

## Dover City Council Minutes of August 3, 2009

President Tim Tarulli called the meeting to order at 7:30 pm. All stood for the invocation that was given by Pastor Louise Worsham from the First Church of God and all recited the Pledge of Allegiance.

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

Acceptance of July 20, 2009 regular council meeting minutes, July 20, 2009 public hearing minutes and July 27, 2009 special council meeting minutes as presented. Motion by Bair. Seconded by Maurer. Discussion. President Tarulli requested that a copy of Jeff Robb's power point presented be included in the July 27, 2009 special council meeting minutes. Motion carried. Accepted.

### COMMITTEE REPORTS:

Service Bair – Two recommendations from meeting tonight: (1) an ordinance be prepared to authorize funding, advertise for bids and enter into a contract for the Community Development Block Grant Project for the fiscal year 2008 for the reconstruction of an alley running between Arch Street and Pine Street and located between Bank Lane and Broadway, a distance of 335 feet. The improvements include new curbs, sidewalks, and pavement (2) an ordinance be prepared authorizing the Service Director to advertise for bids to enter into contract miscellaneous repairs to the mechanical venting devices on the roof for the former Bill Hawk Building in the city park. The cost of this project is estimated at \$55,000.00 which includes new roof insulation and engineering cost. Bair requested that this recommendation be moved to the finance committee.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No formal report.

Planning and Zoning Mueller – 2 recommendations out of this committee: (1) that an ordinance be prepared 1. updating ORD 1155.02 off street parking space requirements size to 9' \* 18'. 2. add banks to use column (b). Also change floor area from 150 square feet to 200 square feet. 2. amend 1125.04 fee schedule for new homes to A) single family residence \$50.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00 B) 2-family dwelling \$75.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00 C) 3-family dwelling \$100.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00 (2) an ordinance be prepared rezoning the city owned property at 2421 N. Wooster Ave. Parcel Numbers 15-1506-000 and 15-00695-000 from B-2 to S-1. Mueller invited everyone to the Italian American Festival.

Human Resources Maurer – The Human Resources committee had a meeting this evening to revise the residency ordinance. Maurer suggested that this ordinance be read three times before passage. One recommendation from this meeting: that an emergency ordinance be prepared 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.

Finance Cappell –Held a finance committee meeting last week but there was not enough information to act. Referred this to Auditor Fox.

Utilities Parolini – No formal report on legislation. Held a utility meeting to discuss light plant items. Also had a meeting to discuss Smart Grid.

#### ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor read two letters from Time Warner Cable regarding changes in offerings to customers. The Mayor read a letter from the Kiwanis Club and applauded their efforts maintaining the Kiwanis Club / Rosenberry Park. The 2008 updated pages of the Dover Codified Ordinances are available in the Mayor's office. The Mayor read through the Dover Architectural Board appointees. Regarding emergency ordinance 45-09, the Mayor stated that in the future the smart grid can include water meters. The Mayor feels that the government will implement a similar program leaving the city with two options: do nothing until it is mandated or get involved ahead of the game and pay fifty percent of the costs.

Auditor Fox - The finance committee will meet again to recommend an emergency ordinance with passage at the August 17, 2009 meeting to meet the August 20, 2009 deadline.

Law Director O'Meara – Regarding Ordinance 48-09, it will be moved from service to finance because additional money is required. The city did purchase approximately 4.0117 acres abutting the canal lands at a price of \$20,101.00 as the bank bid up to \$20,100.00.

Service Director Douglas – Two requests for committee assignments: (1) to prepare an ordinance authorizing additional funding for the New Storm Sewer and Pavement for Anola Avenue in an amount not to exceed \$2995.00 (2) to prepare an Ordinance authorizing additional funding for the Tuscarawas Avenue and Front Street Corner Project in an amount not to exceed \$1,950. Bid openings were held July 18, 2009 and July 21, 2009 for Rose Court and the Indian Meadows Retention Bond. The lowest bid for the Indian Meadows Retention Pond was \$24,800.00, well under the \$45,000.00 allotted. Bair asked the Service Director about possibly repairing the pavement coming off of the Wooster Ave bridge. Douglas said they are going to maintain and work on this issue once the pavers are back in town. Bair commended the service crew for their work clearing debris around the area outside of Marlite stating that they did a nice job.

Safety Director Vorhees – Reminded council of the police auction Wednesday at 4:00.

City Engineer Dummermuth – No report.

Utility Office Manager Scott Daniels – No formal report.

#### NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Council was informed that we received the licensing fee distribution from the State of Ohio Division of Liquor Control.

#### PREAMBLES:

Emergency Resolution 15-09, Emergency Resolution 16-09, Ordinance 39-09, Emergency Ordinance 41-09, Emergency Ordinance 43-09, Ordinance 44-09, Emergency Ordinance 45-09, Emergency Ordinance 46-09, Ordinance 47-09.

AUDIENCE:

None.

RECOMMENDATIONS:

Recommendation from Greg Bair Chairman of the Service Committee that an ordinance be prepared to authorize funding, advertise for bids and enter into a contract for the Community Development Block Grant Project for the fiscal year 2008 for the reconstruction of an alley running between Arch Street and Pine Street and located between Bank Lane and Broadway, a distance of 335 feet. The improvements include new curbs, sidewalks, and pavement. Bair motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

Recommendation from Greg Bair Chairman of the Service Committee that an ordinance be prepared authorizing the Service Director to advertise for bids to enter into contract miscellaneous repairs to the mechanical venting devices on the roof for the former Bill Hawk Building in the city park. The cost of this project is estimated at \$55,000.00 which includes new roof insulation and engineering cost. Bair requested that this recommendation be moved to the finance committee.

Recommendation from Robert Mueller Chairman of the Planning and Zoning Committee that an ordinance be prepared 1. updating ORD 1155.02 off street parking space requirements size to 9' \* 18'. 2. add banks to use column (b). Also change floor area from 150 square feet to 200 square feet. 2. amend 1125.04 fee schedule for new homes to A) single family residence \$50.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00 B) 2-family dwelling \$75.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00 C) 3-family dwelling \$100.00 plus \$5.00 for each additional \$5,000.00 in value over \$100,000, not to exceed a total fee of \$500.00. Mueller motioned to accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Robert Mueller Chairman of the Planning and Zoning Committee that an ordinance be prepared rezoning the city owned property at 2421 N. Wooster Ave. Parcel Numbers 15-1506-000 and 15-00695-000 from B-2 to S-1. Mueller motioned to accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Don Maurer Chairman of the Human Resources Committee that an emergency ordinance be prepared 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 accept. Seconded by Mueller. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

An assignment from the Service Director to prepare an ordinance authorizing additional funding for the New Storm Sewer and Pavement for Anola Avenue in an amount not to exceed \$2995.00 to FINANCE.

An assignment from the Service to prepare an Ordinance authorizing additional funding for the Tuscarawas Avenue and Front Street Corner Project in an amount not to exceed \$1,950.to FINANCE.

#### UNFINISHED BUSINESS:

The Mayor reminded everyone that the 21<sup>st</sup> annual Italian American Festival begins this Friday with the Mayor's breakfast followed by opening ceremonies at 5:30.

The Mayor called a special council meeting for August 4, 2009 at 8:45 pm at Memorial Hall to discuss Ordinance 45-09.

#### LEGISLATION:

Emergency resolution 15-09 up for Third Reading. An emergency resolution endorsing the Planning Commission's decision approving the initial phase of the Mason Development in the 2600 block of North Wooster Avenue at Oakdale Drive. Mueller motioned to pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency Resolution 16-09 up for Third Reading. An emergency resolution authorizing the Auditor to request insurance proposals for the insurance coverage for the City of Dover as authorized by the Insurance Advisory Board to provide all or part of the coverages required insuring the interests of the City of Dover. Cappell motioned to pass. Seconded by Maurer. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 39-09 up for Fourth Reading. An ordinance vacating a portion of an unopened alley that bisects the three properties owned by Eleanor M. Maley, Parcel Numbers 15-03479-000, 15-02412-000, 15-02411-000 and the Dover Capital Ebterprises property, Parcel Number 15-03478-000 and as more specifically described in the description attached as Appendix a and the plat attached as Exhibit b. Mueller motioned to pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 41-09 up for Third 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 hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 43-09 up for Second 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 hold. Seconded by Parolini. Discussion. Motion carried. Held.

Ordinance 44-09 up for Second 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 45-09 up for First Reading. An emergency ordinance approving the proposed smart grid application for the advanced metering infrastructure (AMI) project for the city of Dover, Ohio electric utility system; and, authorizing the mayor of the city of Dover to submit a smart grid application for the advanced metering infrastructure (AMI) project for the city of Dover, Ohio electric utility system to the united states department of energy requesting matching funds available through the American Recovery and Reinvestment Act (ARRA); and, to further authorize execution of all documents and

contracts necessary to acquire these funds and to award this contract for the AMI project to the lowest and best bidder after advertising for those bids under Ohio law. Maurer motioned to suspend rules. Seconded by Moss. Discussion. Parolini stated that he appreciated the Mayor's information regarding the Smart Grid Application but now is not the best time for the City of Dover to take out nearly a million dollars from the electric fund given what council has been presented. 5 yeas, Bair and Parolini 2 nays. Motion did not pass. Not suspended. Maurer motioned to hold. Seconded by Moss. Discussion. Motion carried. Held.

Emergency ordinance 46-09 up for First 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 Moss. Discussion. Motion carried. Held.

Ordinance 47-09 up for First 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 feet (335'). The improvements include new curbs, sidewalks and pavement. Bair motioned to hold. Seconded by Gunnoe. Discussion. Motion carried. Held.

Mueller motioned to adjourn. Seconded by Bair. Discussion. Motion carried. Adjourned at 8:35 pm.

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CLERK OF COUNCIL  
Julie Leggett

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PRESIDENT OF COUNCIL  
Timothy Tarulli