

## Regular

August 16, 2023

Ontario City Council met in regular session on August 16, 2023, in the Municipal Building with Council President Eddie Gallo presiding. The meeting opened at 7:07 p.m., with the Pledge of Allegiance. President Gallo introduced Ontario Police Officer Rod Roose, who is being honored tonight, to lead the Pledge of Allegiance.

Present during roll call were Council members Troy Sapp, Dave Rehfeldt, Kyle Webb, Josh Bradley, 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 August 2, 2023 were presented for approval. Hearing no corrections, the minutes were approved as presented.

Chief Tom Hill invited Officer Dylan Bailey and Officer Rod Roose to come forward to commemorate their heroic efforts in the community for public safety. Officer Bailey saved the life of a person in crisis who was on the side of a bridge. Officer Bailey was able to get the man off the bridge and get him the help he needed. Officer Roose saved the life of a child, who had a ball stuck in his throat, by using the LifeVac device.

The local Crisis Intervention phone number is 419-522-HELP (4357).

The nation-wide Suicide Prevention line is 988 on a cell phone, or text 988.

LifeVac offers free lifetime replacements on their used devices. The department embroidered the unit number and date of the save on the back of Officer Roose's hat from LifeVac. LifeVac president, and part-time EMT, Michael Plunkett of South Carolina, thanked Officer Roose for his efforts.

Greg Boyce and Brian Souder of Modern Woodmen of American came forward to honor both Officer Bailey and Officer Roose as Hometown Heros. To show their appreciation, wood-engraved plaques were presented to each officer, and a donation, on behalf of each of them, will be made to the local charity of their choice.

Chief Hill honored Officer Roose for another lifesaving moment, when a motorcycle accident caused a life-threatening leg injury and he applied a tourniquet that saved the man's life.

Chief Hill thanked Council for everything they do for the police department, the Auditor's office, and the Ontario community because they are one of the most supportive communities in Ohio.

## COMMITTEE REPORTS

Mr. Rehfeldt scheduled a Finance Committee meeting on September 6, 2023 at 6:00 p.m.

Mr. Webb reported on the Utilities Committee meeting held earlier this evening.

- Updates were provided on the Water Line Project and Valve Replacement Project on Lex-Springmill, at a cost of \$910,000 with a \$150,000 grant from OPWC. This project is waiting on EPA approval. If possible, materials will be purchased first to reduce the cost of the project.
- The Spring Village Lane Water Line Project for \$819,000 wasn't budgeted and will take several months to complete.
- The EPA needs more information on the Home Road connection.
- No major issues were discovered during the recent smoke testing.

Mr. Sunderland provided an update from this evening's Safety Committee meeting.

- Changes will be made to the Civil Emergencies code to include the approval of the Council President or Law Director, along with the Mayor, to declare a city-wide emergency.

Regular

August 16, 2023

- The Committee approved a motion to purchase security cameras from Schmidt Security, in an amount up to \$45,000, for upgrades in the city building.
- Discussion for a police shooting range will continue at another time.
- The Chief of Police reported the Flock camera system has assisted law enforcement with the arrest of a murder suspect, locating several stolen vehicles, apprehending wanted suspects, and drug arrests. This system has been a huge attribute to the department.

Mr. Rehfeldt said the Personnel Committee met in executive session earlier this week to discuss several issues.

### **MAYOR'S REPORT**

No report.

### **SERVICE-SAFETY DIRECTOR'S REPORT**

No report.

In response to Mr. Sunderland's question pertaining to the purchase of salt, Director Knapp responded the salt shed is completely full and maintenance is almost completed on the plow equipment. On Monday, the company will begin putting the roof on the new salt shed, this should take a couple of weeks to complete.

### **LAW DIRECTOR'S REPORT**

No report.

### **PUBLIC COMMENTARY**

Marc Vanerio came forward to speak on behalf of Ashland and Irene Butcher of 1815 Walker Lake Road, and read from a prepared statement. They own 6.2 acres east of Menards from Walker Lake Road extending south to almost St Rt 30. On August 7, 2023, a heavy rain brought water from the Menards property and extremely high piles of dirt which overflowed into part of their front and lower line, and about 200 yards into their wooded area. Some of the dirt piles look 3 or 4 stories high. On August 10, 2023, they asked Troy Brighten, Project Manager for the Menard's project, to look at the overflow onto their property. It is still unclear how they plan to keep the water out permanently. As long as there are extremely high piles of dirt, water is going to run off of it and they don't want it overflowing onto the property. They want the Ontario officials to be aware of the problem. This has been very stressful and they have left an ugly eyesore at their front and back door and could ruin the value of their property. Ontario officials should see this and make sure it is permanently corrected so it doesn't continue in the future.

- Director Knapp said over three weeks ago he went with the city engineer from K.E. McCartney and they shut down Menards construction due to EPA stormwater regulations. Menards is not allowed to do any building or construction until the EPA stormwater management is completed to the engineer's specifications. As of this week, Menards is still not doing any construction. Either the Zoning Inspector or the Director are at the site every day to ensure they are not working. There has been no response from Menards or update on the stormwater management.
- President Gallo said the city would follow-up, and that he and the Zoning Inspector will be in contact with Mr. and Mrs. Butcher.

Regular

August 16, 2023

Marc Vanerio, 1883 Walker Lake Road, asked if a stop light was planned at Spring Village Lane and Walker Lake Road.

- Mayor Hutchinson said a traffic study is being done but nothing has been mentioned about a traffic light.
- No building plans have been submitted for that area.

## **PUBLIC HEARING**

At 7:40 p.m., the public hearing was opened on the rezone of 12 parcels from 1943 – 2103 Park Avenue West, from Office Service to Business.

Ruth Stevens-Reedy, 1865 Park Avenue West, asked how they can make a decision to approve the rezone if they don't have any information on the type of business or number of employees that will go in there. This is supposed to be a residential area, but once it's rezoned Business it can be anything. She would like to leave it the way it is.

Janine Caico, 75 Bethel Lane, was pleased with the potential rezone and the opportunity for improvement to the 20-year eyesore of the abandoned church. There are several existing businesses along Park Avenue, which is not all residential. She is in favor of anything Mr. Niss would like to do in that building, anything would be an improvement, and based on his reputation throughout the area, he doesn't build anything that isn't a benefit for the community. She understands Council wasn't in a position to do anything with the property but she is thrilled it was purchased by Mr. Niss and can't wait to see what he does with it.

Bud Vetter, 70 Park Avenue West, representing Dan and Brenda Niss, the new owners of the abandoned church property. Mr. Niss is a great community citizen. He does fantastic projects and doesn't do them all for profit, but because it's the right thing to do. Office Service doesn't work for the types of things they are looking at but they can't move forward until they have the proper zoning. Currently, the building has been secured, the property mowed, and the citations are being addressed. There will be a large investment because the water and sewer hook-ups are not in place. This is a fantastic structure, and he will do his best to protect the neighbors and do what is required by the Planning Commission.

At 7:52 p.m., hearing no one else who wished to speak, the public hearing was closed.

## **CONSIDERATION OF ORDINANCES AND RESOLUTION**

### **ORDINANCE NO. 23-11**

(SECOND READING) AN ORDINANCE AMENDING CHAPTER 1145- GENERAL PROVISIONS, SECTION 18- OFF-STREET PARKING REQUIREMENTS, SUBPARAGRAPH (G), AND DECLARING AN EMERGENCY.

Mr. Webb read Ordinance No. 23-11 for the second time, by title only.

### **ORDINANCE NO. 23-12**

(SECOND READING) AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED.

## Regular

August 16, 2023

Mr. Rehfeldt moved to suspend the reading of Ordinance No. 23-12 on three separate days, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Rehfeldt read Ordinance No. 23-12 for the second time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 23-12, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-12 was adopted.

## ORDINANCE NO. 23-13

(SECOND READING) AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE THE SERVICE-SAFETY DIRECTOR TO EXECUTE A RECREATION DEPARTMENT ADMINISTRATOR AGREEMENT BETWEEN ONTARIO YOUTH SPORTS, INC. AND THE CITY OF ONTARIO, AND DECLARING AN EMERGENCY, AS AMENDED.

Mr. Rehfeldt moved to suspend the reading of Ordinance No. 23-13 on three separate days, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Sapp read Ordinance No. 23-13 for the second time, by title only.

Mr. Sapp moved to adopt Ordinance No. 23-13, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-13 was adopted.

## ORDINANCE NO. 23-14

AN ORDINANCE REZONING TWELVE (12) PARCELS, LOCATED AT 1943-2103 PARK AVENUE WEST FROM OS-OFFICE SERVICE DISTRICT TO B-BUSINESS DISTRICT, AND DECLARING AN EMERGENCY.

Mr. Sunderland read Ordinance No. 23-14 for the first time, by title only.

At 7:55 p.m., there being no further business to discuss, the meeting was adjourned upon a motion by Mr. Sapp, second by Mr. Webb.

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Edward J. Gallo, President of Council

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Cathy VanAuker, Clerk of Council