

Dover City Council Minutes of December 7, 2009

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

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

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

Acceptance of November 16, 2009 regular council meeting minutes and November 23, 2009 special council meeting minutes as presented. Motion by Maurer. Seconded by Parolini. Discussion. Motion carried. Accepted.

COMMITTEE REPORTS:

Service Bair – No formal report. Bair thanked Councilman Gunnoe for presenting the Service report at the last meeting.

Parks & Recreation Gunnoe – No formal report.

Safety Moss – No report. Tarulli reminded Council that there is a safety meeting December 21, 2009 at 7:00 pm.

Planning and Zoning Mueller – One recommendation: to prepare an ordinance amending the zoning classifications of the properties owned by the Union Hospital Association located at 605 Bond Street, Parcel # 15-01706-000, and located at 616 Bond Street Extension, Parcel # 15-01747-000, from the current zoning classification as “R-2” to a classification of “H-1”. Mueller stated he has heard a lot of wonderful comments on the Christmas parade.

Human Resources Maurer – No formal report.

Finance Cappell – Two recommendations from meeting tonight: 1) that an emergency ordinance be prepared making supplemental appropriations, reductions and authorizing the transfer of funds between and within departments to meet current obligations of the City of Dover and the departments therein 2) to prepare an ordinance amending part one, 181.12, of the codified ordinances of the City of Dover and increasing the criminal penalties for failure to pay or file Dover Municipal Income Tax, and declaring an emergency. Cappell stated that being one of the last meetings of the year, he will be asking for rules suspension and passage of these two ordinances.

Utilities Parolini – No formal report.

ADMINISTRATION REPORTS:

Mayor Homrighausen – The Mayor reported that the annual Christmas parade was one of the most well attended by spectators and contained approximately 85 units. Santa will be visiting his house each Wednesday, Saturday and Sunday leading up to Christmas. A letter was read from Dover High School Principal Karie McCrate regarding her appreciation of the Dover Police Department following the bomb threats at the high school. The Mayor addressed the recent changes by the AMP Board to revisit the type of generation employed at the AMPGS plant in Meigs County.

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Auditor Fox – No formal report.

Law Director O'Meara – The Law Director informed council that Ordinance 69-09 will be used in limited cases when citizens fail to file or fail to pay their taxes. The increase in penalties will be used to enforce the rules.

Service Director Douglas – A bid opening was held December 3, 2009 for the restrooms at the Municipal Park. There were a total of 14 bidders with the low bid higher than the estimated \$58,050. Douglas stated they will re-evaluate the project and then possibly come to council for more funds. One request for committee assignment: that an ordinance be prepared authorizing the Service Director to advertise for bids and enter into contracts for the annual Shade Tree Maintenance and Removal Program for the period beginning January 1, 2010 and ending December 31, 2010, with the City option to renew for the years 2011 and 2012. Douglas thanked everyone for their help with the parade.

Safety Director Vorhees – Interviews have been completed to replace Officer Pierce. A new officer will be sworn in after the first of the year. Vorhees offered his compliments to everyone on such a successful parade. The third reading of Ordinance 63-09 will be this evening and Vorhees asked that the Clerk provide an original signed copy. Two requests for committee assignments: 1) that an ordinance be prepared for the 2010 contractual agreement with the Tuscarawas County Homeland Security and Emergency Management Agency in an amount of \$3052.50 2) to review all permits to sell alcoholic beverages within the City of Dover. All permits are set to expire February 1, 2010.

City Engineer Dummermuth – No formal report.

NOTICES & COMMUNICATIONS:

Monthly Reports – None.

Notices – Notice was received from the Tuscarawas County Homeland Security and Emergency Management Agency that the City of Dover will be invoiced \$3052.50 for the 2010 contractual agreement. Notice was received from the Ohio Department of Commerce Division of Liquor Control that all permits to sell alcoholic beverages will expire of February 1, 2010. Police Chief Ron Johnson presented council with his September 2009 report. Copies were given to council members and the administration.

PREAMBLES:

Resolution 20-09, Resolution 22-09, Emergency Ordinance 63-09, Ordinance 65-09, Ordinance 67-09, Ordinance 68-09, Ordinance 69-09, Ordinance 70-09.

AUDIENCE:

Jim Schumacher, 145 Howard Drive, asked how much the City of Dover has paid towards the Meigs County issue. The Mayor responded that he does not have the final figure yet. However, the initial amount was \$50,000 with more expended since. The Mayor reminded everyone that the City of Dover owns 1500 acres.

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Michael Thomas-Moore, 116 Calico Drive, stated that as a resident of the City of Dover, he wanted to thank the administration and Councilman Marc Cappell for supporting and installing the Architectural Review Board. Thomas-Moore feels fortunate to be on the board.

RECOMMENDATIONS:

Recommendation from Robert Mueller Chairman of the Planning and Zoning Committee that an ordinance be prepared amending the zoning classifications of the properties owned by the Union Hospital Association located at 605 Bond Street, Parcel # 15-01706-000, and located at 616 Bond Street Extension, Parcel # 15-01747-000, from the current zoning classification as "R-2" to a classification of "H-1". Mueller motioned to accept. Seconded by Bair. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an emergency ordinance be prepared making supplemental appropriations, reductions and authorizing the transfer of funds between and within departments to meet current obligations of the City of Dover and the departments therein. Cappell motioned to accept. Seconded by Maurer. Discussion. Motion carried. Accepted.

Recommendation from Marc Cappell Chairman of the Finance Committee that an ordinance be prepared amending part one, 181.12, of the codified ordinances of the City of Dover and increasing the criminal penalties for failure to pay or file Dover Municipal Income Tax, and declaring an emergency. Cappell motioned to accept. Seconded by Parolini. Discussion. Motion carried. Accepted.

ASSIGNMENTS:

A request from Service Director Douglas that an ordinance be prepared authorizing the Service Director to advertise for bids and enter into contracts for the annual Shade Tree Maintenance and Removal Program for the period beginning January 1, 2010 and ending December 31, 2010, with the City option to renew for the years 2011 and 2012 to **SERVICE**.

A request from Safety Director Vorhees that an ordinance be prepared that an ordinance be prepared for the 2010 contractual agreement with the Tuscarawas County Homeland Security and Emergency Management Agency in an amount of \$3052.50 to **SAFETY**.

A request from Safety Director Vorhees to review all permits to sell alcoholic beverages within the City of Dover. All permits are set to expire February 1, 2010 to **PLANNING AND ZONING**.

UNFINISHED BUSINESS:

Bair called a Service meeting for December 21, 2009 at 6:30 pm.

LEGISLATION:

Resolution 20-09 up for Fourth Reading. A resolution recognizing, commending, and thanking Joe Maybaugh for his dedicated public service as councilperson and treasurer for the City of Dover. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

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Resolution 22-09 up for Second Reading. A resolution recognizing, commending, and thanking Marc Cappell for his years of dedicated public service as a councilperson at large from 1988 through 2009. Maurer motioned to hold. Seconded by Mueller. Discussion. Motion carried. Held.

Emergency Ordinance 63-09 up for Third Reading. An emergency ordinance be prepared authorizing the Director of Public Safety to enter into a contract with the Joint County Public Defenders office to provide legal counsel to indigent persons charged with loss of liberty offenses in the New Philadelphia Municipal Court and arising in the City of Dover, at a cost not to exceed \$14,700.00. Gunnoe motioned to pass. Seconded by Bair. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 65-09 up for Third Reading. An emergency ordinance making supplemental appropriations and authorizing the transfer of funds to meet current obligations of the City of Dover and the departments therein. Cappell motioned to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 67-09 up for Second Reading. An ordinance to modify Dover codified ordinance section 1141.06 by the addition of subsection 1141.06 (f) to provide for a lapse in variances as a condition precedent to the issuance of a variance under 1146.06 by the Board of Zoning Appeals. Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

Ordinance 68-09 up for First Reading. An emergency ordinance making supplemental appropriations, reductions and authorizing the transfer of funds between and within departments to meet current obligations of the City of Dover and the departments therein. Cappell motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 69-09 up for First Reading. An ordinance amending part one, 181.12, of the codified ordinances of the City of Dover and increasing the criminal penalties for failure to pay or file Dover Municipal Income Tax, and declaring an emergency. Cappell motioned to suspend rules. Seconded by Parolini. Discussion. Roll call. 6 yeas. Motion carried. Suspended. Cappell motioned to pass. Seconded by Maurer. Discussion. Roll call. 6 yeas. Motion carried. Passed.

Ordinance 70-09 up for First Reading. An ordinance amending the zoning classifications of the properties owned by the Union Hospital Association located at 605 Bond Street, Parcel # 15-01706-000, and located at 616 Bond Street Extension, Parcel # 15-01747-000, from the current zoning classification as "R-2" to a classification of "H-1". Mueller motioned to hold. Seconded by Bair. Discussion. Motion carried. Held.

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

CLERK OF COUNCIL
Julie Leggett

PRESIDENT OF COUNCIL
Timothy Tarulli