

Regular

February 5, 2020

Ontario City Council met in regular session on February 5, 2020, in the Municipal Building, with Council President Pro Tempore Daniel Zeiter presiding. The meeting opened at 7:03 p.m. with the Pledge of Allegiance.

Present during roll call were Council members Ken Earhart, Eddie Gallo, Dan Zeiter, Nathan Sunderland, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Jeff Wilson and Clerk of Council Cathy VanAuker.

Mr. Sunderland moved to excuse Mrs. Webb from this evening's meeting, second by Mr. Earhart. Four members cast their votes Aye, zero Nay, and the motion passed.

Mr. Gallo moved to excuse Mr. Hellinger from this evening's meeting, second by Mr. Earhart. Four members cast their votes Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of January 15, 2020 were presented for approval. Mr. Gallo moved to approve the minutes, second by Mr. Sunderland. Four members cast their votes Aye, zero Nay, and the motion passed.

COMMITTEE REPORTS

Mr. Gallo said an Economic Development executive session would take place as the last item of this evening's meeting.

Mr. Zeiter reported the Finance Committee met this evening to discuss the 2020 permanent budget, which will be prepared for the next meeting on February 19, 2020.

MAYOR'S REPORT

Mayor Hutchinson reported:

- Straw was put down for stabilization along Stumbo Road per EPA rules.
- The CEO of Emerson Corporation sent notification to their world-wide facilities that this location would be known as Emerson - Ontario. They are in the process of redoing their letterhead. Emerson recently held a groundbreaking for their expansion project.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson provided the following report:

Miscellaneous Street Signs. The Street Department has been changing a variety of street signs. Approximately 40 stops signs and several faded speed limit signs have been changed. Please contact him if anyone notices a sign that needs replaced.

Potholes. The warmer days and cold evenings are creating potholes. At least one crew is out every day filling potholes and approximately 14 tons of cold patch has been used. If anyone notices potholes, please contact him.

- The east side of Home Road is Mansfield and the west side is Ontario. When our crews are cold patching and they see a pothole on the east side they patch it. Hopefully, Mansfield would do the same for us.
- Paving Home Road could be a shared project next year with Mansfield.

Salt. Due to the mild winter the salt supply is in very good shape, with approximately 1,800 tons on hand and 900 tons left on the contract to purchase. Both of the new plow trucks were used for salting the roads and all of the trucks and plows are ready when needed.

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Street Paving Bid Opening. The 2020 street paving project bid opening is scheduled for Thursday, February 20th at 11:00 a.m. In addition to the list of streets submitted to the engineer, they hope to pave the parking lot at City Hall.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

MISCELLANEOUS

The Ohio Division of Liquor Control sent notification that Cinemark applied for a liquor permit. Council agreed not to request a hearing with the Division of Liquor Control.

PUBLIC COMMENTARY

Craig Hunt, 3680 Park Avenue West, asked the Law Director if a decision as made on the eligibility of two candidates applying for Council seats.

- Mr. Medwid said he informed the Central Committee the school teacher was eligible but the fire inspector was not eligible because his duties connected with the city was a conflict of interest, unless he resigned the position.

Josh Bradley, 145 Rudy Road, asked Mr. Medwid if there was a way to appeal his decision because he is the fireman whose position is a conflict of interest.

- Mr. Medwid said he would have to go through the court system. Mr. Medwid's response was based on the Ohio Attorney General's opinions and results of court cases from other individuals with similar circumstances. Mr. Bradley would be challenging the law through the courts.

PUBLIC HEARING

At 7:19 p.m., the Public Hearing was opened on Section 1145.11 Fences and Walls.

Craig Hunt, 3680 Park Avenue West, said he didn't feel he was informed enough on what was being presented because things were added and taken out. He asked if the ordinance was publicized.

- Mr. Zeiter said the ordinance on this evening's agenda would have a first reading. It won't be voted on this evening, they will wait until the new members are seated.
- Mr. Hunt said he heard on the radio and saw in the Tribune there was going to be a public hearing on fences.
- Anyone may ask for a copy of the ordinance, it is public record.
- Once the public hearing is published and someone feels they have an interest on the topic, they may contact the city for the more information and speak at the public hearing.
- This public hearing was announced on January 2, 2020.

At 7:24 p.m., hearing no one who wished to speak, the public hearing was closed.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 20-03

AN ORDINANCE ESTABLISHING TERMS AND CONDITIONS OF
EMPLOYMENT FOR NON-COLLECTIVE BARGAINING UNIT CITY

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EMPLOYEES, REPEALING ORDINANCE 19-41, AND DECLARING AN EMERGENCY.

Mr. Earhart moved to suspend the reading of Ordinance No. 20-03 on three separate days, second by Mr. Gallo. Four members cast their votes Aye, zero Nay, and the motion passed. Mr. Earhart read Ordinance No. 20-03 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 20-03, second by Mr. Sunderland. Hearing no discussion, four members cast their votes Aye, zero Nay, and Ordinance No. 20-03 was adopted.

ORDINANCE NO. 20-04

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY, REPEALING ORDINANCE NO. 19-42, AND DECLARING AN EMERGENCY

Mr. Gallo moved to suspend the reading of Ordinance No. 20-04 on three separate days, second by Mr. Earhart. Four members cast their votes Aye, zero Nay, and the motion passed. Mr. Gallo read Ordinance No. 20-04 for the first time, by title only.

Mr. Gallo moved to adopt Ordinance No. 20-04, second by Mr. Earhart. Hearing no discussion, four members cast their votes Aye, zero Nay, and Ordinance No. 20-04 was adopted.

ORDINANCE NO. 20-05

AN ORDINANCE AMENDING SECTION 1145.11 FENCES AND WALLS, AND DECLARING AN EMERGENCY.

Hearing no motion to suspend the reading of Ordinance No. 20-05 on three separate days, Mr. Sunderland read Ordinance No. 20-05 for the first time, by title only.

Mr. Zeiter moved to adopt Ordinance No. 20-05, second by Mr. Sunderland. Hearing no discussion, four members cast their votes Aye, zero Nay, and Ordinance No. 20-05 was adopted.

ORDINANCE NO. 20-06

AN ORDINANCE APPROVING THE EDITION AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF ONTARIO, OHIO, AND DECLARING AN EMERGENCY.

Mr. Earhart moved to suspend the reading of Ordinance No. 20-06 on three separate days, second by Mr. Sunderland. Four members cast their votes Aye, zero Nay, and the motion passed. Mr. Earhart read Ordinance No. 20-06 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 20-06, second by Mr. Gallo. Hearing no discussion, four members cast their votes Aye, zero Nay, and Ordinance No. 20-06 was adopted.

ORDINANCE NO. 20-07

AN ORDINANCE AWARDED A CONTRACT TO SOUTHEASTERN EQUIPMENT COMPANY, INC. FOR THE PURCHASE OF ONE 2019 KOBELCO SK-55SRX-6E MINI EXCAVATOR FOR THE CITY SERVICE DEPARTMENT

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FOR THE TOTAL SUM OF \$65,034.30, REPEALING ORDINANCE NO. 19-33,
AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the reading of Ordinance No. 20-07 on three separate days, second by Mr. Sunderland. Four members cast their votes Aye, zero Nay, and the motion passed. Mr. Gallo read Ordinance No. 20-07 for the first time, by title only.

Mr. Gallo moved to adopt Ordinance No. 20-07, second by Mr. Earhart. Hearing no discussion, four members cast their votes Aye, zero Nay, and Ordinance No. 20-07 was adopted.

At 7:28 p.m., Mr. Gallo moved to enter into executive session per O.R.C. 121.22 (G)(8) to consider confidential information related to marketing plans and specific business strategy of an applicant for economic development assistance and the information is directly related to a request for economic development assistance. Second by Mr. Earhart. At roll call, four members voted Aye, zero Nay, and the motion passed.

At 8:00 p.m. the meeting reconvened into regular session upon a motion by Mr. Gallo and a second by Mr. Earhart.

At 8:01 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Sunderland, second by Mr. Earhart and the motion passed.

Daniel J. Zeiter
President of Council Pro Tempore

Cathy VanAuker, Clerk of Council