

## Dover City Council Minutes of July 19, 2010

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

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

Acceptance of July 6, 2010 regular council meeting minutes as presented. Motion by Parolini. Seconded by Korns. Discussion. Motion carried. Accepted.

### COMMITTEE REPORTS:

Service Bair – No formal report. Bair thanked the Dover Lions Club for the summer showcase they presented at the Dover City Park. Bair called the showcase nice good entertainment.

Parks & Recreation Gunnoe – No formal report. Gunnoe announced that the City of Dover along with First Federal Community Bank and Gales Recycle It will present a community movie night in the park on July 24<sup>th</sup>. The movie *Imagine That* will be shown and Gunnoe said the movie is free and offers a fun family night.

Safety Moss – Two recommendations from meeting tonight: (1) that an emergency ordinance be prepared regulating skill game businesses, adult oriented arcades, internet cafes, and sweepstakes businesses in the City of Dover State of Ohio and declaring an emergency. Moss will be asking for rules suspension and passage this evening. (2) that an ordinance be prepared to adopt the Ohio Fire Code as provided through Ohio Administrative Code 1301: 7-7 (<http://www.com.state.oh.us/sfm/>) as presently adopted by the State Fire Marshall through the rule making provisions of the Ohio Administrative Code and the Ohio Department of Commerce; to amend Dover codified ordinance 1501.01 and repeal Dover codified ordinance 1501.02 and to provide for administration of this code by the Dover Fire Department and appeals, where appropriate, through the East Central Ohio Building Authority (ECOBA), and otherwise provide fire prevention and administration of the Fire Code in the City of Dover.

Human Resources Mueller – No formal report. Mueller thanked Bair for his efforts in helping the Dover Lions Club.

Finance Maurer – Two recommendations from meeting on July 12<sup>th</sup> and tonight: (1) that an emergency ordinance be prepared authorizing additional funding for the water line relocation for the Interstate 77/County Road 80 project in an amount not to exceed three thousand dollars (\$3,000.00). Maurer will be asking for rules suspension and passage this evening. (2) that an emergency ordinance be prepared making supplemental appropriations, reduction of appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Maurer stated that at the meeting July 12<sup>th</sup>, Auditor Fox presented the committee with the second quarter financial report. Maurer commended Fox and Treasurer Nicole Stoldt on doing an excellent job of keeping the city informed of its financial status. Maurer said this years report is nearly the same as last year and called the report neither optimistic nor pessimistic. Maurer closed by saying that council and the administration will continue to discuss any and all requests for funding. These requests will be reviewed on merit and prioritized to act responsibly. Tarulli asked if street paving will occur this year. Douglas stated that the general fund is hurting and there will be no street paving this year. The city hopes that the aggressive pavings from years past will enable them to take a year off. Maurer presented one recommendation from council as a committee of the whole: that an emergency resolution be prepared declaring it necessary to levy a tax in

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excess of the ten-mill limitation and authorizing the question of the renewal of the 3.6 mill levy approved by the citizens of Dover in 1976 to be placed on the ballot in the November general election.

Planning, Zoning and Codes Korn – No formal report.

Utility Parolini – No formal report.

### ADMINISTRATION REPORTS:

Mayor Homrighausen – No report.

Auditor Fox – Fox handed out the second quarter report and stated that she is available if anyone has questions or to offer insight into the city's financial status.

Law Director O'Meara – No formal report.

Service Director Douglas – One request for assignment: a request for a committee assignment from the Service Director to prepare an emergency ordinance authorizing additional funds for the Tremont / Park Sanitary Sewer Pump Station in an amount not to exceed \$18,650.00. The original emergency ordinance was #27-10. Line Item #568.968.57810. Douglas stated that a bid opening was held for the Tremont Project with no bids received for the general construction or mechanical options. The following low bids were received: Electrical – Wood Electric, Pump Equipment – Tri State, Wet Well Lining System – Advance Rehabilitation Technologies. Douglas welcomed two residents of the Forrest Ridge / Winkler Drive area that were in attendance. Douglas said that the city will be calling residents to meet with them to discuss the proposed phases and called it an early fall project. Parolini asked if the bids were close to what was expected. Douglas said the Wood Electric bid was close while the Wet Well Lining System was \$4200.00 higher than the received quote.

Safety Director Vorhees – Vorhees stated that crews are in the process of painting streets and parking spaces and all the stop bars are completed that were requested. Moss asked if officers will be in place to direct traffic during the Tuscarawas County Fair since the Tuscarawas Avenue Bridge will not be open. Vorhees said he, Douglas and others have met to discuss this issue and the city will do all it can. As many officers that can be used will be in place to offset the difficult situation. Douglas added that ODOT has approved an accelerated schedule and the current bridge opening is scheduled for the end of November.

City Engineer Dummermuth – No formal report.

### NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – None.

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### PREAMBLES:

Emergency Resolution 07-10, Emergency Ordinance 36-10, Emergency Ordinance 38-10, Emergency Ordinance 39-10, Emergency Ordinance 40-10, Emergency Ordinance 41-10.

### AUDIENCE:

Jay Coventry, 1155 Winkler Drive Dover, said that he talked to Douglas prior to the meeting and wanted to voice his opinion on the different scenarios he has been hearing. He said he hopes that Phase 1 of the Forrest Ridge Drive / Winkler Drive Project takes care of the problem. Coventry said the proposed Phase 3 concerns him as well as all three residents in their neighborhood. They are concerned that a dry pond in the neighborhood will lower their property values, increase laying water and lead to an increase in mosquitoes. Douglas responded that the city does not want to go into the other phases as well but will do what it can to keep the water contained. Douglas added that Dummermuth was doing his job in creating additional phases and the city has waited until now to show the residents the plans reflecting permanent and working easements. Dummermuth stated that the residents should encourage the township to stop putting buildings in that area. The town and township need to work together. Mueller asked what it will take to get the township to the table to work with the city. Douglas said he will pursue it more.

Jay Cappell, 1143 Winkler Drive Dover, asked how big the retention pond would have to be to absorb all the water. Douglas said the pond will not retain all of the water but their goal is to get rid of the stream of water that flows. Cappell added that they recently moved into their home and are open to anything because they do not want a pond in their backyard.

### RECOMMENDATIONS:

Recommendation from Don Maurer chairman of the Finance Committee that an emergency ordinance be prepared authorizing additional funding for the water line relocation for the Interstate 77/County Road 80 project in an amount not to exceed three thousand dollars (\$3,000.00). 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 making supplemental appropriations, reduction of appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Maurer motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer on behalf of the Committee of the Whole that an emergency resolution be prepared declaring it necessary to levy a tax in excess of the ten-mill limitation and authorizing the question of the renewal of the 3.6 mill levy approved by the citizens of Dover in 1976 to be placed on the ballot in the November general election. Maurer motioned to accept. Seconded by Mueller. Discussion. Motion carried. Accepted.

Recommendation from Sandy Moss chairman of the Safety Committee that an emergency ordinance be prepared regulating skill game businesses, adult oriented arcades, internet cafes, and sweepstakes businesses in the City of Dover State of Ohio and declaring an emergency. Moss motioned to accept. Seconded by Korn. Discussion. Motion carried. Accepted.

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Recommendation from Sandy Moss chairman of the Safety Committee that an ordinance be prepared to adopt the Ohio Fire Code as provided through Ohio Administrative Code 1301: 7-7 (<http://www.com.state.oh.us/sfm/>) as presently adopted by the State Fire Marshall through the rule making provisions of the Ohio Administrative Code and the Ohio Department of Commerce; to amend Dover codified ordinance 1501.01 and repeal Dover codified ordinance 1501.02 and to provide for administration of this code by the Dover Fire Department and appeals, where appropriate, through the East Central Ohio Building Authority (ECOBA), and otherwise provide fire prevention and administration of the Fire Code in the City of Dover. Moss motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

### ASSIGNMENTS:

A request for a committee assignment from the Service Director to prepare an emergency ordinance authorizing additional funds for the Tremont / Park Sanitary Sewer Pump Station in an amount not to exceed \$18,650.00. The original emergency ordinance was #27-10. Line Item #568.968.57810 to FINANCE.

### UNFINISHED BUSINESS:

Tarulli moved the following assignments from the July 6, 2010 meeting from the Finance Committee to the Utility Committee:

A request for a committee assignment from the Mayor to prepare an ordinance authorizing Uptown Services, LLC to provide broadband consulting and engineering services for the city to UTILITY.

A request for a committee assignment from the Mayor to prepare an ordinance authorizing SSOE Group of Toledo Ohio to provide electrical engineering services for the City Light Plant and the Electrical Distribution System to UTILITY.

### LEGISLATION:

Emergency resolution 07-10 up for First Reading. An emergency resolution declaring it necessary to levy a tax in excess of the ten-mill limitation and authorizing the question of the renewal of the 3.6 mill levy approved by the citizens of Dover in 1976 to be placed on the ballot in the November general election. Mueller motioned to suspend the rules. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Mueller motioned to pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 36-10 up for Third Reading. An emergency ordinance to establish the monthly refuse and recycling rates for Dover residential and commercial customers at a rate that is 2% higher than the residential and commercial trash disposal and recycling rates charged per customer to the City of Dover by the company that successfully bids and is awarded the Dover Ohio refuse and recycling contract. Bair motioned to pass. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Passed.

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Emergency ordinance 38-10 up for Second Reading. An emergency ordinance authorizing the Dover Fire Department to participate and act as the host agency for a regional project proposed in the 2009 Regional Assistance to Firefighters Grant (F.I.R.E. Grant Application) for an amount not to exceed a combined five hundred and ten thousand three hundred and thirty-two dollars (\$510,332.00), with the City of Dover's share amounting to thirteen thousand seven hundred and eight dollars and fifteen cents (\$13,708.15) and with the other participating departments responsible for their respective portion of the total 10% share to the City of Dover after a ninety percent (90%) federal F.I.R.E. Grant. Moss motioned to suspend the rules. Seconded by Gunnoe. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Moss motioned to pass. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 39-10 up for First Reading. An emergency ordinance authorizing additional funding for the water line relocation for the Interstate 77/County Road 80 project in an amount not to exceed three thousand dollars (\$3,000.00). Maurer motioned to suspend the rules. Seconded by Moss. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Maurer motioned to pass. Seconded by Moss. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 40-10 up for First Reading. An ordinance regulating skill game businesses, adult oriented arcades, internet cafes, and sweepstakes businesses in the City of Dover State of Ohio and declaring an emergency. Moss motioned to suspend the rules. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Moss motioned to pass. Seconded by Korn. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 41-10 up for First Reading. An emergency ordinance making supplemental appropriations, reduction of appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Maurer motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Motion by Korn to adjourn. Seconded by Moss. Adjourned at 8:20.

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CLERK OF COUNCIL  
Julie Leggett

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PRESIDENT OF COUNCIL  
Timothy Tarulli