

Regular

February 19, 2020

Ontario City Council met in regular session on February 19, 2020, in the Municipal Building, with Council President Jim Hellinger presiding. The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

Mr. Hellinger welcomed new Council members Dave Rehfeldt and Sherry Branham.

Present during roll call were Council members Ken Earhart, Dave Rehfeldt, Eddie Gallo, Dan Zeiter, Sherry Branham, Michele Webb, Nathan Sunderland, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Jeff Wilson, Recreation Director Heather Hendrix and Clerk of Council Cathy VanAuker.

The minutes of the regular Council meeting of February 5, 2020 were presented for approval. Mr. Zeiter moved to approve the minutes, second by Mr. Earhart. Four members cast their votes Aye, three Abstentions by Mr. Rehfeldt, Ms. Branham and Mrs. Webb, zero Nay, and the motion passed.

COMMITTEE REPORTS

Mr. Rehfeldt said he was excited to be on Council. He has a deep love for Ontario and has been doing a lot of things in the community for a lot of years. He would like to see it get bigger and better and be part of the process. He appreciates being here.

Mr. Gallo reminded everyone the Street bid is tomorrow, then they will know the paving project costs for the year.

Mr. Zeiter said at the end of the meeting they will discuss Ordinance No. 20-05 to inform new members on the history of this fence legislation.

Ms. Branham said she was very happy to be on Council and has wanted to be a part of this Council for quite a while. She feels honored to sit with the people who have a lot of years of experience and have cared for this city. We have a great team and, moving forward, hope to be able to agree to disagree, and continue to be a really great team with respect for each other.

Mrs. Webb reported on the Personnel Committee meeting this evening. The Mayor presented updates to the Personnel Policy and Procedure Manual. The Committee approved a motion for the changes.

Mr. Sunderland scheduled a Parks Committee meeting on March 18, 2020 at 6:00 p.m.

MAYOR'S REPORT

Mayor Hutchinson said the Police Banquet was postponed and would be rescheduled at a later date.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson had no report.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

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RECREATION DIRECTOR'S REPORT

Mrs. Hendrix presented the following report:

BABYSITTING CLASS/CPR

A Red Cross Babysitting class was held on December 14, 2019 from noon to 3 pm. The Mansfield YMCA ran the class. They reviewed babysitting practices and first aid. Cost was \$35 for ages 11-15. We had seven participants that completed the class. We are looking at having another class this summer.

ART CLASS

Allison Pence will be conducting an art class on February 23rd 1 to 3 pm. The art project will be spring canvas painting. She will provide instruction and all materials. The class is for adults and students ages 13 and up. Cost will be \$25. Drinks and snacks will be provide. This class may be rescheduled closer to Easter or Mother's Day due to lack or registrations.

SELF DEFENSE CLASS

Reneta and Gary Music will hold a female self-defense class in the community room on Sunday, March 8th, 2020 from 1 to 3:30 pm. This class is for all female juniors and seniors attending Ontario High School. This class will teach skills to help them feel safe on a college campus or when working. Cost is \$30. If successful, I would like to offer it annually to upper class students. We have 15 spots available.

OPEN SWIM

We have had great turn outs at all open swim sessions. We held one in November, one in December and two in January. We will have one in February and two in March. They are on Thursday nights this year from 6:30 to 8 pm. Fliers go home to all students with the dates and times. Announcements are made on Facebook, at the schools and on school websites. 50 plus students have been attending.

CRAFT SHOW

The craft show was held Dec. 7, 2019. We charged \$2 admissions and split it with the Ontario Lions Club. We made \$2,156 each and collected a few boxes of toys for the Ontario police toy drive as well. It was a great day and great turn out! We had a few issues with the facilities at the Fairgrounds, but otherwise everything went well. Special thanks to the Ontario Lions Club for their help taking money, the Fairgrounds Auxiliary for the food, my high school volunteers for helping get lunches for the vendors, and Miss Ontario for helping take money at the door.

SWIM LESSONS

The first and second week of March we are offering swim lessons. Debby Henry is running the lessons and I will have several high school students set up to work with the kids. We offer it to Stingel students in Kindergarten through fifth grade. Registration forms are online. Max will be 25 students and we are completely full.

EASTER EGG HUNT

The Egg Hunt is scheduled for April 4th at noon. I am working on getting volunteers to help stuff the 5,000 eggs. Several school groups will be helping me. Come join us!

SUMMER REC INTERVIEWS

If anyone is interested in helping with Summer Rec interviews, they will be held from 3 to 6 pm on April 2, 2020. Please let me know if you can help. Dates for Summer Rec are June 8th-11th and 15th-18th.

I am looking for instructors, college students or adults, for two of the classes: (1)Arts and Crafts and (2) Science Fun. If anyone knows of someone who might be interested, please contact me.

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GEOCACHE EVENT

Another geocache scavenger hunt will be held May 2nd from 3 to 5 pm at Marshall Park.

LIFEGUARDING

Lifeguarding classes for new lifeguards will be held May 29th, May 31st, June 1st and 2nd.

The recertification class will be on April 19th from 1 to 5 pm. Debby Henry will be teaching these classes. Registration will be online and opening soon for those classes.

COMPUTER REGISTRATION SYSTEM

I set up the pavilions and community room rentals on the camp/class system that I use online. They have a separate account and so far it seems to be working well for everyone.

Mr. Gallo thanked Mrs. Hendrix for all that she does. Mr. Gallo asked if the Craft Show facility issues were resolved, perhaps consideration may need to be given to finding a location in Ontario. Mrs. Hendrix said the issues are a leaky roof and the wi-fi signal causes problems for vendors trying to run their credit card machines. There are 125 vendors, each has a 9' x 10' space.

Mr. Rehfeldt asked what could be done to improve the communication between OYS and the Recreation Department. Both organizations need to work together better on goals, dates, and opportunities. Mrs. Hendrix said she coordinates all dates with Mr. Spencer and they communicate on any questions. She may communicate with Mr. Spencer more than what they did in the past. Mayor Hutchinson said he is in contact a lot with Mr. Spencer and communication overall has improved drastically over the last year.

PUBLIC COMMENTARY

John Bartolucci, 3282 Oakstone Drive, came forward to express his concern on issues involving police misconduct not being addressed appropriately within the City of Ontario Division of Police. It is a public record that currently at least three City of Ontario Division of Police officers are under internal and criminal investigations for misconduct, all from separate, unrelated incidents. It's also public record that currently only one of those officers is off on administrative leave pending the results of those investigations. I bring this to your attention as I have a personal tie with one of those incidents, as my family and I are victims of one of those alleged acts of criminal misconduct that occurred while the officer was on duty last Thursday. The officer in my specific incident was not only not put on administrative leave pending the results of the investigation but instead given a promotion to the position of detective in the Division of Police. I'm not here to discuss the incident in open council but instead requesting that the City of Ontario Council, as well as the citizens of Ontario, demand to know why these incidents and officers are not being dealt with appropriately. I ask that the City of Ontario Council look into this matter and the leaders appointed to addressing them. If anyone has any questions, I would be happy to discuss them in private. Thank you.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 20-05

(SECOND READING) AN ORDINANCE AMENDING SECTION 1145.11 FENCES AND WALLS, AND DECLARING AN EMERGENCY.

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

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RESOLUTION NO. 20-03

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF ONTARIO FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

Mr. Gallo moved to waive the 24-hour rule on Resolution No. 20-03, second by Mr. Zeiter. Seven members cast their votes Aye, zero Nay, and the motion passed.

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

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

ORDINANCE NO. 20-08

AN ORDINANCE ESTABLISHING PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND EXPIRING DECEMBER 31, 2020.

Hearing no motion to suspend the rules reading Ordinance No. 20-08 on three separate days, Mr. Zeiter read Ordinance No. 20-08 for the first time, by title only.

ORDINANCE NO. 20-09

AN ORDINANCE AMENDING THE CITY OF ONTARIO'S PERSONNEL POLICY AND PROCEDURE MANUAL, REPEALING ORDINANCE NO. 17-41, AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the reading of Ordinance No. 20-09 on three separate days, second by Mr. Sunderland. Seven members cast their votes Aye, zero Nay, and the motion passed. Mrs. Webb read Ordinance No. 20-09 for the first time, by title only.

Mrs. Webb moved to adopt Ordinance No. 20-09, second by Mr. Gallo. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 20-09 was adopted.

Discussion on Ordinance No. 20-05.

Mr. Zeiter explained to the new members the history leading up to this Ordinance being placed on the agenda. Copies of the original fence code and the discussion at recent Planning Commission minutes were provided. Council members have different opinions and the consensus was to wait until the new members were in place. This code was talked about over a year ago, tabled and brought back. It isn't any different than the original code that allows a resident to obtain a fence permit to construct a fence no higher than 6' that could be placed on the property line. Property pins aren't always accurate.

Mr. Zeiter said a resident can't maintain a fence on the property line without going on the neighbor's property, which may not always be acceptable. To avoid this issue, he proposed a fence be 3' off the property line, which would allow maintenance to be done without going on

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the neighbor's property. If neighbors agree to share a fence on the property line, or if someone wants a fence less than 3' off the property line, they would need to take proper documentation to the court house and have it added to the property deed, provide a copy to the city, and then the fence could be placed on the property line.

Mrs. Webb said, if there was a dispute over the property line, that dispute would still be there when deciding a 3' location. Using the proposed guidelines, the person who doesn't get along with their neighbor can put up a fence right away, but neighbors who get along have to jump through hoops to share a fence. If both neighbors build a fence 3' from the property line it creates a 6' gap and the grass between the fences probably won't get mowed each week because they don't see what's on the other side of their fence. Mrs. Webb felt they should leave it alone.

Mr. Gallo said there could be issues either way on how it would affect people. They just need to make a decision and if they make amendments they should be done so the legislation doesn't have to be tabled again.

At 7:37 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Sunderland, second by Mrs. Webb and the motion passed.

Daniel J. Zeiter
President of Council Pro Tempore

Cathy VanAuker, Clerk of Council