

Dover City Council Minutes of July 6, 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 Indian Meadows Church of God and all recited the Pledge of Allegiance.

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

Acceptance of June 15, 2009 regular council meeting minutes as presented. Motion by Maurer. Seconded by Gunnoe. Discussion. The motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – No formal report. Scheduled a service meeting for July 20, 2009 at 6:45 pm. Invited everyone to the Ohio Historical plaque dedication this Sunday at the Reeve's Home and Museum beginning at 11:45 am.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No formal report.

Planning and Zoning Mueller – No formal report. Scheduled a planning and zoning meeting for July 20th following the 7:00 public hearing.

Human Resources Maurer – No Formal Report.

Finance Cappell – Two recommendations from meeting tonight: (1) that an emergency ordinance be prepared authorizing the expenditure of an additional thirty six thousand dollars for the Pinedale Drive Pump Station and force main project that was previously authorized in ordinance 08-09 to include upgraded pumps, additional engineering and inspection, additional installation expense and emergency connections (2) that an emergency resolution be prepared authorizing the Auditor to request insurance proposals fit the insurance coverages for the City of Dover as authorized by the Insurance Board to provide all or part of the overages required insuring the interests of the City of Dover.

Utilities Parolini – No formal report.

ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor reported that he will be in Washington during the next regular council meeting attending the summer meetings of American Public Power Associations Policy Makers Council, during which he will assume the role of Chairman of the Council for one year. Two letters from Time Warner Cable were read noting channel line up changes. Congratulations were given to three Police Officers for their successes in the 2009 Ohio Police and Fire Games. The Mayor presented three requests for assignments: (1) to re-zone Parcel No. 15-01506-000 and Parcel No. 15-00695-000 from B-2 to S-1. The Planning Commission recommends approval of this request (2) to amend the fee schedule in ordinance 1125.04, "fees". The Planning Commission recommends these changes (3) to change the square footage requirements for off-street parking in ordinance 1155.02, "off-street parking space requirements", and to add "banks" under retail business or business service establishment. The Planning Commission recommends these changes. The Mayor also made a request for an assignment: that an ordinance be prepared to approve, adopt and accept the 2009 replacement pages to the codified ordinances of the City

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of Dover. The Mayor read a press release announcing the opening of the 30th annual Dover Farmer's Market which is the longest running farmer's market in Tuscarawas County. In the days ahead, the Mayor will be handing out information regarding the Smart Grid Application and the necessity to pass legislation at the next council meeting. A special Council Caucus meeting was called for July 27, 2009 at 7:00 pm to discuss the results of the water study and report done for the Angel Allotment.

Auditor Fox – No report.

Law Director O'Meara – No formal report.

Service Director Douglas – Two requests for committee assignments: (1) to prepare an Emergency Ordinance authorizing the Service Director to advertise for bids and enter into a contract for the clearing of brush, removal of debris and possible widening of Goettge Run from Davis Street to Interstate I-77. In an amount not to exceed \$25,000.00 (2) to prepare an Emergency Ordinance authorizing additional funds for tree removals and maintenance in an amount not to exceed \$25,000.00. The Service Director also spoke on the necessity of the additional funds for the Poolside Sanitary Pump.

Safety Director Vorhees – Congratulated the three Police Officers who recently competed and received medals in the 2009 Ohio Police and Fire Games. The Safety Director reminded all members of the Police Auction. One recommendation for assignment to committee of the whole: to prepare an ordinance amending the City of Dover's residency requirement to become compliant with recent Ohio Supreme Court ruling.

City Engineer Dummermuth – No report.

NOTICES & COMMUNICATIONS:

Monthly Reports – None

Notices – None.

PREAMBLES:

Emergency Resolution 14-09, Emergency Resolution 15-09, Emergency Resolution 16-09, Emergency Ordinance 31-09, Ordinance 32-09, Ordinance 35-09, Ordinance 37-09, Emergency Ordinance 38-09, Ordinance 39-09, Emergency Ordinance 41-09, Emergency Ordinance 42-09.

AUDIENCE:

Gale and Terry Hewitt of 1131 Winkler Drive Dover, Ohio voiced concerns over the Winkler Drive drain and sewer drain problems. Service Director Dave Douglas suggested that since a meeting with Township Trustees has not occurred, they will schedule a meeting the Hewitt's and their neighbors to discuss possible solutions. It was noted that funds have been allocated in the budget.

Michael Thomas-Moore off 116 Calico Drive Dover, Ohio thanked the Architectural Review Board members and Council for their work and support on ordinance 31-09.

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RECOMMENDATIONS:

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared authorizing the expenditure of an additional thirty six thousand dollars for the Pinedale Drive Pump Station and force main project that was previously authorized in ordinance 08-09 to include upgraded pumps, additional engineering and inspection, additional installation expense and emergency connections. Cappell motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency resolution be prepared authorizing the Auditor to request insurance proposals fit the insurance coverage for the City of Dover as authorized by the Insurance Board to provide all or part of the coverages required insuring the interests of the City of Dover. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

An assignment from the Mayor to re-zone Parcel No. 15-01506-000 and Parcel No. 15-00695-000 from B-2 to S-1 to PLANNING AND ZONING.

An assignment from the Mayor to amend the fee schedule in ordinance 1125.04, "fees" to PLANNING AND ZONING.

An assignment from the Mayor to change the square footage requirements for off-street parking in ordinance 1155.02, "off-street parking space requirements", and to add "banks" under retail business or business service establishment to PLANNING AND ZONING.

An assignment from the Mayor that an ordinance be prepared to approve, adopt and accept the 2009 replacement pages to the codified ordinances of the City of Dover to SERVICE.

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 clearing of brush, removal of debris and possible widening of Goettge Run from Davis Street to Interstate I-77. In an amount not to exceed \$25,000.00 to FINANCE.

An assignment from the Service Director to prepare an Emergency Ordinance authorizing additional funds for tree removals and maintenance in an amount not to exceed \$25,000.00. The Service Director also spoke on the necessity of the additional funds for the Poolside Sanitary Pump to FINANCE.

An assignment from the Safety Director to prepare an ordinance amending the City of Dover's residency requirement to become compliant with recent Ohio Supreme Court ruling to COMMITTEE OF THE WHOLE.

UNFINISHED BUSINESS:

None.

LEGISLATION:

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Emergency resolution 14-09 up for Third Reading. An emergency resolution authorizing the Police Department to dispose of certain property at public auction or sale. Motion by Moss to pass. Seconded by Gunnoe. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Emergency resolution 15-09 up for First 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 hold. Seconded by Moss. Discussion. Motion carried. Held.

Emergency Resolution 16-09 up for First 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 hold. Seconded by Maurer. Discussion. Motion carried. Held.

Emergency ordinance 31-09 up for Fourth 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 pass. Seconded by Moss. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 32-09 up for Fourth 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 pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 35-09 up for Third 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 pass. Seconded by Bair. Discussion. Roll call. 7 yeas. Motion carried. Passed.

Ordinance 37-09 up for Second 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 Second 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 suspend rules. Seconded by Gunnoe. Discussion. Roll call. 7 yeas. Motion carried. Suspended. Bair motioned to pass. Seconded by Parolini. Discussion. Roll call. 7 yeas. Motion carried. Passed.

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Ordinance 39-09 up for Second 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 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 ordinance 41-09 up for First 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 Moss. Discussion. Motion carried. Held.

Emergency ordinance 42-09 up for First Reading. An emergency ordinance authorizing the expenditure of an additional thirty six thousand dollars (\$36,000.00) for the Pinedale Drive Pump Station and Force Main Project that was previously authorized in Ordinance 08-09 to include upgraded pumps, additional engineering and inspection, additional installation expense and emergency connections. 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.

Mueller motioned to adjourn. Seconded by Gunnoe. Discussion. Motion carried. Adjourned at 8:30 pm.

CLERK OF COUNCIL
Julie Leggett

PRESIDENT OF COUNCIL
Timothy Tarulli