

Regular

May 4

2006

Ontario City Council met in regular session on May 4, 2006, at 7:00 p.m. in the City Offices, with Council President Dave Metzger presiding. The meeting opened with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Matt Finfgeld, Dan Zeiter, Carol Shrader, Bobby Shook, Debbie Konczak, Mark Weidemyre and Charlotte Hellinger; Council President Dave Metzger; Mayor Kenneth Bender; Law Director Rebecca Thomas; Service/Safety Director Charles Au; and Clerk of Council Cathy VanAuker. A number of interested citizens were present in the audience.

Mr. Finfgeld made a motion to approve the minutes of the regular Council meeting of April 20, 2006. Mr. Zeiter seconded the motion. At roll call, five members voted Aye, zero Nay, two Abstain votes from Mr. Weidemyre and Mrs. Hellinger, and the motion passed.

PUBLIC COMMENTARY

Mr. Metzger opened the floor to Public Commentary, and hearing no one who wished to speak, closed the Public Commentary portion of the meeting.

COMMITTEE REPORTS

Mr. Finfgeld shared information from the April 24th Safety Committee meeting where they discussed a housing ordinance. The wording was modified to permit enforcement of the current housing codes which is on tonight's Agenda, Ordinance 06-14. Mrs. Thomas will continue working on a master ordinance.

Mrs. Shrader announced a Parks Committee meeting on May 9, 2006, at 5:00 p.m.

Mr. Shook commented on the Personnel Committee meeting on April 24, 2006, that was held in executive session regarding Resolution 06-04. Discussion was also held concerning the costs involved in Mayor's Court and its potential elimination by the Ohio Supreme Court. They also spoke about the possibility of utilizing a magistrate for court cases.

Mr. Weidemyre called a Streets Committee meeting directly following the Parks meeting on May 9th to discuss revisions to the street paving schedule.

Mr. Zeiter, Mrs. Konczak, and Mrs. Hellinger had no report this evening.

MAYOR'S REPORT

Mayor Bender reported on several items:

- The Mayor's Court income for the month of April was almost \$18,000 which is an \$8,000 increase over the previous year.
- The Ontario Lions Club was recognized for their contribution to the community with the purchase of a Magnasite machine that enlarges pictures and prints for the Ontario Library.
- The monthly Zoning report totaled \$218,000 in building permits for the month of April.
- Additional road striping and signage will take place at the Lexington Springmill Road/Route 30 ramp.
- Drainage is in at the OSU Bike Trail, sub-grade work is complete and gravel is down. This project should be completed within the next couple of months.
- The annual bridge inspection will be done in July.

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Mayor Bender invited Ontario's former City Treasurer, Sandra Lee, to come forward. At this time he read a Proclamation declaring Sandra K. Lee Day.

"It is the privilege of the Mayor of the City of Ontario to give praise and special recognition to Sandra K Lee; and

Whereas, Sandra Lee has faithfully served as the City of Ontario's first City Treasurer and established said department on a sound foundation; and

Whereas, Sandra has continued to serve her community by working temporarily in the City of Ontario's Income Tax Department during our busy income tax season; and

Whereas, Sandra Lee's dedication to duty, hard work, and to Ontario residents' concerns have greatly contributed to making Ontario an outstanding community in which to live; and

Now, therefore as Mayor of the City of Ontario, I do hereby proclaim May 5, 2006 as Sandra K. Lee Day in the City of Ontario and urge all citizens to remember the distinguished and valuable role that Sandra has played in our community.

In witness whereof, I have hereunto
Set my hand and caused the seal
Of the City of Ontario to be affixed
This 4th day of May, in the year of
Our Lord Two Thousand and Six.

Kenneth A Bender, Mayor"

SERVICE/SAFETY DIRECTOR'S REPORT

Mr. Au had no report.

LAW DIRECTOR'S REPORT

Mrs. Thomas had no report.

OTHER REPORTS

Sandra Lee presented an income tax review by comparing 2005 and 2006. Quarterly withholdings appeared to come in January of this year to show a substantial increase over last year but reflected a similar amount of decrease in February making it apparent that was when last year's withholdings were posted. March was down a little from last year and April remained close to the same. Ms. Lee offered to answer any questions and expressed her appreciation for the Proclamation.

MISCELLANEOUS MATTERS

Mr. Weidemyre read the Notice of a Public Hearing:

Notice is hereby given that public hearings will be held before the Council of the City of Ontario, Ohio, at 7:00 p.m. on Thursday, June 15, 2006 at the Charles K. Hellinger Ontario Municipal Building, 555 North Stumbo Road, Ontario, Ohio, upon a proposal to amend the City Zoning Ordinance as follows:

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1. Section 1145.28(h) Approval Deadline
The City Planning Commission has recommended in favor of this amendment.
2. Section 1115.05 Final Subdivision Plat Stage
The City Planning Commission has recommended in favor of this amendment.
3. Section 1121.05(b) Plan Review and Inspection Fees
The City Planning Commission has recommended in favor of this amendment.

The items of legislation on Council's Agenda were then considered.

RESOLUTION NO. 06-03 – A RESOLUTION IN SUPPORT OF SI CHUN XIAO, YING MAYFLOWER INC, APPLICATION TO TREX A, D-2, D-3, D-3-A, AND D-6, LIQUOR PERMIT FOR THE RESTAURANT LOCATED AT 2067 WEST FOURTH STREET, ONTARIO, OHIO AND DECLARING AN EMERGENCY.

Mr. Finfgeld made a motion to suspend the rules requiring the reading of Resolution No. 06-03 on three different days. Mr. Shook seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. Mr. Zeiter read Resolution No. 06-03 for the second time, by title only.

Mr. Zeiter made a motion to adopt Resolution No. 06-03. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 06-03 was adopted.

Mr. Weidemyre made a motion to table Resolution 06-04. No second was heard on this motion.

Mr. Shook made a motion for Council to enter into Executive Session to consider compensation of a public employee. Mr. Finfgeld seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. At 7:16 p.m., Mr. Shook, Chairman of the Personnel Committee, invited all Council members, Mayor Bender and Mrs. Thomas into Executive Session.

At 7:57 p.m., Mr. Shook made a motion to return to the regular Council meeting. Mr. Finfgeld seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed.

RESOLUTION NO. 06-04 - AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL RETIREMENT AGREEMENT WITH CHIEF MCCLARAN AND DECLARING AN EMERGENCY.

Mr. Shook made a motion to suspend the rules requiring the reading of Resolution No. 06-04 on three different days. Mr. Finfgeld seconded the motion. At roll call, five members voted Aye, two Nay votes from Mr. Zeiter and Mrs. Hellinger, and the motion failed. Mr. Shook read Resolution No. 06-04 for the first time, by title only.

RESOLUTION NO. 06-05 - AUTHORIZING THE CLERK OF COURTS TO ENTER INTO AN AGREEMENT WITH RBC, INC. FOR THE COLLECTION OF MAYOR'S COURT FUND AND DECLARING AN EMERGENCY.

Mr. Finfgeld made a motion to suspend the rules requiring the reading of Resolution No. 06-05 on three different days. Mrs. Konczak seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. Mrs. Konczak read Resolution No. 06-05, by title only.

Mrs. Konczak made a motion to adopt Resolution No. 06-05. Mrs. Hellinger seconded the motion. Six members cast their votes Aye, zero Nay, and one Abstain by Mr. Weidemyre, and Resolution No. 06-05 was adopted.

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ORDINANCE NO. 06-12 - ADOPTING REVISED RULES FOR THE USE OF THE COMMUNITY ROOM IN THE CHARLES K. HELLINGER ONTARIO MUNICIPAL BUILDING, REPEALING ORDINANCE 93-24 AND DECLARING AN EMERGENCY.

Mr. Finfgeld made a motion to suspend the rules requiring the reading of Ordinance No. 06-12 on three different days. Mr. Zeiter seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. Mrs. Shrader read Ordinance No. 06-12, by title only.

Mrs. Shrader made a motion to adopt Ordinance No. 06-12. Mr. Finfgeld seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 06-12 was adopted.

ORDINANCE NO. 06-13 - ENACTING CHAPTER 1343 REQUIRING LICENSING OF ALL CONTRACTORS AND SUBCONTRACTORS PERFORMING SERVICES IN THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Finfgeld made a motion to suspend the rules requiring the reading of Ordinance No. 06-13 on three different days. Mr. Shook seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. Mr. Weidemyre read Ordinance No. 06-13, by title only.

Mr. Finfgeld made a motion to adopt Ordinance No. 06-13. Mr. Shook seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 06-13 was adopted.

ORDINANCE NO. 06-14 – AMENDING 1349.01 AND ENACTING 1349.09, 1349.10, 1349.11, 1349.12, 1349.13 AND 1349.14 UNFIT DWELLING UNITS OF THE CODIFIED ORDINANCES OF ONTARIO, OHIO AND DECLARING AN EMERGENCY.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 06-14 on three different days. Mr. Finfgeld seconded the motion. At roll call, seven members voted Aye, zero Nay, and the motion passed. Mr. Finfgeld read Ordinance No. 06-14, by title only.

Mr. Finfgeld made a motion to adopt Ordinance No. 06-14. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 06-14 was adopted.

At 8:05 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Shook, and a second by Mr. Zeiter. At roll call, seven members voted Aye, zero Nay, and the motion to adjourn passed.

President of Council

Clerk of Council