REGULAR COUNCIL MEETING
AGENDA

MARCH 28, 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 HOSFELT

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**
   - **A. SPECIAL COUNCIL MEETING OF MARCH 14, 2016**
   - **B. REGULAR COUNCIL MEETING OF MARCH 14, 2016**

2. **PRESENTATIONS - AWARDS BY DOWNTOWN DOVER PARTNERSHIP - ST. PATRICK'S DAY PARADE**

3. **PRESENTATIONS - 2015 ANNUAL REPORTS**
   - **A. DOVER POLICE DEPARTMENT**
   - **B. PLANNING, INSPECTIONS, AND RECREATION**

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 15, 2016**

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

(1) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION REVIEW

(A) HOMEOWNERSHIP ASSISTANCE PROGRAM

(COMMITTEE RECOMMENDED THAT $50,000 BE AWARDED TO THE CITY OF DOVER HOMEOWNERSHIP ASSISTANCE PROGRAM)

(B) PROGRAM ADMINISTRATION

(COMMITTEE RECOMMENDED THAT $47,301 BE AWARDED TO PROGRAM ADMINISTRATION)

(C) DOVER INTERFAITH MISSION FOR HOUSING

(COMMITTEE RECOMMENDED THAT $22,000 BE AWARDED TO DOVER INTERFAITH MISSION FOR HOUSING)

(D) CONNECTIONS COMMUNITY SUPPORT PROGRAM

(COMMITTEE RECOMMENDED THAT $7,208 BE AWARDED TO CONNECTIONS COMMUNITY SUPPORT PROGRAM)

(E) MILFORD HOUSING DEVELOPMENT CORPORATION (EMERGENCY HOME REPAIRS)

(COMMITTEE RECOMMENDED THAT $25,000 BE AWARDED TO MHDC EMERGENCY HOME REPAIRS)

(F) MILFORD HOUSING DEVELOPMENT CORPORATION (HOMEOWNER REHABILITATION)

(COMMITTEE RECOMMENDED THAT $55,000 BE AWARDED TO MHDC HOMEOWNER REHABILITATION)

(G) CENTRAL DELAWARE HABITAT FOR HUMANITY

(COMMITTEE RECOMMENDED THAT $30,000 BE AWARDED TO CENTRAL DELAWARE HABITAT FOR HUMANITY)

(2) REVIEW OF ACTIVE RECREATION AREA PLAN - THE ARBORS SENIOR GARDEN APARTMENTS - 1051 COLLEGE ROAD (PLANNING REFERENCE S-16-07)

(COMMITTEE RECOMMENDED APPROVAL OF THE ACTIVE RECREATION AREA PLAN FOR THE ARBORS SENIOR GARDEN APARTMENTS WITH THE COMMENTS AND CONDITIONS PROVIDED)

(3) UPDATE - RESIDENTIAL APPEAL PROCESS AND NON-COMPLIANT NON-CONFORMING USES

(COMMITTEE ACTION NOT REQUIRED)

(4) CITIZEN SUGGESTIONS

(COMMITTEE ACTION NOT REQUIRED)

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) ACKNOWLEDGMENT OF BENEFIT CHANGE FOR NON-BARGAINING EMPLOYEES - ARTICLE XVII EMPLOYEE BENEFITS, SECTION 3 - DEFERRED INCOME (CITY OF DOVER PERSONNEL POLICY)

(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENTS TO ARTICLE XVII EMPLOYEE BENEFITS, SECTION 3 - DEFERRED INCOME OF THE CITY OF DOVER PERSONNEL POLICY (EMPLOYEE HANDBOOK), AS RECOMMENDED BY STAFF, AND THAT THE CHANGES TO THE HANDBOOK NOT BECOME EFFECTIVE UNTIL THE ORDINANCE AMENDMENTS ARE ADOPTED)

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 15, 2016 (CONTINUED)**

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

(2) PROPOSED ORDINANCE #2016-14 AMENDING APPENDIX B - ZONING, ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES, SECTION 5 - SUPPLEMENTARY REGULATIONS FOR PARKING AND LOADING FACILITIES, SUBSECTION 5.3 - SUPPLEMENTARY PARKING REGULATIONS FOR MULTIPLE DWELLINGS, INCLUDING DUPLEXES, MULTIPLEXES, AND APARTMENTS (SPONSORS: HARE, COLE, AND TOWNSHEND)(SEE ITEM #8)

(COMMITTEE RECOMMENDED ADOPTION OF ORDINANCE #2016-14)

5. EVALUATION OF PROPOSALS - OVERHEAD LINE WORK (16-0032EL)

(STAFF RECOMMENDS AWARDING A BLANKET OVERHEAD LINE WORK CONTRACT TO ROCK CREEK LINE CONSTRUCTION, GREENSBORO, MD, FOR A THREE (3) YEAR INITIAL PERIOD BASED ON THE STAFF EVALUATION. THE ELECTRIC DIRECTOR, WITH THE CONCURRENCE OF THE CITY MANAGER, CAN EXERCISE OPTIONS TO EXTEND THE CONTRACT IN ONE (1) YEAR INCREMENTS FOR A TOTAL CONTRACT PERIOD OF FIVE (5) YEARS PER THE PRICING INCLUDED IN THE SUBMITTAL.)

6. OLD PW2 SITE IMPROVEMENTS ENGINEERING DESIGN FEES - CHANGE ORDERS

(STAFF RECOMMENDS APPROVAL OF THE PROPOSED AMENDMENTS TO THE DESIGN SCOPE BY AECOM / URS IN THE AMOUNT OF $42,000)

7. REZONING REQUEST/FIRST READING OF PROPOSED ORDINANCE #2016-15

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON APRIL 18, 2016 AND THAT A PUBLIC HEARING BE SET FOR MAY 9, 2016 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. PROPERTIES LOCATED IN THREE (3) AREAS (A, B, AND C) CONSISTING OF FOURTEEN (14) PARCELS TOTALING 291.07$^{+/-}$ ACRES, OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC., AS FOLLOWS:

AREA A: TWELVE (12) PARCELS LOCATED EAST OF LEIPSIC ROAD AND WEST OF STATE ROUTE 1, TOTALING 195.13$^{+/-}$ ACRES. THE CURRENT ZONING IS CPO (COMMERCIAL AND PROFESSIONAL OFFICE) AND R-8 (ONE-FAMILY RESIDENCE), PARTIALLY SUBJECT TO THE SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE), AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL), PARTIALLY SUBJECT TO THE SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE).

TAX PARCELS: LC-05-058.17-02-01.00-000, LC-05-058.17-01-07.00-000, ED-05-058.17-01-11.00-000, LC-05-058.17-01-08.00-000, ED-05-058.17-01-18.00-000, LC-05-058.17-01-09.00-000, ED-05-058.17-01-19.00-000, ED-05-068.05-01-02.01-000, LC-05-058.00-02-08.00-000, ED-05-068.05-01-16.00-000, LC-05-068.00-01-01.00-000, AND LC-05-068.10-01-01.00-000

AREA B: LOCATED EAST OF STATE ROUTE 1 AND SOUTH OF PIT STOP LANE, TOTALING 10.43$^{+/-}$ ACRES. THE CURRENT ZONING IS MHP (MOBILE HOME PARK) AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL).

TAX PARCEL: LC-05-058.17-02-01.00-000

AREA C: LOCATED NORTH OF PERSIMMON TREE LANE ADJACENT TO THE CITY LIMITS, TOTALING 85.51$^{+/-}$ ACRES. THE CURRENT ZONING IS A (AGRICULTURAL) AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL).

TAX PARCEL: LC-05-058.00-02-15.00-000

8. FIRST READING - PROPOSED ORDINANCE #2016-14

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 APRIL 18, 2016, AND THAT A PUBLIC HEARING BE SET FOR MAY 9, 2016 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. COPIES OF ALL PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. PROPOSED ORDINANCE #2016-14 AMENDING APPENDIX B - ZONING, ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES, SECTION 5 - SUPPLEMENTARY REGULATIONS FOR PARKING AND LOADING FACILITIES, SUBSECTION 5.3 - SUPPLEMENTARY PARKING REGULATIONS FOR MULTIPLE DWELLINGS, INCLUDING DUPLEXES, MULTIPLEXES, AND APARTMENTS (SPONSORS: HARE, COLE, AND TOWNSHEND)

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

9. FINAL READING - PROPOSED ORDINANCE #2016-11

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF MARCH 14, 2016. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPOSED ORDINANCE #2016-11 AMENDING CHAPTER 102 - TAXATION, ARTICLE VI - EXEMPTIONS; BOARD OF ASSESSMENT APPEALS, SECTION 102-182 - AUTHORITY TO EXEMPT REAL PROPERTY FROM TAXATION

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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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.