

Dover City Council Minutes of November 2, 2009

President Tim Tarulli called the meeting to order at 7:30 pm. All stood for the invocation that was given by Rev. Bruce McLaughlin from the First United Methodist Church and all recited the Pledge of Allegiance.

Roll Call: Bair, Gunnoe, Moss, Mueller, Maurer, Cappell, Parolini...Seven (7) present.

Acceptance of October 19, 2009 regular council meeting minutes and public hearing minutes as presented. Motion by Maurer. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – No formal report. Service meeting called for November 7, 2009 at 11:00 am in the Service Director's office to discuss trees and sidewalks in downtown Dover. Bair asked to be excused the next meeting as he will be leaving November 12, 2009 for New Orleans for 10 days.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – One recommendation from meeting tonight: that an emergency ordinance be prepared authorizing the Director of Public Safety to enter into a contract with the Joint County Public Defenders office to provide legal counsel to indigent persons charged with loss of liberty offenses in the New Philadelphia Municipal Court and arising in the City of Dover, at a cost not to exceed \$14,700.00. Moss asked that the assignment for the purchase of three 2010 police cruisers and trade in of three 2008 police cruisers for the police department in 2010 be sent to the Finance Committee.

Planning and Zoning Mueller – No formal report. One request for assignment: that an ordinance be prepared amending city ordinances that when a gas station closes the owner removes the canopy just like the signs on the property.

Human Resources Maurer – No formal report. Maurer will have more information from the Human Resources meeting tonight at a later date.

Finance Cappell – Three recommendations from the Finance meeting held October 26, 2009: 1) that an emergency ordinance be prepared to formerly adopt the Dover Fixed Asset/Capitalization Policy for the City of Dover 2) that an emergency resolution be prepared permitting the Mayor of the City of Dover to apply for, accept and enter into a contract to receive Issue 1 funding for the extension of storm sewers from James Street and Wills Avenue to Shafer Avenue and Belleview Avenue, where it goes south on Belleview Avenue to Anola Avenue and north on Belleview Avenue to a manhole one hundred and seventy feet (170) north of the boulevard 3) that an emergency ordinance be prepared making supplemental appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein.

Utilities Parolini – One recommendation from meeting tonight: that an emergency ordinance be prepared authorizing the execution of Power Sales Contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup hydroelectric project participation. Parolini stated this recommendation will allow the Mayor to enter into participation with these two projects and allow Dover future diversification and less expensive power resources in the future.

ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor reported that the annual Veteran’s Day parade will be held November 8, 2009 in downtown Dover while the annual Dover Christmas festivities will be held December 5, 2009 with a parade, lighting ceremony and the Mayor reading “Twas the Night Before Christmas”. This past week, the Mayor, Service Director Douglas, Light Plant Superintendent Dave Filippi, Assistant Superintendent Jason Hall, Electric Distribution Superintendent Larry Lautzenheiser and Assistant Superintendent Tom Johnson attended the annual American Municipal Power conference in Cleveland. The Mayor reported that he has been elected to his 11th consecutive term as President of the Ohio Municipal Electric board for the coming year. The Dover football team was congratulated and wished good luck in the playoffs while everyone was encouraged to vote in the election Tuesday. The Mayor also extended his sympathy to Councilman Greg Bair on the passing of his mother. President Tarulli added that Dover’s new website, www.doverohio.com, is up and running.

Auditor Fox – Fox stated she is requesting rules suspension and passage of Emergency Ordinance 66-09. By adopting this legislation, more points will be received thus increasing Dover’s credit report.

Law Director O’Meara – No formal report.

Service Director Douglas – Douglas gave an update on several constructions projects: all four concrete arches have been removed on the Tuscarawas Avenue bridge as well as the center pier, the Rose Court sanitary sewer installation is complete and the asphalt base in being installed, the CGBD project is underway and the Pinedale Drive sanitary sewer force main and pump station project is near completion. Douglas also reminded everyone not to put leaves in the street but on the curb strip. The city has started picking up leaves.

Safety Director Vorhees – Last week the safety and health quarterly meeting was held and Vorhees distributed no loss time accident reports to all departments except police and fire. Vorhees stated the departments have a good attitude towards work place safety with all departments, except police and fire, in excess of two years with no loss time accidents.

City Engineer Dummermuth – No formal report.

Light Plant Superintendent Dave Filippi – Filippi explained that at the AMP Conference meetings were attended updating members on congressional and EPA activities related to climate change and green house gas reporting. Other meetings attended were updates on new power projects. The conference also focused on energy conservation and efficiency programs. Dover is one of five generating plants in Ohio and therefore a coalition has been formed with the other coal generating plants in Ohio with a focus on sharing ideas, procedures and best practices.

Assistant Superintendent Jason Hall – Hall reported that for the last three years, Dover Light and Power has received a safety award for no lost time accidents. This year, Dover Light Plant also received an award for implementing a program called “Taking it to the Schools”. This program educates the youth of Dover on the process of purchasing quality coal and producing a cost effective product.

Electric Distribution Superintendent Larry Lautzenheiser – Lautzenheiser reported that during the AMP Conference last week, meetings were attending regarding energy conservation, the Smart Grid, transformer maintenance and pending legislation. The Electric Department received three awards in the Distribution and Transmission section: Public Power Safety Award, Public Power System Improvement

and Public Power Innovation, specifically Lighting Technologies for relamping with more efficient technology.

Assistant Superintendent Tom Johnson – Johnson reported that the city received the Public Power Safety Award for no lost time accidents this past year which is a result of the safe work practices of the employees. Monthly safety meetings are held and safety training occurs on new products and equipment.

NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Notice was received from the State of Ohio Division of Liquor Control of a request for a liquor license transfer to Limbys of Dover LLC from Ronald L Limbacher dba Limbys. Notice was received from the State of Ohio Division of Liquor Control of 35% of licensing fee distributed.

PREAMBLES:

Resolution 20-09, Emergency Resolution 21-09, Emergency Ordinance 53-09, Ordinance 59-09, Emergency Ordinance 61-09, Emergency Ordinance 62-09, Emergency Ordinance 63-09, Dover Emergency Ordinance 64-09, Ordinance 65-09 Emergency Ordinance 66-09.

AUDIENCE:

None.

RECOMMENDATIONS:

Recommendation from Sandy Moss Chairwoman of the Safety Committee that an emergency ordinance be prepared authorizing the Director of Public Safety to enter into a contract with the Joint County Public Defenders office to provide legal counsel to indigent persons charged with loss of liberty offenses in the New Philadelphia Municipal Court and arising in the City of Dover, at a cost not to exceed \$14,700.00. Moss motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared to formerly adopt the Dover Fixed Asset/Capitalization Policy for the City of Dover. Cappell motioned to accept. Seconded by Moss. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency resolution be prepared permitting the Mayor of the City of Dover to apply for, accept and enter into a contract to receive Issue 1 funding for the extension of storm sewers from James Street and Wills Avenue to Shafer Avenue and Belleview Avenue, where it goes south on Belleview Avenue to Anola Avenue and north on Belleview Avenue to a manhole one hundred and seventy feet (170) north of the boulevard. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared making supplemental appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Joe Parolini Chairman of the Utility Committee that an emergency ordinance be prepared authorizing the execution of Power Sales Contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup hydroelectric project participation. Parolini motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

An assignment request from Sandy Moss for the purchase of three 2010 police cruisers and trade in of three 2008 police cruisers for the police department in 2010 from SAFETY to FINANCE.

An assignment request from Robert Mueller that an ordinance be prepared amending city ordinances that when a gas station closes the owner removes the canopy just like the signs on the property to PLANNING AND ZONING.

UNFINISHED BUSINESS:

Mueller called a Planning and Zoning meeting for November 16, 2009 at 7:00 pm.

Parolini stated that he will be asking for rules suspension and passage of Dover Emergency Ordinance 64-09 at the next meeting.

Bair complimented Larry Lautzenheiser on his son Matt Lautzenheiser, Director of the Dover Historical Society, who recently published a book on the history of Dover. The book will be for sale beginning November 23rd.

President Tarulli wished all candidates for city council good luck at the election tomorrow.

LEGISLATION:

Resolution 20-09 up for Second Reading. A resolution recognizing, commending, and thanking Joe Maybaugh for his dedicated public service as councilperson and treasurer for the City of Dover. Maurer motioned to hold. Seconded by Moss. Discussion. Motion carried. Held.

Emergency resolution 21-09 up for First Reading. An emergency resolution permitting the Mayor of the City of Dover to apply for, accept and enter into a contract to receive Issue 1 funding for the extension of storm sewers from James Street and Wills Avenue to Shafer Avenue and Belleview Avenue, where it goes south on Belleview Avenue to Anola Avenue and north on Belleview Avenue to a manhole one hundred and seventy feet (170) north of the boulevard. Cappell motioned to suspend rules. Seconded by Moss. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency Ordinance 53-09 up for Sixth Reading. An emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the first phase of the siding replacement for the Light Plant in an amount not to exceed seventy five thousand dollars (\$75,000.00) including engineering. Parolini motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Ordinance 59-09 up for Third Reading. An ordinance to state the City of Dover, Ohio's intent to implement a comprehensive Storm Water Management Plan, to accept the goals stated in the City of Dover, Ohio Storm Water Management Plan as approved by the Ohio EPA and to begin the process of

effective Storm Water Management within the City of Dover. Maurer motioned to pass. Seconded by Gunnoe. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 60-09 up for Third Reading. An ordinance to establish the salaries and compensation of the Dover City Treasurer, Dover Council President and the Dover At Large Councilpersons for the terms commencing on January 1, 2010. Maurer motioned to suspend rules. Seconded by Cappell. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Maurer motioned to pass. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 61-09 up for Second Reading. An emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the construction of two public restrooms sufficient to meet the requirements of the Americans With Disabilities Act (ADA) in the north half of the existing Maintenance Building in an amount not to exceed seventy four thousand dollars (\$74,000.00). Cappell motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency ordinance 62-09 up for Second Reading. An emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the demolition of the former Elks Building in an amount not to exceed one hundred and thirty four thousand dollars (\$134,000.00). Cappell motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency Ordinance 63-09 up for First Reading. An emergency ordinance be prepared authorizing the Director of Public Safety to enter into a contract with the Joint County Public Defenders office to provide legal counsel to indigent persons charged with loss of liberty offenses in the New Philadelphia Municipal Court and arising in the City of Dover, at a cost not to exceed \$14,700.00. Moss motioned to hold. Seconded by Gunnoe. Discussion. Motion carried. Held.

Dover Emergency Ordinance 64-09 up for First Reading. An emergency ordinance be prepared authorizing the execution of Power Sales Contracts with American Municipal Power, Inc. and taking other actions in connection therewith regarding Meldahl and Greenup hydroelectric project participation. Parolini motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Ordinance 65-09 up for First Reading. An emergency ordinance making supplemental appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Cappell motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency Ordinance 66-09. An emergency ordinance to formerly adopt the Dover Fixed Asset/Capitalization Policy for the City of Dover. Cappell motioned to suspend rules. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Mueller motioned to adjourn. Seconded by Moss. Discussion. Motion carried. Adjourned at 8:20 pm.

CLERK OF COUNCIL
Julie Leggett

PRESIDENT OF COUNCIL
Timothy Tarulli