

Dover City Council Minutes of August 17, 2009

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 of God and all recited the Pledge of Allegiance.

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

Motion by Mueller to excuse Moss. Seconded by Gunnoe. Discussion. Motion carried. Excused.

Acceptance of August 3, 009 regular council meeting minutes and August 4, 2009 special council meeting minutes as presented. Motion by Maurer. Seconded by Parolini. Discussion. Motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – One recommendation for ordinance: that an ordinance be prepared to approve, adopt and enact the 2009 replacement pages to the codified ordinance and to declare an emergency.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No report.

Planning and Zoning Mueller – No formal report.

Human Resources Maurer – No formal report.

Finance Cappell – one recommendation for resolution: that an emergency resolution be prepared adopting the recommendation of the Dover City Investment Board to retain Chase Bank of Dover for purposes of serving as the bank depository of active city funds. Three recommendations for ordinances: (1) that an emergency ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for a new roof and miscellaneous repairs to the mechanical ventilation system of the former Bill Hawk building in the Dover city park (2) that an emergency ordinance be prepared authorizing the Director of Public Service to expend additional funds in the amount of one thousand eight hundred and fifty dollars (\$1,850.00) for the Tuscarawas Avenue and Front Street corner project previously authorized in ordinance 20-09 (3) that an emergency ordinance authorizing the Director of Public Service to expend additional funds in the amount of two thousand nine hundred and ninety-five hundred dollars (\$2,995.00) for the new storm sewer and pavement for Anola Avenue previously authorized in ordinance 45-07 and 46-08. Cappell stated that he will be asking for rules suspension and passage on the Chase Bank ordinance.

Utilities Parolini – Two recommendations for ordinances from the meeting on August 10th (1) that an emergency ordinance be prepared 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 (2) that an emergency ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for the installation of a wing wall along the river for the regulating station for the Light Plant in an amount not to exceed forty five thousand dollars (\$45,000.00) including engineering. Parolini stated that he, Dave Douglas and Jason Hall toured the light plant and both recommendations for ordinances are necessary as the riverbank is eroding. Both recommendations for ordinances have line item numbers.

Dover City Council Minutes of August 17, 2009

Page Two

ADMINISTRATION REPORTS:

Mayor Homrighausen – The mayor reported that the Dover Planning Commission met and recommends that the sample “special purpose” ordinance for flood damage reduction be forwarded to the City Law Director for review. Once the Law Director has created a document specific to the City of Dover, the commission requests that the Law Director submit his recommendation to council for assignment. The Mayor also gave a recap of the Italian American Festival and previewed the city’s “End of Summer Celebration” which will be held on Sunday, September 6, 2009.

Auditor Fox – No formal report.

Law Director O’Meara – No formal report.

Service Director Douglas – Two requests for committee assignments: (1) to prepare an emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the construction of the new Municipal Park Restrooms to be located in the existing Maintenance Building. In an amount not to exceed \$61,500.00, including engineering (2) to prepare an emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the demolition of the Old Elk’s Building. In an amount not to exceed \$134,000.00, including engineering. Douglas stated that bid openings were held August 13, 2009 for a road grater and in the next week or so, work will begin on the Indian Meadows Retention Pond.

Safety Director Vorhees – No formal report. The Safety Director stated that work has been done on the Wooster Avenue Bridge the best it can be done this year.

City Engineer Dummermuth – No formal report.

NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Council was informed that a letter was received from Joseph Maybaugh stating he is resigning from the position of Treasurer of the City of Dover effective August 31, 2009 due to health problems. Maybaugh thanked council and the voters of the City of Dover for the privilege to serve as Treasurer.

PREAMBLES:

Emergency Resolution 17-09, Emergency Ordinance 41-09, Emergency Ordinance 43-09, Ordinance 44-09, Emergency Ordinance 46-09, Ordinance 47-09, Emergency Ordinance 48-09, Emergency Ordinance 49-09, Emergency Ordinance 50-09, Emergency Ordinance 51-09, Emergency Ordinance 52-09, Emergency Ordinance 53-09.

AUDIENCE:

Jim Schumacher, Howard Drive Dover, asked council if the city has received any of the \$130 million stimulus package money. The Mayor responded no.

Dover City Council Minutes of August 17, 2009

Page Three

RECOMMENDATIONS:

Recommendation from Greg Bair Chairman of the Service Committee that an ordinance be prepared to approve, adopt and enact the 2009 replacement pages to the codified ordinance and to declare an emergency. Bair motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency resolution be prepared adopting the recommendation of the Dover City Investment Board to retain Chase Bank of Dover for purposes of serving as the bank depository of active city funds. Cappell motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for a new roof and miscellaneous repairs to the mechanical ventilation system of the former Bill Hawk building in the Dover city park. 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 authorizing the Director of Public Service to expend additional funds in the amount of one thousand eight hundred and fifty dollars (\$1,850.00) for the Tuscarawas Avenue and Front Street corner project previously authorized in ordinance 20-09. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance authorizing the Director of Public Service to expend additional funds in the amount of two thousand nine hundred and ninety-five hundred dollars (\$2,995.00) for the new storm sewer and pavement for Anola Avenue previously authorized in ordinance 45-07 and 46-08. Cappell motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

Recommendation from Joe Parolini Chairman of the Utility Committee that an emergency ordinance be prepared 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 accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

Recommendation from Joe Parolini Chairman of the Utility Committee that an emergency ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for the installation of a wing wall along the river for the regulating station for the Light Plant in an amount not to exceed forty five thousand dollars (\$45,000.00) including engineering. Parolini motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

An assignment from the Service Director to prepare an emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the construction of the new Municipal Park

Dover City Council Minutes of August 17, 2009

Page Four

Restrooms to be located in the existing Maintenance Building. In an amount not to exceed \$61,500.00, including engineering to SERVICE.

An assignment from the Service Director to prepare an emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the demolition of the Old Elk's Building. In an amount not to exceed \$134,000.00, including engineering to UTILITY.

UNFINISHED BUSINESS:

None.

LEGISLATION:

Emergency resolution 17-09 up for First Reading. An emergency resolution adopting the recommendation of the Dover City Investment Board to retain Chase Bank of Dover for purposes of serving as the bank depository of active city funds. Cappell motioned to suspend rules. Seconded by Maurer. Discussion. Roll call. 6 yeas. Suspended. Cappell motioned to pass. Seconded by Parolini. Discussion. Roll call. 6 yeas. Passed.

Emergency ordinance 41-09 up for Fourth Reading. An emergency ordinance amending sections 1153.04(b) of the codified ordinances of the City of Dover, Ohio by adding an additional sentence to that subsection as stated in the body of this ordinance. Mueller motioned to pass. Seconded by Gunnoe. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency ordinance 43-09 up for Third Reading. An emergency ordinance authorizing the expenditure of an amount not to exceed twenty five thousand dollars (\$25,000.00) for the first phase of debris removal, clearing of brush and possible widening of Goettge Run from Davis Street to Interstate 77. Cappell motioned to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 44-09 up for Third 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 pass. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency ordinance 46-09 up for Second Reading. An emergency ordinance to bring Dover, Ohio into compliance with Ohio revised code section 9.481 and the Supreme Court of Ohio's decision of Lima vs. State (2009), 2009 – Ohio – 2597 and to require disaster and emergency employees working for the city of Dover to reside in Tuscarawas county or a county adjacent to Tuscarawas county. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Ordinance 47-09 up for Second Reading. An ordinance authorizing the Director of Public Service to advertise for bids and enter into a contract at a cost not to exceed seventy two thousand dollars (\$72,000.00), with forty thousand five hundred dollars (\$40,500.00) from CDBG funds and thirty one thousand five hundred dollars (\$31,500.00) from the city's funds, for the community development block grant project for the fiscal year 2008 and for the reconstruction of an alley running between Arch Street and Pine Street and located between Bank Lane and Broadway, a distance of three hundred and thirty five

Dover City Council Minutes of August 17, 2009

Page Five

feet (335'). The improvements include new curbs, sidewalks and pavement. Bair motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Bair motioned to pass. Seconded by Gunnoe. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency Ordinance 48-09 up for First Reading. An emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for a new roof and miscellaneous repairs to the mechanical ventilation system of the former Bill Hawk building in the Dover City Park. Cappell motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Emergency Ordinance 49-09 up for First Reading. An emergency ordinance authorizing the Director of Public Service to expend additional funds in the amount of one thousand eight hundred and fifty dollars (\$1,850.00) for the Tuscarawas Avenue and Front Street corner project previously authorized in Ordinance 20-09. Cappell motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency Ordinance 50-09 up for First Reading. An emergency ordinance authorizing the Director of Public Service to expend additional funds in the amount of three thousand four hundred and ninety-five hundred dollars (\$3,495.00) for the new storm sewer and pavement for Anola Avenue previously authorized in Ordinance 45-07 and 46-08. Cappell motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Emergency Ordinance 51-09 up for First Reading. An ordinance to approve, adopt and enact the 2009 replacement pages to the codified ordinances and to declare an emergency. Bair motioned to hold. Seconded by Gunnoe. Discussion. Motion carried. Held.

Emergency Ordinance 52-09 up for First Reading. An emergency ordinance authorizing the Service Director to advertise for bids and enter into a contract for the installation of a wing wall along the river for the regulating station for the Light Plant in an amount not to exceed forty five thousand dollars (\$45,000.00) including engineering. Parolini motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency Ordinance 53-09 up for First 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 Cappell. Discussion. Motion carried. Held.

Mueller motioned to adjourn. Seconded by Cappell. Discussion. Motion carried. Adjourned at 8:10 pm.

CLERK OF COUNCIL

Julie Leggett

PRESIDENT OF COUNCIL

Timothy Tarulli