

## Regular

November 2, 2016

Ontario City Council met in regular session on November 2, 2016, in the City Offices, with Council President Larry Collins presiding. The meeting opened at 7:03 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, Daniel Zeiter, Mark Weidemyre, Michele Webb, Leo Hess, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Jeff Wilson, Auditor Mary Ann Hellinger and Clerk of Council Cathy VanAuker.

The minutes of the regular Council meeting of October 16, 2016 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. Arnold, and the motion passed.

### COMMITTEE REPORTS

Mr. Zeiter thanked those involved in preparing the 2017 temporary budget.

Mr. Weidemyre reported the Economic Development Committee met this evening.

- Committee members listened to a request for the rezone of property near the golf course for the construction of condominiums. Further review of the request is needed.
- The representative preparing a marketing video for the city was not able to attend. His presentation will be rescheduled.

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

### MAYOR'S REPORT

Mayor Hutchinson invited Ben Mutti forward to receive a proclamation.

### Pornography Awareness Week

**WHEREAS**, the National White Ribbon Against Pornography (WRAP) Week from October 30<sup>th</sup> to November 5<sup>th</sup> 2016 brings together hundreds of national, state, and local groups, in an effort to educate the public on the harms from pornography; and

**WHEREAS**, the WRAP Campaign began with one woman from Butler, Pennsylvania in 1987 who heard a sermon against pornography and decided to mobilize citizens and churches in her community to combat the pornography industry; and

**WHEREAS**, fifty-four experts have concluded that internet pornography can harm women, children, people not immediately connected to consumers of pornography, and lastly, consumers of pornography; and

**WHEREAS**, scientists have found that regularly viewing sexual images could be physically harmful; and

**WHEREAS**, the pornographic industry annually makes more money than the National Football League, the National Basketball Association, and Major League Baseball combined; and

**WHEREAS**, an explicit video sharing internet site reported that in 2015, people around the globe viewed 4,392,486,580 hours of its content equaling 501,425 years; and

**WHEREAS**, due to excessive social costs, the State of Utah has described pornography as “evil, degrading, addictive and harmful” and has officially declared it a public health crisis, one of the two major political parties have also declared pornography a “public health crisis” in its party platform; and

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**WHEREAS**, Americans find pornography “morally unacceptable” by a two-to-one margin according to a 2016 poll conducted by Gallup; and

**WHEREAS**, in response to public requests, corporate giants like McDonalds, Starbucks, and Hilton Hotels now block pornography from their WiFi networks and video on demand

**WHEREAS**, ten municipalities and thirteen townships inside Richland County, Ohio in 2009-2010 passed new restrictive laws regulating business selling pornography that not only provides state indemnification for local governments in the event of litigation, but also include restrictions thru zoning, licensing, isolation distances, and hours of operation; and

**WHEREAS**, area pastors from sixty-six congregations throughout Richland County, Ohio on July 2015 called for a day of prayer, repentance, and fasting from the sin of immorality which includes the use of pornography; and

**WHEREAS**, the City of Ontario, Ohio officially proclaimed “Pornography Awareness Week” in the years of 1992 and 2005.

**THEREFORE**, I, Randy Hutchinson, Mayor of Ontario, do hereby proclaim October 30<sup>th</sup> thru November 5<sup>th</sup> 2016 as Pornography Awareness week.

IN WITNESS WHEREOF, I have hereunto set my  
Hand this second day of November, in the  
year of our Lord Two Thousand Sixteen.

Randy Hutchinson, Mayor

#### **SERVICE-SAFETY DIRECTOR’S REPORT**

Mr. Wilson presented his report during Caucus.

#### **LAW DIRECTOR’S REPORT**

Mr. Medwid had no report.

#### **MISCELLANEOUS**

Greg Timberlake, Dean of Business, Industry and Technology at North Central State College, came forward. Anne Strouth, Police Academy Commander was not able to attend this evening. Dean Timberlake thanked the City of Ontario for their donation of two cruisers to Commander Strouth’s Police Academy program at North Central State College and Criminal Justice. This is one of several programs that Dean Timberlake supervises. Ms. Strouth wanted the city to know this was the first gift of its kind from any entity in the past. The college is very grateful for the community support. They are proud of the cadets they train for the area agencies and the program they offer. Thank you for the gift.

Next to come before Council was Ontario Local Schools Superintendent Lisa Carmicheal to address the Substance Abuse Program. Mrs. Carmicheal introduced Amy Nagel, Substance Abuse Prevention Coordinator, Elaine Surber, Director of Alcohol and Drug Services at Catalyst Life Services and Dr. Bocka, Emergency Room doctor.

- Informational packets were distributed to Council and Administration containing material not only on the Substance Abuse Prevention Program but also on the upcoming school levy, historical enrollment numbers, facts about open enrollment, and the upcoming internet safety for parents presentation.
- Enrollment is the highest in over 30 years.

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- Mrs. Carmichael shared a variety of scenarios that take place at the school and the effects those occurrences have on the students.
- The school is seeking funding from the city to support the Substance Abuse Prevention Program, the need to reinstate this position to full time, and to expand this role to include Social Worker responsibilities.
- The free and reduced lunches at Stingel Elementary has increased over the past eight years from 9% to 51% for the 1,000 students in grades pre-school through Grade 5.
- Families and parental support have changed drastically over the years.
- The guidance counselors serve over 2,100 students but they are very busy with career and college readiness and the initiatives mandated by the state that they don't have time to meet with the students to provide the mental health issues and services.
- Ms. Nagel is part-time but she volunteers a lot of her time to take care of the many students in need. She is involved in numerous school groups and activities.
- The school funds 100% of the salary and benefits for the School Resource Officer during the school year.
- If the Substance Abuse Coordinator was full-time it would increase the amount of much needed services than they are currently able to provide.
- Mrs. Carmichael said she was very proud of the on-going relationship between the school and the city. She is hopeful the city will join in the school efforts to increase the prevention programs so they can take a more proactive approach. It is an investment in our children and our community.
- The request of \$30,000 would pay half of the salary and benefits for this position but any contribution would be appreciated. This request would go into effect for the next school year.

When Mrs. Webb asked what the percentages were of students living in the city and those living in Springfield Township, Mrs. Carmichael said she would find out that information.

Next to come forward was Dr. Joseph Bocka, EMS Director and Medical Director for Mansfield and Springfield Township Fire Departments and emergency physician at Mansfield and Shelby. Last week had the second day this year when there was not an overdose that went to the emergency department; showing the rampant overdose situation in this area. The cost for an inmate at MANCI is \$25,000 per year and if they can get kids before they are close to that it will be cost effective. Anything they can do to prevent this from happening in the school system is helpful so they can have more days without overdoses in the emergency services.

Elaine Surber of Catalyst Services was next to speak to Council on her support to increase funding for the prevention program. She sees the other side, the families and devastation to the communities. Prevention can make a difference and benefit not only the children who help their parents with addiction issues but also build resiliency skills so they don't fall into the same trap as their parents. The more we invest in our children, their families and prevention to deal with their trauma will save lives. You have an opportunity to do that by supporting this program.

In response to Mr. Gallo's question, Mrs. Carmichael said ideally they would like to have a response by March, which is when they are working on their budget for the following school year. Mr. Gallo added, the city's budget process is wrapping up but there is merit in what they are proposing. An excellent point was made to seek partnership from Springfield Township because the school district encompasses more than just the city limits.

Mr. Gallo volunteered to be Council's representative on the School Advisory Board.

## **PUBLIC COMMENTARY**

Craig Hunt, 3680 Park Avenue West, commented on the following:

- They should consider fixing Rudy Road and Lewis Road. Lewis gets a lot more traffic because it is a main cut-through for Fed Ex coming from the west to the east.
- Rudy only got a 4' wide x 60' patch.
- The new Rec Director should be a city resident since it's a city function paid by the city.

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- Ordinance 16-37. He's been to every Planning Commission meeting for a couple of years and he never heard any discussion or explanation on any of the changes, except putting the smooth side of a fence to the outside. He would like to know why things should be changed, what the improvement would do, if it will help anything or if someone just wants to change something.

Mr. Medwid said these were discussed at Planning Commission as part of a large packet and most are to streamline some processes. As an example, Mr. Medwid said there was discussion on the exact definition and paving of driveways.

- Mr. Collins said the Planning Commission reviews items then forwards them to Council with a recommendation.

**PUBLIC HEARING**

At 7:37 p.m., the Public Hearing was opened to amend City Zoning Ordinances for Chapters 521 Health, Safety and Sanitation; 937 Storm Water Management; 1119 Improvements; 1145 General Provisions; 1146 Signs; and 1151 Planning Commission.

Craig Hunt, 3680 Park Avenue West, came before Council to say he had an issue on the proposed fence code. The person filling out the application provides the lot dimensions but most people don't know where their pins are located. If they put their fence up on my property the Zoning Inspector will say he can't do anything, it is a civil matter. Nothing states the lot needs surveyed before putting a fence on the lot line. There should be 3' between the lot line and the fence. The way it is written the fence can be on the line which means the neighbor has to come on your property. If the weeds grow I have to maintain my side of the fence and if neighbors don't get along they aren't allowed on the property but the Zoning Inspector will say it's a civil matter and he doesn't have to do anything. If the fence is broken how are they going to fix it from their side and stain it? They aren't going to take out every slat, spray it and put the slats back. This is a terrible ordinance.

At 7:41 p.m., hearing no one else who wished to speak, the Public Hearing was closed.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS****ORDINANCE NO. 16-37**

AN ORDINANCE AMENDING SECTIONS 521 HEALTH, SAFETY AND SANITATION, 1119 IMPROVEMENTS, 1145 GENERAL PROVISIONS, 1146 SIGNS, 1151 PLANNING COMMISSION, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 16-37 on three separate days, Mr. Earhart read Ordinance No. 16-37 for the first time, by title only.

**ORDINANCE NO. 16-38**

AN ORDINANCE TO CREATE CHAPTER 1354 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO ENTITLED RIPARIAN SETBACK, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 16-38 on three separate days, Mr. Arnold read Ordinance No. 16-38 for the first time, by title only.

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ORDINANCE NO. 16-39

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 937 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO STORM WATER MANAGEMENT ORDINANCE AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 16-39 on three separate days, Mr. Gallo read Ordinance No. 16-39 for the first time, by title only.

ORDINANCE NO. 16-40

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 1353 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO EROSION AND SEDIMENT CONTROL, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the rules requiring the reading of Ordinance No. 16-40 on three separate days, Mr. Zeiter read Ordinance No. 16-40 for the first time, by title only.

ORDINANCE NO. 16-41

AN ORDINANCE ACCEPTING THE IMPROVEMENTS TO GUEST COURT AND FERGUSON ROAD EAST IN THE TRIANGLE DEVELOPMENT TO THE CITY OF ONTARIO AND DECLARING AN EMERGENCY.

Mr. Zeiter moved to suspend the rules requiring the reading of Ordinance No. 16-41 on three separate days. Mr. Weidemyre seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Weidemyre read Ordinance No. 16-41 for the first time, by title only.

Mr. Weidemyre moved to adopt Ordinance No. 16-41. Mr. Zeiter seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 16-41 was adopted.

ORDINANCE NO. 16-42

AN ORDINANCE SETTING NEW WATER RATES IN THE CITY OF ONTARIO FOR PUBLIC SCHOOLS/CHURCHES/RESIDENTIAL CUSTOMERS AND COMMERCIAL/INDUSTRIAL CUSTOMERS BY REPEALING CODIFIED ORDINANCE SECTION 921.01(a)(1), REPEALING ORDINANCE 14-51, AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the rules requiring the reading of Ordinance No. 16-42 on three separate days. Mrs. Webb seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mrs. Webb read Ordinance No. 16-42 for the first time, by title only.

Mrs. Webb moved to adopt Ordinance No. 16-42. Mr. Gallo seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 16-42 was adopted.

ORDINANCE NO. 16-43

AN ORDINANCE SETTING NEW SEWER RATES IN THE CITY OF ONTARIO FOR PUBLIC SCHOOLS/CHURCHES/RESIDENTIAL CUSTOMERS AND COMMERCIAL/INDUSTRIAL CUSTOMERS BY REPEALING CODIFIED

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ORDINANCE SECTION 929.09 - RATES-NONINDUSTRIAL AND INDUSTRIAL  
USERS CLASS, REPEALING ORDINANCES 80-79, 88-69, AND  
16-20, AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the rules requiring the reading of Ordinance No. 16-43 on three separate days. Mrs. Webb seconded the motion. Seven members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Hess read Ordinance No. 16-43 for the first time, by title only.

Mr. Hess moved to adopt Ordinance No. 16-43. Mr. Earhart seconded the motion. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 16-43 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, seconded by Mr. Earhart and the motion passed unanimously.

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Larry C. Collins, President of Council

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Cathy VanAuker, Clerk of Council