- Mr. Williams said paving goes over top of the cement gutter to the curb. He asked that Mr. Heston check with the Engineer if the asphalt going over the concrete should have a tack coat between the concrete and asphalt.

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- The Service-Safety Director and the Engineer are satisfied with the work.
- Mr. Weidemyre referenced an email from the Engineer that stated if the pavement slips it will be noticeable this summer and she will have them come back and fix it.
- Mr. Heston said Solar Testing was hired to monitor the paving program. They continuously monitor the thickness, temperature, moisture content, among other things.
- Mr. Zeiter said there was \$5,000 difference between the bids and by hiring a contractor to oversee the project the total price increased. Mr. Zeiter suggested in the future to let out the bids but not award contracts until they know who is involved. There was two to three weeks between the milling and the paving.
- Mr. Hairston said that last year's paving project went very smoothly.
- In response to Mr. Williams question, Mr. Heston said they tacked all of the edges and under the center seams.

LAW DIRECTOR'S REPORT

Mr. Burton had no report.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 13-04

(SECOND READING) 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.

Mr. Williams made a motion to suspend the rules requiring the reading of Resolution No. 13-04 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. Williams read Resolution No. 13-04 for the second time, by title only.

Mr. Williams made a motion to adopt Resolution No. 13-04. Mr. Arnold seconded the motion. Hearing no discussion, seven members cast their votes Aye, and Resolution No. 13-04 was adopted.

ORDINANCE NO. 13-19

AN ORDINANCE ESTABLISHING THE COMPENSATION FOR CERTAIN CITY OFFICIALS WHOSE TERM OF OFFICE BEGINS JANUARY 1, 2014.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 13-19 on three separate days, Mr. Arnold read Ordinance No. 13-19 for the first time, by title only.

ORDINANCE NO. 13-20

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY, REPEALING ORDINANCE NO. 13-10, AND DECLARING AN EMERGENCY.

Mrs. Hellinger made a motion to suspend the rules requiring the reading of Ordinance

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No. 13-20 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. Mrs. Hellinger read Ordinance No. 13-20 for the first time, by title only.

Mrs. Hellinger made a motion to adopt Ordinance No. 13-20. Ms. Drake seconded the motion. Hearing no discussion, seven members cast their votes Aye, and Ordinance No. 13-20 was adopted.

At 7:50 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 Ms. Drake . At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

Daniel J. Zeiter, President of Council

Cathy VanAuker, Clerk of Council