

Regular

November 6,

2014

Ontario City Council met in regular session on November 6, 2014, in the City Offices, with Council President Larry Collins presiding. The meeting opened at 7:16 p.m. with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Larry Arnold, Eddie Gallo, Jim Hairston, Mark Weidemyre, Michele Webb, 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.

Mr. Collins asked for a motion to excuse Mr. Chitwood from the Council meetings of October 16 and November 6, 2014. No motion was made.

The minutes of the regular Council meeting of October 16, 2014 were presented for approval. Mr. Hairston made a motion to approve the minutes with a second by Mr. Weidemyre. Six members cast their votes Aye, zero Nay, and the motion passed.

COMMITTEE REPORTS

Mr. Hairston reported on the Finance Committee meeting held earlier this evening to work on the 2015 temporary appropriations. Financial Advisor Brian Cooper prepared a revenue forecasting module to assist with obtaining an accurate estimated revenue for next year.

- The Finance Committee will meet on November 11, 2014 at noon and the Finance Committee of the Whole will meet on November 20, 2014 at 5:30 p.m.

Mr. Weidemyre said Ordinance No. 14-64 was distributed this evening and will need added to the agenda. Legal counsel in Columbus finished their preparation today for the Development Agreement with Ontario Hospitality and requested consideration of passage this evening in order to move this project forward for completion in a timely manner.

Mr. Weidemyre asked Council members to review the packet of information pertaining to the utilities feasibility study. He will schedule a Utilities Committee meeting soon to discuss the wastewater treatment plant.

Mr. Arnold, Mr. Gallo, Mrs. Webb and Ms. Drake had no report.

MAYOR'S REPORT

Mayor Hutchinson reported:

- The Zoning Inspector prepared New Business Packets which includes all pertinent procedural information for businesses coming to our municipality.
- Mayor Hutchinson extended a thank-you to Miss Ontario for her attendance at grand openings and being visible in the community.
- The snow ban will be enforced this year. Snow bans are normally announced when there are two or more inches of snow on the ground. Parking on the street will be prohibited when the ban is imposed.
- A dedication will be held for Urwin Parkway when FedEx is ready to use the road.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson reported on the following projects:

- Mabee Road Water Tower. Painting is complete and the tower is filled, tested and back on line. The new garage door will be installed as soon as it arrives.

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- Urwin Parkway. The road is complete and looks great. Elite finished installing 800' of sewer line to FedEx yesterday; only a small amount of land excavation remains.
- Leaf Pick-up. The third round of leaf pick-up will begin next week. This service will continue until November 21st, weather permitting.
- Temporary Help Overview: An informational page was distributed highlighting the benefits of having summer help assist with projects.

Mr. Gallo referenced the changes to the Lex-Springmill/Walker Lake Road intersection and the confusion caused by the two straight westbound lanes on Walker Lake. He recommended painting the lanes with a solid white line to deter traffic from fading into the left lane because it used to be a turn lane.

- Ms. Drake concurred this was a safety issue and suggested an awareness announcement in the newspaper.
- Mr. Wilson was hopeful the overhead sign would be in before Thanksgiving and the delineators would be replaced at the same time.
- Mayor Hutchinson will add this information to the snow ban press release.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

MISCELLANEOUS MATTERS

Mr. Collins stated the city will observe Veterans Day as a holiday for the first time, recognizing all veterans who have served and continue to serve here and around the world.

Former Councilwoman Carol Shrader recently passed away. Mrs. Shrader served the city very faithfully and is honored this evening.

PUBLIC COMMENTARY

Nathan Leaphart, Chief Financial Officer for Electric Guard Dog in Lexington S. Carolina, came forward to answer questions pertaining to the electric fence. Mr. Leaphart thanked Planning Commission and everyone involved for their efforts in devising the ordinance.

Comments:

- The public hearing pertaining to the security electric fence is this evening and the ordinance will appear on the next agenda.
- Current statute states a fence with an electric charge is prohibited.
- This is an above ground interior fence that is higher than the perimeter fence which cannot be electrified.
- The Planning Commission has approved this fence.
- This style of fencing is a burglar tool that emits a short surge setting off the alarm and is only permitted in Industrial zoning.

PUBLIC HEARING

At 7:21 p.m., Mr. Collins opened the Public Hearing:

AMENDING SECTION 1145.11 FENCES AND WALLS AND SECTION 521.07 FENCES BY ADDING PROVISIONS FOR ELECTRIC SECURITY FENCES AS A TYPE OF FENCE ALLOWED TO BE INSTALLED IN AREAS ZONED IN THE CITY FOR INDUSTRIAL USE TO ALLOW FOR ELECTRIC SECURITY FENCES.

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At 7:22 p.m., after calling three times and hearing no one who wished to speak, the Public Hearing was closed.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 14-52

(THIRD READING) AN ORDINANCE AMENDING ONTARIO CODIFIED ORDINANCE 549.10 BY REMOVING "FIREARM" FROM THE ORDINANCE AND REPEALING ORDINANCE 90-84.

Mr. Arnold read Ordinance No. 14-52 for the third time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 14-52. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 14-52 was adopted.

ORDINANCE NO. 14-53

(THIRD READING) AN ORDINANCE ALLOWING THE CITY OF ONTARIO TO ENTER INTO AN AGREEMENT WITH ETMA TO PREPARE A ZONING DEVELOPMENT OVERLAY TO CREATE A CAMPUS DISTRICT IN THE CITY, DIRECTING THE MAYOR TO EXECUTE IT ON BEHALF OF THIS CITY, AND DECLARING AN EMERGENCY.

Mr. Gallo read Ordinance No. 14-53 for the third time, by title only.

Mr. Arnold made a motion to adopt Ordinance No. 14-53. Mr. Hairston seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 14-53 was adopted.

ORDINANCE NO. 14 – 63

AN ORDINANCE ACCEPTING THE IMPROVEMENTS TO DEERFIELD ROAD AND YEAGER DRIVE SUBDIVISION TO THE CITY OF ONTARIO AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules on three separate readings, Mr. Hairston read Ordinance No. 14-63 for the first time, by title only.

ORDINANCE NO. 14-64

AN ORDINANCE AUTHORIZING A DEVELOPMENT AGREEMENT WITH ONTARIO HOSPITALITY, INC. AND CERTAIN ACTIONS CONTEMPLATED BY THE DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY.

Ms. Drake made a motion to waive the 24-hour rule on Ordinance No. 14-64. Mr. Weidemyre seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to waive the 24-hour rule on Ordinance No. 14-64 passed.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 14-64 on three separate days. Ms. Drake seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 14-64 for the first time, by title only.

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Mr. Weidemyre made a motion to adopt Ordinance No. 14-64. Mr. Hairston seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 14-64 was adopted.

At 7:26 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Arnold with a second by Ms. Drake, and the motion passed unanimously.

Larry C. Collins, President of Council

Cathy VanAuker, Clerk of Council