

Regular

April 20, 2022

Ontario City Council met in regular session on April 20, 2022, in the Municipal Building, with Council President Eddie Gallo presiding. The meeting opened at 7:02 p.m., with the Pledge of Allegiance.

Present during roll call were Council members Troy Sapp, Dave Rehfeldt, Chad Wilford, 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 April 6, 2022 were presented for approval. Hearing no corrections, the minutes were approved as presented.

COMMITTEE REPORTS

Mr. Wilford reminded Council members of the Parks Committee of the Whole meeting on May 4, 2022 at 6:00 p.m.

Ms. Branham scheduled a Personnel Committee meeting on June 1, 2022 at 5:30 p.m.

Ms. Feagin confirmed the Streets Committee of the Whole meeting on May 4, 2022 at 5:30 p.m.

Mr. Sunderland will announce a Safety Committee meeting once a date is confirmed by the Chief.

MAYOR'S REPORT

Mayor Hutchinson said he is receiving complaints about the recycling containers on Elliott Way being used as dumpsters. The Township may have moved their containers to this location because there are now seven containers. The containers are emptied twice a week. Information will be placed on the city's Facebook page.

SERVICE-SAFETY DIRECTOR'S REPORT

Mr. Knapp provided the following update:

- Tree limb pick-up begins Monday, April 25th through Friday, April 29th. Springfield Township residents are inquiring about limb pick-up but this service is for residents inside the city limits.
- Service Department Cross Training is held every Thursday and has transitioned to equipment training on backhoe, track hoe, skid loader and vac truck.
- Electric and Gas Aggregation updates are received weekly from our Broker. Our gas aggregation firm went bankrupt so rates revert to Columbia Gas. Rates will be monitored and once they are acceptable again both electric and gas will be brought before Council.
- All soccer fields were fertilized and the first mowing was completed today. Baseball fields will be fertilized by the beginning of next week.
- Flag banners are being hung along Stumbo Road and Lex-Springmill.
- Demolition of Wilson's gas station on Park Avenue West should begin in the next few weeks, after the final utilities are disconnected.
- Three bids are received for purchases. The city uses approximately 540 vendors, of which 230 are local vendors.

Regular

April 20, 2022

- Students from Ontario High School will participate in trash pick-up on Lex-Springmill and Walker Lake Road along the fence line behind Taco Bell and the Belle Store.
- The new shoring equipment for the Water Department arrived today and some training was offered. This equipment will be beneficial during water breaks.

LAW DIRECTOR'S REPORT

No report.

PUBLIC COMMENTARY

Seeing no one who wished to speak, the Public Commentary portion of the meeting was closed.

PLANNING COMMISSION CHAIR'S REPORT

Planning Commission Chair Susan Hellinger came forward to comment on the rezone request for the property east of Menards on Walker Lake Road from Office Service to Business District. The Commission also received a request by a private citizen on Walker Lake Road to rezone their property to Business, but that matter was tabled by the Planning Commission while Council considers this request from Menards.

Mrs. Hellinger wanted to address Council because citizens would be present who wanted to speak this evening, for or against Menards rezone request. Her understanding is the reason Menards would like the rezone is so they can ask Council to grant a conditional use of the property to allow the construction of storage units. This would be a conditional use allowed in a Business District. It doesn't mean storage units could go in any Business District, that would be at the discretion of Council. Residents adjacent to the Menards property are against the building of storage units because they are concerned about additional traffic entering off Walker Lake Road.

Mrs. Hellinger wanted the residents to understand if no action is taken to the current zoning what type of businesses could be established on the Menards property. Under conditional usage a nursing home or church could be built, creating a lot more traffic. Under the current zoning a medical office, funeral home, doctor's office, veterinary office or farm that could include farm animals, tractors or large equipment going in and out on Walker Lake Road. Farm use could include petting zoos, horse training, dairy cows and goats, which could mean tanker trucks twice per day or a hatchery. The traffic from heavy equipment and trucks is not regulated, nor are employees coming and going, or constant activity 24 hours a day. All of these could be erected on that parcel of property with no change in the zoning. All of these would likely cause much more traffic in and out than storage units.

Council has an obligation to not only address business needs but the public and citizens needs as well. Sometimes, because citizens don't have all of the facts, they might not know what is in their best interest. Mrs. Hellinger wanted the neighboring residents to have a picture of storage units, minimally attended, or a farm, funeral home, or church where traffic may be going in and out.

PUBLIC HEARING

At 7:19 p.m., the public hearing was opened for two requests submitted by Menard, Inc., 5101 Menard Drive, Eau Claire, WI.

1. Rezoning parcel #0385015212006 on Walker Lake Road.
2. Amend Section 1137.05(c) Business District Conditionally Permitted Uses: Mini-warehouses.

Regular

April 20, 2022

Mike Stallings, 1915 Walker Lake Road, said he was against the mini-warehouses going in behind his house because it would reduce his property value, and he doesn't want the view behind his house destroyed. Mr. Stallings has been to other lots where paper was strewn everywhere, the buildings were damaged, and he's heard that people cut the locks then scatter the contents. He asked why Menards doesn't buy all of the houses.

Tyler Edwards, Real Estate Representative for Menard Inc., 5101 Menard Drive, Eau Claire, WI, explained Menards inherited the property behind the store from the original developer when they purchased the land for the store. It's not expensive ground and the lots around them have developed. The land isn't very visible from the highway because of the large detention pond, it is a few hundred feet off Walker Lake Road, and is 5' to 10' lower than the other properties and roadways. The property will not remain vacant forever. Menards decided to convert the property to a Menards self-storage facility. There are approximately 4,000 units across the Midwest in various sizes. The storage units can utilize land that doesn't have the same development potential as surrounding locations.

- Mini-warehouses are not high traffic use.
- The facilities are completely enclosed by the storage buildings. The wall elevation is 8' and the pitch of the roof is 3'.
- The units are secure, requiring a key code to enter the facility, and there are security cameras.
- Menards maintains and runs the facility. Repairs are made and the trash is picked up.
- Being cognizant of the neighbors, the storage units would be 40' from the property line, significantly more than the required code setback of approximately 10'.
- A 4' – 5' berm would extend the entire length with trees and landscaping on top. Due to the land being lower and the additional height of the berm, very little of the storage units would be seen.
- Noise would be minimal.
- Menards has good working relationships with contractors who rent storage units because they don't have an office. Lights are placed under the canopies that can only be seen on the pavement in front of the storage doors.
- Menards security systems monitor the facility 24 hours a day.
- Menards owns the mini-warehouses and will take care of this property just like they take care of their retail store property.

Mr. Edwards responded to questions and comments.

- The detention pond doesn't need expanded because it was sized to include this property.
- Overnight security is monitored by cameras. The only access is with the keycode.
- An entrance to the property that is closer to the highway isn't an option due to the elevation difference. The retail store property is 10' higher and takes up all of the useable space for access. The land closer to St. Rt. 30 belongs to the State of Ohio.
- The exterior of the storage units will be the same architectural steel used on the retail building.
- Three or four Menards employees will be trained to run the facility.
- Menards sent letters to every adjoining property owner prior to the rezone and conditional use requests being presented to Planning Commission at their meeting on March 9, 2022. One resident responded, she didn't want anything developed on the land.
- The plan shows 491 spaces, 453 are enclosed units, with the remaining spaces open parking for boats and trailers.
- Other locations show approximately one tenant every couple of hours, with very little overnight activity. There is rarely a problem. A staff member is available between 8 a.m. – 5 p.m. Someone checks the facility and looks for broken locks every day. Overuse of a key code is monitored and investigated.
- No motor vehicles with gasoline are permitted in the bays and no hazardous materials.
- Property values are based on comparable sales by the county assessor and have nothing to do with adjacent properties. From a real estate perspective, property values are based on the single-family homes sold within a mile of this location, not what's behind them.

Regular

April 20, 2022

- Mr. Edwards was asked to research: (1) using a card or fingerprint for entry to the storage facility instead of key codes because key codes can easily be shared, (2) the possibility of putting up a fence or berm to block traffic and headlights from property owners if the entrance is off Walker Lake Road, and (3) data from other locations on crime, property value decline, and answers to the resident's concerns.

Marc Vanerio, 1883 Walker Lake Road, said his concerns were similar to Mr. Stallings. They purchased the house because of the nice view of the pond and park area. He doesn't feel he would get the same price as when he purchased his home. Increased traffic is a concern with whatever goes on that property. There are a lot of units and if every tenant goes twice a month that's over 1,000 cars going between the houses and that would create a lot of extra traffic on Walker Lake Road. There is always criminal activity at these locations. When Mr. Vanerio said no one would be able to get to the pond, and although that is Menards property, they were under the impression anybody can walk back there and fish, Mr. Edwards said, that would be trespassing. In reference to the 17' building, Mr. Edwards said that is the highest building and it would be on the opposite side of the property. Mr. Vanerio suggested creating a park instead of the storage facility and possibly getting funds from the city. Mr. Vanerio said he wrote his comments on the letter Menards sent and circulated it in the neighborhood, inviting everyone to attend this meeting.

Sergeant Barnhart stated he has been on the police force for twenty years and during that time there have been only three break-ins at the three storage facilities in the city. All were at the units on Park Avenue West because they are open. Vendors keep equipment in storage units but the units on Stumbo Road have never been broken into. During his 13 years on night shift he has seen only a couple of people going to the units at night.

Yuetong Jiong, 1947 Walker Lake Road, said they owned this home before Menards built their store. She showed pictures of their location, the high fence near their property line and the lights at night. When she asked if there would be anything between the entrance and their property, Mr. Edwards responded he would look into it and have an answer by the next meeting. Ms. Jiong said installing a fence or barrier along the entrance would completely surround them with Menards high fence to their left and along the back of their property, and the entrance to the right. Ms. Jiong suggested Menards purchase the homes.

Mr. Edwards said this is the peak of the real estate market. Menards does not need to be the buyer, their houses could be sold before they go on the market or within days. Houses are selling above asking price.

- When asked if Menards purchases additional property to expand their facility, Mr. Edwards said Menards uses the property they own that can't be used for anything else.
- Mr. Edwards said he appreciated the suggestions he received because it gives them something to think about.
- This property has been for sale.

Craig Hunt, 3680 Park Avenue West, asked what was recommended by the Planning Commission.

- Planning Commission held a public hearing and the next step in the process was to go before Council, with or without a recommendation. Mrs. Hellinger spoke this evening and explained the Commission's involvement and their opinions. Council makes the final decision.

Jake and Katie Hamilton, 1803 Walker Lake Road, submitted an email, read by Mr. Gallo, expressing their concerns, if the storage units were built, on increased traffic, attraction of crime, and the decrease home to wildlife.

At 8:24 p.m., the Public Hearing was closed.

Regular

April 20, 2022

CONSIDERATION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 22-26

(SECOND READING) AN ORDINANCE AMENDING CHAPTER 1145, GENERAL PROVISIONS, SECTION 1145.09-EXTERIOR LIGHTING, AND DECLARING AN EMERGENCY.

Mr. Sunderland moved to suspend the reading of Ordinance No. 22-26 on three separate days, second by Mr. Rehfeldt. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Rehfeldt read Ordinance No. 22-26 for the second time, by title only.

Mr. Sunderland moved to adopt Ordinance No. 22-26, second by Mr. Rehfeldt. Six members cast their votes Aye, zero Nay, and Ordinance No. 22-26 was adopted.

ORDINANCE NO. 22-27

AN ORDINANCE REZONING PARCEL # 038-60-152-12-006 ON WALKER LAKE ROAD FROM OS-OFFICE SERVICE DISTRICT TO B - BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.

Ms. Branham read Ordinance No. 22-27 for the first time, by title only.

At 8:27 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Ms. Branham, second by Mr. Wilford.

Edward J. Gallo, President of Council

Cathy VanAuker, Clerk of Council