

Regular

January 21,

2016

Ontario City Council met in regular session on January 21, 2016, 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, 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.

The minutes of the regular Council meeting of January 7, 2016 were presented for approval. Mr. Arnold moved to approve the minutes with a second by Mr. Weidemyre. Seven members cast their votes Aye, zero Nay, and the motion passed.

COMMITTEE REPORTS

Mr. Arnold reported the Personnel Committee met prior to Council in executive session to inform new Council members of the upcoming FOP contract negotiations that will begin later this year.

Mr. Gallo said the Streets Committee met to review the street appropriations and to prioritize the 2016 street paving program. The Committee authorized the Service-Safety Director to obtain paving bids for the recommended streets.

Mr. Zeiter scheduled a Finance Committee meeting for February 4, 2016 at 5:30 p.m. to review the 2016 appropriations in preparation for the permanent budget.

Mr. Weidemyre said the Economic Development Committee met this morning to discuss a potential new business. The Committee recommended preparing legislation for the next meeting pertaining to this business going into a well-head protection area. The Committee also recommended changes to a contract which will be presented at the next Council meeting.

Mr. Arnold suggested the Utilities Committee start discussions soon regarding the Mansfield rate increase that will ultimately affect Ontario's payment. Another topic they need to look at is how the I/I improvements would affect the cost of constructing a smaller treatment plant vs. continuing to make payments to another municipality.

- Mrs. Webb said the EPA encouraged Ontario to continue negotiating with Mansfield.
- Mayor Hutchinson concurred but added the EPA would look at any plans Ontario submits.
- A treatment plant would take 3 – 5 years to build.
- After five years the city can opt out of the contract with Mansfield by giving a one year notification.
- Mr. Gallo said they should prepare a long-term plan.

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

MAYOR'S REPORT

Mayor Hutchinson reported he met with the Regional Development Corp to look at a housing preservation CHIP grant. He was notified that due to the income level, Ontario does not meet the governmental guidelines and therefore does not qualify for a grant.

Mayor Hutchinson acknowledged the passing of Robert Henry for his many years of service to the City of Ontario. Mr. Henry joined Council in 1974 until 1986 when he filled in as Mayor until 1987, then returned to Council until 1989. He also served on the Springfield Fire Department, Police Auxiliary, Sheriff's Department, and was a 61 year member of the Ontario Lion's Club. Mr. Henry donated a lot of time to the community.

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SERVICE-SAFETY DIRECTOR

Mr. Wilson provided the following report.

2015 Cemetery Report. Four of the seven burials last year were on the weekend. The total amount paid for the burials was \$4,135, which is an average of \$590.72 per burial. Twelve lots were sold for \$3,000 and there are approximately 550 lots available. There were three requests for foundation layouts which is required when putting in a headstone or to make a change to an existing lot. The total income received in 2015 was \$7,135.

2015 Contractor's License Report. The city issued 33 contractor license renewals and 45 new licenses in 2015 which generated a fee-based income of \$6,150. Working directly with the General Contractors was beneficial in increasing the number of sub-contractor registration applications. Hopefully, contractors return to Ontario for other jobs and the renewals will be higher than the new applications. So far this year, 24 renewals were issued and 12 new licenses.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

Mr. Weidemyre referenced making zoning changes and creating an Ad Hoc Committee versus paying a firm over \$20,000 for this service. A comprehensive rezone hasn't been done in fifteen years. Mr. Weidemyre asked the Law Director to research how they form the committee.

MISCELLANEOUS MATTERS

The Ohio Division of Liquor Control submitted a liquor permit request to change the name from Pasquale LaSusa to Pappas Gondola. Hearing no objections, the liquor permit request will be returned to the Ohio Division of Liquor Control with no hearing requested.

PUBLIC COMMENTARY

Tom Kososky came forward requesting Council waive the requirement to hook up to city water and sewer on his Boyce Parkway property for the construction of a new home. Mr. Kososky has received approval from the EPA for a well and Richland County Health Department for septic. The city water and sewer lines end before Kingdom Hall and the location of the sewer line is over 600' from where he is going to build

- Mr. Wilson referenced codified ordinance 921.02(b) which states Council may by motion waive the requirements due to the extreme distance of the structure to be served from the nearest city water line is not feasible. The language in the sewer section is close to the same and identifies anything over 100'. Mr. Wilson spoke to the Water and Sewer Department Supervisors who confirmed this is common in this type of situation.
- Mr. Kososky said approval is needed before he can request a zoning permit which is needed to get his building permit.

Mr. Arnold moved to authorize Mr. Kososky to move forward with submitting the appropriate paperwork to the city for review and approval, and waiving the requirement to connect to city water and sewer lines due to the extreme distance between the lines and where he will build his home. Mr. Zeiter seconded the motion. Mr. Zeiter said there was no reason to hold up the construction because everything is mandated through the county. Boyce Parkway is a city street that was barricaded years ago to keep people out because there was nothing on this street. Six members voted Aye, one Nay by Mr. Weidemyre, and the motion passed.

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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/SALE DURING CALENDAR YEAR 2016.

Mr. Zeiter moved to suspend the rules requiring the reading of Resolution No. 16-01 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.

Mayor Hutchinson asked to amend the legislation to include the word ‘sale’ so they can sell items on Craigslist which is not an auction.

Mr. Gallo moved to change the wording in the title to read “INTERNET AUCTION/SALE”. Mr. Arnold seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Hess read Resolution No. 16-01 for the first time, by title only.

Mr. Weidemyre moved to adopt Resolution No. 16-01. Mr. Zeiter seconded the motion. Seven members cast their votes Aye, zero Nay, and Resolution No. 16-01 was adopted, as amended.

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 requiring the reading of Ordinance No. 16-02 on three separate days, Mrs. Webb read Ordinance No. 16-02 for the second time, by title only.

ORDINANCE NO. 16-04

AN ORDINANCE AUTHORIZING THE MAYOR AND SERVICE-SAFETY DIRECTOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 TO THE SEWER AGREEMENT BETWEEN THE CITY OF MANSFIELD AND THE CITY OF ONTARIO DATED JULY 28, 2015, AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the rules requiring the reading of Ordinance No. 16-04 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. Weidemyre read Ordinance No. 16-04 for the first time, by title only.

Mr. Weidemyre moved to adopt Ordinance No. 16-04. Mr. Earhart seconded the motion. Seven members cast their votes Aye, zero Nay, and Ordinance No. 16-04 was adopted, as amended

At 7:36 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 Mr. Gallo and the motion passed unanimously.

Larry C. Collins, President of Council

Cathy VanAuker, Clerk of Council

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