

Regular

June 18,

2015

Ontario City Council met in regular session on June 18, 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, Larry Arnold, Eddie Gallo, 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.

Ms. Drake made a motion to excuse Jim Hairston from this evening's meeting. Mr. Arnold seconded the motion, and the motion passed unanimously.

The minutes of the regular Council meeting of June 2, 2015 were presented for approval. Ms. Drake made a motion to approve the minutes with a second by Mr. Weidemyre. Five members cast their votes Aye, zero Nay, one Abstain by Mr. Arnold, and the motion passed.

ACKNOWLEDGEMENT OF INCORPORATION

Mayor Hutchinson came forward to present a plaque in honor of the citizens who were instrumental for the incorporation of Ontario in 1958. The plaque will be permanently displayed in the lobby of the Municipal Building. After diligently researching the names, along with the first elected officials, Mayor Hutchinson read each one as they appeared on the plaque:

This plaque honors the citizens that worked together to get the Village incorporated, along with our first elected officials. The Village of Ontario became official on June 17, 1958.

Incorporation Committee: Roy Mitchell, Lewis Rinehart, Harold Marshall, William Naylor, Earl Albin, Robert LaFevere, Dan Haber, Rolla Elliott, John Mabee, Cleo Taylor, Charles Orewiler, Richard Clever, Harry Zeigler, Wilbur Hetler, Attorney Leo Scanlon, Advisor.

Township Trustees: Virgil Walker, Norman Kaufmann, Charles Orewiler, Dave Schraedly, Clerk.

First Elected Officials: Frank Stumbo, Mayor; Ed Burger, Treasurer; Harry Zeigler, Clerk; Council members Don Dunlap, Rolla Elliott, Oliver Heller, Orval Bemiller, Don Boyce, Roy Mitchell.

COMMITTEE REPORTS

Mr. Earhart reported on the Economic Development Committee meeting where they discussed the upcoming auction of property on Beer Road and how to finance that purchase if the city has the successful bid. The Mayor is authorized to attend the auction and bid on the property.

Mr. Gallo reminded everyone June 27th is the Dog Walk fund raising event at Marshall Park with proceeds going to erecting the dog park fence. More information is available on their Facebook page.

Mr. Weidemyre said the Streets Committee met earlier this evening to discuss the condition of the local streets. Lex-Springmill will be patched this year but is getting in bad shape and paving is estimated at \$2 million. Consideration was given to placing a pot-hole tax on the fall ballot but the decision was made against a tax at this time.

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

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MAYOR'S REPORT

Mayor Hutchinson reported:

- The first Concert in the Park featuring the DeVault Ridge Band had a great turn out. The next concert is June 30th with the Wayfaring Trio playing Appalachian Bluegrass music.
- Twelve contestants are competing at the Miss Ontario Pageant on June 27th at the High School Auditorium. The current Miss Ohio Mackenzie Bart will perform.
- Raffle tickets for the 4th of July Festival are available for sale with a lot of nice prizes being given away. Everyone is encouraged to attend and support the event.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson reported on the following:

Tennis Courts. The Ontario Athletic Boosters agreed to match the city's portion to resurface all six of the Marshall Park tennis courts. Richland Sealcoating agreed to donate some of the material costs and all labor toward this project for the community. Work will include power washing the entire surface, repair the surface on Court 1 with acrylic patch binder, apply acrylic patch binder to approximately 3,100 lineal feet of cracks, sand all repaired areas, apply two coats of SportMaster acrylic color coating to the entire surface and restripe all courts. This project will begin in July so the courts are ready for the fall high school tennis season.

Mr. Wilson extended his appreciation to thank Rick Baker of Richland Sealcoating for his support and generosity in making this project possible.

Street Paving/Repairs. After three days of rain delays Kokosing was able to begin spot repairs on Lex-Springmill Road today. All four lanes will be repaired between W. 4th Street to north of the Belle Store. Work began today at Ferguson Road and will continue past the Meijer entrance. This project should be completed on Monday.

Dog Park Update. Plans are currently being made to have the fence installed by the end of July. The organization has raised \$9,000 toward the total material cost of \$15,000. City crews completed the entrance to the dog park last week and water lines will be provided by the city in conjunction with the fence installation.

The Tabitha Hancock Dog Walk fund raiser is scheduled for Saturday, June 26th. Pre-registration begins at 9 am at Pavilion #1 at Milligan and Rock Road. Several vendors will provide services for the dogs and there will be food and games for the kids, along with demonstrations, a 50/50 drawing and raffle prizes. Currently fifty dogs are registered but they expect 200 to participate. The dog walk will begin at 10 a.m. at the dog park site, following a brief message from Mayor Hutchinson.

Mr. Gallo asked if Kokosing could find alternate parking for their equipment during the baseball tournaments this week at Stowell Park. He also suggested using more of the broken asphalt to extend the parking lot because people park in the grass area. Mr. Wilson said he would look into these items and added they have increased parking at the other parks which has been very beneficial so if more parking is needed at Stowell they will expand that area as well.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

PUBLIC COMMENTARY

Doris Forina, 133 Alexander Drive East, stood before Council to express her displeasure concerning the unkept houses in the community. Some owners have not made any repairs in

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years, some houses are multi-color, holes in roofs, and missing siding. She asked for an ordinance mandating repairs or be subject to a fine.

- Mayor Hutchinson responded, the city and Health Department visited these locations but there are no zoning violations. He distributed to Council a sample packet from Hebron that has code in place addressing these issues.
- The church on Park Avenue could also be addressed in this type of code. The Health Department, Building Codes and Zoning Inspector have all visited this site and there are no current violations.

Craig Hunt, 3680 Park Avenue West, was next to approach Council regarding the upcoming sewer rate increase. He pays the minimum bill which is 7 units regardless of his actual use. Since the new system can determine down to the exact gallon he asked if he could be charged for the three units he actually uses which would encourage conserving water.

Next to come before Council was Regis Pacek, 244 Sloboda Avenue, to ask why the city did not rebuttal the City of Mansfield's article in the News Journal pertaining to the sewer contract. He asked if the calibration on the meters had been checked or did the city install another meter?

- Mr. Wilson responded the calibrations are checked regularly and that is built into the new contract. The problem is with the inflow/infiltration and steps are being taken to correct. The amount calculated was based on water usage. Projects to prevent I/I have been ongoing for a number of years, including this year. The article did not mention the millions of dollars already spent on I/I, or the \$100,000 spent this year on a project. There have been relining projects and cameras were placed in lines to identify the infiltration.
- Mr. Weidemyre said the EPA is mandating Mansfield reduce their I/I, so in turn, Ontario needs to reduce I/I.
- Mayor Hutchinson said the city has been working on the I/I and is spending \$100,000 each year. Next year the project will expand to videotaping the main line from the former GM property which is 82% of the flow. When they find an area they will start sealing but this will be a lengthy process. The line on Park Avenue from Rock Road to Allen Drive is being relined this year.
- Mr. Arnold said all of the projects that were mentioned have been done incrementally and came with a substantial expense. It is a big problem and millions of dollars. If the city would have done everything they needed to handle the I/I problems this rate increase would have happened ten years ago.
- Mr. Weidemyre added the city spent \$2 million relining pipes and laterals in the Rock Road area. We knew there was a problem.
- Mr. Collins said Ontario has paid Mansfield for years on the water usage and there has not been a contract since 2006. The new contract has been diligently negotiated for almost 1 ½ years. Ontario's water and sewer rates are the lowest in the State of Ohio for a city our size. In the past, the city was collecting enough for water but the residents never really paid for the amount of sewer they used. The city has done a very good job getting the situation under control.
- Mr. Gallo said the city has negotiated in faith and for several years this has been a topic, especially during the past year and half. Ontario is not negotiating with the News Journal and either was Mansfield.
- Ms. Drake said the news article was taken from the Mansfield council meeting tape and at that time Ontario hadn't entered the proposed legislation. The contract discussions were held in executive session and could not be disclosed. The city has addressed numerous items with the EPA and a lot of work was done for the I/I based on a plan that was initiated and implemented. The city is spending \$100,000 each year for the next ten years and are currently ahead of schedule. Once the contract is done then a meeting will be scheduled to discuss how it will affect the residents. It has been a long process but there were many compromises made to the original contract that benefit both Ontario and Mansfield. A rebuttal would not have been professional and could not be done at that time. The citizens in the City of Ontario will reap the rewards over the years to come.

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- Mr. Collins reiterated the News Journal article was written from a tape of the Mansfield council meeting and was not an interview with their engineer. The engineer's report to council was a summary of what was included in the sewer contract. Mr. Collins suggested Mr. Pacek make an appointment with Mr. Wilson because he has a thorough knowledge of the contract.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 15-11

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

Ms. Drake read Resolution No. 15-11 for the third time, by title only.

Ms. Drake moved to adopt Resolution No. 15-11. Mr. Weidemyre seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Resolution No. 15-11 was adopted.

ORDINANCE NO. 15-20

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

Mrs. Webb read Ordinance No. 15-20 for the third time, by title only.

Mrs. Webb moved to adopt Ordinance No. 15-20, as amended. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-20 was adopted.

ORDINANCE NO. 15-22

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

Mr. Weidemyre moved to table Ordinance No. 15-22. Mr. Arnold seconded the motion. Six members cast their votes Aye, zero Nay, and Ordinance No. 15-22 was tabled.

ORDINANCE NO. 15-23

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

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

ORDINANCE NO. 15-26

(SECOND READING) 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.

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

ORDINANCE NO. 15-27

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

Mr. Weidemyre moved to suspend the rules requiring the reading of Ordinance No. 15-27 on three separate days. Mr. Earhart seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Earhart read Ordinance No. 15-27 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 15-27. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-27 was adopted.

ORDINANCE NO. 15-28

AN ORDINANCE DIRECTING THE MAYOR TO ATTEND A PUBLIC AUCTION TO PURCHASE REAL ESTATE ON THE CITY'S BEHALF, AND DECLARING AN EMERGENCY.

Ms. Drake moved to suspend the rules requiring the reading of Ordinance No. 15-28 on three separate days. Mr. Arnold seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Ms. Drake read Ordinance No. 15-28 for the first time, by title only.

Ms. Drake moved to adopt Ordinance No. 15-28. Mr. Weidemyre seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-28 was adopted.

ORDINANCE NO. 15-29

AN ORDINANCE AUTHORIZING THE CITY TO ADVANCE THREE HUNDRED THOUSAND DOLLARS (\$300,000) TO PAY FOR THE INSTALLATION OF SIDEWALKS, ADD SAID AMOUNT TO THE NOTE EXPENSES IN OCTOBER, AND BE REIMBURSED FROM THE PROCEEDS OF THE TAX INCREMENT FINANCING PAYMENTS TO THE CITY, AND DECLARING AN EMERGENCY.

Ms. Drake moved to suspend the rules requiring the reading of Ordinance No. 15-29 on three separate days. Mr. Weidemyre seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Webb read Ordinance No. 15-29 for the first time, by title only.

Mrs. Webb moved to adopt Ordinance No. 15-29. Ms. Drake seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 15-29 was adopted.

At 7:47 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre with a second by Mr. Gallo and the motion passed unanimously.

Mark Weidemyre, President Pro Tem

Cathy VanAuker, Clerk of Council