REGULAR COUNCIL MEETING
AGENDA

FEBRUARY 22, 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 LEWIS

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 FEBRUARY 8, 2016**

2. **CERTIFICATE OF APPRECIATION - DOVER ELKS LODGE #1903 CODE PURPLE GRANT PROJECT**

* 3. **APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) ALTERNATE DIRECTOR** *(HARRY MALONEY)*

4. **FINAL READING OF PROPOSED ORDINANCE #2015-24 - REZONING REQUEST FOR PROPERTY LOCATED ADJACENT TO THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET**

   THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF DECEMBER 14, 2015. ON FEBRUARY 8, 2016, CITY COUNCIL DEFERRED ACTION UNTIL FEBRUARY 22, 2016. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

   A. **PROPERTY LOCATED ADJACENT TO THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET, CONSISTING OF A 2,373$^{+/-}$ S.F. PORTION OF A 10,373$^{+/-}$ PARCEL, OWNED BY HALPERN FAMILY PROPERTY INVESTMENT, LP. THIS PROPERTY IS CURRENTLY ZONED R-8 (ONE FAMILY RESIDENCE) AND THE PROPOSED ZONING IS C-1A (LIMITED COMMERCIAL).**

   (TAX PARCEL: ED-05-077.17-03-14.00-000; SECOND COUNCIL DISTRICT; PLANNING REFERENCE Z-16-01)

* **5. DOVER HUMAN RELATIONS COMMISSION REPORT - FEBRUARY 2, 2016**

A. INTRODUCTION OF NEW MEMBER

B. ELECTION OF COMMISSION CHAIR

(COMMISSION ELECTED MR. THEODORE HENDERSON TO SERVE AS THE COMMISSION CHAIR)

C. DHRC COMMITTEE UPDATES

C-1. GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE *(MCGIFFIN)*

C-2. COMMUNITY ENGAGEMENT COMMITTEE *(ROACH)*

C-3. EDUCATION COMMITTEE *(HENDERSON)*

C-4. COMMUNICATIONS COMMITTEE *(GRIFFITH)*

D. NEW BUSINESS

D-1. 2015 DHRC ANNUAL REPORT TO CITY COUNCIL

(COMMISSION APPROVED THE 2015 DHRC ANNUAL REPORT)

D-2. AFRICAN AMERICAN FESTIVAL

(COMMISSION RECOMMENDED THAT THE COMMUNICATIONS COMMITTEE WORK UP A PLAN TO RECOMMEND THE DHRC'S PRESENCE AT THE AFRICAN AMERICAN FESTIVAL THIS YEAR)

E. SCHEDULING OF 2016 MEETING DATES

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - FEBRUARY 9, 2016**

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

A-1. DRAFT COMMITTEE STRATEGIC PLAN TO SUBMIT FOR STAFF REVIEW

(COMMITTEE DEFERRED ACTION PENDING FURTHER INFORMATION)

A-2. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM QUARTERLY UPDATE (OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

A-3. CITIZEN SUGGESTION - ECONOMIC EMPOWERMENT (CLAY HAMMOND)

(COMMITTEE RECOMMENDED REFERRING THE MINUTES OF THIS MEETING TO THE CITY'S ECONOMIC DEVELOPMENT OFFICE)

B. UTILITY COMMITTEE

B-1. ADDITIONAL POWER SUPPLY ALTERNATIVES

(COMMITTEE RECOMMENDED AUTHORIZING THE ENERGY MANAGER TO EXPLORE TWO (2) EXCEPTIONS TO THE GOVERNING ENERGY COMMODITY RISK POLICY TO PURSUE NEGOTIATIONS FOR TWO (2) SEPARATE COMMODITY TRANSACTIONS INTENDED TO MEET THE CITY'S ELECTRIC LOAD REQUIREMENTS AND REDUCE THE CITY'S RISK)

B-2. QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER)(OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE ACTION NOT REQUIRED)

B-3. TEA/NAES REPORT (OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORTS)

B-4. UPDATES

(COMMITTEE ACTION NOT REQUIRED ON THE BELOW ITEMS)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

C-1. DISCUSSION - ELECTRIC CUTOFF PROCESS REVIEW

(COMMITTEE ACTION NOT REQUIRED)

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - FEBRUARY 9, 2016 (CONTINUED)**

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

C-2. PROPOSED ORDINANCES

C-2-A. #2016-01 WITH STAFF AMENDMENT #1 (SA#1) AMENDING CHAPTER 18 - ANIMALS, SECTION 18-1 - DEFINITIONS, AND 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:, PARAGRAPH (D) - KEEPING DOMESTIC ANIMALS AND ARTICLE 12 - DEFINITIONS (SEE ITEM #8-A)

(COMMITTEE RECOMMENDED REFERRING PROPOSED ORDINANCE #2016-01 TO STAFF TO MAKE THE CHANGES DISCUSSED FOR FIRST READING)

C-2-B. #2016-07 - SECOND BUDGET AMENDMENT FOR FISCAL YEAR 2015/2016 (SEE ITEM #9-A)

(COMMITTEE RECOMMENDED ADOPTION OF ORDINANCE #2016-07)

C-3. REPORT OF INDEPENDENT PUBLIC ACCOUNTANTS FOR THE FISCAL YEAR ENDING JUNE 30, 2015

(COMMITTEE ACTION NOT REQUIRED)

7. EVALUATION OF BIDS

A. HAZLETTVILLE ROAD INTERCEPTOR REPLACEMENT PROJECT

(STAFF RECOMMENDS AWARDING THE CONTRACT TO EASTERN STATES CONSTRUCTION SERVICE, INC. FOR THE AMOUNT OF $774,035 (BID #16-0027PW))

B. SILVER LAKE DAM SLUICE GATE REPLACEMENT

(STAFF RECOMMENDS AWARDING THE CONTRACT TO NUPUMP CONSTRUCTION CO. FOR THE AMOUNT OF $80,900 (RFQ #2016-006DPW))

8. FIRST READING - STAFF SUBSTITUTE (SS#1) FOR PROPOSED ORDINANCE #2016-01

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B, ZONING, REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON MARCH 21, 2016 AND THAT A PUBLIC HEARING BE SET FOR APRIL 11, 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. STAFF SUBSTITUTE #1 (SS#1) FOR PROPOSED ORDINANCE #2016-01 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

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

9. FIRST READING - PROPOSED ORDINANCE #2016-07

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. THE FINAL READING OF THE ORDINANCE AND ACTION BY COUNCIL WILL TAKE PLACE ON MARCH 14, 2016. 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. #2016-07 - SECOND BUDGET AMENDMENT FOR FISCAL YEAR 2015/2016

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

10. FINAL READING - PROPOSED ORDINANCES

THE FIRST READING OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 8, 2016. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. #2016-05 AMENDING CHAPTER 106 - TRAFFIC AND VEHICLES, ARTICLE III - STOPPING, STANDING AND PARKING, DIVISION 2 - METERED PARKING, SECTION 106-164 - VIOLATIONS; PENALTIES

B. #2016-06 AMENDING CHAPTER 26 - BUSINESSES, ARTICLE II - LICENSES, SECTION 26-40 - LICENSE ISSUANCE, EXPIRATION AND FORM, AND SECTION 26-42 - PENALTY FOR LATE PAYMENT OF LICENSE FEE

11. CITY MANAGER'S ANNOUNCEMENTS

12. COUNCIL MEMBERS' ANNOUNCEMENTS

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