

Dover City Council Minutes of June 15, 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, Moss, Maurer, Mueller, Cappell, Parolini...Seven (7) present.

Acceptance of June 1, 2009 regular council meeting minutes as presented. Motion by Parolini. Seconded by Moss. Discussion. The motion carried. Accepted.

Acceptance of June 8, 2009 special council meeting minutes as presented. Motion by Parolini. Seconded by Gunnoe. Discussion. The motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – No formal report. On behalf of the Dover Historical Society, Bair invited all council members and administration to the Reeves Home and Museum on July 12, 2009 at 11:45 pm for the dedication of a historical marker from the Ohio Historical Society followed by the annual ice cream social. Bair read a letter from the Ohio Historical Society.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No formal report.

Planning and Zoning Mueller – Two recommendations for ordinances out of tonight's meeting: (1) that a resolution be prepared endorsing the Planning Commission's decision endorsing the Mason Development in the 2600 block of North Wooster Avenue at Oakdale Drive (2) that an ordinance be prepared amending 1153.04 (b) adding "However, existing lots of record platted prior to the passage of ORD 40-63, passed 12-12-63, shall conform to section 1153.02 (a) of said ordinance existing lots of record for the side yard setback determination for corner lots.

Human Resources Maurer – No Formal Report.

Finance Cappell – One recommendation from meeting tonight: that an emergency ordinance be prepared to modify the commitment made by the City of Dover, as the local public agency, to the State of Ohio in Ordinance 13-07 and 25-09; to authorize continued participation in the TUS-IR 77-24.50 project, PID No. 19734; and to provide funding for this project.

Utilities Parolini – No formal report.

ADMINISTRATION REPORTS:

Mayor Homrighausen – No report.

Auditor Fox – No formal report.

Law Director O'Meara – No formal report.

Dover City Council Minutes of June 15, 2009

Page Two

Service Director Douglas – Notified council that bid openings were held by ODOT for the Tuscarawas Avenue bridge which was estimated to be 3,800,000. The bid was 3,124,000. Two requests for committee assignments: (1) to prepare an emergency ordinance authorizing additional funds for the Pinedale Drive Pump Station and Force Main Project in an amount not to exceed \$36,000.00 (2) to prepare an ordinance 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.

Safety Director Vorhees – Informed council that they recently finished interviewing three candidates for two positions in the police department. Took delivery of the chassis for the ambulance and will bid the box unit before the end of the year. Reported that all police cruisers are in service.

City Engineer Dummermuth – No formal report.

Building and Zoning Codes Administrator Beitzel – Presented the off street package and fee schedule.

NOTICES & COMMUNICATIONS:

Monthly Reports – None

Notices – None.

PREAMBLES:

Emergency Resolution 14-09, Emergency Ordinance 30-09, Emergency Ordinance 31-09, Ordinance 32-09, Ordinance 33-09, Ordinance 35-09, Ordinance 37-09, Emergency Ordinance 38-09, Ordinance 39-09, Emergency Final Ordinance 40-09.

AUDIENCE:

None

RECOMMENDATIONS:

Recommendation from Robert Mueller Chairman of the Planning and Zoning Committee that a resolution be prepared endorsing the Planning Commission's decision endorsing the Mason Development in the 2600 block of North Wooster Avenue at Oakdale Drive. Mueller motioned to accept. Seconded by Moss. Discussion. Motion carried. Accepted.

Recommendation from Robert Mueller Chairman of the Planning and Zoning Committee that an ordinance be prepared amending 1153.04 (b) adding "However, existing lots of record platted prior to the passage of ORD 40-63, passed 12-12-63, shall conform to section 1153.02 (a) of said ordinance existing lots of record for the side yard setback determination for corner lots. Mueller motioned to accept. Seconded by Moss. Discussion. Motion carried. Accepted.

Dover City Council Minutes of June 15, 2009

Page Three

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared to modify the commitment made by the City of Dover, as the local public agency, to the State of Ohio in Ordinance 13-07 and 25-09; to authorize continued participation in the TUS-IR 77-24.50 project, PID No. 19734; and to provide funding for this project. Cappell motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

An assignment from the Service Director to prepare an emergency ordinance authorizing additional funds for the Pinedale Drive Pump Station and Force Main Project in an amount not to exceed \$36,000.00 to FINANCE.

An assignment from the Service Director to prepare an ordinance 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 to SERVICE.

UNFINISHED BUSINESS:

None.

LEGISLATION:

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

Emergency ordinance 30-09 up for Third 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. Moss motioned to pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency ordinance 31-09 up for Third 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 Moss. Discussion. Motion carried. Held.

Ordinance 32-09 up for Third 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

Dover City Council Minutes of June 15, 2009

Page Four

attached as Appendix A and the plat attached as Exhibit B. Mueller motioned to hold. Seconded by Moss. Discussion. Motion carried. Held.

Ordinance 33-09 up for Third 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. Moss motioned to pass. Seconded by Gunnoe. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 35-09 up for Second 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 Moss. Discussion. Motion carried. Held.

Ordinance 37-09 up for First Reading. An ordinance amending the zoning classification of the John Fondriest property containing 18.415 acres more or less located next to State Route 39 in Dover, as fully described in the attached Appendix a, from its current zoning classification as "R-1" to a classification of "B-2". Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency ordinance 38-09 up for First Reading. An emergency ordinance 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 one hundred and thirty thousand dollars (\$130,000.00). Bair motioned to hold. Seconded by Parolini. Discussion. Motion carried. Held.

Ordinance 39-09 up for First Reading. An ordinance vacating a portion of an unopened alley that bi-sects the three properties owned by Eleanor M. Maley, Parcel Numbers 15-03479-000, 15-02412-000, 15-02411-000 and the Dover Capital Enterprises 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 hold. Seconded by Bair. Discussion. Motion carried. Held.

Emergency final ordinance 40-09 up for First Reading. An emergency final ordinance to modify the commitment made by the City of Dover, as the local public agency, to the State of Ohio in ordinance 13-07 and 25-09; to authorize continued participation in the TUS-IR 77-24.50 project, PID No. 19734; and to provide funding for this project. Cappell motioned to suspend rules. Seconded by Maurer. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Passed.

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

CLERK OF COUNCIL

Julie Leggett

PRESIDENT OF COUNCIL

Timothy Tarulli