

## Regular

July 15, 2020

Ontario City Council met in regular session on July 15, 2020, in the Municipal Building, with Council President Pro Tempore Eddie Gallo presiding. The meeting opened at 7:00 p.m. with the Pledge of Allegiance.

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

Mrs. Webb moved to excuse Mr. Hellinger from this evening's meeting, second by Mr. Sunderland. At roll call, six members voted Aye, zero Nay, and the motion passed.

Ms. Branham moved to excuse Mr. Earhart from this evening's meeting, second by Mrs. Webb. At roll call, six members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of June 17, 2020 were presented for approval. Ms. Branham moved to approve the minutes, second by Mrs. Webb. At roll call, six members voted Aye, zero Nay, and the motion passed.

## COMMITTEE REPORTS

Mr. Rehfeldt reported the Utilities Committee met this evening to discuss preparing a five-year plan for water/sewer lines and a long-term capital improvement plan to handle the needs of the city.

Mr. Sunderland said a combined Safety and Parks Committee meeting will be scheduled soon.

Mr. Gallo announced Charley's Restaurant will be returning to the corner of Lex-Springmill and West 4<sup>th</sup> Street, under corporate management instead of as a franchise store. They are currently working on the interior of the building. This is good news during the current environment that businesses now occupy all four corners of that main intersection.

## MAYOR'S REPORT

Mayor Hutchinson reported:

- Masks will be required at the next meeting.
- A Police Report documented on July 13<sup>th</sup> stated the police were requested to do a smell test at the pig farm on Mabee Road. An odor was detected. The farm owners are raising pigs again, but per our city ordinance, they are allowed to have pigs. The report did not indicate who requested the test, but neighbors have complained in the past about the odor.
  - Planning Commission discussed a request to lower the 3-acre requirement for farm animals, specifically chickens. Planning Commission was not in favor of changing the code.
- The fence ordinance was discussed at Planning Commission last fall, they sent it to Council who returned it to Planning Commission. Commission members decided to leave the ordinance as stands. Council tabled the ordinance and any further discussion would be addressed by the Economic Development Committee.
- CARES Act legislation will be prepared for the next meeting so it will be in place in case the city decides to file for reimbursement.
- Someone contacted him about purchasing the city property across from the Warrior to build a house. This vacant lot was originally part of the parks master plan and could eventually be used as another park entrance.
  - If the city decides to sell this land it would need placed on the market and not sold directly to an interested party.

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- This parcel was never intended to be used as part of the farmland that is leased. The existing farmland will be kept and is currently being leased.
- Creating a driveway would be expensive and would need angled around the detention pond.
- If sold, the walking trail and disc golf course would be eliminated.
- The property has approximately one acre, zoned Business.
- Several members expressed they were not in favor of selling the parcel as Residential because it would be worth more as a Business property.
- Mayor Hutchinson will let them know the city is not interested in selling the property, but if they did, it would be sold as a Business lot.

**SERVICE-SAFETY DIRECTOR'S REPORT**

Mr. Wilson reported.

- Shelley & Sands will begin the street paving project on Friday. Park Avenue West is a different project.
- The ODOT paving project on Park Avenue West will begin in about a week. The culvert near the car wash had to be completed prior to paving, which will begin at Home Road and end at St Rt 314.
- Two permanent pickle ball courts were painted on the tennis courts in the spring and the temporary nets are up. This area gets used continuously, leagues were formed, and a tournament may be organized. Due to the success of this activity they will look for a larger area as a permanent location.
- Winter road salt pricing came in from ODOT at \$55.96 per ton, last year's price was \$83.52 per ton.

**LAW DIRECTOR'S REPORT**

Mr. Medwid had no report.

**PUBLIC COMMENTARY**

Larry Collins, 130 Hazel Drive, came forward to express his concerns pertaining to the location of the proposed wastewater treatment plant. Most people in the area probably aren't aware of the plan and their property value would be affected. The plant would affect from Home Road to PAW to Lex-Springmill to W. 4<sup>th</sup> Street. Mr. Collins said he would be able to look out his kitchen window and see the plant. Sewer plants are normally located on the outskirts of town or an open field, away from homes and businesses. Professionals told him there would be a smell on hot summer days or when the plant broke down. Citizens were not given the opportunity to give their opinion on the location or if there was a need for a sewer plant. Mr. Collins said they should be very careful about listening to what the design company was telling them and to make sure what they were saying was correct. This area floods during hard rains. He urged Administration and Council to reconsider the location and find an area where neighbors and businesses would not be impacted. Also, they should discuss if Ontario really needs a sewage treatment plant because Mansfield has a lot of capacity to accept what we are sending them. He does not support this because it is in his back yard.

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Craig Hunt, 3680 Park Avenue West, came forward to remind Council that Ordinance 20-05, Fences and Walls, was tabled during the March 4<sup>th</sup> meeting. More clarification was needed on which side of the fence faced the neighbor, fence maintenance, and placement either on the property line or offset. This is a 4<sup>th</sup> Ward problem and he would like to see it move forward.

**PUBLIC HEARING**

At 7:32 p.m., Mr. Gallo opened the public hearing on the 2021 Tax Revenue Budget. No signatures were on the sign-in sheet, calling twice and hearing no one who wished to speak, the public hearing was closed at 7:33 p.m.

**CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

## RESOLUTION NO. 20-09

A RESOLUTION ADOPTING THE TAX REVENUE BUDGET FOR THE CITY OF ONTARIO FOR THE FISCAL YEAR 2021, AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the reading of Resolution No. 20-09 on three separate days, second by Mr. Bradley. At roll call, six members voted Aye, zero Nay, and the motion passed. Mr. Rehfeldt read Resolution No. 20-09 for the first time, by title only.

Mr. Rehfeldt moved to adopt Resolution No. 20-09, second by Mr. Sunderland. Hearing no discussion, at roll call six members voted Aye, zero Nay, and Resolution No. 20-09 was adopted.

## ORDINANCE NO. 20-17

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.

Ms. Branham moved to suspend the reading of Ordinance No. 20-17 on three separate days, second by Mrs. Webb. At roll call, six members voted Aye, zero Nay, and the motion passed. Mr. Bradley read Ordinance No. 20-17 for the first time, by title only.

Mr. Bradley moved to adopt Ordinance No. 20-17, second by Ms. Branham. Hearing no discussion, at roll call six members voted Aye, zero Nay, and Ordinance No. 20-17 was adopted.

## ORDINANCE NO. 20-18

AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE AND DIRECTING THE RICHLAND COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS, AND DECLARING AN EMERGENCY.

Mrs. Webb moved to suspend the reading of Ordinance No. 20-18 on three separate days, second by Mr. Sunderland. At roll call, six members voted Aye, zero Nay, and the motion passed. Ms. Branham read Ordinance No. 20-18 for the first time, by title only.

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Mrs. Webb moved to adopt Ordinance No. 20-18, second by Ms. Branham. Hearing no discussion, at roll call six members voted Aye, zero Nay, and Ordinance No. 20-18 was adopted.

At 7:38 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mrs. Webb, second by Mr. Sunderland, and the motion passed.

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Edward Gallo, Council President Pro Tem

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Cathy VanAuker, Clerk of Council