Regular

November 21 2013

Ontario City Council met in regular session on November 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, Eddie Gallo, 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, Treasurer Linda Stoodt, Deputy Auditor Mary Ann Hellinger 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 November 7, 2013 were presented for approval as amended. Mr. Weidemyre made a motion to approve the minutes with a second by Mr. Gallo. At roll call, six members voted Aye, zero Nay, and the motion passed.

PUBLIC COMMENTARY

Mark Arnold, 182 Lexington-Ontario Road, was first to approach Council to say Ordinance No. 13-38 was presented to Council on October 3, 2013, pertaining to increasing credit toward the Ontario income tax for income tax paid to another municipality up to a maximum of 1 ½%, effective January 1, 2014. This was about local tax reciprocity which was a mutual exchange of specific privileges between two taxing entities, where the local taxing entity where you live gives you credit for all or part of the amount local taxes you pay at work. The ordinance was sent to the Finance Committee for review. When an update was requested on October 17th, The Finance Chairman said the Committee would review the legislation and send it to Council with a recommendation. Later he was informed the legislation would not come out of Committee due to lack of support because it was not financially viable due to the amount of taxes generated which was approximately $900,000. Mr. Arnold said he was told the number was $300,000 and it was a disservice to the residents to not have the legislation brought before Council for a vote to register each members vote. The Finance Chairman agreed to bring the legislation before Council for a vote. Mr. Arnold submitted letters to the editor of the Tribune, News Journal, Richland Source, and sent out emails to promote discussion on this issue. Mr. Arnold clarified a situation that resulted from his passion for answers regarding Ontario and Richland County. He said he has been very fortunate to work for a great company, Century Link, for over thirty years and this company believes in volunteerism and community involvement in many local organizations. Volunteer efforts include serving on boards to raising money in the community to participating in the United Way, etc. However, someone has deemed it necessary to foster the idea that his passion for answers, whether related to the former proposed Ontario pool to the question of taxation in Ontario as a direct conflict with my employment or employer. It could have negative impact on my employer or my employer's perception in the community and that tactic was appalling and unchristian. Mr. Arnold stated that he does not represent Century Link in this or other matters and he truly enjoys working for the public and strive for accountability. He looks forward to more information being presented and their vote.

Next to come before Council was Joseph Walton, 1345 Spring Village Drive, concerning the taxing. He stated at Meet the Candidates' night the Mayor said there would not be change for those working outside the city. Mr. Walton told his wife that didn't affect them, he was paying 1% to Bellville, where he works, and 1% to Ontario. He could accept .5% increase but feels there was confusion among the citizens of Ontario and he would like to see it straightened out.

Dave Rehfeldt, 3479 Ridgestone Drive, stood before Council to say as co-chair of the 4th July Festival Committee they appreciated the money Council gave toward fireworks for the celebration. On the tax issue, he has a hard time with the $926,000. It is a simple solution of line 6D, add it up in the computer for the result. Everyone who gets a credit, it goes on line 6D, it's not related to the safety tax, it's the 6D total. At $926,000 the city tax base would have to be $90 million on those residents. He heard there are 1,200 to 1,500 families that live outside the city and based on that number their tax base would have to be $75,000 apiece which is much higher than the city average. If the number is $926,000 then they have a lot of work to do

to prove it. It's a line 6D solution, it has nothing to do with anything else, and nothing to do with the safety tax. Mr. Rehfeldt said he had a hard time coming up with a number that big. The revenue in the county went down in the last three years. Make sure you're right, the revenue issue is critical, but have the correct information before making a decision. This affects everyone, the budget, and bringing new business into this town. We have to differentiate ourselves from everyone else to bring in business and this is one of those areas. We have great schools, great parks, and a lot of other things but don't short change it to try to come up with answers to scare everyone. We need to bring new business into this town. Right now, the lack of trust we always seem to talk about in this city between Council, the Administration, the people, nobody believes anything. The voters do not believe anything coming out of this room. The people who are here are mad about this and are the ones not believing the numbers. Don't shortchange us, make sure we understand it and make sure you understand. Make sure you know what you are coming up with before passing it on. We don't like the tax, most people in this room don't like the tax. Everyone complains about benefits and how much they cost and how high everything is but if more money is needed just get it from the taxpayers, they can't vote anyway. It doesn't mean it's not needed, it doesn't mean you don't have to balance the budget, just make sure it makes sense.

Craig Hunt, 3680 Park Avenue West, addressed Council by saying a few months ago when the demolition of the General Motors plant was discussed there was a question of who was responsible for tearing down the electrical plant, the contractor, the electric company, or the city.

- Mr. Weidemyre said the Adler Group was responsible for the tear down.
- Mr. Williams said the Power House was going to be torn down but the electrical substation was another issue and he didn't know who would tear it down. Mr. Weidemyre thought Adler would tear this down also. During his last meeting with the Adler Group he was told the Press Prep Building was the only building to remain.

Mr. Zeiter read the following letter dated November 20, 2013:

> My name is Robert Danals. I live at 2145 Bedford Blvd. I am unable to make it to this meeting but I would like to be heard. On the matter of the 1% income tax that was imposed on us residents that work in another city. First of all, I was one of the few that came and talked against you imposing this tax. At that time you said that Ontario is hurting financially with GM leaving, since then Ontario has added 250 jobs at Hawkins Corner. Even more at Big Lots, H H Gregg, Spitzer Motors and many more smaller businesses, plus, Ontario has Avita Health Care, Cole Tool & Die, and a Fortune 500 Company coming. Just guessing this is 800 to 1000 jobs. Then you always have that concrete lot on 4th Street, the old GM that is supposed to bring in hundreds of jobs. Ontario has that college housing being built that I am sure will bring business in to support their needs. This is a lot of good fortune for Ontario. With this being said, I believe the loss of GM has been replaced with all of the hard work of the Ontario City Council. So I believe that if you keep working hard and spend our money wisely you should be able to do away with this 1% tax. If you believe that you cannot do with this tax I would like to propose that you let us voters decide by putting it on the ballot. Either way if you enact it like you did the last time without many people knowing or you let us vote on it. We want to know where you are spending this money. Thank you for reading this letter.

COMMITTEE REPORTS

Mr. Gallo said he was contacted by the State Office of the Republican Party to be the coordinator for a new coalition they've started, The Republican Party/Richland County Sportsmen's Federation.

Mr. Hairston said he would be glad to table the tax legislation this evening and provide two levels of information: where the taxes are coming from and the documentation. The number came from the computer system and it does come from that line item on the tax return but he will double check.

Mr. Hairston scheduled a Finance Committee meeting on December 5, 2013, at 5:15 p.m.

Mr. Weidemyre reported on the Economic Development Committee meeting held earlier this evening where they discussed the progress of the Industrial Park. The tenant is progressing and anticipates being in the building and operational by February 15, 2014. The city needs to move forward with roadway construction. The contractor for engineering has been agreed upon but needs Council approval to enact. Also, the naming of the street through the Industrial Park needs determined in order to sell lots. The only name suggested was Urwin Parkway in honor of Mayor Bob Urwin who was responsible for the growth on Lex-Springmill Road.

Mr. Welsh said he has not received the survey description and Council needs to establish a name for the Industrial Park.

- Mr. Weidemyre will ask the tenant if they are interested in naming rights. Ontario must be included in the name.
- The property is currently being referred to as the Beer Road Industrial Park. The alternate name was the Ontario Industrial Park West.

Mr. Weidemyre continued, there is confusion in the terms of the Spitzer TIF so an additional piece of legislation is needed to approve the TIF on the KIA building. Spitzer will pay the costs.

Mr. Weidemyre scheduled an Economic Development Committee meeting on December 2, 2013, at 1:00 p.m.

Mr. Weidemyre made a motion to approve the agreement the Service-Safety Director made with K. E. McCartney Associates for engineering and design services for the Industrial Park. Mr. Williams seconded the motion.

- Mr. Heston said the cost was $195,787.
- Mr. Welsh explained engineering services do not fall under the bidding process.
- In response to a question on the progress of the grant, Mr. Weidemyre said he has a meeting next week. This would probably be a reimbursement grant - the State and ODOT would each reimburse $500,000 toward the project. Mr. Weidemyre anticipates funding this project with little or no taxpayer's money.
- Funds for the project will go through the TIF line item.
- The tenant would like assurance the road would be done in conjunction with their timeline. 150 jobs are coming to this location.

Six members voted Aye, zero Nay, and the motion passed.

Mrs. Webb reported on the Personnel Committee meeting where they were received an update on health insurance. The decision was made to make the HSA payment quarterly beginning 2014. Employees can request early payout if they incur qualifying expenses by signing an avadavat. The next Personnel Committee meeting will be December 17, 21013 at 10:00 a.m.

Mr. Williams and Ms. Drake had no report.

MAYOR'S REPORT

Mayor Collins had no report.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Heston had no report.

LAW DIRECTOR'S REPORT

Mr. Welsh had no report.

MISCELLANEOUS MATTERS

Mr. Zeiter said the Ohio Board of Liquor Control sent notification that all permits to sell alcoholic beverages in Ontario expire February 1, 2014 and to submit complaints to prevent renewals. Council members voiced no objections.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 13–42

> (SECOND READING) AN ORDINANCE AMENDING ORDINANCE NO. 10-40 BY ADDING A LATE PAYMENT FEE OF FIFTY DOLLARS ($50.00) A MONTH TO EACH FALSE ALARM RESPONSE FEE NOT PAID WITHIN SIXTY (60) DAYS OF THE DATE OF THE INVOICE.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 13-42 on three separate days, Mr. Williams read Ordinance No. 13-42 for the second time, by title only.

ORDINANCE NO. 13-43

> (SECOND READING) AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES TO THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014 AND EXPIRING DECEMBER 31,2014.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 13-43 on three separate days, Mr. Gallo read Ordinance No. 13-43 for the second time, by title only.

ORDINANCE NO. 13-38

> AN ORDINANCE AMENDING SECTION 191.11 TAX CREDIT OF THE CODIFIED ORDINANCES OF THIS CITY BY INCREASING THE CREDIT TOWARDS THE ONTARIO INCOME TAX FOR INCOME TAX PAID TO ANOTHER MUNICIPALITY UP TO A MAXIMUM OF ONE AND ONE-HALF PERCENT (1 ½%) EFFECTIVE JANUARY 1, 2014.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 13-38 on three separate days, Mr. Hairston read Ordinance No. 13-38 for the first time, by title only.

ORDINANCE NO. 13 – 45

> AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY, REPEALING ORDINANCE NO. 13-20, AND DECLARING AN EMERGENCY.

Mr. Gallo made a motion to suspend the rules requiring the reading of Ordinance No. 13-45 on three separate days. Mrs. Webb seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 13-45 for the first time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 13-45. Ms. Drake seconded the motion. Hearing no further discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 13-45 was adopted.

At 7:43 p.m., Mr. Williams made a motion to enter into executive session per O.R.C. 121.22 (G)(4), preparing for, conducting, or reviewing negotiations or bargaining sessions. Mr. Gallo seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

At 8:13 p.m., Mr. Williams made a motion to reconvene into regular session. Mr. Weidemyre seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

At 8:14 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 Mrs. Webb. At roll call, six 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