

## Dover City Council Minutes of September 21, 2009

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

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

Acceptance of September 8, 2009 regular council meeting minutes as presented. Motion by Maurer. Seconded by Moss. Discussion. Motion carried. Accepted.

### COMMITTEE REPORTS:

Service Bair – No formal report. Service meeting called for September 28, 2009 at 6:30 pm.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No formal report.

Planning and Zoning Mueller – No formal report.

Human Resources Maurer – No formal report. Human Resources meeting called for October 5, 2009 at 6:30 pm to set salaries for elected positions.

Finance Cappell – Two recommendation from meeting tonight: 1) that an emergency ordinance be prepared to provide funding for engineering services for the Tuscarawas Avenue Bridge Project previously authorized in Ordinance 73-07 in an amount not to exceed fifteen thousand dollars 2) that an emergency ordinance be prepared authorizing the expenditure of an additional six thousand dollars for the Rose Court Sanitary Sewer Project previously authorized by Ordinance 29-09 and declaring an emergency. Cappell stated that Auditor Fox asked for passage of Resolution 18-09; therefore, Cappell will be asking for rules suspension and passage on Resolution 18-09.

Utilities Parolini – The Utility Committee met tonight regarding demolition of the former Elks building. Parolini said that Douglas reported that the asbestos has been removed and he is eager to get the project underway so that in the spring the city will have several options. Parolini asked that the assignment be moved to the finance committee.

### ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor informed council that this is the last week for the Dover Farmer's Market and that he will be out of town for the special council session on September 28, 2009 and the regular council session on October 5, 2009. The Mayor added that the rest areas on Interstate 77 will be closed October 9<sup>th</sup> to begin construction on the new exit. A ribbon cutting ceremony will be held October 12<sup>th</sup>. The Mayor asked for executive session for land acquisition. One request for assignment: that an assignment be made to allocate additional monies to expand the siding project at the Dover Light Plant. The additional monies would go toward the installation of siding to all visible surfaces of the light plant in an effort to minimize the normal discoloration, aging and / or fading of the siding.

Auditor Fox – No formal report.

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Law Director O'Meara – No formal report.

Service Director Douglas –No formal report. Douglas reported that several jobs are coming to a close and plans were finalized on the Tuscarawas Avenue Bridge Project last week. The bridge will be closing October 1<sup>st</sup> for at least one year.

Safety Director Vorhees – Vorhees reminded council that it is fair week and that the police department will be monitoring the congestion and parking problems. The Fire Department open house will be October 7<sup>th</sup> from 6 pm – 9 pm.

City Engineer Dummermuth – No formal report.

### NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – None.

### PREAMBLES:

Emergency Resolution 18-09, Emergency Ordinance 49-09, Emergency Ordinance 50-09, Emergency Ordinance 52-09, Emergency Ordinance 53-09, Ordinance 54-09, Ordinance 55-09, Ordinance 56-09, Emergency Ordinance 57-09, Emergency Ordinance 58-09.

### AUDIENCE:

None.

### RECOMMENDATIONS:

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared authorizing the expenditure of an additional six thousand dollars for the Rose Court Sanitary Sewer Project previously authorized by Ordinance 29-09 and declaring an emergency. 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 to provide funding for engineering services for the Tuscarawas Avenue Bridge Project previously authorized in Ordinance 73-07 in an amount not to exceed fifteen thousand dollars. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

### ASSIGNMENTS:

An assignment from the Mayor that an assignment be made to allocate additional monies to expand the siding project at the Dover Light Plant. The additional monies would go toward the installation of siding to all visible surfaces of the light Plant in an effort to minimize the normal discoloration, aging and / or fading of the siding to UTILITY.

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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 from UTILITY to FINANCE.

### UNFINISHED BUSINESS:

The Mayor reported that Public Power week is October 4<sup>th</sup> – October 11<sup>th</sup>. There will be an open house at the Dover Light Plant October 4<sup>th</sup> from 2 pm – 4 pm with more information to come.

Parolini called a Utility Committee meeting on September 28, 2009 at 6:00 pm.

Mueller motioned for executive session to be held in the Service Director's office following legislation to discuss land acquisition. Seconded by Maurer. Discussion. Roll call. 7 yeas. Motion carried. Executive session will be held following legislation to discuss land acquisition.

### LEGISLATION:

Emergency resolution 18-09 up for Second Reading. An emergency resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county Auditor. Cappell motioned to suspend the rules. Seconded by Moss. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 46-09 up for Third 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 pass. Seconded by Mueller. Discussion. Roll call. 6 yeas. Motion carried. Passed.

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 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 Second 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. Maurer motioned to suspend rules. Seconded by Gunnoe. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Parolini motioned to pass. Seconded by Mueller. Discussion. Roll call 6 yeas. Motion carried. Passed.

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Emergency Ordinance 49-09 up for Third 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 pass. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency Ordinance 50-09 up for Third 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 pass. Seconded by Mueller. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency Ordinance 51-09 up for Second Reading. An ordinance to approve, adopt and enact the 2009 replacement pages to the codified ordinances and to declare an emergency. Bair motioned to suspend rules. Seconded by Gunnoe. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Bair motioned to pass. Seconded by Moss. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency Ordinance 52-09 up for Third 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 pass. Seconded by Cappell. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency Ordinance 53-09 up for Third 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 54-09 up for Second Reading. An ordinance amending the zoning classification of the properties located at 2421 N. Wooster Ave., Parcel # 15-01506-000, the former Al Greco trust property and Parcel # 15-00695-000, the former Bill Hawk trust property from the current zoning classification as "B-2" to a classification of "S-1". Mueller motioned to hold. Seconded by Moss. Discussion. Motion carried. Held.

Ordinance 55-09 up for Second Reading. An ordinance to update the provisions of Dover codified ordinance 1155.02 as stated in the body of this ordinance to provide as follows: A. to change the off street parking requirements size to 9' x 18'; B. Add banks as a use under subsection (b); C. Change the required floor area from 150 square feet to 200 square feet for each required parking space for banks, retail or business services. Mueller motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Ordinance 56-09 up for Second Reading. An ordinance to amend section 1125.04 of the codified ordinances of the City of Dover to increase the fees that will accompany each application for a zoning certificate for single-family residences, two-family residences and three-family residences. Mueller motioned to hold. Seconded by Cappell. Discussion. Motion carried. Held.

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Emergency ordinance 57-09 up for First Reading. An emergency ordinance authorizing the expenditure of an additional six thousand dollars (\$6,000.00) for the Rose Ct. sanitary sewer project previously authorized by ordinance 29-09 and declaring an emergency. Cappell motioned to hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency ordinance 58-09 up for First Reading. An emergency ordinance to provide funding for engineering services for the Tuscarawas Avenue bridge project previously authorized in ordinance 73-07

in an amount not to exceed fifteen thousand dollars (\$15,000.00). Cappell motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Adjournment for executive session at 8:05 pm.

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CLERK OF COUNCIL  
Julie Leggett

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PRESIDENT OF COUNCIL  
Timothy Tarulli