

Regular

December 2, 2020

Ontario City Council met in regular session on December 2, 2020, in the Municipal Building, with Council President Pro Tempore Eddie Gallo 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, Dave Rehfeldt, Josh Bradley, Sherry Branham (via phone), Michele Webb (via phone) and Nathan Sunderland (via phone), Service-Safety Director Jeff Wilson and Clerk of Council Cathy VanAuker.

The minutes of the regular Council meeting of November 18, 2020 were presented for approval. Mr. Earhart moved to approve the minutes, second by Ms. Branham. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed.

COMMITTEE REPORTS

No reports.

SERVICE SAFETY DIRECTOR'S REPORT

Mr. Wilson had no report.

MISCELLANEOUS MATTERS

On Friday, the City Building will be closed due to work on the water lines. Phones will be answered for anyone needing assistance.

PUBLIC COMMENTARY

Seeing no one who wished to speak, Public Commentary was closed.

PUBLIC HEARING

At 7:07 p.m., the second public hearing for the Natural Gas Aggregation Plan of Operation and Governance was opened.

At 7:08 p.m., seeing no signatures on the sign-in sheet or hearing anyone who wished to speak, the public hearing was closed.

At 7:08 p.m., the public hearing was opened for amending Zoning Section 1145.10, Family Swimming Pools.

At 7:08 p.m., seeing no signatures on the sign-in sheet or hearing anyone who wished to speak, the public hearing was closed.

At 7:09 p.m. the public hearing was opened for the rezone of 897 and 903 Tanglewood Drive from R-2 to R-3 Residential.

Michael Stransky, 880 Randalwood Drive, came forward to voice his concerns and ask why this wasn't a variance instead of a rezone because this is a spot rezone. An R-3 allows apartments and three-story buildings, which is different than what is in this neighborhood. Mr. Stransky said the upkeep of the lawns to the existing units hasn't been maintained. Mr. Stransky is against the R-3 rezone but he does not have an issue with the construction of a triplex.

Regular

December 2, 2020

- Mr. Wilson said the Law Director determined this should be a rezone and not a variance.

Joel Fox, Seigneur Fox Construction, feels he is adding value and not taking value away. Across the street is R-2. His request is going from a duplex on each lot, for a total of four units to one triplex, which is one less unit. There is multi-family across the street from this location and all down the street, so this wouldn't be decreasing value. Lawns are the last thing they do after a building is done, the two completed buildings have grass and landscaping. When the first building was finished the rental market was very strong, which is why they rented those units. The second building was sold, and the third building will be sold when it is done. Mr. Fox said he has no intention of building a multi-family structure, other than the three units. He tries to maintain consistency with all of the condos.

At 7:24 p.m., the public hearing for the rezone of 897 and 903 Tanglewood was closed.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 20-28

AN ORDINANCE ESTABLISHING THE JOB DESCRIPTION FOR OFFICE PERSONNEL, DISSOLVING THE JOB DESCRIPTION FOR SECRETARY, REVISING THE ORGANIZATIONAL STRUCTURE OF THE ADMINISTRATION, AMENDING ORDINANCE 17-11, AND DECLARING AN EMERGENCY.

Mr. Rehfeldt moved to suspend the reading of Ordinance No. 20-28 on three separate days, second by Mr. Earhart. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Earhart read Ordinance No. 20-28 for the second time, by title only.

Mr. Earhart moved to adopt Ordinance No. 20-28, second by Mr. Rehfeldt. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-28 was adopted.

ORDINANCE NO. 20-29

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021 AND EXPIRING DECEMBER 31, 2021.

Mr. Earhart moved to suspend the reading of Ordinance No. 20-29 on three separate days, second by Mr. Rehfeldt. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Rehfeldt read Ordinance No. 20-29 for the second time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 20-29, second by Mr. Bradley. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-29 was adopted.

RESOLUTION NO. 20-15

A RESOLUTION AUTHORIZING THE SERVICE- SAFETY DIRECTOR TO ADVERTISE FOR COMPETITIVE BIDS AND AWARD A CONTRACT FOR THE 2021 CITY OF ONTARIO PAVING PROGRAM AND DECLARING AN EMERGENCY.

Regular

December 2, 2020

Mr. Earhart moved to suspend the reading of Resolution No. 20-15 on three separate days, second by Mr. Bradley. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Bradley read Resolution No. 20-15 for the first time, by title only.

Mr. Bradley moved to adopt Resolution No. 20-15, second by Mr. Earhart. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Resolution No. 20-15 was adopted.

RESOLUTION NO. 20-16

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE FOR BIDS AND AWARD CONTRACTS FOR VARIOUS MATERIALS AND SERVICES NEEDED DURING THE YEAR 2021 AND DECLARING AN EMERGENCY.

Mr. Bradley moved to suspend the reading of Resolution No. 20-16 on three separate days, second by Ms. Branham. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Earhart read Resolution No. 20-16 for the first time, by title only.

Mr. Earhart moved to adopt Resolution No. 20-16, second by Mr. Rehfeldt. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Resolution No. 20-16 was adopted.

RESOLUTION NO. 20-17

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE REHABILITATION ON U.S. ROUTE 30 UNDER HOME ROAD, IN THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Earhart moved to suspend the reading of Resolution No. 20-17 on three separate days, second by Mr. Bradley. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Rehfeldt read Resolution No. 20-17 for the first time, by title only.

Mr. Rehfeldt moved to adopt Resolution No. 20-17, second by Mr. Sunderland. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Resolution No. 20-17 was adopted.

RESOLUTION NO. 20-18

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM A TRAFFIC SIGNAL AND LIGHTING REPLACEMENT ON STATE ROUTE 314 AT WEST 4TH STREET, IN THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY.

Mr. Earhart moved to suspend the reading of Resolution No. 20-18 on three separate days, second by Mr. Rehfeldt. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Bradley read Resolution No. 20-18 for the first time, by title only.

Mr. Bradley moved to adopt Resolution No. 20-18, second by Mr. Sunderland. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Resolution No. 20-18 was adopted.

Regular

December 2, 2020

ORDINANCE NO. 20-33

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR, OR HIS DESIGNEE (THE CHIEF OF POLICE), TO ACCEPT A DONATION FROM MEIJER FOR A \$700 IN-STORE GIFT CARD, AND DECLARING AN EMERGENCY.

Mr. Bradley moved to suspend the reading of Ordinance No. 20-33 on three separate days, second by Mrs. Webb. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Earhart read Ordinance No. 20-33 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 20-33, second by Mr. Bradley. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-33 was adopted.

ORDINANCE NO. 20-34

AN ORDINANCE ADOPTING THE CITY OF ONTARIO NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Mr. Bradley moved to suspend the reading of Ordinance No. 20-34 on three separate days, second by Mr. Rehfeldt. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Rehfeldt read Ordinance No. 20-34 for the first time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 20-34, second by Mr. Earhart. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-34 was adopted.

ORDINANCE NO. 20-35

AN ORDINANCE AMENDING CHAPTER 1145, GENERAL PROVISIONS, SECTION 1145.10-FAMILY SWIMMING POOLS, AND DECLARING AN EMERGENCY.

Mr. Earhart moved to suspend the reading of Ordinance No. 20-35 on three separate days, second by Mr. Rehfeldt. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Bradley read Ordinance No. 20-35 for the first time, by title only.

Mr. Bradley moved to adopt Ordinance No. 20-35, second by Mr. Rehfeldt. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-35 was adopted.

ORDINANCE NO. 20-36

AN ORDINANCE REZONING 897 TANGLEWOOD DRIVE, PARCEL #038-60-265-11-000 AND 903 TANGLEWOOD DRIVE, PARCEL #038-60-265-14-000, FROM R-2-MEDIUM DENSITY RESIDENTIAL DISTRICT TO R-3-HIGH DENSITY RESIDENTIAL DISTRICT, UPON THE APPLICATION OF SEIGNEUR FOX CONSTRUCTION, LLC.

Regular

December 2, 2020

Mr. Earhart moved to suspend the reading of Ordinance No. 20-36 on three separate days, second by Mr. Bradley. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Earhart read Ordinance No. 20-36 for the first time, by title only.

Mr. Earhart moved to adopt Ordinance No. 20-36, second by Mr. Bradley. Hearing no discussion, four members cast their votes Aye, two members voted Aye, one Abstain (Mr. Sunderland) by roll call, and Ordinance No. 20-36 was adopted.

ORDINANCE NO. 20-37

AN ORDINANCE PROVIDING FOR SUBMITTING QUESTION “SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?”.

Mr. Rehfeldt moved to suspend the reading of Ordinance No. 20-37 on three separate days, second by Mr. Earhart. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Rehfeldt read Ordinance No. 20-37 for the first time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 20-37, second by Mr. Bradley. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-37 was adopted.

ORDINANCE NO. 20-38

ORDINANCE AMENDING ORDINANCE 20-08 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2020 BY MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND, THE SPECIAL REVENUE FUND, THE ENTERPRISE FUND, AND THE INTERNAL SERVICE FUND.

Mr. Rehfeldt moved to suspend the reading of Ordinance No. 20-38 on three separate days, second by Mr. Earhart. Four members cast their votes Aye, three members voted Aye by roll call, and the motion passed. Mr. Bradley read Ordinance No. 20-38 for the first time, by title only.

Mr. Bradley moved to adopt Ordinance No. 20-38, second by Mr. Earhart. Hearing no discussion, four members cast their votes Aye, three members voted Aye by roll call, and Ordinance No. 20-38 was adopted.

Mr. Gallo announced the intention is to cancel the next scheduled Council meeting on December 16th due to the spike in COVID. Council will not meet again in December unless emergency legislation is needed.

At 7:39 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Bradley, second by Ms. Branham, and the motion passed.

Edward J. Gallo, Council President Pro Tem

Cathy VanAuker, Clerk of Council