

RECORD OF PROCEEDINGS

Minutes of _____

Regular

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

December 13, 2023

Ontario City Council met in regular session on December 13, 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 the Howard family to lead the Pledge of Allegiance. Colonel Mike Howard is a retired Vice Commander of the 179th Air Lift Wing, a 36-year veteran of the Air Force, Air Force Reserve, Air National Guard and is currently very involved in many community activities, schools, Area Agency on Aging and the Civil Service Commission. Mrs. Taryn Howard is from a military family, her parents served in the Marines and she fulfilled a 10 year career at the 179th Air Lift Wing as a Personnel Specialist. Their oldest daughter, Eryn, a 2020 Ontario graduate, is a senior at Kent State University, majoring in nursing, is enrolled in the Air Force ROTC and will enter the Air Force following graduation.

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 November 15, 2023 were presented for approval. Hearing no corrections, the minutes were approved as presented.

COMMITTEE REPORTS

Mr. Rehfeldt reported the Finance Committee discussed the 2024 temporary budget that is approximately \$20 million, and will be voted on this evening. Major projects will be done in sewer and water, equipment, and cruisers. The permanent budget will be approved in March. The Director and Auditor did a very good job maintaining medical insurance costs for next year with a reduction in prescription costs.

Mr. Webb scheduled a Utilities Committee meeting on January 3, 2023 at 5:30 p.m.

Ms. Feagin said the Streets Committee discussed the military banner program and the street paving analysis report.

Mr. Bradley said Glenn Grisdale from Reveille provided a presentation on the Comprehensive Study. Approximately 250 people turned in the survey. More participants are encouraged to take the survey that is located on the city website and in the lobby. Mr. Bradley will forward a copy of the presentation to Council members.

Mr. Sunderland said the Police Department is still accepting donations for their toy drive. A Safety Committee meeting is scheduled for January 17, 2024 at 5:45 p.m.

MAYOR'S REPORT

Mayor Hutchinson reported:

- Security cameras were installed inside and outside the city building. Cameras will also be placed in the community room, at the splash pad, the Service Building, and next year at the ballfields.
- Administrative changes to the credit card policy were distributed.
- Columbia Gas sent out information on rate changes for next year.
- The toy drive response this year was unbelievable. Twenty-eight families will receive toys.
- The Craft Show attendance was down slightly but it went very well.

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SERVICE-SAFETY DIRECTOR'S REPORT

No report.

LAW DIRECTOR'S REPORT

No report.

MISCELLANEOUS MATTERS

President Gallo read the Notice of Public Hearing:

Notice is hereby given that a public hearing will be held before the Council of the City of Ontario during a regular meeting at 7:00 p.m. on Wednesday, January 17, 2024, at the Ontario Municipal Building, upon a proposal to add Section 1139.03 – Advanced Manufacturing and Technology Floating Overlay District to the City Zoning Ordinance. The City of Ontario Planning Commission has recommended in favor of this change. All persons interested in these issues are invited to attend and express their views.

PUBLIC COMMENTARY

Marc Vanerio, 1883 Walker Lake Road, said he had the original Menards map for the mini warehouse units. They were told it would be fully enclosed and no lights would shine on the houses. However, the Planning Commission approved a 30' gap in the center of his yard, the lights shine on his house, garage and shed.

- President Gallo said Menards representatives are scheduled to attend the January 17th Council meeting.

Mike Stallings, 1915 Walker Lake Road, said traffic backed up past his house on November 25th and 26th because of shoppers. He would like everyone to take into consideration that he would be boxed in if the apartments were built across from him and with Menards behind him, no one would want to buy his property. This is a family area, not an apartment area, and there is other property in Ontario to build apartments. He asked Council to consider if they would want to live in that area.

Peter Bookman, director of real estate for the CJ Donley Corporation, referenced the potential rescind motion on the Walker Lake Road parcel that was rezoned to R-3. When Donley Corporation purchased the R-2 property their plan was to develop, but that isn't the market now.

- Mr. Bookman read a letter sent to Council members and Administration that is attached to these minutes.
- President Gallo said he confirmed with a contractor who does most of the major plumbing in this area that there is a problem with the sanitary sewer lines in that area.

CONSIDERATION OF ORDINANCES AND RESOLUTION**ORDINANCE NO. 23-24**

AN ORDINANCE ESTABLISHING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ONTARIO, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2024 AND EXPIRING DECEMBER 31, 2024.

Mr. Rehfeldt read Ordinance 23-24 for the third time, by title only.

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Mr. Rehfeldt moved to adopt Ordinance No. 23-24, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-24 was adopted.

ORDINANCE NO. 23-26

AN ORDINANCE PROVIDING FOR THE ORGANIZATIONAL STRUCTURE OF THE SERVICE DEPARTMENTS OF THE CITY OF ONTARIO, REPEALING ORDINANCE NO. 23-09, AND DECLARING AN EMERGENCY.

Mr. Webb moved to suspend the reading of Ordinance No. 23-26 on three separate days, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Webb read Ordinance No. 23-26 for the first time, by title only.

Mr. Webb moved to adopt Ordinance No. 23-26, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-26 was adopted.

ORDINANCE NO. 23-27

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN AGREEMENT BETWEEN JOHNNY APPLESEED BASEBALL CLUB AND THE CITY OF ONTARIO FOR THE IMPROVEMENT OF AND USE OF A BASEBALL/SOFTBALL FIELD AT MARSHALL PARK, AND DECLARING AN EMERGENCY.

Mr. Sunderland read Ordinance No. 23-27 for the first time, by title only.

ORDINANCE NO. 23-28

AN ORDINANCE ADOPTING REVISED RULES FOR THE USE OF THE COMMUNITY ROOM IN THE ONTARIO CHARLES K. AND CHARLOTTE M. HELLINGER MUNICIPAL BUILDING, REPEALING ORDINANCE 19-09, AND DECLARING AN EMERGENCY.

Ms. Feagin moved to suspend the reading of Ordinance No. 23-28 on three separate days, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and the motion passed. Ms. Feagin read Ordinance No. 23-28 for the first time, by title only.

Ms. Feagin moved to adopt Ordinance No. 23-28, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-28 was adopted.

ORDINANCE NO. 23-29

AN ORDINANCE ESTABLISHING FEES CHARGED BY THE CITY FOR VARIOUS SERVICES, REPEALING ORDINANCE 22-40.

Mr. Webb moved to suspend the reading of Ordinance No. 23-29 on three separate days, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Bradley read Ordinance No. 23-29 for the first time, by title only.

Mr. Bradley moved to adopt Ordinance No. 23-29, second by Mr. Sapp. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-29 was adopted.

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ORDINANCE NO. 23-30

AN ORDINANCE ESTABLISHING WAGES AND SALARIES FOR NON-COLLECTIVE BARGAINING UNIT EMPLOYEES OF THIS CITY, REPEALING ORDINANCE NO. 23-18, AND DECLARING AN EMERGENCY.

Mr. Webb moved to suspend the reading of Ordinance No. 23-30 on three separate days, second by Ms. Feagin. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Sapp read Ordinance No. 23-30 for the first time, by title only.

Mr. Sapp moved to adopt Ordinance No. 23-30, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-30 was adopted.

ORDINANCE NO. 23-31

AN ORDINANCE AMENDING ORDINANCE 23-02 KNOWN AS THE PERMANENT APPROPRIATIONS ORDINANCE FOR 2023 BY MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND.

Mr. Bradley moved to suspend the reading of Ordinance No. 23-31 on three separate days, second by Mr. Webb. Six members cast their votes Aye, zero Nay, and the motion passed. Mr. Rehfeldt read Ordinance No. 23-31 for the first time, by title only.

Mr. Rehfeldt moved to adopt Ordinance No. 23-31, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-31 was adopted.

ORDINANCE NO. 23-04

AN ORDINANCE ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR NON-COLLECTIVE BARGAINING UNIT CITY EMPLOYEES, REPEALING ORDINANCE 22-56, AND DECLARING AN EMERGENCY.

Ms. Feagin moved to take Ordinance No. 23-04 from the table, second by Mr. Sunderland. Six members cast their votes Aye, zero Nay, and Ordinance No. 23-04 was taken from the table. Mr. Bradley read Ordinance No. 23-04, for the third time.

Mr. Bradley moved to adopt Ordinance No. 23-04, second by Mr. Sapp. Five members cast their votes Aye, one Abstain by Mr. Rehfeldt, zero Nay, and Ordinance No. 23-04 was adopted.

ORDINANCE NO. 23-19

AN ORDINANCE REZONING ONE (1) PARCEL, LOCATED AT WALKER LAKE ROAD FROM R2-MEDIUM DENSITY RESIDENTIAL DISTRICT TO R3-HIGH DENSITY RESIDENTIAL DISTRICT, AND DECLARING AN EMERGENCY.

Mr. Sunderland moved to rescind Ordinance No. 23-19, a rezone on a Walker Lake Road parcel from R-2 to R-3, second by Ms. Feagin. Five members cast their votes aye, one nay by Mr. Webb, and the motion passed.

At 7:53 p.m., there being no further business to discuss, the meeting was adjourned.

Cathy Van Auker
Cathy Van Auker, Clerk of Council

Edward J. Gallo
Edward J. Gallo, President of Council

Mayor Hutchinson, President Gallo, and Distinguished Council Members:

I understand that you will be discussing the project on which Craig Donlely and I are working on Walker Lake Road. I wanted to reach out again and ask for your support. I am unable to be there tonight, but wanted to share some thoughts.

It is evident to me that this parcel is a proper fit for the requested R-3 zoning (a change from the current R-2 zoning) for the following reasons:

- The first paragraph of the Ordinance establishing the R-3 zone [1137.03, Section (a)] indicates that the purpose of this district is to serve as a transition between less dense residential districts and non-residential districts (such as Business/commercial uses).
- It should be noted that the property to the west and south has a Business zoning designation, the property to the east is zoned R-2, and the property to the north, in the City of Mansfield, is already zoned for multifamily.
- Zoning this parcel as R-3 provides a transition from Business to Two-family zoning is in keeping with sound planning principles as well as your own zoning code.
- The other parcel zoned R-3 on Walker Lake Road on Cobblefield Drive is situated at a similar distance west of Lexington-Springmill Road as this property is to the east. It is also adjacent to R-1 zoning, which we are not.

The Richland County Housing Study has findings that support the development of new housing in the area. According to the study, Richland County needs to add more than 5,000 housing units in the next decade to sustain its population growth and to lay the groundwork for future economic development needs. The study also finds that vacancy rates in the county are dropping and 45 percent of housing units in the county were built before 1960. It is undeniably so, that to have a stable and sufficient local workforce, the addition of quality housing options (including multifamily housing) is both warranted and of critical importance.

It should be emphasized that we will still have to come before the Planning Commission for site plan approval. Accordingly, approving the zoning change requested is not the end of the control that the City will have over the development of this property. We anticipate that we will have to adequately address the following factors going forward:

- Density
- Parking
- Vehicular Access and Circulation
- ADA Accessibility
- Architectural and Landscape Design
- Building Materials
- Unit Count
- Unit Size
- Building Heights
- Common Area Improvements
- Maintenance and Groundskeeping
- Provision of Utilities
- And alike.

After our zoning is in place and we bring on a development partner, we will be back before the city with plans, reports, material samples, etc. However, at this point, we cannot move forward without the property zoning in place.

This project will bring in tens of millions of investment to the city as well as tax dollars for the school district and infrastructure improvements to the area. This request is not only strongly in keeping with sound city planning principles for locating multifamily housing, but it is also acutely needed to address a shortfall in housing options required to support continued economic growth. This parcel, located adjacent to so much commercial zoning, is an ideal location for the R-3 zoning requested. For these reasons, we respectfully request your support. Thank you.

Respectfully,

Mark Lee
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