

Regular

July 5

2013

Ontario City Council met in regular session on July 5, 2013, in the City Offices, with Council President Pro Tem Mark Weidemyre presiding. The meeting opened at 6:01 p.m. with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Paul Williams, 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.

Mr. Hairston made a motion to excuse Larry Arnold from this evening's meeting. Mrs. Webb seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

Mr. Williams made a motion to excuse Charlotte Hellinger from this evening's meeting. Mr. Hairston seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

Mr. Hairston made a motion to excuse Daniel Zeiter from this evening's meeting. Mrs. Webb seconded the motion. At roll call, five members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of June 20, 2013 were presented for approval. Mr. Hairston made a motion to approve the minutes with a second by Mrs. Webb. At roll call, five 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. Williams reported on the Parks Committee meeting held earlier this evening where the decision was made to bring before Council a request for funding from the Parks account to install electricity in the new band shell. Committee members also decided to have legislation prepared renaming the park at Walker Lake and Spring Village Lane.

Mr. Hairston said the detailed expense report they received is incorrect because the appropriations are \$5 million too high, this will be corrected. The summary report is fine. The Mayor will soon be requesting departmental information for the 2014 appropriations.

Mrs. Webb said the Personnel Committee was informed by the Auditor that WOB would be replacing ADP for payroll functions. The FOP has changed the beginning and ending days of the pay period. Ordinance 13-19 was not on this evening's agenda because Committee members decided some of the wording needed changed.

Mr. Weidemyre said the Economic Development Committee meeting held this evening was to discuss the potential buyer interested in some of the land at the Industrial Park. Mr. Welsh will prepare a response to the letter of intent.

#### **MAYOR'S REPORT**

Mayor Collins provided the following information for the month of June:

- Zoning Inspector Dan Herrold issued 13 zoning permits for fees of \$1,202.50 and a \$201,000 valuation.

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- Mayor's Court received \$8,819.77 in past due collections, \$19,346 in current collections, for a total of \$28,165.77; 147 tickets were issued.
- Mayor Collins requested a Utilities Committee meeting prior to the August 1<sup>st</sup> Council meeting for OSU representatives to present their campus project.
- The Lincoln Highway Project material was distributed during the last meeting but Council members preferred to have further discussion before making a decision on moving forward.
- Concerts in the Park will begin soon; the rain location is the Ontario Middle School.
  - Friday, July 19 at 7:00 p.m. – Northwest Territory Bluegrass (Bluegrass)
  - Tuesday, July 30 at 7:00 p.m. – The Caffeinds (50's, 60's, 70's, 80's)
  - Tuesday, August 13 at 7:00 p.m. – Colonial City Quartet (Southern Gospel)
  - Tuesday, August 27 at 7:00 p.m. – Ribticklers (Dixieland and Blues)

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

In response to Ms. Drake's question, Mr. Heston said he was in the process of hiring a new Service Department employee. He received the applications of three potential candidates from the Civil Service Commission who reviewed the qualifications of the 97 applicants.

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

Mr. Welsh had no report.

### **PUBLIC HEARING**

At 6:15 p.m., Mr. Weidemyre opened the public hearing for adopting the tax budget for the City of Ontario for the fiscal year 2014.

At 6:16 p.m., with no one signed in and calling twice and hearing no one who wished to speak, Mr. Weidemyre closed the public hearing.

### **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 13-19

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

Mr. Williams read Ordinance No. 13-19 for the third time, by title only, and then made a motion to adopt Ordinance No. 13-19. Ms. Drake seconded the motion.

- Mr. Hairston referenced the additional terminology of attendance upon request and said he was not in favor of policy based on one person. Mrs. Webb said the blanket request was for the Mayor, Law Director and Auditor due to the nature of their jobs but the Treasurer will be requested as needed. The Rules of Council establish protocol for absentee Council members. Ms. Drake added that although Council does not have a monetary penalty their salary is much lower than Administration and this procedure removes any personal ramifications.
- In response to Mayor Collins questions, Mr. Welsh said he has not seen this type of policy nor any case law. Compensation for elected officials must be set prior to December 31, 2013, which sets the standard of what will be paid and the deduction if this situation occurs. The penalty becomes a component of the compensation.
- The intent of the Personnel Committee was to have a blanket requests for the Mayor, Auditor and Law Director because their attendance at Council meetings was important because it hinders their ability to make decisions if they are not available.

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- Mayor Collins said the O.R.C. states the Mayor does not have to attend Council meetings only when requested by Council to answer questions. He agreed all Administrative elected officials should be present but he disagreed with implementing a fine on elected officials.
- Ms. Drake said this is to be used as a tool in the event things become out of control.
- Mrs. Webb said the elected officials are well compensated with wonderful benefits, all are salaried positions, and requesting attendance at two prescheduled meetings a month is not a huge burden.

Four members cast their votes Aye, one Nay by Mr. Hairston, and Ordinance No. 13-19 was adopted.

RESOLUTION NO. 13- 05

A RESOLUTION ADOPTING THE TAX BUDGET FOR THE CITY OF ONTARIO FOR THE FISCAL YEAR 2014, AND DECLARING AN EMERGENCY.

Mr. Hairston read Resolution No. 13-05 for the first time, by title only.

ORDINANCE NO. 13-22

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS FOR A REMOTE WATER METER READING SYSTEM AND DECLARING AN EMERGENCY.

Mrs. Webb read Ordinance No. 13-22 for the first time, by title only.

At 6:28 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 Ms. Drake . At roll call, five 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