

## Dover City Council Minutes of September 8, 2009

President pro tem Don Maurer 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, Parolini...Six (6) present.

Motion by Mueller to excuse President Tarulli and Cappell. Seconded by Gunnoe. Discussion. Motion carried. Excused.

Acceptance of August 17, 009 regular council meeting minutes, August 17, 2009 public hearing minutes and August 24, 2009 special council meeting minutes as presented. Motion by Gunnoe. Seconded by Parolini. Discussion. Motion carried. Accepted.

### COMMITTEE REPORTS:

Service Bair – No formal report. Commended the general services department on their work at the Union Avenue railroad crossing stating job well done.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No formal report.

Planning and Zoning Mueller – No formal report. Commended the city on the end of the summer celebration held Sunday.

Human Resources Maurer – No formal report.

Finance Cappell – Parolini – One recommendation from their meeting tonight: that an emergency resolution be prepared accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county Auditor.

Utilities Parolini – No formal report. Called a utility meeting for September 21, 2009 at 6:45 pm to discuss the former Elks building before forwarding the assignment onto the finance committee.

### ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor reported that the Dover Planning Commission met and approved the City of Dover Storm Water Management Plan. The plan was forwarded to council with a request for an assignment. The Mayor passed around a commemorative plaque received from the American Municipal Power Inc. signifying Dover's participation in the AMP hydroelectric project. The Mayor also stated that Dover's aggregated natural gas price has been locked in at \$6.42 per mcf which at present is the lowest annual rate being offered. The Mayor thanked Mary Fox for chairing the end of the summer celebration in downtown Dover which the Mayor called a great day of fun.

Auditor Fox – The Democratic Committee met and appointed Nikki Stoldt as the Treasurer of the City of Dover, replacing Joseph Maybaugh who is stepping down due to health reasons.

Law Director O'Meara – No formal report.

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Service Director Douglas – The Service Director reported that bids were opened on August 18, 2009 for the installation of the new sanitary sewer for Rose Court. J.L. and Sons Excavating of Strasburg submitted the low bid of \$23,071.00. Douglas reported that the Tuscarawas Avenue bridge will be closed starting on October 1<sup>st</sup> for approximately one year. Three requests for assignments: 1) to prepare an emergency resolution authorizing the Mayor to apply for, accept and enter into a contract to receive Issue 1 funding for the extension of storm sewers from James Street and Wills Avenue to Shafer Avenue and Monroe Street 2) to prepare an emergency ordinance authorizing additional funding for the Rose Court sanitary sewer project in an amount not to exceed \$6,000.00 3) to prepare an emergency ordinance authorizing additional funds for the engineering for the Tuscarawas Avenue bridge project in an amount not to exceed \$15,000.00 for services during construction.

Safety Director Vorhees – No formal report.

City Engineer Dummermuth – Dummermuth added, in regards to the Dover Storm Water Management Plan presented by the Mayor, that the report was mandated by the EPA and revised once per the EPA's instructions. The report will give the city a way to prepare ordinances to control runoffs. There is also a section for the public educating them on issue such as water pollution.

### NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Council was informed that a letter was received from the Ohio Division of Liquor Control stating that El Papa's restaurant on Wooster Avenue in Dover had applied for a new liquor license. The letter stated that a response was necessary by the Council Clerk no later than September 21, 2009 as to whether or not a hearing would be held. After discussion, council decided not to request a hearing.

### PREAMBLES:

Emergency Resolution 18-09, Emergency Ordinance 46-09, Emergency Ordinance 48-09, Emergency Ordinance 49-09, Emergency Ordinance 50-09, Emergency Ordinance 51-09, Emergency Ordinance 52-09, Emergency Ordinance 53-09, Ordinance 54-09, Ordinance 55-09, Ordinance 56-09.

### AUDIENCE:

Wally Waldenmeyer stated that it had been a long time since he had attended a council meeting and wanted to see who was on council.

### RECOMMENDATIONS:

Recommendation from Joe Parolini of the Finance Committee that an emergency resolution be prepared accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county Auditor. Parolini motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

### ASSIGNMENTS:

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An assignment from the Mayor to review the City of Dover Storm Water Management Plan to COUNCIL OF THE WHOLE.

An assignment from the Service Director to prepare an emergency resolution authorizing the Mayor to apply for, accept and enter into a contract to receive Issue 1 funding for the extension of storm sewers from James Street and Wills Avenue to Shafer Avenue and Monroe Street to SERVICE.

An assignment from the Service Director to prepare an emergency ordinance authorizing additional funding for the Rose Court sanitary sewer project in an amount not to exceed \$6,000.00 to FINANCE.

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 \$15,000.00 for services during construction to FINANCE.

### UNFINISHED BUSINESS:

A committee of the whole meeting was called for September 28, 2009 at 7:00 in the Service Director's office for discussion on the Storm Water Management Plan.

Maurer reported that the next regular session of Dover City Council will be held at the Dover Fire Station because of a conflict with the schedule at Memorial Hall. That meeting will be held September 21, 2009.

### LEGISLATION:

Emergency resolution 18-09 up for First 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. Parolini motioned to hold. Seconded by Gunnoe. Discussion. Motion carried. Held.

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.

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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.

Emergency Ordinance 49-09 up for Second 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. Parolini motioned to hold. Seconded by Moss. Discussion. Motion carried. Held.

Emergency Ordinance 50-09 up for Second 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. Parolini motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

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 Second 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 Mueller. Discussion. Motion carried. Held.

Emergency Ordinance 53-09 up for Second 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 Moss. Discussion. Motion carried. Held.

Ordinance 54-09 up for First 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 Gunnoe. Discussion. Motion carried. Held.

Ordinance 55-09 up for First 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 Moss. Discussion. Motion carried. Held.

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Ordinance 56-09 up for First 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 Parolini. Discussion. Motion carried. Held.

Mueller motioned to adjourn. Seconded by Parolini. Discussion. Motion carried. Adjourned at 8:20 pm.

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CLERK OF COUNCIL

Julie Leggett

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PRESIDENT OF COUNCIL

Timothy Tarulli