

## Regular

June 4,

2015

Ontario City Council met in regular session on June 21, 2015, 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 Ken Earhart, Eddie Gallo, Jim Hairston, Mark Weidemyre, Michele Webb, Pamela Drake, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Jeff Wilson, Auditor Mary Ann Hellinger, and Clerk of Council Cathy VanAuker.

Mr. Gallo made a motion to excuse Larry Arnold from this evening's meeting. Mr. Weidemyre seconded the motion, and the motion passed unanimously.

The minutes of the regular Council meeting of May 21, 2015 were presented for approval. Mr. Weidemyre made a motion to approve the minutes with a second by Ms. Drake. Six members cast their votes Aye, zero Nay, and the motion passed.

### COMMITTEE REPORTS

Mr. Earhart reported on the Economic Development Committee meeting held earlier this evening where they discussed the sale of land on South Rock Rock. The Committee granted approval for the Mayor to hold a public auction for the 16 acres with a minimum bid of \$1,000 per acre. Consideration was given for a housing development study at the Campus District and the purchase of marketing materials to be used at business expos promoting the city for economic development growth.

Mr. Earhart moved to authorize the Mayor to utilize funds for economic development for the housing development study at the Campus District and for marketing materials, displays or promotions for the city for economic development purposes. Mr. Weidemyre seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and the motion passed.

Mr. Earhart scheduled an Economic Development Committee meeting of the Whole to be held jointly with the Finance Committee on June 9, 2015 at 4:00 p.m.

Mr. Gallo said on June 27<sup>th</sup> there would be a dog walk fund raiser at Marshall Park with proceeds going toward the dog park fence. Information is available on the Maize Memorial Dog Park website or their Facebook page. The Concerts in the Park begin this month and everyone is encouraged to attend.

Mr. Hairston spoke with the Auditor and clarified that appropriations would need increased to move forward with Mr. Earhart's motion so legislation will need prepared for the next Council meeting.

Mr. Weidemyre said the patch work on Park Avenue West turned out extremely well. He thanked the Mayor and Service-Safety Director for getting it taken care of so quickly. Lex-Springmill will be worked on next. The rest of the paving is going well. Whitney Avenue was on the paving schedule but would be patched this year so they could patch Park Avenue and Lex-Springmill.

Ms. Drake reported the Utilities Committee met regarding the sewer contract with Mansfield. She thanked everyone for their hard work in obtaining a contract that is fair for both cities. The Committee recommended preparing legislation to approve the proposed contract. Council will have at least two readings on the legislation that appears on this evening's agenda. Mansfield presented the same contract before their Council last Tuesday.

Mrs. Webb had no report.

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**MAYOR'S REPORT**

The first Concert in the Park featuring the DeVault Ridge Band will begin at 6:00 p.m. on Tuesday. The band shell was stained this week along with other work in the park. The concert schedule is on the Facebook and Tommy Barnes of Clear Channel has a list of all concerts in the surrounding area on his Facebook page.

Mayor Hutchinson read from a letter he received from the Ohio Municipal Clerks Association announcing Clerk of Council Cathy VanAuker was nominated for Clerk of the Year. The Association has over 400 members. Mrs. VanAuker recently organized a one-day academy that was held locally for the Ohio Municipal Clerks.

**SERVICE-SAFETY DIRECTOR'S REPORT**

Mr. Wilson reported on the following:

- Friday Lane and Creston Road were finished today. In addition to the new pavement on Creston the grade to most of the driveways was addressed and improved. Within the next two weeks spot repairs will begin on Lex-Springmill from W. 4<sup>th</sup> Street to north of Meijer.
- The Tappan Park Lift Station and Force Main project is completed except for the grading, seeding and fencing. The station is performing as designed, otherwise, after last week's two-inch rainfall the EQ Basin level would have increased 6' instead of only 2.8'.
- Marshall Park improvements include:
  - Staining of the band shell.
  - The baskets for disc golf were ordered which will be followed up with the coordination of the final course layout, concrete TEE-pads, and sponsor signage. Mr. Gallo was invited to attend the upcoming meeting with Andy Kissinger to finalize the details.
  - Additional parking was created near the soccer fields by skimming off the sod to double the parking area.
  - Six new handicap parking spots are located at the baseball complex half-way down the paved lane. Also a concrete sidewalk was built from the end of the paved lane to the concession stand for easier access to the restrooms and fields.

**LAW DIRECTOR'S REPORT**

Mr. Medwid had no report.

**MISCELLANEOUS MATTERS**

Information & Referral Coordinator Terry Carter and Ontario Branch Library Manager Matt Bachelder came forward to inform Council of the First Call 211 system and the current library programs. Informational packets pertaining to both programs were distributed. First Call 211 road signs will be added to the informational display entering Ontario on Park Avenue West and Lex-Springmill Road.

**PUBLIC COMMENTARY**

Barry Lewis, 2070 Princeton Street, came forward asking Council to provide an overview of Ordinance 15-26 so the public is aware of the content of the sewer contract.

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**PUBLIC HEARING**

At 7:30 p.m., Mr. Collins opened the public hearing for amending Sections 1145 General Provisions and 1146 Signs of the Codified Ordinances of Ontario.

Craig Hunt, 3680 Park Avenue West, came forward to question the proposed change to Business Promotion signs requiring the minimum set back of 10' from the right-of-way to 15' from the edge of the road. He felt that was too close to the edge of the road. Inflatable signs were not included and he did not want to see them 15' from the edge of the road. Why make the change from the right-of-way? Referencing the Wall sign code, he asked if the business next to him would be allowed to put a wall sign on the side of their building that is very close to his house.

At 7:33 p.m., hearing no one else who wished to speak, the Public Hearing was closed.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

## RESOLUTION NO. 15-06

(THIRD READING) A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR COMPETITIVE BIDS FOR THE SELECTIVE HARVEST OF TREES IN THE BEER ROAD INDUSTRIAL PARK, AND DECLARING AN EMERGENCY.

Mr. Earhart read Resolution No. 15-06 for the third time, by title only.

Mr. Earhart moved to adopt Resolution No. 15-06. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Resolution No. 15-06 was adopted.

## RESOLUTION NO. 15-11

(SECOND READING) A RESOLUTION AUTHORIZING THE CITY OF ONTARIO TO PARTICIPATE IN THE OHIO COOPERATIVE PURCHASING PROGRAM OPERATED BY THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

Hearing no motion to suspend the rules requiring the reading of Resolution No. 15-11 on three separate days, Mr. Gallo read Resolution No. 15-11 for the second time, by title only.

## ORDINANCE NO. 15-20

(SECOND READING) AN ORDINANCE ESTABLISHING FEES CHARGED BY THE CITY FOR VARIOUS SERVICES, REPEALING ORDINANCE 15-05, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 15-20 on three separate days, Mr. Hairston read Ordinance No. 15-20 for the second time, by title only.

## RESOLUTION NO. 15-12

A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE A PUBLIC AUCTION FOR THE SALE OF CITY OWNED PROPERTY LOCATED ON SOUTH ROCK ROAD, AND DECLARING AN EMERGENCY.

Mr. Hairston moved to suspend the 24 hour rule for Resolution No. 15-12. Mr. Gallo seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

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Mr. Hairston moved to suspend the rules requiring the reading of Resolution No. 15-12 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 Resolution No. 15-12 for the first time, by title only.

Mr. Weidemyre moved to adopt Resolution No. 15-12. Mr. Earhart seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Resolution No. 15-12 was adopted.

#### ORDINANCE NO. 15-22

AN ORDINANCE AMENDING SECTIONS 1145 GENERAL PROVISIONS AND 1146 SIGNS OF THE CODIFIED ORDINANCES OF THIS CITY AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the 24 hour rule for Ordinance No. 15-22. Ms. Drake seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Hearing no motion to to suspend the rules requiring the reading of Ordinance No. 15-22 on three separate days, Mrs. Webb read Ordinance No. 15-22 for the first time, by title only.

#### ORDINANCE NO. 15-23

AN ORDINANCE ESTABLISHING A FLEET REGISTRATION APPLICATION FOR THE USE OF COMMERCIAL VEHICLES WITHIN THE CITY AND DECLARING AN EMERGENCY.

Ms. Drake moved to suspend the 24 hour rule for Ordinance No. 15-23. Mr. Gallo seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Hearing no motion to to suspend the rules requiring the reading of Ordinance No. 15-23 on three separate days, Ms. Drake read Ordinance No. 15-23 for the first time, by title only.

#### ORDINANCE NO. 15 – 24

AN ORDINANCE ESTABLISHING THE PROCEDURE FOR THE USE OF CREDIT CARDS ISSUED TO THE CITY OF ONTARIO, REPEALING ORDINANCE NO. 02-51, AND DECLARING AN EMERGENCY.

Ms. Drake moved to suspend the 24 hour rule for Ordinance No. 15-24. Mrs. Webb seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Ms. Drake moved to suspend the rules requiring the reading of Ordinance No. 15-24 on three separate days. Mr. Hairston seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Earhart read Ordinance No. 15-24 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 15-24. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-24 was adopted.

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## ORDINANCE NO. 15-25

AN ORDINANCE AMENDING ORDINANCE NO. 15-09 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2015 BY MAKING ADDITIONAL APPROPRIATIONS TO THE SPECIAL REVENUE FUND.

Mrs. Webb moved to suspend the 24 hour rule for Ordinance No. 15-25. Mr. Weidemyre seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Ms. Drake moved to suspend the rules requiring the reading of Ordinance No. 15-25 on three separate days. Mr. Gallo seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Gallo read Ordinance No. 15-25 for the first time, by title only.

Mr. Gallo moved to adopt Ordinance No. 15-25. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-25 was adopted.

## ORDINANCE NO. 15-26

AN ORDINANCE ALLOWING THE CITY OF ONTARIO TO ENTER INTO A SEWER CONTRACT WITH THE CITY OF MANSFIELD AND DIRECTING THE MAYOR TO EXECUTE IT ON BEHALF OF THIS CITY, AND DECLARING AN EMERGENCY.

Ms. Drake moved to suspend the 24 hour rule for Ordinance No. 15-26. Mr. Earhart seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Hearing no motion to to suspend the rules requiring the reading of Ordinance No. 15-26 on three separate days, Mr. Hairston read Ordinance No. 15-26 for the first time, by title only.

At 7:41 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Ms. Drake with a second by Mr. Weidemyre and the motion passed unanimously.

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Larry C. Collins, President of Council

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Cathy VanAuker, Clerk of Council