

## Regular

January 7,

2016

Ontario City Council met in regular session on January 7, 2016, in the City Offices, with Council President Larry Collins presiding. The meeting opened at 7:05 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, Dan Zeiter, Mark Weidemyre, Michele Webb, Leo Hess, Mayor Randy Hutchinson, Service-Safety Director Jeff Wilson, Law Director Andrew Medwid, Auditor Mary Ann Hellinger and Clerk of Council Cathy VanAuker.

Mr. Collins welcomed new Council members Mr. Zeiter and Mr. Hess.

The minutes of the regular Council meeting of December 17, 2015 were presented for approval. Mr. Weidemyre moved to approve the minutes with a second by Mr. Earhart. Six members cast their votes Aye, zero Nay, one Abstain by Mr. Zeiter, and the motion passed.

The minutes of the special Council meeting of December 30, 2015 were presented for approval. Mr. Arnold moved to approve the minutes with a second by Mrs. Webb. Five members cast their votes Aye, zero Nay, two Abstain by Mr. Zeiter and Mr. Hess, and the motion passed.

Mr. Collins opened the floor to nominations for Council President Pro Tem. Mr. Arnold nominated Mr. Weidemyre, seconded by Mr. Gallo. Hearing no other nominations, the floor was closed.

Mr. Arnold moved to elect Mr. Weidemyre as Council President Pro Tem. Six members cast their votes Aye, zero Nay, one Abstain by Mr. Weidemyre, and the motion passed.

Mr. Weidemyre moved to appoint Cathy VanAuker as Clerk of Council. Mr. Gallo seconded the motion. Seven members casts their votes Aye, zero Nay, and the motion passed.

Mr. Collins asked if there were any suggestions to the Rules of Council. If not, the Rules, which are in Ordinance form, would remain in effect.

- Mr. Zeiter proposed moving Public Commentary earlier in the meeting. In the past it was after approval of the minutes and he felt it was better to let citizens speak to Council so they would not have to wait through the majority of the meeting.
  - Mr. Weidemyre explained Public Commentary was moved based upon audience feedback who preferred to hear all reports so they would have an opportunity to comment.

## **COMMITTEE REPORTS**

Mr. Arnold scheduled a Personnel Committee of the Whole meeting on January 21, 2015 at 5:45 p.m.

Mr. Weidemyre reported on the Economic Development/Utilities Committee of the Whole meeting held prior to Council. The Committee discussed changes in the zoning and the zoning overlay. The remainder of the meeting was held in executive session.

Mr. Earhart, Mr. Gallo, Mr. Zeiter, Mrs. Webb and Mr. Hess had no report.

## **MAYOR'S REPORT**

Mayor Hutchinson reported:

- The EPA will work with Racer Trust to correct issues with the paperwork they filed, which is still within the specified time period.

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- Richland County is promoting a Spread the Light campaign by encouraging everyone to display blue lights to show support for the first responders of law enforcement, fire fighters and EMT's.
- The poles on the west side of Lex-Springmill cannot withstand the lights so new poles would need installed in their place or on the east side of the street.
- The cost to install lights on Urwin Parkway would be at least \$20,000

Mayor Hutchinson presented the State of the City address.

STATE OF THE CITY  
Ontario, Ohio  
Mayor Randy E. Hutchinson  
January 7, 2016

In looking back at 2015, the City of Ontario can be very proud of what was accomplished. First I want to thank the members of the Ontario City Council. With communication and teamwork we have been able to accomplish a lot in 2015.

The Ontario Division of Police experienced an increase of 5% in calls for service over 2014. Of the 8 major crime types, we saw a reduction in 3 and an increase in 3. The Division is continuing the CALEA Accreditation Process. Chief Rodney Smith stated that they are on schedule to have the process completed this year.

I want to thank all of the citizens that worked on the 4th of July Celebration. We were fortunate to have great weather this year. The weather also cooperated for the Ontario Growth Association event on July 3rd, which was reflected in the large turnout. If anyone wishes to volunteer to help on the 4th of July committee please contact me. I look forward to working with the committee this year.

Janet VanCura, our Recreation Director continues to put on activities all year long for the citizens. Family swim night, Easter egg hunt, summer recreation and honking hauling trucks, are just a few of the great programs she coordinates.

We continued to make several improvements to our infrastructure in 2015. Ferguson Road was widened and the intersection at Lexington-Springmill Road was improved, which will help manage the increased traffic for the new Marriott Extended Stay Hotel. We made several improvements to our parks, which include the addition of a swing set at the baseball complex in Marshall Park. We will also be adding a climbing apparatus to the area of the baseball complex and one at Doris Carr Park. The Maize Memorial Dog Park was opened and has been well received.

Along with the Ontario Growth Corporation we worked hard on attracting new business. Zoning reported that there were a total of 16 new businesses, four new houses, and we only lost 3 businesses. Zoning permit valuations were in excess of \$6,600,000.00. In an effort to be business and citizen friendly, Zoning forms were added to our Website and are available for download.

We were able to hold concerts in the park, which featured the Caffiends, DeVault Ridge Band, Project 116, Semer Brothers, and Wayfarers. A special thanks goes out to all the businesses and citizens that donated to the concerts, without their help the concerts wouldn't be possible.

In April we held our second annual Litter Clean Up day, picking up litter in several areas in the City. This was done with the help of students and staff from the high school, area churches and Key Bank. We also held our second annual beautification contest for residential properties. First place was awarded to Ron and Marge Ridenour of 171 Woodbine Drive. We look forward to continuing these events in 2016.

I would like to recognize all of the employees that work for the City. We have a quality work force, which keeps our City running smoothly, safe, and clean.

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I want to thank Carla Pindel for her many years of service on the Richland Board of Health and Fred Zahn for his many years of service on Ontario Planning Commission.

My Service Safety Director, Jeff Wilson, and I look forward to working with council in 2016. Ontario has a Strong Past and a Bright Future.

Respectfully,  
Mayor Randy E. Hutchinson

**SERVICE-SAFETY DIRECTOR**

Mr. Wilson provided the following report.

Traffic Lights. All traffic lights along the shopping corridor now blink from 10 p.m. to 7 a.m. Please contact him if they are not working properly.

Christmas Tree Pick-up. Two complete rounds have already been made throughout the city and will continue through Friday, January 15<sup>th</sup>.

I & I Project Update. The CCTV work on the 24" line from Home Road to the former GM site is complete. The video was forwarded to Poggemeyer to develop a color-coded CADD map to summarize the findings in a more condensed form.

Water Department By-laws. Council has received the recommended revisions to the Water Department By-laws. Please review the changes and contact Mr. Wilson with any suggestions as soon as possible. Once a final draft is agreed upon, the new By-laws will be in force.

Mr. Wilson said the preliminary feedback on the 24" line did not present any issues.

**LAW DIRECTOR'S REPORT**

Mr. Medwid provided the Mayor's Court annual report.

<u>2015 Mayor's Court</u>	<u>Totals</u>	<u>Change from 2014</u>
Tickets/Summons Issued	1,445	+ 4.5%
Charges Issued	1,818	+ 2.0%
OVI Charges	41	+ 7.9%
Charges Heard In Mayor's Court	1,911	+ 24.4%
Waivers Paid At Clerk's Office	576	< 1.0%

Cases Heard in  
Mansfield Municipal Court

Number of Cases	194	+ 30.2%
OVI Charges	81	+ 88.4%
CRA Felony Cases	8	+ 33.0%
Other Traffic	35	+ 59.0%
Total Criminal	70	- 10.0%

Mr. Medwid stated it has been his goal to retain cases in Ontario. Mansfield Municipal Court oversees our jurisdiction so there are limitations as to what can be heard in Ontario. The Criminal Charges are down 8 charges because the OVI and Other Traffic charges that can be

heard in Ontario can only be heard if the first offense is within the last six years, anything more would be directly filed in Mansfield Municipal Court. There are also certain driving under suspension cases that cannot legally be heard in Ontario and must be transferred. Omitting the cases that can't be heard in Ontario, total criminal cases are down 40% from 2013.

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Mr. Weidemyre commended Mr. Medwid for maintaining as many cases as possible in Ontario and for the money he has saved.

- Mr. Medwid said when a case is transferred to Mansfield, Ontario loses the court costs and fines that we would ordinarily receive. There is a charge by the city of Mansfield for each case that is heard but that number is not received until the end of the year. The Assistant Law Director hears those cases and charges Ontario an hourly rate which is significantly less than what a typical criminal attorney charges.
- Approximately \$15,000 was saved last year compared to the previous Law Director's expenses.

## **OTHER REPORTS**

Ontario Growth Corporation Treasurer Tonya Baird came forward to present their year-end report which she distributed. The Profit & Loss Report shows the 2015 income and expenses.

- Administrative compensation is paid through a temporary service.
- The Director of the Ontario Growth Association is Mr. Weidemyre.
- The expenditures for 2015 exceed the 2015 income but OGC has carry-over funds.
- The report indicates the Director's salary was paid from city funds but he was paid from a previous donation.
- OGC has a current balance of \$20,000.
- Contributions, aside from city money, are being carried forward to cover expenses.
- The annual Agreement with the city extends from January through December.
- The funds contributed to Concerts in the Park is for paying the bands. OGC is a 501c which is why the donations are setup to process through them.
- Council requested a reconciliation beginning in 2013 to current showing all expenses paid by city funds. Ms. Baird agreed to prepare a report as requested.
- Council would like to ensure the Agreement between the City and OGC is executed as written.

## **MISCELLANEOUS MATTERS**

Two liquor permit requests were submitted by the Ohio Division of Liquor Control.

- 1) Transfer of liquor permit from Johnny Biggs to TGI Fridays.  
The new liquor permit request previously submitted by TGI Fridays will be cancelled.
- 2) Friends Convenient Mart  
Council approved the liquor license transfer request in April 2015 from Friends Food Mart to Friends Convenience Mart. The current request is adding a new member to the permit.

Hearing no objections, the two liquor permit requests will be returned to the Ohio Division of Liquor Control with no hearing requested.

## **PUBLIC COMMENTARY**

Calling twice and hearing no one who wished to speak, the Public Commentary portion of the meeting was closed.

## **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

### **RESOLUTION NO. 16-01**

A RESOLUTION DECLARING THE INTENT OF THE CITY OF ONTARIO TO SELL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES THROUGH AN INTERNET AUCTION DURING CALENDAR YEAR 2016.

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Hearing no motion to suspend the rules requiring the reading of Resolution No. 16-01 on three separate days, Mr. Earhart read Resolution No. 16-01 for the first time, by title only.

## ORDINANCE NO. 16-01

AN ORDINANCE AWARDDING A CONTRACT TO STATEWIDE FORD FOR THE PURCHASE OF TWO 2016 FORD UTILITY INTERCEPTORS AND THE UP FIT EQUIPMENT FOR THE TOTAL SUM OF \$75,782.00 THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the rules requiring the reading of Ordinance No. 16-01 on three separate days. Mr. Arnold seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Arnold read Ordinance No. 16-01 for the first time, by title only.

Mr. Arnold moved to adopt Ordinance No. 16-01. Mrs. Webb seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 16-01 was adopted.

## ORDINANCE NO. 16-02

AN ORDINANCE RENEWING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THIS CITY AND ONTARIO GROWTH CORPORATION, INC. ON THE SAME TERMS AS THE ORIGINAL AGREEMENT, DIRECTING THE MAYOR TO EXECUTE IT ON BEHALF OF THIS CITY, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules reading Ordinance No. 16-02 on three separate days, Mr. Gallo read Ordinance No. 16-02 for the first time, by title only.

## ORDINANCE NO. 16-03

AN ORDINANCE ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR NON-COLLECTIVE BARGAINING UNIT CITY EMPLOYEES, REPEALING ORDINANCE 15-44, AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the rules requiring the reading of Ordinance No. 16-03 on three separate days. Mr. Zeiter seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Zeiter read Ordinance No. 16-03 for the first time, by title only.

Mr. Zeiter moved to adopt Ordinance No. 16-03. Mr. Weidemyre seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 16-03 was adopted.

At 7:50 p.m., Mr. Weidemyre moved to enter into executive session per ORC 121.22(G)(8) to consider confidential information related to the specific business strategy of an applicant for

economic development assistance that involves public infrastructure improvements that are directly related to an economic development project.

At roll call, seven members voted Aye, zero Nay, and the motion passed.

At 8:07 p.m., Mr. Weidemyre moved to reconvene into regular session. Mr. Gallo seconded the motion.

At 8:08 p.m., there being no further business to come before the meeting, the same was

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adjourned upon a motion by Mr. Arnold with a second by Mr. Gallo and the motion passed  
unanimously.

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Larry C. Collins, President of Council

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Cathy VanAuker, Clerk of Council