

Regular

September 4

2014

Ontario City Council met in regular session on September 4, 2014, in the City Offices, with Council President Larry Collins 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 Neil Chitwood, Larry Arnold, Eddie Gallo, Jim Hairston, Mark Weidemyre, Michele Webb and Pamela Drake, Council President Larry Collins, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Jeff Wilson, Auditor Mary Ann Hellinger, and Clerk of Council Cathy VanAuker.

The minutes of the regular Council meeting of August 21, 2014 were presented for approval. Mr. Chitwood made a motion to approve the minutes with a second by Mr. Arnold. Seven members cast their votes Aye, zero Nay, and the motion passed.

## COMMITTEE REPORTS

Mr. Arnold provided the following Streets Committee report:

- Combining the water line replacement for Creston, Friday, and Woodbine provided better pricing and street paving will be done following the water line installation.
- Mr. Schaffner has asked the city to accept Deerfield Road and Yeager Drive as city streets. He was the developer of the condos and streets which are still privately owned. The core samples Kokosing took from three different areas on the streets measured at 8" which exceeds the city's requirement of 3 ½ ".
- The Urwin Parkway contract was awarded.

Mr. Gallo reported on the Parks Committee:

- The last Concert in the Park is Tuesday, September 9<sup>th</sup> at 7:00 p.m.
- The Dog Park contracts are under review.

Mr. Hairston gave an update from the Finance Committee:

- The Mayor started the 2015 budget process. The Finance Committee will meet at the end of September to receive his budget and continue discussion.
- The ordinance on this evening's agenda to transfer \$30,000 from the General Fund to the Street Construction Fund is to correct the temporary negative balance. They want a zero balance with they go to Moody's in New York at the end of the month.
- Mr. Weidemyre requested a Finance Committee meeting at the Service Building so they can look at the equipment in order to get a better understanding of the budget requests.

Mrs. Webb reported the Personnel Committee met and worked out the confusion with Ordinance 14-28, the proposed wage ordinance, and it will be brought off the table this evening for the final reading. They changed to a percentage increase so the foreman will earn 7% above the highest paid laborer and the supervisor will make 7% more than the foreman.

- Mr. Arnold commended Mrs. Webb for the time and effort put into preparing this ordinance because now that it was changed to percentages instead of dollar amounts it will be able to be enforced in years to come.

Mr. Chitwood, Mr. Weidemyre, and Ms. Drake had no report.

## MAYOR'S REPORT

Mayor Hutchinson reported:

- The front parking lot is being sealed today and the back lot will be sealed tomorrow.
- The last Concert in the Park is Tuesday at 7:00 p.m. A local radio station is inaccurately announcing it for Saturday.

Regular

September 4

2014

- Mayor Hutchinson met with Mr. Blevins and had the property surveyed. The city's sign would take up the width of the property of 125' so it was separated from the parcel and the remainder can be sold to Mr. Blevins without needing an easement. Mr. Blevins will still have enough property to do what he originally intended. He will pave the lot and have room to get his trucks behind the building. The city will sell Mr. Blevins the back two properties.

Mr. Chitwood didn't think the 3% occupancy tax, Ordinance 14-46, was in line with what could be charged and asked the Mayor to look into what percentage surrounding areas are using. Mayor Hutchinson said he researched this with the Convention Bureau and was told we are at the maximum because the city receives 3% and the Convention Bureau receives 3%. Unless there is a convention tax passed with a convention bureau attached then 10% can be charge but 6% is the most allowed by state law.

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

Mr. Wilson reported on the following projects:

- Urwin Parkway Update. All of the land is clear including the areas for the entrance signs. Earth moving is scheduled to begin on Monday which should take two to three days, underground utilities are scheduled for mid-September and precast structures for catch basins and manholes are currently being fabricated and should be delivered in a couple of weeks.
- W. 4<sup>th</sup> Street. The intermediate layer has been applied from the east to the west end of the project and the concrete repairs are completed. The top surface pavement will begin September 16<sup>th</sup> at St. Rt. 314 and should take 7 to 8 days to complete. All work should be done during the week of September 22<sup>nd</sup>.
- Mabee Road Water Tower. Equipment will be moved on site next week to begin this project on September 15<sup>th</sup>. The tank will be drained beginning Thursday and should take about 3 days. Per Mr. Gallo's suggestion, all residents in the immediate area were sent a letter with the details and schedule for the project.
- Millsboro Loop. Employees haven't been on this project for the past two weeks due to vacations and the overall workload. The only driveway that had to be cut was re-concreted; the steel plates will be removed tomorrow and the drive will be re-opened. Work will continue on the 17<sup>th</sup> with a projected completion date of September 19<sup>th</sup>.

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

Mr. Medwid had no report.

### **PUBLIC COMMENTARY**

Jim Henry, 1129 Lewis Road, came before Council to say he is the immediate past president of the 4<sup>th</sup> of July Festival and comes before them as a citizen thanking them for their support over the years to the festival. It is a connection for the community and he encourages them to continue their support for the festival. The festival has expanded over the years but is kept to a manageable size because it is all volunteers who do a lot of hard work. The Ontario Boosters will be looking for a new chairman. Mr. Henry thanked the city for their support and that it has been a pleasure working with them. He will continue to help with the festival.

- Mr. Collins thanked Mr. Henry, and Mr. Rehfeldt, for their tremendous work over the years and the many volunteers they brought to the city. It has been a wonderful 4<sup>th</sup> of July celebration and the city commends them for what they have done.

Regular

September 4

2014

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

## ORDINANCE NO. 14 – 46

AN ORDINANCE AMENDING CHAPTER 192 TRANSIENT OCCUPANCY TAX OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO, OHIO.

Hearing no motion to suspend the rules for three separate readings, Mr. Chitwood read Ordinance No. 14-46 for the second time, by title only.

## RESOLUTION NO. 14 – 10

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Arnold made a motion to suspend the rules requiring the reading of Resolution No. 14-10 on three separate days. Mr. Gallo seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Resolution No. 14-10 for the first time, by title only.

Mr. Arnold made a motion to adopt Resolution No. 14-10. Mr. Gallo seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 14-10 was adopted.

## RESOLUTION NO. 14 – 11

A RESOLUTION SUPPORTING BENJAMIN L. BROWN'S PROPOSITION TO CONNECT HIS PROPERTY LOCATED ON NORTH LEXINGTON-SPRINGMILL ROAD TO THE CITY OF ONTARIO'S SEWER SYSTEM.

Hearing no motion to suspend the rules for three separate readings, Mr. Gallo read Resolution No. 14-11 for the first time, by title only.

## ORDINANCE NO. 14 – 47

AN ORDINANCE AMENDING SECTION 1146.02 DEFINITIONS AND SECTION 1146.03(e) SIGNS BY NUMBER, SIZE AND LOCATION OF THE CODIFIED ORDINANCES OF THIS CITY ADDING JOINT IDENTIFICATION SIGNS AS A TYPE OF SIGN ALLOWED TO BE DISPLAYED BY BUSINESSES AND INDUSTRIES IN THE CITY, AND DECLARING AN EMERGENCY.

Mr. Hairston made a motion to suspend the rules requiring the reading of Ordinance No. 14-47 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Hairston read Ordinance No. 14-47 for the first time, by title only.

Mr. Hairston made a motion to adopt Ordinance No. 14-47. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 14-47 was adopted.

Regular

September 4

2014

## ORDINANCE NO. 14 – 48

AN ORDINANCE AMENDING ORDINANCE 14-11 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2014 BY MAKING ADDITIONAL APPROPRIATIONS TO THE GENERAL FUND.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 14-48 on three separate days. Mr. Hairston seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 14-48 for the first time, by title only.

Mr. Weidemyre made a motion to adopt Ordinance No. 14-48. Mr. Hairston seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 14-48 was adopted.

## ORDINANCE NO. 14 – 49

AN ORDINANCE GRANTING A LICENSE TO BENJAMIN L. BROWN TO EXTEND A CITY FIFTEEN (15") INCH WATER LINE ALONG THE PUBLIC RIGHT-OF-WAY IN A PUBLIC EASEMENT OF LEXINGTON-SPRINGMILL ROAD AT HIS EXPENSE TO SERVE HIS PROPERTY LOCATED ON NORTH LEXINGTON-SPRINGMILL ROAD.

Hearing no motion to suspend the rules for three separate readings, Ms. Drake read Ordinance No. 14-49 for the first time as amended, by title only.

## ORDINANCE NO. 14-28

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY, REPEALING ORDINANCE NOS. 13-45, 14-05, AND 14-25, AND DECLARING AN EMERGENCY.

Mrs. Webb made a motion to take from the table Ordinance No. 14-28. Ms. Drake seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed. Mrs. Webb read Ordinance No. 14-28 for the third time, by title only.

Mrs. Webb made a motion to adopt Ordinance No. 14-28, as amended. Mr. Arnold seconded the motion. Hearing no discussion, six members cast their votes Aye, one Nay by Mr. Chitwood, and Ordinance No. 14-28 was adopted.

At 7:28 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre, a second by Mr. Arnold, and the motion passed unanimously.

---

Larry C. Collins, President of Council

---

Cathy VanAuker, Clerk of Council