

Dover City Council Minutes of June 1, 2009

President Tim Tarulli called the meeting to order at 7:30 pm. All stood for the invocation that was given by Jim Baker from Word of Faith Christian Center and all recited the Pledge of Allegiance.

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

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

Acceptance of May 18, 2009 regular council meeting minutes as presented. Motion by Maurer. Seconded by Parolini. Discussion. The motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – One recommendation from meeting this evening: that an ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for the purchase of a new Road Grader for the General Services Department. In an amount not to exceed \$130,000.00. Line item #330.745.57580. Bair also noted that as of 7:00 am this morning, Marlite was on the Dover fiber system.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – Gunnoe presented one recommendation: that an emergency resolution be prepared authorizing the Police Department to dispose of certain property at public auction or sale.

Planning and Zoning Mueller – Two recommendations for ordinances out of tonight's meeting: (1) that an ordinance be prepared vacating an alley behind the Boulevard and off of Bellevue Street between properties owned by Eleanor Maley, and being 16' * 120' and keeping a utility easement. (2) that an ordinance be prepared re-zoning a portion of 21.634 acres owned by John Fondriest located off of Route 39 in Dover from R-2 to B-2.

Human Resources Maurer – No Formal Report. Commended the City of Dover for their quick reaction when the power was out recently.

Finance Cappell – One recommendation from meeting on May 26th: that an ordinance be prepared to provide and authorize additional funding in an amount not to exceed thirteen thousand dollars (\$13,000.00) for the Dover Avenue Waterline Project originally authorized in ordinance 16-08. Cappell stated that the additional funds were due to a broken waterline. Cappell will be asking for rules suspension and passage this evening.

Utilities Parolini – One recommendation from meeting this evening: that an emergency ordinance be prepared to allow the City of Dover to enter into emergency contracts on the open market for the delivery of coal and the removal and disposal of coal ash for the Dover Electric Generating Plant until a new contract can be awarded. Parolini stated that bid openings will be held June 19th.

ADMINISTRATION REPORTS:

Mayor Homrighausen – Discussed the need for emergency ordinance 34-09 stating that the previous coal contract expired at midnight last night and that this ordinance needs to be passed in order to continue to purchase coal for the generation of electricity at the light plant. The Mayor also stated that he has been

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informed by O.D.O.T. that the new date for the bid opening for the interstate Route 77 and County road 80 interchange project will be on July 10th.

Auditor Fox – No formal report.

Law Director O'Meara – Informed council that in regards to the Tuscarawas Avenue Bridge Project, two entities accepted the monies presented while one did not respond.

Service Director Douglas – Reported that the refuse contract was awarded to J&J Refuse with recycling pick up twice a month at \$9.14. Douglas described the street paving list including portions of: Crater Avenue, Slingluff Avenue, Tremont, East 21st Street, East 20th Street, Cross Street and Race Street.

Safety Director Vorhees – The first new police cruiser has arrived and will be in service this week. All three new cruisers should be in service by the end of this month. The Police auction will be held August 5th at 4:00 pm.

City Engineer Dummermuth – No formal report.

NOTICES & COMMUNICATIONS:

Monthly Reports – None

Notices – None.

PREAMBLES:

Resolution 10-09, Emergency Resolution 11-09, Emergency Resolution 14-09, Emergency Ordinance 29-09, Emergency Ordinance 30-09, Emergency Ordinance 31-09, Ordinance 32-09, Ordinance 33-09, Emergency Ordinance 34-09, Ordinance 35-09, Ordinance 36-09.

AUDIENCE:

Cheryl Staron, Director of the Tuscarawas County Fair Housing Program made a presentation to council regarding fair housing laws. Staron stated that the Fair Housing Amendments' Act prohibits discrimination in terms of housing because of race, color, origin, religion, sex, handicap, disability or familial status. She presented council with brochures that will be available to the public and informed council as to what her office does and that they serve the City of Dover.

RECOMMENDATIONS:

Recommendation from Greg Bair Chairman of the Service Committee that an ordinance be prepared authorizing the Service Director to advertise for bids and enter into a contract for the purchase of a new Road Grader for the General Services Department. In an amount not to exceed \$130,000.00. Line item #330.745.57580. Bair motioned to accept. Seconded by Gunnoe. Discussion. Motion carried. Accepted.

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Recommendation from Sandy Moss Chairman of the Safety Committee that an emergency resolution be prepared authorizing the Police Department to dispose of certain property at public auction or sale. Gunnoe 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 vacating an alley behind the Boulevard and off of Bellevue Street between properties owned by Eleanor Maley, and being 16' * 120' and keeping a utility easement. 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 re-zoning a portion of 21.634 acres owned by John Fondriest located off of Route 39 in Dover from R-2 to B-2. Mueller motioned to accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an ordinance be prepared to provide and authorize additional funding in an amount not to exceed thirteen thousand dollars (\$13,000.00) for the Dover Avenue Waterline Project originally authorized in ordinance 16-08. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

Recommendation from Joe Parolini Chairman of the Utility Committee that an emergency ordinance be prepared to allow the City of Dover to enter into emergency contracts on the open market for the delivery of coal and the removal and disposal of coal ash for the Dover Electric Generating Plant until a new contract can be awarded. Parolini motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

None.

UNFINISHED BUSINESS:

None.

LEGISLATION:

Resolution 10-09 up for the Third Reading. A resolution notifying the Tuscarawas County Commissioners of the City of Dover's assent to the petition of Nathan B. Levengood to detach parcel numbers 15-06093.000 and 15-06094.000, 1637 Horns Ln. NW, Dover, Ohio from the City of Dover, Ohio. Motion by Mueller to pass. Seconded by Bair. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency resolution 11-09 up for Third Reading. An emergency resolution authorizing the Dover Fire Department through the Dover Fire Chief to participate and act as the host agency for a regional project grant for communications proposed in the 2009 F.I.R.E. assistance to firefighters grant program with a total grant budget not to exceed a combined six hundred and fifty thousand dollars (\$650,000.00), with the City of Dover's match requirement obligation not to exceed fifteen thousand dollars (\$15,000.00),

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from master capital fund line item 330.745.57450; and to further authorize the Fire Chief to apply for a grant to install an automatic fire suppression system for the fire station at a cost not to exceed fifty thousand dollars (\$50,000.00) with Dover's share not to exceed two thousand five hundred dollars (\$2,500.00). The source of these funds is small capital expenditures, line item 101.917.57810. Motion by Gunnoe to pass. Seconded by Bair. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency resolution 14-09 up for First Reading. An emergency resolution authorizing the Police Department to dispose of certain property at public auction or sale. Motion by Gunnoe to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 29-09 up for Third Reading. An emergency ordinance authorizing the Director of Public Service to advertise for bids and enter into a contract for the installation of approximately two hundred and forty six (246) linear feet of eight inch (8") sanitary sewer beginning at the intersection of Tuscarawas Avenue and Rose Court to the end of Rose Court. Said project, including engineering costs associated therewith, shall not exceed a cost of twenty two thousand dollars (\$22,000.00). Motion by Cappell to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Emergency ordinance 30-09 up for Second Reading. An emergency ordinance authorizing the Director of Public Safety to enter into a contract with the Tuscarawas County Board of County Commissioners for housing inmates in the Tuscarawas County Jail, pursuant to the contract that has been attached hereto as Appendix A. Gunnoe motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 31-09 up for Second Reading. An emergency ordinance to preserve, advance and maintain the distinctive architectural and historical character of the City of Dover, Ohio and promote the educational, cultural, economic and general welfare of the citizens of the City of Dover, Ohio by the preservation of the architectural and historical character, the enhancement of real property values, the development of the local economy and to establish a legal framework that will support the use of local, state and federal financial incentives for the preservation of historic sites and structures within the City of Dover. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 32-09 up for Second Reading. An ordinance vacating a portion of an unopened alley that bisects the two properties owned by Clyde Mc Laughlin at 424 Broad Street, Parcel Number 15-00618-000 and 428 Broad Street, Parcel Number 15-00553-000 and as more specifically described in the description attached as Appendix A and the plat attached as Exhibit B. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 33-09 up for Second Reading. An ordinance requiring any new passenger elevator installed in any building in the City of Dover subsequent to the effective date of this ordinance be built large enough to accommodate a typical ambulance cot set in the supine or flat position. Gunnoe motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 34-09 up for First Reading. An emergency ordinance to allow the City of Dover to enter into emergency contracts on the open market for the delivery of coal for the generation of electricity and for the removal and disposal of coal ash for the Dover Electric Generating Plant for the month of June 2009, and continuing, until a new contract that meets the required specifications, as authorized by ordinance 10-09, can be awarded. Motion by Parolini to suspend rules. Seconded by Cappell. Discussion.

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Roll call. 6 yeas. Motion carried. Suspended. Motion by Parolini to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 35-09 up for First Reading. An ordinance to amend Dover codified ordinance section 1141.03 to allow additional conditional uses for B-2, highway or general business, and M-1, restricted industrial, and M-2, general industrial. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 36-09 up for First Reading. An ordinance to provide and authorize additional funding in an amount not to exceed thirteen thousand dollars (\$13,000.00) for the Dover Avenue Water Line Project originally authorized in ordinance 16-08. Motion by Cappell to suspend rules. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Motion by Cappell to pass. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Maurer motioned to adjourn. Seconded by Gunnoe. Discussion. Motion carried. Adjourned at 8:10 pm.

CLERK OF COUNCIL

Julie Leggett

PRESIDENT OF COUNCIL

Timothy Tarulli