

## Dover City Council Minutes of February 15, 2010

President Tim Tarulli called the meeting to order at 7:30 pm. All stood for the invocation that was given by Mayor Homrighausen and all recited the Pledge of Allegiance.

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

Acceptance of February 1, 2010 regular council meeting minutes as presented. Motion by Maurer. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

### COMMITTEE REPORTS:

Service Bair – No formal report. Bair commended the street department on doing a nice job removing snow. Bair welcomed Rep. Allan Sayre.

Parks & Recreation Gunnoe – No formal report. Gunnoe thanked the service department and the administration on behalf of the citizens for their quick response removing snow.

Safety Moss – No formal report.

Human Resources Mueller – No formal report. Mueller acknowledged the city street department's snow removal efforts. Mueller welcomed Rep. Sayre.

Finance Maurer – Four recommendations from the finance meeting February 8, 2010: (1) that an emergency ordinance be prepared directing the Treasurer and the Auditor of the City of Dover to re-allocate the Dover city income taxes collected for the year 2010. Twenty percent (20%) of the total income tax receipts shall be placed in the master capital improvement fund and the remaining balance shall be divided between the street and maintenance repair fund, the cemetery fund, the police and fire pension fund, and the general fund (2) that an emergency ordinance be prepared authorizing the Service Director to enter into a contract with Beaver Excavating Company, the contractor on the Interstate 77/County Road 80 project, in an amount not to exceed one hundred and four thousand five hundred dollars (\$104,500.00) for the installation of approximately five hundred and five (505) lineal feet of fourteen (14) inch ductile iron water line with all fittings and valves, and twenty (20) feet of six (6) inch ductile iron water line with all fittings (3) that an ordinance be prepared providing for the issuance and sale of \$2,100,000 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 (4) that an ordinance be prepared providing for the issuance and sale of \$640,000 notes, in anticipation of the issuance of bonds, for the purpose of constructing storm sewers for the Bellevue Avenue area, together with all necessary appurtenances, and declaring an emergency. Maurer will be asking for rules suspension and passage of Ordinance 06-10 on its second reading and Ordinance 07-10 tonight. Maurer called a finance meeting for February 22, 2010 at 6:30 to finalize the budget.

Planning, Zoning and Codes Korn. – No formal report. Korn. called a meeting for March 1, 2010 at 6:30. Zoning Inspector Jeff Beitzel will be present.

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Utility Parolini – No formal report. Parolini stated that the street department and all departments involved are doing an excellent job and asked Douglas to pass on all the compliments to the crews.

### ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor acknowledged the work of the city street department workers and noted that the first concern is the main roads followed by secondary roads. The Mayor mentioned a letter received from Time Warner Cable regarding re-alignment of channels and read a letter from the Tuscarawas County Office of Community and Economic Development regarding Meteor Sealing Systems. The initial rough draft for a new City Hall was passed out. The draft was compiled by CT Consultants. The Mayor also reported that the closing of the County Road 80 overpass has been delayed a week. Two plaques were presented by the Mayor in honor and recognition of the 100<sup>th</sup> year of the Dover Light Plant: a Century Award from American Public Power Association and a plaque from Ron Lutwen of the SSOE Group. The Mayor requested executive session following legislation for the purpose of land acquisition. Following executive session, the Mayor requested a special committee of the whole meeting to discuss issues pertaining to our electric system. The Mayor informed council that he will be in Washington, DC next week for the annual American Public Power Association Conference.

Auditor Fox – Fox presented the fiscal officers certificate to council prior to the first reading of Ordinance 08-10 and Ordinance 09-10.

Law Director O'Meara – No formal report. O'Meara requested that council enter into executive session following legislation to discuss land acquisition.

Service Director Douglas – Three requests for assignments: (1) to prepare an Ordinance authorizing the Service Director to advertise for bids and enter into a contract for the purchase of a new (1) one ton 4\*2 extended cab pick up truck with a utility bed with the simultaneous trade in of a 1988 Chevrolet (3/4) three quarter ton two wheel drive pick up truck. In an amount not to exceed \$35,000.00 (2) to prepare an Emergency Ordinance authorizing additional funds for the engineering for the Tuscarawas Avenue Bridge Project in an amount not to exceed \$25,000.00 for services during construction (3) to prepare a Resolution authorizing the Mayor to enter into an agreement on behalf of the City of Dover with Ohio Regional Development Corporation for the completion and submission of an application for a CHIP grant for the fiscal year 2010. If the CHIP grant is awarded to the City, the proposed Resolution would authorize the Mayor to enter into an agreement with Ohio Regional Development Corporation for the administration of participation in the CHIP program. Douglas commended the City of Dover, the administration and the Dover Light Plant employees on their 100<sup>th</sup> anniversary.

Safety Director Vorhees – No Formal Report. Vorhees complimented the street department for their hard work and stated he needed signatures on the Drug Enforcement Task Force ordinance from three years ago.

City Engineer Dummermuth – No formal report. Dummermuth stated he spoke with Badger Construction and they are confident they will be able to accept the bid.

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Electric Generating Superintendent Dave Fillipi – No formal report. Fillipi congratulated the City of Dover on reaching the 100 year milestone for the light plant and thanked council for their support of the light plant.

Electric Field Assistant Superintendent Tom Johnson – No formal report.

### NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Police Chief Ron Johnson turned in his November 2009 report.

### PREAMBLES:

Ordinance 70-09, Emergency Ordinance 04-10, Emergency Ordinance 05-10, Emergency Ordinance 06-10, Emergency Ordinance 07-10, Ordinance 08-10, Ordinance 09-10.

### AUDIENCE:

Rep. Allan Sayre, 176 Downey Hill Drive Dover, presented council with a plaque sponsored by Rep. Allan Sayre and the House District 96 congratulating Dover Light and Power on their 100<sup>th</sup> Anniversary. Sayre noted that the light and power plant is an asset to the entire city of Dover. Sayre also stated that he sent a letter to President Tarulli regarding the state's capital improvement budget.

Brad Waldenmyer thanked council for working with him and approving the plat of Waldenmyer's New Age Addition.

### RECOMMENDATIONS:

Recommendation from Don Maurer chairman of the Finance Committee that an emergency ordinance be prepared directing the Treasurer and the Auditor of the City of Dover to re-allocate the Dover city income taxes collected for the year 2010. Twenty percent (20%) of the total income tax receipts shall be placed in the master capital improvement fund and the remaining balance shall be divided between the street and maintenance repair fund, the cemetery fund, the police and fire pension fund, and the general fund. Maurer motioned to accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer chairman of the Finance Committee that an emergency ordinance be prepared authorizing the Service Director to enter into a contract with Beaver Excavating Company, the contractor on the Interstate 77/County Road 80 project, in an amount not to exceed one hundred and four thousand five hundred dollars (\$104,500.00) for the installation of approximately five hundred and five (505) lineal feet of fourteen (14) inch ductile iron water line with all fittings and valves, and twenty (20) feet of six (6) inch ductile iron water line with all fittings. Maurer motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer chairman of the Finance Committee that an ordinance be prepared providing for the issuance and sale of \$2,100,000 notes, in anticipation of the issuance of bonds, for the

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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 accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer chairman of the Finance Committee that an ordinance be prepared providing for the issuance and sale of \$640,000 notes, in anticipation of the issuance of bonds, for the purpose of constructing storm sewers for the Bellevue Avenue area, together with all necessary appurtenances, and declaring an emergency. Maurer motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

### ASSIGNMENTS:

Request for an assignment from the Service Director to prepare an ordinance authorizing the Service Director to advertise for bids and enter into a contract for the purchase of a new (1) one ton 4\*2 extended cab pick up truck with a utility bed with the simultaneous trade in of a 1988 Chevrolet (3/4) three quarter ton two wheel drive pick up truck. In an amount not to exceed \$35,000.00 to FINANCE.

Request for an assignment from the Service Director to prepare an emergency ordinance authorizing additional funds for the engineering for the Tuscarawas Avenue Bridge Project in an amount not to exceed \$25,000.00 for services during construction to FINANCE.

Request for an assignment from the Service Director to prepare a resolution authorizing the Mayor to enter into an agreement on behalf of the City of Dover with Ohio Regional Development Corporation for the completion and submission of an application for a CHIP grant for the fiscal year 2010. If the CHIP grant is awarded to the City, the proposed Resolution would authorize the Mayor to enter into an agreement with Ohio Regional Development Corporation for the administration of participation in the CHIP program to HUMAN RESOURCES.

### UNFINISHED BUSINESS:

President Tarulli reported on a letter received from Rep. Allan Sayre informing council of a possible upcoming state capital budget in which Dover may apply for funding for appropriate projects.

Korns made a motion to accept the 2010 Rules of Council as presented. Seconded by Gunnoe. Discussion. Roll call. 6 yeas. 1 no. Motion carried. 2010 Rules of Council accepted.

Motion by Maurer to enter into executive session following legislation to discuss land acquisition. Seconded by Korns. Discussion. Roll call. 7 yeas. Motion carried.

Mueller scheduled a Human Resources meeting following the Finance meeting on February 22, 2010.

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### LEGISLATION:

Ordinance 70-09 up for Sixth Reading. An ordinance amending the zoning classifications of the properties owned by the Union Hospital Association located at 605 Bond Street, Parcel # 15-01706-000, and located at 616 Bond Street Extension, Parcel # 15-01747-000, from the current zoning classification as "R-2" to a classification of "H-1". Korns motioned to pass. Seconded by Moss. Discussion. Roll call. 7 years. Motion carried. Passed.

Emergency ordinance 04-10 up for Third Reading. An emergency ordinance to approve the plat of Waldenmyer's New Age Addition to the City of Dover, Ohio as submitted to the City of Dover by BNDW, LLC, an Ohio limited liability company, and as approved by the Dover Planning Commission on December 7, 2009 and as on file with the Dover Mayor's Office for review. Korns motioned to pass. Seconded by Maurer. Discussion. Korns stated that council has had a lot of discussion of this ordinance and that 1109.06 will be attached. Roll call. 7 years. Motion carried. Passed.

Emergency Ordinance 05-10 up for Third Reading. An emergency ordinance be prepared to approve and to accept the dedication of the plat on Iron Avenue and Clubview Drive and the plat of Iron as passed by the Planning Commission on December 8, 2009 and all improvements and utilities thereon and as prepared by George A. Fielder and Associates and as on file with the Dover Mayor's Office for review; to approve and accept the dedication of the plat of Iron Avenue as passed by the Planning Commission on January 12, 2010 as prepared by George A. Fielder and Associated and as on file with the Dover Mayor's Office for review. Korns motioned to pass. Seconded by Moss. Discussion. Roll call. 7 years. Motion carried. Passed.

Emergency ordinance 06-10 up for First Reading. An emergency ordinance directing the Treasurer and the Auditor of the City of Dover to re-allocate the Dover city income taxes collected for the year 2010. Twenty percent (20%) of the total income tax receipts shall be placed in the master capital improvement fund and the remaining balance shall be divided between the street and maintenance repair fund, the cemetery fund, the police and fire pension fund, and the general fund. Maurer motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Emergency ordinance 07-10 up for First Reading. An emergency ordinance authorizing the Service Director to enter into a contract with Beaver Excavating Company, the contractor on the Interstate 77/County Road 80 project, in an amount not to exceed one hundred and four thousand five hundred dollars (\$104,500.00) for the installation of approximately five hundred and five (505) lineal feet of fourteen (14) inch ductile iron water line with all fittings and valves, and twenty (20) feet of six (6) inch ductile iron water line with all fittings. Maurer motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 7 years. Motion carried. Suspended. Maurer motioned to pass. Seconded by Mueller. Discussion. Roll call. 7 years. Motion carried. Passed.

Ordinance 08-10 up for First Reading. An ordinance providing for the issuance and sale of \$2,100,000 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

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proposed industrial park, each all together with all necessary appurtenances and facilities thereto, and declaring an emergency. Maurer motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 09-10 up for First Reading. An ordinance providing for the issuance and sale of \$640,000 notes, in anticipation of the issuance of bonds, for the purpose of constructing storm sewers for the Bellevue Avenue area, together with all necessary appurtenances, and declaring an emergency. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Break at 8:25 for executive session. Council resumed at 8:45.

Committee of the Whole –

President Tarulli called the Committee of the Whole meeting to order at 8:45. Mayor Homrighausen introduced Electric Generating Superintendent Dave Fillipi who explained a demand and response program offered through the City of Dover to industries and businesses by AMP. This program could save local businesses thousands of dollars every year.

Motion to adjourn by Korns. Seconded by Bair. Discussion. Motion carried. Adjourned at 9:10 pm.

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CLERK OF COUNCIL  
Julie Leggett

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PRESIDENT OF COUNCIL  
Timothy Tarulli