

Regular

May 2, 2018

Ontario City Council met in regular session on May 2, 2018, in the Municipal Building, with Council President Jim Hellinger presiding. The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

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

Mr. Sunderland moved to excuse Larry Arnold from this evening's meeting, seconded by Mrs. Webb. Six members cast their votes Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of April 18, 2018 were presented for approval. Mr. Weidemyre moved to approve the minutes, second by Mr. Zeiter. Six members cast their votes Aye, zero Nay, and the motion passed.

COMMITTEE REPORTS

Mr. Earhart reported the Utilities Committee met this evening to discuss the electricity cost reduction proposal for changing can lights to LED lights. The cost would be reduced by 1.36 cents per kilowatt hour resulting in a savings of over \$60,000 through May 2023. CCG Automation provided the proposal for lighting upgrades in the municipal and service buildings that would provide an annual energy savings of \$12,000.

Mr. Earhart moved to authorize the Service-Safety Director to enter into an agreement with CCG Automation, Inc. for their proposal M18603BW, lighting upgrades for the municipal building and service buildings. Mr. Gallo seconded the motion. Six members cast their votes Aye, zero Nay, and the motion passed.

Mrs. Webb reminded Council members of the Safety Committee of the Whole meeting to be held in executive session at the Service Building on May 24th at 5:30 p.m.

Mr. Zeiter scheduled a Finance Committee meeting on May 16, 2018 at 5:30 p.m.

MAYOR'S REPORT

Mayor Hutchinson reported:

- In honor of Arbor Day a tree was planted at the Marshall Park Playscape on April 27th and a Proclamation was read. (Proclamation is attached to these minutes.)

Members of the Harry Ziegler family came forward, his daughter Joyce and her husband Bernie Webb, and grandson Michael McLaughlin, for the renaming of Marshall Park Pavilion #1 to the Harry G. Ziegler Pavilion. Mr. Ziegler was the first Clerk-Treasurer from 1958 – 1972 and was on the organizing committee for the Village.

ORDINANCE NO. 18-20 – AN ORDINANCE RENAMING PAVILION #1 IN MARSHALL PARK TO HARRY G. ZIEGLER PAVILION.

Mr. Weidemyre moved to suspend the reading of Ordinance No. 18-20 on three separate days, second by Mrs. Webb. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Weidemyre read Ordinance No. 18-20 for the first time, by title only.

Mr. Weidemyre moved to adopt Ordinance No. 18-20, second by Mr. Gallo. Hearing no discussion, six members cast their votes Aye, zero Nay, and Ordinance No. 18-20 was adopted.

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SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson presented the following report:

Limb Pick-up Clean-up: The annual spring clean-up of limbs, sticks and debris that accumulated during the winter has been completed. Crews collected 28 loads of debris that was taken to the county compost facility on Cairns Road.

Litter Clean-up: Twenty-five Ontario High School students participated in the litter clean-up last Thursday. They collected 57 bags of trash in areas along Lex-Springmill Road.

- Appreciation was extended to Custodian Jason Hriesik, Recreation Director Heather Hendrix, Zoning Inspector Dan Herrold and Mayor Randy Hutchinson for working with the student groups.

Stowell Sidewalk Project: Installation of sidewalks should begin next week. When the project is completed city crews will finish the removal of the angled drive from Ferguson Road to the upper parking area.

Traffic Signal Upgrade: Greenwich Electric began Monday working on the signal head replacement project. The Park Avenue/Lex-Springmill intersection was completed and by the end of the week all work should be finished, which includes intersections at Walmart/Lex-Springmill, Stumbo/Lex-Springmill, Springfield Square/Lex-Springfield and SR 309/Lex-Springmill.

Mr. Gallo said he received positive feedback about Officer Elijah Finley for spending time with the neighborhood children. That positive feedback also extended to the entire Police Department.

LAW DIRECTOR'S REPORT

Mr. Medwid addressed his previous request for a video and computer system in the Council Chambers/Court Room. Informational packets were distributed for a projector and laptop with a combined cost of approximately \$800 - \$1,000, wiring is the variable cost. The total expense for these items would be shared between several departmental funds. The equipment would be stored in a locked cabinet in the Council Chambers and would accommodate anyone making a presentation the ability to plug their own laptop into the projector. This would benefit Court, Council and Planning Commission.

The Video Service Fee ordinance follows ORC 1332.20 – 1332.34. Video service providers are required to make a payment to that municipality and it doesn't look like the city could waive the fee. ORC 1332.32 states, "a video service provider shall pay a video service provider fee to each municipal corporation and each township in which it offers video service".

- Mr. Weidemyre thought there was a license agreement allowing them to operate in the city.
- When Mr. Zeiter asked who sets the amount, Mr. Medwid said the fee is a calculation in the ORC based on the gross revenue and percentage. It is possible to audit the amount being paid to the municipality.
- Mr. Gallo asked if there was something the city could do on behalf of the citizens.
- Mayor Hutchinson said the fee was for using the utility poles. Dish Network and others that are similar to Dish don't use the infrastructure or poles. The franchise fee is for them to use the poles and go into the right-of-way to maintain their lines. It doesn't control how much they charge or how much they will charge. The fee can be set up to 5%.

Mr. Zeiter moved that Council use the Council Sundry to pay half of the cost to install the new projector and laptop in the Council Chambers. Mr. Gallo seconded the motion. Six members voted Aye, zero Nay, and the motion passed.

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PUBLIC COMMENTARY

Craig Hunt, 3680 Park Avenue West, came forward to ask the Law Director if he checked into the golf cart ordinance.

- Mr. Medwid said the Ohio Administrative Code has requirements that he will include in the city ordinance for the next meeting.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 18-06 – A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION’S ROAD SALT PROGRAM FOR THE AWARD OF ROAD SALT NEEDED DURING 2018 AND 2019 AND DECLARING AN EMERGENCY.

Mr. Gallo moved to suspend the reading of Resolution No. 18-06 on three separate days, second by Mr. Earhart. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Gallo read Resolution No. 18-06 for the first time, by title only.

Mr. Gallo moved to adopt Resolution No. 18-06, second by Mr. Earhart. Hearing no discussion, six members cast their votes Aye, zero Nay, and Resolution No. 18-06 was adopted.

ORDINANCE NO. 18-21 – AN ORDINANCE IMPOSING A SIX (6) MONTH MORATORIUM ON THE ACCEPTANCE, CONSIDERATION AND/OR GRANTING OF ANY APPLICATIONS FOR LOCAL LICENSING APPROVAL, AND/OR ANY ZONING, OCCUPANCY, OR OTHER PERMITS RELATING TO CULTIVATORS, PROCESSORS OR RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Zeiter moved to suspend the reading of Ordinance No. 18-21 on three separate days, second by Mr. Weidemyre. Five members cast their votes Aye, one Nay by Mrs. Webb, and the motion failed. Mr. Zeiter read Ordinance No. 18-21 for the first time, by title only.

At 7:29 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Sunderland, seconded by Mr. Weidemyre and the motion passed unanimously.

James A. Hellinger, President of Council

Cathy VanAuker, Clerk of Council

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CELEBRATE ARBOR DAY

In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Randy E. Hutchinson, Mayor of the City of Ontario, Ohio, do hereby proclaim April 27, 2018 as

ARBOR DAY

In the City of Ontario, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Ontario to be affixed this 27th day of April, in the year of our Lord Two Thousand and Eighteen.

Randy E. Hutchinson, Mayor