REGULAR COUNCIL MEETING
AGENDA

JUNE 27, 2016 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* **1. ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 13, 2016**

2. PROGRAM PRESENTATION - FIRST STATE COMMUNITY ACTION AGENCY

3. PROPOSED RESOLUTION NO. 2016-07 - PROPOSING INCLUSION OF WESTFIELD INTO THE KENT COUNTY STORM WATER MAINTENANCE DISTRICT

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016**

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

(1) PROGRAM PRESENTATION - FIRST STATE COMMUNITY ACTION AGENCY
(COMMITTEE ACTION NOT REQUIRED)

(2) UPDATE - RESIDENTIAL APPEAL PROCESS AND NON-COMPLIANT/ NON-CONFORMING USES
(COMMITTEE ACTION NOT REQUIRED)

(3) CITIZEN SUGGESTIONS
(COMMITTEE ACTION NOT REQUIRED)

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016 (CONTINUED)**

B. UTILITY COMMITTEE

(1) DIFFERENTIAL DISPOSAL FEE AGREEMENT - DELAWARE SOLID WASTE AUTHORITY

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROPOSED DIFFERENTIAL DISPOSAL FEE AGREEMENT WITH THE DELAWARE SOLID WASTE AUTHORITY (DSWA) TO PROVIDE MUNICIPAL SOLID WASTE DISPOSAL SERVICE FOR THE CITY OF DOVER FROM JULY 1, 2016 THROUGH JUNE 30, 2021 AT THE RATES SET FORTH IN THE AGREEMENT)

(2) QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER) (JANUARY, FEBRUARY, AND MARCH)

(COMMITTEE ACTION NOT REQUIRED)

(3) UPDATES

(COMMITTEE ACTION NOT REQUIRED)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) KENT COUNTY SECONDARY INTENSIVE LEARNING CENTER SCHOOL RESOURCE OFFICER (SRO) MEMORANDUM OF AGREEMENT (MOA)

(COMMITTEE RECOMMENDED AUTHORIZING THE CHIEF OF POLICE TO NEGOTIATE AND SIGN THE FINAL MEMORANDUM OF AGREEMENT (MOA) FOR THE PLACEMENT OF A SCHOOL RESOURCE OFFICER (SRO) AT THE KENT COUNTY SECONDARY INTENSIVE LEARNING CENTER SITE FOR THE NEXT THREE (3) YEARS (FY-2017, FY-2018 AND FY-2019))

(2) DISPOSITION OF EXCESS PROPERTY - 29 SOUTH GOVERNORS AVENUE AND 749 WEST NORTH STREET

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO ACCEPT THE OFFERS FROM MAUTISTE INVESTMENT GROUP IN THE AMOUNT OF $8,000 FOR 29 SOUTH GOVERNORS AVENUE AND $18,000 FOR 749 WEST NORTH STREET AND WRITE-OFF THE REMAINING EXPENSES AND CHARGES IN THE COMBINED AMOUNT OF $17,718.35 FOR THESE PROPERTIES)

(3) DISCUSSION - TAX ACCOUNT DELINQUENCY LISTING

(COMMITTEE ACTION NOT REQUIRED)

(4) WHATCOAT VILLAGE REVITALIZATION PAYMENT-IN-LIEU OF TAXES (PILOT)

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A FINAL AGREEMENT WITH WHATCOAT COMMUNITY DEVELOPMENT, INC. REGARDING A PROPOSED PILOT AGREEMENT FOR WHATCOAT VILLAGE LOCATED AT 992 WHATCOAT VILLAGE DRIVE)

(5) EVALUATION OF REQUESTS FOR PROPOSALS

(A) COLLECTION AGENCY SERVICES

(COMMITTEE RECOMMENDED AUTHORIZING STAFF TO NEGOTIATE AND SIGN A FINAL THREE (3) YEAR AGREEMENT WITH SIMM ASSOCIATES, INC.)

(B) HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR

(COMMITTEE RECOMMENDED AWARDING A THREE (3) YEAR CONTRACT WITH THE OPTION FOR TWO (2) ONE (1) YEAR EXTENSIONS TO A.A. DUCKETT, INC. AS PER THE PROPOSAL SUBMITTED IN RESPONSE TO RFP #16-0040PW)

(6) RECOMMENDATION OF GENERAL EMPLOYEE PENSION BOARD - CONSIDERATION OF A RETIREE COST OF LIVING ALLOWANCE (COLA)

(COMMITTEE ACTION NOT REQUIRED)

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016 (CONTINUED)**

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

(7) PROPOSED ORDINANCE #2016-16 AMENDING CHAPTER 22 - BUILDING AND BUILDING REGULATIONS; CHAPTER 26 - BUSINESSES; CHAPTER 50 - FLOODS; CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS; CHAPTER 102 - TAXATION; CHAPTER 106 - TRAFFIC AND VEHICLES; CHAPTER 110 - UTILITIES; APPENDIX B - ZONING, ARTICLES 2, 3, 4, 5, 6, 7, AND 12; AND APPENDIX F - FEES AND FINES (SPONSORS: NEIL, SLAVIN, AND COLE)

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2016-16) **(SEE ITEM #8)**

5. ABANDONMENT OF TOPAZ CIRCLE STUB STREET/WAIVING THE ABANDONMENT PROCEDURE

(DURING THE REGULAR COUNCIL MEETING OF MAY 9, 2016, COUNCIL APPROVED THE SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE'S RECOMMENDATION OF LOOKING INTO THE PROCESS OF ABANDONING THE TOPAZ CIRCLE STUB STREET)

6. ELECTRIC RATES AND TARIFFS - TRANSMISSION VOLTAGE FEDERAL GOVERNMENT CLASSIFICATION ("FT")

(STAFF RECOMMENDS AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE TRANSMISSION VOLTAGE FEDERAL GOVERNMENT CLASSIFICATION ("FT") RATE AND TARIFF. THE EFFECTIVE DATE WILL BE BACK DATED TO JULY 1, 2015 AND ALL NECESSARY BILLING ADJUSTMENTS WILL BE IMPLEMENTED.)

* **7. APPOINTMENTS (REAPPOINTMENTS) RECOMMENDED BY MAYOR CHRISTIANSEN**

(A) BOARD OF ADJUSTMENT - THREE (3) YEAR TERMS TO EXPIRE JULY 2019

(1) K.C. SHETH, CHAIRMAN

(2) WILLIAM HUFNAL

(B) PLANNING COMMISSION - KATHLEEN WELSH - FIRST DISTRICT - THREE (3) YEAR TERM TO EXPIRE JUNE 1, 2019 (DEFERRED DURING THE COUNCIL MEETING OF MAY 23, 2016)

8. FIRST READING - PROPOSED ORDINANCE #2016-16

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B - ZONING REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON JULY 18, 2016, AND THAT A PUBLIC HEARING BE SET FOR AUGUST 8, 2016 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. PROPOSED ORDINANCE #2016-16 AMENDING CHAPTER 22 - BUILDING AND BUILDING REGULATIONS; CHAPTER 26 - BUSINESSES; CHAPTER 50 - FLOODS; CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS; CHAPTER 102 - TAXATION; CHAPTER 106 - TRAFFIC AND VEHICLES; CHAPTER 110 - UTILITIES; APPENDIX B - ZONING, ARTICLES 2, 3, 4, 5, 6, 7, AND 12; AND APPENDIX F - FEES AND FINES (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

9. FINAL READING - PROPOSED ORDINANCE #2016-17

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF JUNE 13, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

A. PROPOSED ORDINANCE #2016-17 - 2016/2017 CITY OF DOVER BUDGET ORDINANCES

10. CITY MANAGER'S ANNOUNCEMENTS

11. COUNCIL MEMBERS' ANNOUNCEMENTS

12. ADJOURNMENT

EXECUTIVE SESSION PURSUANT TO:

29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

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