

Regular

November 6, 2019

Ontario City Council met in regular session on November 6, 2019, 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, Larry Arnold, 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.

The minutes of the regular Council meeting of October 16, 2019 were presented for approval. Mr. Weidemyre moved to approve the minutes, second by Mr. Earhart. Six members cast their votes Aye, zero Nay, one Abstain by Mr. Gallo and the motion passed.

COMMITTEE REPORTS

Mr. Gallo scheduled a Streets Committee meeting on November 20, 2019 at 6:00 p.m.

Mr. Weidemyre reported that during the Economic Development Committee meeting representatives from Emerson announced a two phase combined expansion of over 20,000 sf that would create more than 20 new jobs and a new product line would be introduced. The remainder of the meeting was held in executive session.

MAYOR'S REPORT

Mayor Hutchinson had no report.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Wilson had no report.

LAW DIRECTOR'S REPORT

Mr. Medwid had no report.

MISCELLANEOUS MATTERS

In response to Mr. Arnold's question on the success of the first Haunted Trail, Mayor Hutchinson said it was very well attended by over 700 people, a couple of hundred went through the early friendly version and the rest came later for the scarier trail. The Recreation Director did a fantastic job and the event was very organized. Mayor Hutchinson thanked the citizens who were involved in the Haunted Trail: Mike Vetter, John Williams, Kevin and Deanna Grube.

Mr. Earhart shared several positive comments he received from residents about the Police Department and Fire Department handing out candy during Trick or Treat.

PUBLIC COMMENTARY

Janice Bowling, 341 N. Ireland Blvd., came before Council to express her concerns on the site for the proposed sewer treatment plant. She read excerpts from the 2000 EPA Report on Bio-solid Waste and Residual Management Facts. Ms. Bowling was in favor of building the plant

Regular

November 6, 2019

but encouraged city officials to find a remote location away from residences and businesses. She toured the wastewater treatment plants at Illinois Avenue and Crestline.

- Mr. Earhart said they recently toured the Sunbury plant that was very close to a residential allotment and the new Big Walnut High School was built adjacent to the plant. There was no odor. La Grange, Ohio has a new style plant and people are building homes next to it. The city would not do anything that would be a detriment to the community.
- Mr. Weidemyre said the EPA noted the plant would improve the quality of water in Touby's Run because the water is stagnant.
- Mayor Hutchinson said the water discharged from the newer plants is clear as drinking water and someone conducting their tour drank it to confirm that point. The plant in La Grange was built in the 1960's and neighborhoods were built next to the fence line of that property. The building where the raw sewage goes into has a reverse ventilation system and there is no odor even if you're standing next to the building.

Next to come forward was Craig Hunt, 3680 Park Avenue West, to ask Council:

1. MS4 – does it allow city employees to go on private property to perform inspections.
 - Mayor Hutchinson said our MS4 allows storm and water inspections during construction.
 - Mr. Medwid said the city has authority to inspect detention ponds but the homeowner is responsible to pay for improvements.
2. Fences
 - Mr. Weidemyre and Mrs. Webb weren't in favor of discussing the topic again.
 - Mr. Zeiter preferred to have another opportunity to discuss 3' from the property line.
 - Mr. Hunt said the President of the Planning Commission has an issue with it so it depends on who you are and where you live.
 - Mr. Arnold has three different fence placement scenarios in his back yard of where neighbor's fences were placed.
 - Mayor Hutchinson said the fence ordinance was discussed a few years ago but could be brought back for a vote.
 - Existing fences would be grandfathered.
 - Mayor Hutchinson said he would take this back to the Planning Commission to discuss the fence section that was removed from a previous zoning ordinance.
3. Streamers
 - The proposed ordinance states 13' high but how many strands are allowed? A business along PAW has 3 strands but one strand should be enough. Several strands makes a lot of noise in the wind.

Next to come forward was Planning Commission Chair Susan Hellinger to say the Planning Commission, as a whole, decided the fence issue didn't need to go any further. Council discussed it in the past, Planning Commission discussed it and felt the rules in place were sufficient and this didn't need to go any further, it wasn't a decision of just the Chair of the Commission. Mrs. Hellinger said she agreed with Mrs. Webb about government intervention, which was one of the reasons Planning Commission decided to let it go, there were already rules in place for fences that seemed to be sufficient. If someone has an issue with the placement of the fence, that's a civil matter and the city shouldn't get involved. If there was a survey, was the survey correct? It's a civil matter between the neighbors.

Regular

November 6, 2019

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 19-10

A RESOLUTION RENAMING PAVILION #3 IN MARSHALL PARK TO EVERETT C. SMITH PAVILION.

Hearing no motion to suspend the reading of Resolution No. 19-10 on three separate days, Mr. Sunderland read Resolution No. 19-10 for the first time, by title only.

RESOLUTION NO. 19-11

A RESOLUTION AUTHORIZING THE SERVICE- SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS AND AWARD A CONTRACT FOR THE 2020 CITY OF ONTARIO PAVING PROGRAM AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the reading of Resolution No. 19-11 on three separate days, second by Mr. Weidemyre. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Gallo read Resolution No. 19-11 for the first time, by title only.

Mr. Gallo moved to adopt Resolution No. 19-11, second by Mr. Arnold. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Resolution No. 19-11 was adopted.

ORDINANCE NO. 19-31

AN ORDINANCE ESTABLISHING TEMPORARY 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 reading of Ordinance No. 19-31 on three separate days, Mr. Zeiter read Ordinance No. 19-31 for the first time, by title only.

ORDINANCE NO. 19-32

AN ORDINANCE AMENDING ORDINANCE 19-06 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2019 BY MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, THE SPECIAL REVENUE FUND, AND THE ENTERPRISE FUND.

Mr. Sunderland moved to suspend the reading of Ordinance No. 19-32 on three separate days, second by Mr. Gallo. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Arnold read Ordinance No. 19-32 for the first time, by title only.

Mr. Arnold moved to adopt Ordinance No. 19-32, second by Mr. Gallo. Hearing no discussion, seven members cast their votes Aye, zero Nay, and Ordinance No. 19-32 was adopted.

At 7:43 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre, second by Mr. Arnold and the motion passed unanimously.

James A. Hellinger, President of Council

Cathy VanAuker, Clerk of Council