

## Regular

August 18

2011

Ontario City Council met in regular session on August 18, 2011, in the City Offices, with Council President Daniel Zeiter presiding. The meeting opened at 7:03 p.m. with the Pledge of Allegiance.

The following persons were in attendance when roll was called: Council members Paul Williams, Larry Arnold, Leon Blackwell, Mark Weidemyre, Barry Lewis, Joseph W. Cinadr, Mr. Zeiter, Mayor Larry Collins, Law Director Allan Sowash, Service-Safety Director Roger Heston and Clerk of Council Cathy VanAuker. A number of interested employees and citizens were also in the audience.

Mr. Williams made a motion to excuse Charlotte Hellinger from this evening's meeting. Mr. Arnold seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion passed.

The minutes of the regular Council meeting of August 4, 2011 were presented for approval. Mr. Lewis made a motion to approve the minutes and Mr. Cinadr seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion to approve the minutes passed.

The minutes of the special Council meeting of August 11, 2011 were presented for approval. Mr. Cinadr made a motion to approve the minutes and Mr. Lewis seconded the motion. At roll call, six members voted Aye, zero Nay, and the motion to approve the minutes passed.

## **PUBLIC COMMENTARY**

Mr. Zeiter opened the floor for the Public Commentary portion of the meeting. Hearing no one who wished to speak, the Public Commentary portion of the meeting was closed.

## **COMMITTEE REPORTS**

Mr. Arnold shared information from the meeting held with ODOT earlier this week. The main discussion was the Lexington-Springmill corridor projects. The \$5 million project was tentatively approved and forwarded to Columbus. The overall project will be submitted in two phases based on the length of time needed for specific jobs. ODOT will pay 100% of the lighting project and 90% toward the remainder. The deadline to submit is September 15.

- Unused funds will be returned to the City to use for repair work on the recent Park Avenue paving project.
- Mr. Heston said the unused funds were for non-performance items. The City will be able to manage the repair work for less cost than ODOT was quoted. Core boring would determine if the paving company was at fault but the City chose not to pay to prepare the ground underneath the pavement, therefore, the cracking is typical. The City got what they paid for, a thin top-coat over a bad base.
- Mayor Collins said ODOT offered to return the money because of a comment that appeared in the newspaper. ODOT has completed many projects at no cost to the City.
- Council members expressed their concerns about the quality of the paving and were not aware the entire job wasn't going to be done at this time. This paving project was delayed a couple of years in order to receive assistance from the State; the City paid \$800,000 toward the \$3 million project. The State's paving projects are on an eight year rotation and Council members were uncertain how they would afford to maintain an already deteriorating Park Avenue.
- Mr. Arnold said if the core sample reveals the sub-base is inadequate to support the roadway it would become the City's responsibility to fix. ODOT said the cracking is not uncommon and has happened on other paving projects.

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- Mr. Zeiter recommended renting a drill to perform a core test which would also verify if the pavement height is correct.
- ODOT marked numerous places on the recently paved road that need patched.
- The City Engineer felt the refund amount would be adequate to make the repairs.
- ODOT will close out the project and the remaining funds will be sent to the City.

Mr. Arnold scheduled a Utilities Committee meeting on September 1, 2011, at 5:30 p.m.

Mr. Weidemyre announced an Economic Development Committee meeting for September 1, 2011, at 5:45 p.m.

Mr. Cinadr announced a public meeting will be held August 23<sup>rd</sup> at the Mansfield Senior High Auditorium at 7:00 p.m. to discuss if the mail processing operation will remain in Mansfield or move to Cleveland. All are encouraged to attend.

Mr. Williams, Mr. Blackwell and Mr. Lewis had no report.

#### **MAYOR'S REPORT**

Mayor Collins had no report.

Mr. Blackwell asked if action was taken pertaining to Fisher's Deli sign, the safety concerns to the neighboring driveway and Pearl Street, and the recent change of use. Mayor Collins said a letter was sent to Mr. Fisher to file a change of use application. Even though the sign has been in place since 1976, Mr. Blackwell didn't feel safety issues should be grandfathered.

- Mr. Sowash said he reviewed the time allowances in the Codified Ordinances and the next appropriate time to address this concern would be at the next Planning Commission.

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

Mr. Heston had no report.

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

Mr. Sowash had no report.

#### **CONSIDERATION OF ORDINANCES AND RESOLUTIONS**

Mr. Weidemyre made a motion to bring Ordinance No. 11-38 off the table. Mr. Williams seconded the motion. Hearing no discussion, six members cast their votes Aye, zero Nay, and the motion passed.

ORDINANCE NO. NO. 11-38

AN ORDINANCE AMENDING CHAPTER 557 WEEDS OF THE CODIFIED ORDINANCES OF THIS CITY BY ENACTING NEW REGULATIONS AND REPEALING EXISTING REGULATIONS.

Mr. Weidemyre made a motion to suspend the rules requiring the reading of Ordinance No. 11-38 on three separate days. Mr. Lewis seconded the motion. Six members cast their votes Aye, zero Nay, and the motion to suspend the rules passed. Mr. Williams read Ordinance No. 11-38 for the first time, by title only.

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Mr. Williams made a motion to adopt Ordinance No. 11-38. Mr. Weidemyre seconded the motion. Mr. Zeiter explained to the audience this ordinance was updating the current weed ordinance by allowing enforcement measures. Six members cast their votes Aye, zero Nay, and Ordinance No. 11-38 was adopted.

At 7:44 p.m., there being no further business to come before the meeting, the same was adjourned upon a motion by Mr. Weidemyre and a second by Mr. Cinadr. At roll call, six members voted Aye, zero Nay, and the motion to adjourn passed.