

Regular

March 16, 2022

Ontario City Council met in regular session on March 16, 2022, in the Municipal Building, with Council President Eddie Gallo presiding. The meeting opened at 7:09 p.m., with the Pledge of Allegiance.

Present during roll call were Council members, Troy Sapp, Dave Rehfeldt, Chad Wilford, Josh Bradley, Sherry Branham, Rose Feagin, Nathan Sunderland, Council President Eddie Gallo, Mayor Randy Hutchinson, Law Director Andrew Medwid, Service-Safety Director Kris Knapp, and Clerk of Council Cathy VanAuker.

The minutes of the regular Council meeting of March 2, 2022 were presented for approval. Hearing no corrections, the minutes were approved as presented.

Mr. Gallo expressed accolades to the 17 Ontario athletes who were MOAC selections for winter sports, State Wrestling Runner-up Jacob Ohl, State Wrestling qualifier Rylie Kleshinski, and last year's State Wrestling Runner-up Ethan Turnbaugh.

At this time, Mayor Hutchinson invited Kyla Spencer to come forward to receive the All-American Soccer Award plaque that will be displayed at the Marshall Park soccer pavilion.

- Kenn Spencer said, Kyla, a high school junior, scored her first goal when she was 5 years old. Kyla is the most decorated female soccer player at Ontario High School and a lot of that credit goes to the community. She is a three-time Player of the Year in the MOAC, three-time All-District, three-time All-Ohio, three-time All-Region and this year, first time All-American, and the first female at Ontario High School to achieve this award. Gage Weaver, who also received the All-American Soccer Award, is also a junior. The things the city and the community are doing in the parks does matter, more than sports, they are changing kid's lives.

Chris Salata, Chief Operating Officer and Jeff Martin, Senior Vice President – Development, for Industrial Commercial Properties, provided an update at the Ontario Commerce Park site.

- The 98,000 sf expansion of the existing building is underway. The Occupancy Permit should be approved this summer.
- ICP is in the process of designing a new speculative industrial facility. An application is in front of Jobs Ohio. OSIP Grants are given by the State of Ohio for speculative sites. The awards for the OSIP Programs are scheduled for June or July. This is the #1 priority project in ICP's portfolio.
 - Construction costs have increased 35% in the last 18 months. Ideally this building will be completed in 2023.
 - The preferred location for the 250,000 – 325,000 sf spec building, with 32' ceilings, is along Stumbo Road, which would preserve the west side of the park.
 - The electrical capacity needs restored with updated infrastructure due to industrial users having high power requirements. The estimated cost is \$3 million.
- The amount of workforce in the area is a concern for some perspective industries.
- The site did not qualify for Brownfield funding from the State because the site is clean and beneath remediation standards. Brownfield funding would have helped with demolition and infrastructure. They are checking with the county for available demolition funds.
- Should the County receive more funding from the State, that could help offset costs related to the concrete slab that is 8"- 12" deep and 125,000 cubic yards. Crushing the entire slab would not fill the pits. That cost is approximately \$5 million.
- ICP will also look into Federal EDA Grants.

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COMMITTEE REPORTS

Mr. Rehfeldt said the Finance Committee met earlier this evening to review the final changes to the permanent budget, which is on this evening's agenda.

Mr. Wilford and Mr. Sunderland announced a combined Parks/Safety Committee of the Whole meeting on March 30, 2022, at 6:00 p.m., at the Service Building.

Mr. Bradley reported on the Economic Development Committee meeting. David Devore of Mammoth Sports Construction and Matt Perry of National Sports Services presented information for an economical multi-purpose stadium.

Mr. Bradley scheduled an Economic Development Committee of the Whole meeting on April 6, 2022 at 5:30 p.m.

Ms. Branham said the Personnel Committee met on Monday in executive session.

MAYOR'S REPORT

Mayor Hutchinson reported:

- The Richland Outreach Center requested holding a non-profit fundraiser at the park with food trucks.
 - Council members were not in favor of non-city sponsored events in the park because the parks are busy every night in the summer. Consideration may be given if they want to be included with a sponsored event.
- The new state law allows fireworks approximately 12 times per year. Some municipalities are restricting these fireworks to specific days.
 - The Safety Committee will meet to prepare a recommendation for Council.
- Street paving includes:
 - Rock Road from Park Avenue to W. 4th Street
 - Lex-Ontario from Park Avenue to the south limits
 - Bemiller Drive
 - Cal Miller Lane from Milligan to the new pavement on Dunlap. The goal is to pave a park area every year.
- The Easter Egg Hunt is April 9, 2022 at noon. The Lions Club will hold an Easter Egg Hunt for the vision impaired at 1:00 p.m., near the basketball court.
- Student interviews for Summer Rec will be on April 7th. Council members should let him know if they would like to help with the interviews. The Summer Rec fee was raised to \$40 due to the increased expenses.

SAFETY DIRECTOR'S REPORT

Mr. Knapp provided the following information:

- Tree limb pick-up will finish this week and will be offered again at the end of April. This early limb pick-up was to clean up from the ice storm.
- The Streets, Water, and Sewer Departments are providing cross training for two hours every Thursday. Employees sign up for the department they would like to learn more about. This training will be beneficial when a department needs additional help. The program is being very well received.
- Maintenance on all outdoor equipment has been updated and ready for spring.

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- Streets are still being patched.
- The walking path is under construction. Asphalt grindings from our street paving projects will be used to create the path.
- Water Department Head Tom Hickman wrote a report that on March 9, 2022, the City of Ontario Water and Distribution Plant had the tri-annual sanitary survey and inspection performed by the Ohio EPA. All aspects of the treatment and distribution were inspected, including record keeping, valve program, back-flow program, all laboratory records, asset management plan, operation maintenance manuals, sampling site plans for several contaminants, daily record keeping, collaboration records and daily log books. The EPA noted the outstanding record keeping and they were extremely impressed with our program. There was only one flaw in the entire inspection, which was in the record keeping, and it was fixed during the inspection. An inspection of the plant was conducted, and the EPA representative stated he has never seen a cleaner plant. The plant is 23 years old. Well houses were inspected and found to be clean. All outside vents and salt tanks were inspected as well as bulk water filling stations. A recommendation of adding an air gap to the bulk water filling station will be provided in their summary, but at the time of their inspections, no violations were found. The water towers were inspected and no violations. The new paint was commended by the EPA at the Denney's and library towers. A summary of the inspection will be provided by the EPA at a future date.
Mr. Knapp commended Water Department Head Tom Hickman.

LAW DIRECTOR'S REPORT

No report.

MISCELLANEOUS MATTERS

Mr. Gallo read the following Notice of Public Hearing:

Notice is hereby given that a public hearing will be held before Council of the City of Ontario, during the regular meeting at 7:00 p.m. on Wednesday, April 20, 2022, at the Ontario Municipal Building, 555 North Stumbo Road, upon two proposals submitted by Menards:

1. Rezone parcel #0386015212006, on Walker Lake Road from Office Service to Business.
2. Amend Section 1137.05(c) Business District Conditionally Permitted Uses: Mini-warehouses.

The Planning Commission does not recommend these proposals. All persons interested in this issue are invited to attend and express their views.

Mr. Bradley moved to accept the recommendation of the two Community Reinvestment Areas (CRA), second by Mr. Rehfeldt. Seven members voted Aye, zero Nay, and the motion passed.

PUBLIC COMMENTARY

Craig Hunt, 3680 Park Avenue West, raised several concerns: (1) Wi-Fi in the Park and security code - OYS is looking for sponsors who will be part of the security code (2) Food Trucks in the park defeats putting money into the park to bring people in the community to support local restaurants (3) Trucks parking behind Pizza Hut – this is a private property issue

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(4) Don't eliminate grass from the park by turning the soccer field near the bandshell into a parking lot, instead, reduce the number of teams attending a tournament.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 22-17

(SECOND READING) AN ORDINANCE ESTABLISHING PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND EXPIRING DECEMBER 31, 2022, AS AMENDED.

Mr. Sunderland moved to suspend the reading of Ordinance No. 22-17 on three separate days, second by Ms. Branham. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Sapp read Ordinance No. 22-17 for the second time, by title only.

Mr. Sapp moved to adopt Ordinance No. 22-17, second by Ms. Branham. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-17 was adopted.

ORDINANCE NO. 22-19

AN ORDINANCE TO IMPLEMENT THE CITY'S 2021 STORM WATER MANAGEMENT PROGRAM AND DECLARING AN EMERGENCY.

Mr. Bradley moved to suspend the reading of Ordinance No. 22-19 on three separate days, second by Mr. Wilford. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Rehfeldt read Ordinance No. 22-19 for the first time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 22-19, second by Mr. Sapp. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-19 was adopted.

ORDINANCE NO. 22-20

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 938 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO ILLICIT DISCHARGE AND CONNECTION STORMWATER REGULATIONS AND DECLARING AN EMERGENCY.

Ms. Feagin moved to suspend the reading of Ordinance No. 22-20 on three separate days, second by Ms. Branham. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Wilford read Ordinance No. 22-20 for the first time, by title only.

Mr. Wilford moved to adopt Ordinance No. 22-20, second by Ms. Branham. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-20 was adopted.

ORDINANCE NO. 22-21

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 1353 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO EROSION AND SEDIMENT CONTROL AND DECLARING AN EMERGENCY.

Mr. Sunderland moved to suspend the reading of Ordinance No. 22-21 on three separate days, second by Mr. Sapp. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Bradley read Ordinance No. 22-21 for the first time, by title only.

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Mr. Bradley moved to adopt Ordinance No. 22-21, second by Mr. Wilford. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-21 was adopted.

ORDINANCE NO. 22-22

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 937 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO STORM WATER MANAGEMENT ORDINANCE AND DECLARING AN EMERGENCY.

Ms. Branham moved to suspend the reading of Ordinance No. 22-22 on three separate days, second by Ms. Feagin. Seven members cast their votes Aye, zero Nay, and the motion passed. Ms. Branham read Ordinance No. 22-22 for the first time, by title only.

Ms. Branham moved to adopt Ordinance No. 22-22, second by Mr. Sapp. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-22 was adopted.

ORDINANCE NO. 22-23

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 1354 OF THE CODIFIED ORDINANCES OF THE CITY OF ONTARIO RIPARIAN AND WETLAND SETBACKS AND DECLARING AN EMERGENCY.

Ms. Branham moved to suspend the reading of Ordinance No. 22-23 on three separate days, second by Mr. Bradley. Seven members cast their votes Aye, zero Nay, and the motion passed. Ms. Feagin read Ordinance No. 22-23 for the first time, by title only.

Ms. Feagin moved to adopt Ordinance No. 22-23, second by Ms. Branham. Seven members cast their votes Aye, zero Nay, and Ordinance No. 22-23 was adopted.

ORDINANCE NO. 22-24

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DYNEGY ENERGY SERVICES EAST, LLC D/B/A DYNEGY ENERGY SERVICES, LLC, AND DECLARING AN EMERGENCY.

Ms. Branham moved to suspend the 24-hour rule on Ordinance No. 22-24, second by Ms. Feagin. Seven members cast their votes Aye, zero Nay, and the motion passed. Mr. Sunderland read Ordinance No. 22-24 for the first time, by title only.

At 8:17 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Ms. Branham, second by Ms. Feagin, and the motion passed.

Edward J. Gallo, President of Council

Cathy VanAuker, Clerk of Council