REGULAR COUNCIL MEETING
AGENDA

APRIL 11, 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 REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN HARE

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 MARCH 28, 2016**

2. **PRESENTATION - AMERICAN PUBLIC POWER ASSOCIATION (APPA) CERTIFICATE OF EXCELLENCE IN RELIABILITY**

3. **PRESENTATION - VISION 2040 - DOVER/KENT COUNTY MPO METROPOLITAN TRANSPORTATION PLAN 2017-2040 (KATE LAYTON)**

4. **PROCLAMATION - ARBOR DAY**

5. ANNEXATION OF PROPERTY LOCATED AT 1102 SOUTH STATE STREET, OWNED BY CAPITOL CLEANERS AND LAUNDERERS, INC.

A. PUBLIC HEARING - ZONING CLASSIFICATION

PROPERTY LOCATED AT 1102 SOUTH STATE STREET, CONSISTING OF 6,331$^{+/-}$ S.F., OWNED BY CAPITOL CLEANERS AND LAUNDERERS, INC. THIS PROPERTY IS CURRENTLY ZONED BG (GENERAL BUSINESS DISTRICT)(KENT COUNTY ZONING CLASSIFICATION) AND THE PROPOSED ZONING IS C-2A (LIMITED CENTRAL COMMERCIAL)(CITY OF DOVER ZONING CLASSIFICATION)

(TAX PARCEL: ED-00-086.05-01-46.02-000; PLANNING REFERENCE: AX-16-01)

B. ADOPTION OF ANNEXATION RESOLUTION NO. 2016-01

C. FINAL READING/ADOPTION OF REZONING ORDINANCE #2016-08

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 8, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

(1) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1102 SOUTH STATE STREET

6. PUBLIC HEARING/FINAL READING OF STAFF SUBSTITUTE (SS#1) FOR PROPOSED ORDINANCE #2016-01 WITH STAFF AMENDMENT #1 (SA#1)

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 22, 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. STAFF SUBSTITUTE (SS#1) FOR PROPOSED ORDINANCE #2016-01 WITH STAFF AMENDMENT #1 (SA#1) AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 1 - ONE-FAMILY RESIDENCE ZONES [(R-20, R-15, R-10, R-8 AND R-7)], SUBSECTION 1.1 - USES PERMITTED, SUBSECTION 1.15 - ACCESSORY USES, LIMITED TO THE FOLLOWING

* **7. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 29, 2016**

A. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) REVENUE POLICY FOR EXTRA DUTY/VOLUNTARY OVERTIME - ANNUAL REVIEW OF HOURLY RATES

(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED EXTRA DUTY RATES)

(2) REVIEW OF HOSPITALITY AND CIVIC FUNCTION POLICY

(COMMITTEE RECOMMENDED THAT THE HOSPITALITY AND CIVIC FUNCTION POLICY BE AMENDED TO STATE THAT IF A MEMBER GOES TO AN EVENT, DEPENDING ON THE SIZE OF THE EVENT, THEY WILL COME BACK AND PROVIDE AN UPDATE TO COUNCIL REGARDING THE BENEFITS RECEIVED FROM THE EVENT; IF A MEMBER GOES TO A NATIONAL LEAGUE OF CITIES (NLC) EVENT, THEY WOULD PROVIDE COUNCIL WITH A MORE EXTENSIVE REPORT OF WHAT THEY LEARNED; AND IF A MEMBER SIGNS UP TO GO TO AN EVENT AND THE CITY PAYS FOR IT BUT THE MEMBER FAILS TO ATTEND, THE MEMBER WILL HAVE TO REIMBURSE THE CITY)

* **7. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 29, 2016 (CONTINUED)**

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

(3) PROPOSED ORDINANCE #2016-10 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 8 - DEFERRED COMPENSATION PLAN (SPONSORS: COLE AND KOENIG)

(COMMITTEE DEFERRED THIS MATTER FOR FURTHER DISCUSSION)

(4) SOUTH BRADFORD STREET STREETSCAPE ENHANCEMENTS (DIVISION STREET TO LOOCKERMAN STREET) - TRANSPORTATION ENHANCEMENT PROGRAM AGREEMENT

(COMMITTEE RECOMMENDED AUTHORIZATION TO EXECUTE THE AGREEMENT TO INITIATE THE DESIGN FOR THE STREETSCAPE IMPROVEMENT PROJECT)

B. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) PROPOSED ORDINANCE #2016-09 AMENDING CHAPTER 98 - STREETS, SIDEWALKS, STORM SEWERS AND OTHER PUBLIC PLACES, ARTICLE I. - IN GENERAL, SECTION 98-10 - SPEED REDUCTION DEVICES; APPENDIX A - SUBDIVISIONS, ARTICLE VI - SUBDIVISION - GENERAL REQUIREMENTS AND DESIGN STANDARDS, SECTION A - STREETS, PARAGRAPH 1; AND APPENDIX B - ZONING, ARTICLE 10 - PLANNING COMMISSION, SECTION 2 - SITE DEVELOPMENT PLAN APPROVAL, 2.54 - PROPOSED DEVELOPMENT (SPONSORS: HOSFELT AND COLE) (SEE ITEM #10)

(COMMITTEE RECOMMENDED AMENDING LINE 27 BY STRIKING THE WORDS "FIRE LANE" AND ADOPTION OF THE ORDINANCE, AS AMENDED)

(2) DISCUSSION - ASSIGNMENT OF DEDICATED POLICE ATHLETIC LEAGUE (PAL) OFFICER (COMMITTEE ACTION NOT REQUIRED)

(3) REQUEST FOR LEFT-HAND TURN SIGNALS - QUEEN/WATER STREET AND STATE/WATER STREET INTERSECTIONS

(COMMITTEE RECOMMENDED AUTHORIZING THE CHANGES TO THE TRAFFIC SIGNAL PHASING AND ALLOWING DELDOT TO PROGRAM AND IMPLEMENT THE CHANGES AS SOON AS FUNDING PERMITS)

(4) SAFETY CONCERNS (SUDLER)

(COMMITTEE ACTION NOT REQUIRED ON THE BELOW ITEMS)

(A) THE ELKS LODGE - 217 NORTH KIRKWOOD STREET

(B) HAMLET SHOPPING PLAZA

(5) SHOTSPOTTER GUNSHOT DETECTION AND LOCATION SERVICE (ANDERSON)

(COMMITTEE RECOMMENDED THAT THE MATTER OF THE VIABILITY OF THE SHOTSPOTTER GUNSHOT DETECTION AND LOCATION SERVICE BE REFERRED TO STAFF FOR REVIEW AND THAT IT BE DISCUSSED DURING THE NEXT SAFETY ADVISORY AND TRANSPORTATION COMMITTEE MEETING)

C. UTILITY COMMITTEE

(1) ANNEXATION REQUESTS

(A) 1411 AND 1417 SOUTH GOVERNORS AVENUE, OWNED BY HEARTLAND DELAWARE, INC.

(COMMITTEE RECOMMENDED PROCEEDING WITH ANNEXATION OF THE PROPERTIES)

(B) PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE INCLUDING THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL (LOTS 8, 9, AND 10A) AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE (LOT 18), OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC.

(COMMITTEE RECOMMENDED PROCEEDING WITH ANNEXATION OF THE PROPERTIES)

* **8. MONTHLY REPORTS - FEBRUARY 2016**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CONTROLLER/TREASURER'S BUDGET REPORT
D. ECONOMIC DEVELOPMENT OFFICE REPORT
E. POLICE CHIEF'S REPORT

* **9. APPOINTMENT OF INTERIM FIRE MARSHAL - ANN MARIE TOWNSHEND**

10. FIRST READING - PROPOSED ORDINANCE #2016-09 WITH COUNCIL COMMITTEE OF THE WHOLE/SAFETY ADVISORY AND TRANSPORTATION COMMITTEE AMENDMENT #1 (CCW/SA&T #1)

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 MAY 16, 2016, AND THAT A PUBLIC HEARING BE SET FOR JUNE 13, 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 #2016-09 WITH CCW/SA&T #1 AMENDING CHAPTER 98 - STREETS, SIDEWALKS, STORM SEWERS AND OTHER PUBLIC PLACES, ARTICLE I. - IN GENERAL, SECTION 98-10 - SPEED REDUCTION DEVICES; APPENDIX A - SUBDIVISIONS, ARTICLE VI - SUBDIVISION - GENERAL REQUIREMENTS AND DESIGN STANDARDS, SECTION A - STREETS, PARAGRAPH 1; AND APPENDIX B - ZONING, ARTICLE 10 - PLANNING COMMISSION, SECTION 2 - SITE DEVELOPMENT PLAN APPROVAL, 2.54 - PROPOSED DEVELOPMENT (SAFETY ADVISORY AND TRANSPORTATION COMMITTEE)

11. CITY MANAGER'S ANNOUNCEMENTS

12. COUNCIL MEMBERS' ANNOUNCEMENTS

13. 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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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.