

Dover City Council Minutes of March 16, 2009

President Tim Tarulli called the meeting to order at 7:30 pm. All stood for the invocation that was given by Rev. Michael Lowry from St. Johns United Church of Christ and all recited the Pledge of Allegiance.

Roll Call: Bair, Gunnoe, Maurer, Mueller, Parolini, Moss...Six (6) present.

Motion by Maurer to excuse Mark Cappell. Seconded by Moss and the motion carried.

Acceptance of March 2, 2009 regular council meeting minutes as presented. Motion by Parolini. Seconded by Bair. Discussion. The motion carried.

COMMITTEE REPORTS:

Service Bair – The service committee met March 10th. One recommendation for ordinance: that an ordinance be prepared authorizing the Mayor to enter into contract with Uptown Engineering Service, including cost and plans for build out of fiber system per attached RFP for the City of Dover at a cost of \$50,000 plus travel expenses at a reasonable amount to be determined including a second option for delaying the video and voice component installation. Bair commented that this recommendation is necessary for the City of Dover to continue growth.

Parks & Recreation Gunnoe – No formal report. Meeting scheduled for April 6, 2009 at 6:30 pm.

Safety Moss – One recommendation for ordinance out of their meeting two weeks ago: that an emergency ordinance be prepared replacing 58-02, 51-08 and amending Dover codified ordinance section 961.01 to modify the fees for ambulance services; and further authorize the Fire Chief to implement a collection policy for unpaid ambulance service accounts.

Planning and Zoning Mueller – No formal report. One request for assignment: that an assignment be made to support by resolution the United Steel Workers Union “Buy American” Campaign.

Human Resources Maurer – One recommendation for resolution from the HR meeting tonight: that an emergency resolution be prepared pursuant to Dover codified ordinance section 155.01, granting Dover City Employee Chad Stocker a one-time six (6) month extension, of the requirements of residency applicable to Dover City Employees.

Finance Cappell – Per Maurer no formal report. Will be asking for suspension of rules and passage of Ord 13-09 and Ord 14-09 this evening.

Utilities Parolini – No formal report. One request for assignment: that an assignment be made to consider the development of a method for forecasting future annual utility revenue shortfalls and surpluses for the purpose of helping Council determine if and when future rate adjustments should be considered. In conjunction with this request, Parolini would also like to request consideration of the development and implementation of a utility rate rebate program that would provide for an annual billing credit in unique years where utility revenue was significantly higher than required due to changes in consumption, material costs, delivery costs, etc.

ADMINISTRATION REPORTS:

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Mayor Homrighausen – The Mayor addressed Mueller’s request for assignment stating that his administration for many years has stood by the principal of buying American. The Mayor addressed Parolini’s request for assignment reminding Council that his administration is doing what it is charged to do. The Mayor presented a letter from Time Warner Cable. The Mayor read a letter to Council from the Arbor Day Foundation awarding Dover Tree City USA status for the 29th year. The Mayor stated that the city will once again be giving away dogwood saplings to Dover first graders and St. Joseph students on the Friday of Arbor week. The Mayor passed out an updated version of the city’s request for funding. The Mayor passed out a copy of a letter written by Marc Gerken addressing the recent allegations by Ohio Citizen’s Action regarding Dover’s involvement in AMP-Ohio’s coal fired power plant.

Auditor Fox – Asked Council to consider passing the budget (Ord 14-09) as the budget must be submitted by April 1st. Any questions on the budgeting process may be addressed to Fox. Fox also stated that spreadsheets currently exists tracking utility information.

Law Director O’Meara – No Formal Report. Asked for rules suspension and passage of Ord 16-09. Updated Council on the RJ Corman situation as March 16th is the final day for RJ Corman to request further review from the Ohio Supreme Court.

Service Director Douglas – Several projects are moving forward this spring. The Tuscarawas Avenue bridge project is still in the land acquisition phase and in mid-April, Verizon will start working in that area. The Poolside Sanitary Sewer project will be out for bid next week. One request for assignment: that an assignment be made preparing an Emergency Ordinance authorizing the Service Director to advertise for bids and enter into a contract for the removal of silt and increase the capacity of the Indian Meadows retention pond in an amount not to exceed \$45,000.00, including engineering.

Safety Director Vorhees –A new police officer was sworn in last week. Applications are still being accepted for the next Civil Service exam which will occur March 31st. Bid openings were held last Thursday for new police cruisers. The bid was awarded to Montrose Ford in Akron at \$63,300 with a trade in value of \$19,000 for a total of \$43,300. Delivery of the new police cruisers will be in May.

City Engineer Dummermuth – No formal report.

NOTICES & COMMUNICATIONS:

Monthly Reports – None

Notices – Written notice from the Ohio Department of Commerce Division of Liquor Control that in regards to city council’s objection to the liquor license transfer to La Rumba LLC, the Division finds that the Dover City Council was unable to present sufficient evidence. Therefore, the objection is overruled and the processing of the application will continue. Written notice from Seton Square Dover that Catholic Diocese of Columbus will be the managing member of the rehabilitation of their development.

PREABLES:

Resolution 02-09, Resolution 03-09, Emergency Resolution 04-09, Ordinance 13-09, Ordinance 14-09, Ordinance 15-09, Emergency Ordinance 16-09, Ordinance 17-09, Ordinance 18-09, Ordinance 19-09, Emergency Ordinance 20-09, Emergency Ordinance 21-09

AUDIENCE:

Jim Schumacher asked Council what area the \$250,000 street paving project will include. Douglas responded that the city is on a 10 year cycle and has not decided what area will be next.

RECOMMENDATIONS:

Recommendation by Greg Bair Chairman of the Service Committee that an ordinance be prepared authorizing the Mayor to enter into contract with Uptown Engineering Service, including cost and plans for build out of fiber system per attached RFP for the City of Dover at a cost of \$50,000 plus travel expenses at a reasonable amount to be determined including a second option for delaying the video and voice component installation. Bair motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

Recommendation from Sandy Moss Chairman of the Safety Committee that an emergency ordinance be prepared replacing 58-02, 51-08 and amending Dover codified ordinance section 961.01 to modify the fees for ambulance services; and further authorize the Fire Chief to implement a collection policy for unpaid ambulance service accounts. Motion by Moss to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer Chairman of the Human Resources Committee that an emergency resolution be prepared pursuant to Dover codified ordinance section 155.01, granting Dover City Employee Chad Stocker a one-time six (6) month extension, of the requirements of residency applicable to Dover City Employees. Motion by Maurer to accept. Seconded by Mueller. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

Request for an assignment from the Mayor that an assignment be made requesting proposals regarding Dover's remediation of the 3 roofs at the former Bill Hawk property. A part of this assignment to be drafting of specifications for this work and any engineering required by our city's Consulting Engineer to SERVICE.

Request for an assignment from the Service Director to preparing an Emergency Ordinance authorizing the Service Director to advertise for bids and enter into a contract for the removal of silt and increase the capacity of the Indian Meadows retention pond in an amount not to exceed \$45,000.00, including engineering to SERVICE.

Request for an assignment from Mueller that an assignment be made to support by resolution the United Steel Workers Union "Buy American" Campaign to SERVICE.

Request for an assignment from Parolini that an assignment be made to consider the development of a method for forecasting future annual utility revenue shortfalls and surpluses for the purpose of helping Council determine if and when future rate adjustments should be considered. In conjunction with this request, Parolini would also like to request consideration of the development and implementation of a utility rate rebate program that would provide for an annual billing credit in unique years where utility

revenue was significantly higher than required due to changes in consumption, material costs, delivery costs, etc to UTILITY.

UNFINISHED BUSINESS:

Mr. Maurer updated Council on the health of Marc Cappell saying that Cappell is now at Country Club for rehabilitation. Bair also updated Council on the health of Cappell.

Bair set a service meeting on March 23, 2009 at 6:00 pm in the Service Director's office.

Bair amended his recommendation for assignment by changing the travel expense allotted from "\$700" to "plus travel expenses at a reasonable amount to be determined". Motion by Bair to accept amended recommendation for assignment. Seconded by Gunnoe. Discussion. Motion carried. Amended.

LEGISLATION:

Resolution 02-09 up for Fourth Reading. A resolution recognizing, commending, and thanking Megan Linard for her dedicated public service as Clerk of Council for the City of Dover. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Resolution 03-09 up for Second Reading. A resolution recognizing, commending, and thanking Frank "Whitey" Brechbiehl for his nineteen years of dedicated public service to the Dover Planning Commission. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Emergency Resolution 04-09 up for First Reading. An Emergency Resolution pursuant to Dover codified ordinance section 155.01, granting Dover city employee Chad Stocker a one-time, six (6) month extension, of the requirements of residency applicable to Dover city employees. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Ordinance 13-09 up for Second Reading. An ordinance providing for the issuance and sale of \$2,200,000 notes, in anticipation of the issuance of bonds, for the purpose of (A) improving the storm water sewer system by (I) improving Dry Hollow Creek including constructing storm sewers at various designated locations to replace, to enclose and to empty into the creek and improving the channel of the creek and (II) constructing storm sewers for the Harger Street area, (B) paying costs of constructing a bridge on Walnut Street and (C) paying costs of constructing and extending a public road from State Route 39 to the proposed industrial park, each all together with all necessary appurtenances and facilities thereto, and declaring an emergency. Maurer motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Maurer motioned to pass. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 14-09 up for Second Reading. Annual appropriation ordinance for the fiscal year ending December 31, 2009, for the City of Dover, Ohio. An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Dover, State of Ohio, during the fiscal year ending December 31, 2009 and declaring an emergency. Maurer motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Maurer motioned to pass. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 15-09 up for the Second Reading. An ordinance to amend Dover codified ordinances to provide for comprehensive sign regulation in the City of Dover. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 16-09 up for Second Reading. An emergency ordinance authorizing the mayor to establish the temporary position of assistant secretary in the water/wastewater department, authorize the mayor to fill said temporary position and set the wages for said temporary position, and accepting the negotiated terms of the memorandum of understanding between the city and the AFSCME Union, Local 2550, regarding the establishment of said position. Maurer motioned to suspend rules. Seconded by Mueller. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Maurer motioned to pass. Seconded by Mueller. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance no. 17-09 up for Second Reading. An ordinance vacating a portion of a sixteen foot wide unnamed public alley in the Blatz and Dickinson's second addition to the City of Dover that bi-sects the property owned by Jeff Stockert and as more specifically described in the description attached as Appendix A and the plat attached as Exhibit B. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 18-09 up for Second Reading. An ordinance amending the zoning classification of the property located at 1573 State Route 39 NW, parcel # 15-06059-000 and as fully described in the attached appendix A, from its current zoning classification as "R-2" to a classification of "B-2". Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 19-09 up for First Reading. An ordinance authorizing the Director of Public Safety to advertise for bids and enter into a contract for the purchase of a triple combination rescue pumper fire apparatus for the Fire Department at a cost not to exceed four hundred and sixty thousand dollars (\$460,000.00) with the source of the funds, the equipment and pumper fund, line item # 330.745.57630. Moss motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 20-09 up for First Reading. An Emergency Ordinance authorizing the Service Director to advertise for bids and enter into a contract for the street and curb improvements to the north-east corner of the intersection of Front Street and Tuscarawas Avenue in an amount not to exceed forty five thousand dollars (\$45,000.00). Bair motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Emergency ordinance 21-09 up for First Reading. An Emergency Ordinance replacing Ordinance 58-02, 51-08 and amending Dover codified ordinance section 961.01 to modify the fees for ambulance services; and further authorizing the Fire Chief to implement a collection policy for unpaid ambulance service accounts. Moss motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Motion by Moss to adjourn. Seconded by Gunnoe. Discussion. Motion carried.

Council adjourned at 8:40 pm.

CLERK OF COUNCIL
Julie Leggett

PRESIDENT OF COUNCIL
Timothy Tarulli