REGULAR COUNCIL MEETING

The Regular Council Meeting was held on January 25, 2016 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hare, and Mr. Hutchison. Mr. Hosfelt was absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey, Deputy City Solicitor Pepper, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:35 p.m.).

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

The invocation was given by Chaplain Wallace Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Sudler and unanimously carried.

Mr. Hutchison requested that item #6, Quarterly Revenue Report, be removed from the Consent Agenda.

Mr. Sudler moved for approval of the Consent Agenda, as amended, seconded by Mr. Anderson and carried by a unanimous roll call vote (Hosfelt absent).

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015

The Minutes of the Special Council Meeting of December 9, 2015 were unanimously approved by motion of Mr. Sudler, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF JANUARY 11, 2016

The Minutes of the Special Council Meeting of January 11, 2016 were unanimously approved by motion of Mr. Sudler, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 11, 2016

The Minutes of the Regular Council Meeting of January 11, 2016 were unanimously approved by motion of Mr. Sudler, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PROCLAMATION - BLACK HISTORY MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, Dr. Carter G. Woodson, the son of former slaves and a Harvard University scholar, noticed that black history was largely ignored or misrepresented in American History. Determined that the rich heritage of black Americans would not be forgotten, he founded the Association for the Study of African American Life and History in 1915 and organized the first celebration of Negro History Week in 1926. Black History Month became Dr. Woodson's legacy and is celebrated each February throughout the United States; and

WHEREAS, the Association for the Study of African American Life and History has selected "Hallowed Grounds: Sites of African American Memories" as the 2016 National Black History Month theme; and

WHEREAS, the small State of Delaware has played a big part in the lives of African Americans seeking freedom, and the greater Dover area is the setting of many stories that demonstrate the courage of the men and women who sought to break the shackles of slavery and fought with fortitude for equal citizenship. Some of these notable sites include the First State Heritage Park, the Harriet Tubman Underground Railroad Byway, the John Dickinson Plantation, and the Camden Friends Meetinghouse.

Now, therefore, I, ROBIN R. CHRISTIANSEN, Mayor of the City of Dover, Delaware do hereby proclaim February 2016 as **BLACK HISTORY MONTH** in the City of Dover and urge all citizens to visit and learn about the local, state, and national sites that reflect the rich history of African Americans.

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - EMERGENCY CASE - PROPERTY LOCATED AT 53 SOUTH NEW STREET, OWNED BY SIEKEN INVESTMENTS LLC

In accordance with Chapter 22, Article XI - Dangerous Buildings, Sec. 22-388 - Emergency cases, of the Dover Code, in cases where it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished, the building inspector shall report such facts to the council, which may cause the immediate repair, vacation, or demolition of such dangerous building.

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 53 South New Street, owned by Sieken Investments LLC. Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the property is a two (2) story, wood-framed single family home. On the night of January 14, 2016, the dwelling caught fire, causing extreme damage to the structure. She noted that the structure was condemned by the City Fire Marshal's Office as unfit for human occupancy and ordered boarded.

Mrs. Townshend advised that the structure is currently vacant with no utilities and is boarded. The building was found to be unsecured due to a board being removed on Tuesday, January 19, 2016, and City staff subsequently re-secured the building. The building is located in a neighborhood of small lots and is located close to the building next to it. The fire on the subject building caused

damage to the siding of the neighboring structure. Based on the current condition of the subject structure and its proximity to the adjacent structure, it reasonably appears that is there is an immediate danger to the life or safety of any person, unless the dangerous building is immediately repaired, vacated and closed, or demolished.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #1)***.

Noting that recent Staff recommendations were for demolition only, Mr. Sudler asked why the recommendation for this property gave the option to repair. Responding, Mrs. Townshend stated that most of the properties brought forward as dangerous have had ongoing Code enforcement issues for months or years. She noted that, in this case, the property was lived in and the owners had just completed a number of corrections from a housing inspection when the house was damaged by fire. Mrs. Townshend, noting that the fire was only 10 days ago and they were still sorting things out with the property owner and the insurance company, stated that she thought that it would be responsible to allow repair as an option, if Council so chose.

Mr. Anderson asked what methods of contact were used to give the owners proper notice. Responding, Mrs. Townshend stated that a letter, dated January 19, 2016, was sent by certified and regular mail and it was posted on the property. She noted that she spoke directly to the property owner the day after the fire at the site and let him know that the City would be pursuing this path. Mrs. Townshend also noted that the Fire Marshal's Office had been in contact with the property owner and the insurance investigator regarding the fire. Mrs. Townshend advised that the owner called earlier in the day and indicated that they were not planning to attend the meeting but that they had shared the letter with their insurance company and were working with their insurance company to move it forward.

Staff recommended: 1) declaring this building and all accessory structures on this property dangerous; 2) ordering the property demolished or repaired by February 10, 2016 by the owner or equity owner at their own risk; 3) ordering the Building Inspector to cause the demolition of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) ordering the City Manager, with the assistance of the City Solicitor, to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Council President Slavin declared the public hearing open and, there being no one present wishing to speak, the public hearing was closed.

Mr. Hare moved that the structure located at 53 South New Street be declared a dangerous building and ordered that the property be demolished or repaired by February 10, 2016, in accordance with the process recommended by staff. The motion was seconded by Mr. Neil and carried by a call vote of seven (7) yes (Anderson, Neil, Lewis, Cole, Hare, Hutchison, and Slavin) and one (1) no (Sudler)(Hosfelt absent).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JANUARY 11, 2016

The Parks, Recreation, and Community Enhancement Committee met on January 11, 2016 with Chairman Anderson presiding.

Proposed Recreation Center - Dover Park

Mayor Christiansen advised members that, for the last year or so, constituents and some civic associations on the east side of the City had expressed the need for a recreation facility since the facility at Dover Park had been torn down. He stated that, with the renewed emphasis on community policing and outreach by the Dover Police Department and the suggestion of possible funding for the construction of such a facility by Attorney General Matt Denn, he felt the time was right to consider looking at constructing a facility at Dover Park similar to the current facility at Schutte Park. Mayor Christiansen expressed his view that such a facility would offer a venue to begin renewing the Police Athletic League (PAL) program that had been very successful in the Dover community. In addition, he suggested that the Martin Luther King Jr. Educational Community Center, headed by Dr. Gus Walker, could also be located at this facility, which would allow this organization to fulfill its mission of mentoring and tutoring at-risk students and youth. Mayor Christiansen felt that the facility could also be a home for another successful program that had been fostered by former Mayor, Council President, and Councilwoman Beverly Williams.

Mayor Christiansen requested that members recommend to Council that monies currently set aside for a possible splash park at Dover Park be expended for the construction of a new multi-purpose, year-round recreation center at this location, noting that a splash park would be used for only a few months during the year. He advised members that he intended to make an application to Attorney General Denn for at least $1M from bank settlement funds that the Attorney General had available and would like the Committee's blessing.

Mrs. Beverly Williams, former City Councilwoman and current Executive Director of Aid in Dover, Inc., 20 Gleneagles Court, introduced her colleague, Mr. Mark Harmon, 731 West Division Street. She informed members that in late 2013, the Criminal Justice Council (CJC) awarded Aid in Dover, Inc. a one (1) year Title 5 grant, which led Aid in Dover, Inc. to ask their federally funded program to allow them to continue their Hot Shots basketball program, which served 450 kids, the majority of whom were boys, and brought 570 referrals. Mrs. Williams explained that they partnered with local leagues, churches, schools, and volunteers. She stated that Mr. Harmon started each session with a presentation to the kids about a life skill, such as appropriate behaviors and reactions to conflict, competition, failure, or success, which was followed by basketball drills conducted by volunteer coaches that reinforced the presentation. Kids then went into open competition. Mrs. Williams indicated that this was the most successful program ever run by Aid in Dover, Inc. She stated that she attempted to sustain the program, went into partnership with the City of Dover and rented the Schutte Park gym, and funding was found through the MetLife Foundation. Mrs. Williams advised that the MetLife Foundation requires

enormous collaborations with partnerships, so she went to the Mayor and Chief of Police to garnish their application with City of Dover and Police Department involvement. She indicated that she had already talked to Mr. Christian Kervick, Director, CJC, about the institution of a PAL program. Mrs. Williams stated that their program was very successful and brought out kids, parents, and guardians, noting that many of these parents were single moms and some were single dads. She indicated that Aid in Dover, Inc. learned that the old programs they were used to running were not what kids wanted, and the blend of skills and recreation proved to be very successful.

Noting that a lot of kids in the area had gotten involved in violence, Mr. Harmon stated that the Aid in Dover, Inc. program included kids from different gangs, and there was no trouble since they were able to diffuse things very quickly and these kids were able to play together. There was less violence and participation in negative activities among 12-to-18-year-olds than had been seen in the past. Mr. Harmon indicated that the youth responded very well and he felt it would be great to continue to provide a place where they can remain safe in an instructive environment.

Mrs. Williams explained that the CJC requires providers to demonstrate impact and meet performance objectives. She noted that through the course of this program 94% of the children had increased knowledge of teamwork, cooperation, collaboration and confidence, and appropriate responses to anger, frustration, disappointment and success.

Mr. Anderson stated his belief that a PAL facility was needed, noting that he was never happy about the neglect of the building at Dover Park but felt that maybe something better could come out of it. He questioned how much funding had been set aside for a recreation building at Dover Park. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, indicated that the funding set aside was not specific to a building but was for something at Dover Park. The intent was to start with a park master plan to lay out all of the improvements that came from the City's Recreation Needs Assessment. Mrs. Townshend stated that $180,000 was designated for the Dover Park but was unable to recall the amount for the splash pad.

Mr. Anderson stated his recollection that the total funding was approximately $300,000.

Mrs. Townshend advised members that Mrs. Donna Mitchell, Controller/Treasurer, had made her aware in the past that the capital plan exceeds what is available in the Parkland Reserve Fund, so while things may be in the capital plan, it would not necessarily mean that the money was there and available.

Mr. Anderson indicated that, even with the grant, less than $1.5M would be available and questioned what type of footprint was being discussed for the facility. Responding, Mrs. Williams indicated that her only knowledge was the Mayor's

comment about the funding from the Attorney General. The funds she had mentioned from MetLife were operational money and not for construction.

Mr. Anderson noted that once a building was obtained, operation would be one (1) of the big costs.

Mrs. Williams stated that she was looking at MetLife funds because she felt that the last thing the City needed was another expenditure. She stated the need to get this underwritten through corporate or donor funds.

Responding to Mr. Anderson regarding the footprint that was being discussed, Mrs. Williams stated her thought that it would be identical to Schutte Park. She indicated that when Aid in Dover, Inc. ran their program at Schutte Park both gyms were needed due to the heavy response.

Mr. Hutchison asked if staff had been able to assess what the real needs would be if recreation were expanded and if this could be accomplished with the current workforce. Responding, Mrs. Townshend stated that this could definitely not be done with the current force, explaining that when Schutte Park was built, it was staffed with two (2) full-time staff and some part-time staff. She stated that the Parks Department currently had a full-time staff of five (5), noting that there were previously six (6) when the Department was under the direction of Mr. Zach Carter. Mrs. Townshend explained that several staff members perform duties out of the office, for instance, while running an after-school program or managing the sports program. There were challenges when Schutte Park opened in 2008 because there were two (2) staff members based at Schutte Park and three (3) at Dover Park, which led to occasions when there was only (1) person at a facility, creating a safety concern. Staff at Dover Park had kept the door locked at times when one (1) person was there alone. Mrs. Townshend indicated that facilities cannot be staffed with part-time staff or volunteers because there is a safety issue. Although there might be enough people to get the work done, there would not be enough to make sure the facilities are staffed at an appropriate level.

Mr. Hutchison questioned whether staff had a good understanding of what the churches, YMCA, Kent County Levy Court, etc., were providing that would tie into the City's programs. Responding, Mrs. Townshend stated that staff did have a good understanding of the other programs; however, the effect that the Kent County Recreation Center being built would have on indoor space demands was unknown. She noted that this very large facility would open within 12 months and she was unsure how this would play into supply and demand.

Mr. Hosfelt asked if part of the increased manpower approved for the Police Department was to support bringing the PAL initiative back. He inquired if the position in the Police Department would be a full-time position and if this person would be available to help support the building if constructed. Responding, Deputy Police Chief Marvin Mailey stated that the Police Department planned to assign a

part-time Special Unit officer to this for 2016, noting that this position was advertised today. He indicated that the long-term plan was to make it a full-time position.

Mrs. Williams advised members that the Hot Shots program was not for those kids who were going to the Boys and Girls Club, the YMCA, or official, established recreation programs. She stated that Aid in Dover, Inc., with forethought and intent, sought kids who were at extreme risk, which was a large number of the kids that were served. These children were not attending regular programs since those programs had fees attached, which these children could not afford.

Mrs. Horsey stated that anything that could be done to get Dover Park up and running again would be a good thing, noting that the new Kent County Recreation Center being constructed on New Burton Road was on the west side of town. She expressed the need to keep a focus on the east side.

Mrs. Williams stated that the programs that were partnering with Kent County were originally for at-risk kids but evolved into something else. She indicated that there was definitely a need for programs for at-risk kids, stating her view that money would be spent either on recreation programs or in law enforcement or jail sentences.

Mr. Anderson stated that the Committee had been holding up on strategic planning while waiting for information on this matter and indicated the need for a decision.

Mr. Hosfelt expressed his feeling that members all liked what they were hearing, but he did not know if there was anything to endorse or move on to Council. He expressed his support for what had been discussed.

Mr. Anderson felt that basic information regarding the footprint options and costs were needed. He stated that a place to start would be to have staff investigate this and bring back a broad cost estimate.

Mr. Hosfelt stated he would be willing to endorse this, but felt that more must be heard from Mayor Christiansen and Attorney General Denn to know if money would be committed.

Mrs. Townshend asked, if this matter were to be referred to staff, that it be clear which staff it is referred to, noting that to date she and the City Manager had not been involved at all. She was unsure whether the Parks Department staff should develop estimates for something when they were not part of the discussion.

Mr. Hosfelt suggested that the matter be referred back to the Mayor for more information, noting that this would give him the opportunity to speak with staff, and when the Mayor had more of a viable plan it could be brought back for consideration.

Mr. Anderson moved to refer this matter to the Mayor and staff to collaborate to form a more concrete proposal with cost estimates by the Committee's March meeting.

In response to Mr. Caldwell, Mr. Anderson clarified that the staff he was referring to was the Parks and Recreation Department and the City Manager's designee.

Mr. Hosfelt stated that he could not second the motion because he felt there was no way to come up with a concept and estimates by March. He indicated that he would like to hear more from the Mayor. Mr. Hosfelt felt that it would be unfair to refer the matter to staff without anything concrete to support the proposal and with staff not having been contacted or involved in the conversations to this point.

Mr. Anderson noted that this was not a hidden issue but had been part of a conversation for four (4) months and had been delayed on the Committee agenda.

Mr. Hosfelt recalled a conversation about a splash pad, indicating that this was the first he had heard of PAL going into a new building at Dover Park. He expressed his opinion that there was a lot more to this than making a motion to put it back on staff at this time.

The motion to refer this matter to the Mayor and staff to collaborate to form a more concrete proposal with cost estimates by the Committee's March meeting failed for lack of a second.

The Committee referred the proposal back to the Mayor for more information.

By consent agenda, Mr. Sudler moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote (Hosfelt absent).

Availability of Soccer Fields

During the Parks, Recreation, and Community Enhancement Committee meeting of December 14, 2015, members considered the availability of soccer fields and deferred this item until the Committee's next meeting, scheduled in January.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that she had sent emails to Delaware Union and had received a response this morning indicating that they wanted to have a follow-up meeting. She advised members that she did inform Delaware Union that this item was on the Committee's agenda for consideration today for an update.

Responding to Mr. Hosfelt, Mrs. Townshend advised members that registration for the City's soccer program would be sent out at the end of January and Delaware Union had advised that they usually begin registration at the beginning of January; however, they indicated during the December 14, 2015 meeting that they would wait on what the City came up with.

Mr. Hosfelt offered to help in any way possible. Mrs. Townshend noted that the last Committee meeting was held on December 14, 2015 and schools were closed for the holidays the following week. She stated that Mr. Dan Simmons, Dover Recreational Vice President, Delaware Union, had indicated that he would be meeting with Mr. Toriano Giddens, Principal, William Henry Middle School, and she suspected that he was not able to do this before the holidays, which might have caused the delay.

Ms. Judy Shade, Membership Director at the Dover YMCA, advised members that the YMCA had collaborated with the City of Dover on other ventures, but this had been their first undertaking to join their fall soccer program with the City of Dover because they were able to use Schutte Park and the City's field. Ms. Shade indicated that it had been an incredible season that allowed Holy Cross School parents and families, Dover YMCA families, and City of Dover residents to come together. There were 87 children from the Dover YMCA who participated, and she estimated that 85% - 90% were City residents. Ms. Shade stated that some participants had not been on Schutte Park fields previously and were thrilled, impressed, and had a great time, and she hoped this collaboration would continue for the spring. Ms. Shade stated her understanding that many people look at the YMCA as a membership organization; however, she informed members that the YMCA is a not-for-profit organization that offers $300,000 per year in scholarship funds to families in need. She indicated that it was a great partnership and would hate to see it dissolve.

In response to Mr. Hosfelt as to whether a decision was needed today, Mrs. Townshend stated that, absent any motion, staff would move forward, but she was unsure what Delaware Union's plans were. She stated her concern that moving forward without a decision would create more chaos. Mrs. Townshend indicated that this matter could be pushed to next month, keeping in mind that when the Committee makes a recommendation it is not final until the next Council meeting, so this would cause a delay until the end of February for something that typically starts in March. Alternatively, she stated that if it was known that Delaware Union would be there and have an answer, perhaps a special meeting could be added to the January 26, 2016 Council Committee of the Whole agenda.

Mr. Anderson stated that this matter would now come under staff's discretion and that staff had the authority to negotiate and make a decision, and Mrs. Townshend concurred. Mr. Anderson indicated that this item was placed on the agenda because Delaware Union had a concern and wanted the matter discussed and that had been accomplished. He noted that it was rushed because the City was told that a decision must be made by the beginning of January; however, if there was no input from Delaware Union, he suggested that nothing needed to be done, other than to ask staff to do their best.

Mr. Hosfelt stated that he concurred with Mr. Anderson's comments.

Lighting and Security at the Hamlet Park

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that meetings had been held with Mr. Anderson, Mr. Sudler, the Mayor, and residents of the Hamlet, who expressed concern about the shopping center and the increase in criminal activity in their neighborhood, particularly related to Hamlet Park. She stated that she and Lieutenant Christopher Hermance from the Police Department had recently visited the park. Mrs. Townshend indicated that people were using the park for activities that were not desired there and there was discussion about using lighting to discourage poor behavior. She advised members that Hamlet Park fronts on the road but is very deep, and people are doing things that are hidden by the playground, which is toward the front. She noted that lighting the area would make it harder to hide. Mrs. Townshend explained that if lighting were installed, it would be around the playground area, which would be a minor capital project that would have to be included for the next fiscal year.

Citizen Suggestions

Downtown American Flag Project, June Myers

Mr. Anderson stated that Ms. June Myers was very excited about a mission to encourage a more patriotic display downtown and flying more flags on Loockerman Street, particularly during the patriotic holiday season from Memorial Day through Independence Day. Mr. Anderson stated that he was unsure if there were associated regulatory issues.

By consent agenda, Mr. Sudler moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Anderson and carried by a unanimous roll call vote (Hosfelt absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 11, 2016

The Legislative, Finance, and Administration Committee met on January 11, 2016 with Chairman Hare presiding.

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:, Paragraph (d) - Keeping Domestic Animals

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that there had been complaints from constituents about chickens in residential neighborhoods and the associated odors and nuisance that they create for neighboring properties. She was requested by members of Council to draft an ordinance that would restrict the keeping of chickens in residential zones. Mrs. Townshend indicated that the ordinance would allow approximately one (1) year, until March 2017, to come into compliance. She advised members that the proposed ordinance would amend the Zoning Ordinance; therefore, it would be referred to the Planning Commission, which would make a recommendation to City Council following a public hearing.

In response to Mr. Sudler, Mrs. Townshend indicated that the complaints had been received from the southern end of the City; however, she noted that the Zoning Ordinance must be consistent across all areas.

Responding to Mr. Shevock regarding animals that would be included, Mrs. Townshend indicated that the ordinance stated fowl, which would include turkeys, ducks, and other types of birds.

Noting that dogs were currently included in the ordinance, Mr. Shevock questioned if cats were addressed. Responding, Mrs. Townshend stated that the number of cats was not regulated, noting that a draft amendment was brought forward several years ago that would have addressed both chickens and cats, but it did not move forward. Mrs. Townshend informed members that the scope of what she was asked to prepare did not include cats.

Mr. Anderson asked whether birds that are kept inside, such as parakeets and canaries, would be covered. Responding, Mrs. Townshend stated that a definition for fowl had not been drafted and staff was in the process of developing an amendment to the full definitions article; however, she stated that staff could amend this ordinance to include a definition.

Mr. Anderson stated that this ordinance concerned him for a lot of reasons. He indicated that the proposed amendment may not be a problem for homeowners, since it might not be known if they have fowl; however, it would matter to individuals who rent, since they are subject to rental inspections. Mr. Anderson also expressed concerns about those who are interested in organic eggs, particularly with the new movement toward healthier living and survival, and about the Asian community that would be affected by this amendment. He did not think the amendment was a good move, but at the very least he hoped it would be defined well enough to allow people to keep their canaries.

Mayor Christiansen indicated that a gentleman living on Queen Street several years ago had homing pigeons and requested that this be taken into consideration, noting that these birds were kept caged and were a hobby or sporting animal. He understood the concern about having chickens running around yards, but noted that these pigeons were caged and well maintained.

Mrs. Townshend, referring to the Merriam-Webster Dictionary, stated that a simple definition such as “a bird that is raised for food including chickens, turkeys, and ducks” could be added. She indicated that if the ordinance was referred to Council, staff could make sure this was included at the first reading.

Mr. Hare suggested that the ordinance could be changed to state “chickens, turkeys, and ducks.” Responding, Mrs. Townshend stated that her concern was that anything omitted from the definition could cause problems, for example, she asked whether

the definition should include emus. Mr. Hare felt that anything kept in the house, in a cage, as a pet would be exempt, and Mrs. Townshend reiterated that a definition could be provided if the ordinance was referred to Council for a first reading.

Mr. Sudler asked if the complaints were related to farmers or homeowners raising organic produce and if staff had reviewed environmental issues of air sanitation in regard to chicken coops. Responding, Mrs. Townshend indicated that the complaints were generated specifically in regard to chickens being kept on residential lots by neighbors of those keeping chickens, and the complaints were about odors.

Responding to Mr. Sudler as to whether code enforcement staff had gone to these homes to ask whether chickens were being sold or consumed, Mrs. Townshend indicated that staff had been to at least one (1) of the homes where there was a complaint but had not asked about what they were doing with the chickens. She noted that there was a growing movement of people who have chickens that produce eggs, explaining that it would be one (1) thing if the chickens were kept on a one (1) or two (2) acre lot; however, some of these lots are less than a quarter of an acre and penned chickens can be very close to neighbors.

Mr. Sudler suggested, if fowl were allowed, that the language specify the distance between dwellings that would be permissible.

Mr. Hare stated that he used to live one (1) door down from someone with a mobile chicken coop that was moved to different locations on the property, and on warm days there was a smell. He indicated that last August he visited another location with two (2) inspectors, the smell was almost to the point of being nauseating, and the neighbor living behind the property could not sit out in her yard. Mr. Hare felt that a residential neighborhood was not for raising chickens. He felt that if there was a one (1) acre lot, restrictions could be placed, but with a lot that was not even a quarter acre with houses possibly 30 feet apart, the mosquitoes and smell could present problems. Mr. Hare questioned if members would want this next door to them.

Ms. Janet Sibbald, Crossgates, stated that there were chickens in a backyard in her neighborhood and people were complaining and concerned that this would continue to be popular if allowed. She stated that there were health concerns about the smell and stated her understanding that when chickens are present there can be more rats, mice, and other problems. Ms. Sibbald felt that those who want chickens can live in Kent County, where this is allowed because there are larger properties that are not encroaching on neighbors. She expressed the desire to keep the City of Dover clean and neat and have people want to come live here. Ms. Sibbald did not think a chicken coop next door would entice new people into the neighborhood.

Ms. Sandy Kinkus, 365 Fiddlers Green, agreed with Ms. Sibbald. Ms. Kinkus also questioned why the number of cats allowed could not be included in the ordinance. Responding, Mrs. Townshend stated that cats could be included; however, this was

not in the scope of what was requested. She stated that when a request to limit the number of cats was brought forward several years ago, a limit of (5) was suggested. Ms. Kinkus felt that having five (5) indoor cats should be up to the homeowner, but she had recently heard of a situation where there were eight (8) cats that were running in the neighborhood. She believed this was more of an issue than dogs because dogs are usually on leashes and rarely run loose. Ms. Kinkus stated that it would have to be determined if it were house cats or outside cats; however, she felt that cats should be included while this ordinance was being considered.

Ms. Sibbald stated that there had been a problem with cats in her neighborhood, noting that the City had been dealing with a house on Blue Beach Drive since the 1990s. She stated that the City had to go in and clean this house and there were cats. Ms. Sibbald indicated that other areas in the City had problems with a lot of cats, noting that even indoor cats were getting out in the neighborhood. Although there was not currently a concern about too many cats in that particular house on Blue Beach Drive, it had been an ongoing, yearly expense for the City of Dover to attempt to keep the house presentable from the outside. Ms. Sibbald stated that the quantity of cats was a big problem. She was unsure how many cats would be acceptable, but she felt that a little more room was needed in neighborhoods the size of Crossgates, where residents live cheek by jowl.

Mr. Ed Hannigan, 344 Fiddlers Green, informed members that he lives next door to an existing problem where chickens are located. He indicated that he did not have an ax to grind with anybody but wanted to have a considerate neighbor. Mr. Hannigan questioned if members would want to buy his home if he were to sell it. He stated that he and Ms. Kinkus had lived in this neighborhood for more than 40 years and people had invested a lot in homes that they would not be able to get their money back if there were 20 chickens and goats next door.

Mr. Sudler moved that chicken coops in the City of Dover not be permissible due to air sanitation and environmental hazards and issues.

Mr. Cole questioned whether there would be a definition, noting that it would be an issue moving forward. Responding, Mr. Sudler stated that he was thinking about chickens at present, since this was the main concern brought forward, noting that other concerns could be presented. He indicated that he was familiar with the smell of chickens in his community, did not like it, and was speaking on behalf of chicken coops not being permissible in the City. Mr. Sudler agreed to a friendly amendment to include chickens, turkeys, ducks, etc.

Mrs. Townshend suggested that the motion be amended to endorse the draft ordinance and request that staff develop an amendment that defines fowl, as discussed, prior to the first reading.

Mr. Shevock questioned if there were goats on the property and Mrs. Townshend indicated that there were not goats present. She indicated that only domestic animals were permitted in residential zones and the problem was that the current code

specifically allows up to 25 fowl. Mrs. Townshend explained that in most cases a chicken would not be considered a domestic animal, with domestic animal meaning a kind of pet; however, the current Code specifically allows fowl.

Ms. Sibbald questioned the provision that would allow the owner to keep fowl until March 15, 2017, stating this would be more than a year. She requested that the neighborhood not have to live through the summer with this problem, stating that the fowl could be out of there by June.

Mr. Hutchison suggested that residents be required to remove fowl three (3) months from the time the ordinance is passed.

Mr. Sudler stated that he was open to accepting an amendment to the motion. Responding, Mr. Hare stated that the motion was to amend the ordinance to include chickens, turkeys, ducks, and anything else staff feels would qualify and that residents be required to remove fowl within three (3) months from passage of the ordinance.

In response to Mr. Shevock, Mr. Sudler confirmed that the motion was to have staff redraft the ordinance and bring it back to the Committee.

Mr. Shevock seconded the motion.

Responding to Mr. Hare, Mrs. Townshend advised members that the requested amendments could be made prior to first reading.

Mr. Slavin clarified that the provision for compliance within 90 days of passage referred to passage by Council. He noted that after going through first and second reading of the ordinance, it would probably take effect no more than six (6) months from today but possibly before this.

The Committee recommended amending the ordinance to include chickens, turkeys, ducks, and anything else staff feels would qualify and that residents be required to remove fowl within three (3) months from passage of the ordinance.

During the Council meeting, Mr. Hare, Chair of the Legislative, Finance, and Administration Committee, advised members that due to concerns expressed by constituents following the Committee meeting, he would propose referring the amendment back to the Committee at their next meeting for refinement.

Mr. Hare moved to refer proposed Ordinance #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, back to the Legislative, Finance, and Administration Committee. The motion was seconded by Mr. Hutchison and unanimously carried.

Mr. Sudler moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Hare and unanimously carried.

QUARTERLY REVENUE REPORT

Members were provided the Quarterly Revenue Report as of December 2015.

Mr. Hutchison requested Mrs. Donna Mitchell, Controller/Treasurer, to provide an overview of the Quarterly Revenue Report.

Mrs. Mitchell advised that the transfer taxes are over budget by approximately $900,000. She stated that there were a few large receipts from the sale of commercial properties, such as Cedar Chase Apartments ($243,000), Country Club Apartments ($288,000), and State Street Assisted Living ($321,000). Mrs. Mitchell advised that there were also a few smaller receipts. She noted that without the large receipts, the year-to-date numbers would be right on budget with the transfer taxes; however, they are currently at 120% on budget through December because of those transfer taxes.

Mr. Anderson moved for acceptance of the Quarterly Revenue Report as of December 2015. The motion was seconded by Mr. Hutchison and unanimously carried.

EVALUATION OF BIDS - MASTER ELECTRICIAN

Members were provided the background and analysis for the evaluation of bids for Master Electrician Services. Mr. Scott Koenig, City Manager, advised that these services are occasionally used by both the Electric Department and the Public Works Department and typically relate to conversions of house services from 100 amp to 200 amp, emergency work, or work related to pump stations or wells related to the Public Work Department.

Mr. Koenig stated that two (2) bids were received: one from DeVary Electric and one (1) from White Marsh Environmental. He advised that Staff had analyzed the bids and run them through an estimated calculation. Mr. Koenig stated that, based on their estimated scenarios, Staff believes that DeVary Electric is the low bidder for both service conversion and hourly rates.

Mr. Koenig advised that these expenditures may exceed $25,000 annually; therefore, Staff was seeking Council endorsement of the contract for a three (3) year period, with options to extend for an additional two (2) years. He noted that DeVary is the current provider and advised that, to date, they have spent approximately $1,500 in FY16; $10,000 in FY15; and just under $10,000 in FY14; however, due to proposed overhead and underground electric service work over the next few years, Staff believes that approval of a blanket bid for the Master Electrician services contract is appropriate.

Mr. Hare asked if there was a threshold when Mr. Koenig would advise Council of the amount spent on the electric service. Mr. Koenig stated that the request was for a blanket approval in anticipation of expending more than $25,000 each year for FY16, FY17, and FY18; therefore, he did not anticipate coming back to Council regarding Master Electrician services within the three (3) or five (5) year period. He noted that these expenses are typically charged to projects that are authorized in the budget, or they are for emergency work that is paid for under the operating budget.

Mr. Koenig advised that this bid was brought forward because expenditures over $25,000 require Council approval and he anticipates expending more than $25,000. He stated that they could place a cap of $75,000 or $100,000; however, he noted that the costs associated with these services are already in projected project budgets for emergency services.

Mr. Sudler asked what the differential advantage of the lowest blanket bidder versus the highest blanket bidder in services was. Responding, Mr. Koenig stated that, as depicted in the summary table provided, the price difference for service conversion was approximately $650 and the price difference for the eight (8) hour rate was approximately $200.

Staff recommended awarding a blanket Master Electrician Services Contract to the lowest bidder with no minimums, DeVary Electric for three (3) years with the option to extend for an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal. The optional two (2) year extension will be at the discretion of the Electric Director.

Mr. Anderson suggested that the Legislative, Finance, and Administration Committee be provided periodic updates on how much has been spent on the contracts.

Mr. Sudler moved for approval of Staff's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote (Hosfelt absent).

EVALUATION OF BIDS - ENVIRONMENTAL SERVICES

Members were provided the background and analysis for the evaluation of bids for environmental services. Mr. Koenig advised that Compliance Environmental is the City's current vendor for these types of services, which are typically consulting services related to time and materials. He noted that these environmental services include things like soil sampling and cleanup activities related to transformer leaks and broken hydraulic lines on trash trucks. Mr. Koenig stated that this service also covers asbestos sampling and bid specifications, as well as oversight of asbestos removal for demolitions.

Mr. Koenig advised that two (2) companies responded to the solicitation for bids and, based on the evaluation, Staff proposes offering a three (3) year contract to Compliance Environmental, the City's current contractor, due to their location and qualifications. He noted that there would also be an additional two (2) year period that could be extended, provided the vendor is performing up to expectations. Mr. Koenig advised that these services have exceeded $25,000 per year over the last three (3) years, as follows: $193,840.50 for FY14; $178,000.30 for FY15; and $87,603.50 for FY16. He noted that the majority of the expenses are related to demolitions and asbestos removal related to the demolition program.

Mr. Sudler asked how many other environmental services had been explored in the City and County in regards to the services being rendered to the City of Dover. Responding, Mr. Koenig stated that they received bids from two (2) companies and, due to the special nature of the work and technical expertise required, they would expect the number of responses to be low. He stated that it was publicly advertised; however, there are a relatively small number of firms that specialize in this work. Responding to Mr. Sudler, Mr. Koenig stated that there may be additional companies that are qualified that did not have an interest, were busy at the time of the bids, or felt that their prices were not going to be competitive.

Mr. Sudler asked if the solicitation process was State-wide. Mr. Koenig advised that because it was posted on the City's website, it was accessible to anyone who was looking for it.

Mr. Anderson noted that information on each bid received was usually listed on the action form and asked how much each of these bids was. Mr. Koenig responded that this was more of a qualification-based procurement and the responses were qualifications binders consisting of approximately 25 or 30 pages, which he did not include in the Council packet.

Mr. Sudler asked what outstanding difference led Staff to choose Compliance Environmental over the other bidder. Noting that the City has been working with Compliance Environmental for 10 to 15 years, Mr. Koenig advised that Staff concluded that Compliance Environmental has more experience in the field and was determined to be more experienced in environmental activities related to electrical and public works. He noted that both companies expressed the ability to meet the two (2) hour response time; however, Compliance Environmental is a local company with an office in Dover and Envirotech is based in Milton, Delaware, but serves clients in Dover. Mr. Koenig advised that Compliance Environmental produced verification of more certifications in areas related to City operations than Envirotech.

Mr. Sudler asked what scale Staff used to define and measure that Compliance Environmental was the most qualified. Mr. Koenig stated that he did not have the scale with him; however, it was based on what was sent as the Request for Proposal and the review of the submissions from each vendor.

Mr. Anderson and Mr. Sudler stated that, in the future, they would like to see the criteria used to select the winning bidder and data to support the recommendations.

Mr. Hare moved for approval of Staff's recommendation to award a blanket Environmental Services contract to Compliance Environmental, Inc. with no minimum amounts. The initial period of the contract will be three (3) years with an option to extend the contract for an additional two (2) years (five (5) years total) as per the pricing included in the submission. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Hosfelt absent).

CONFIRMATION OF POLICE PENSION ELECTION - RETIRED CAPTAIN JOHN SIGLER - THREE (3) YEAR TERM TO EXPIRE JANUARY 31, 2019

The term of office of Retired Captain John Sigler on the Police Pension Board expires on January 31, 2016. Pursuant to Chapter 62 - Law Enforcement, Article III - Pension Plan, Division 2 - Retirement Committee, Section 62-102(c)(2), notice of an election was given to all plan members. Only one (1) nomination was received, therefore, no election was held. Chief Bernat nominated Retired Captain John Sigler to serve a three (3) year term, to expire on January 31, 2019.

By consent agenda, Mr. Sudler moved for approval of the nomination of Retired Captain John Sigler to serve on the Police Pension Board, for a three (3) year term to expire on January 31, 2019. The motion was seconded by Mr. Anderson and carried by unanimous roll call vote (Hosfelt absent).

FIRST READING - PROPOSED ORDINANCE #2016-02 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED

Council President Slavin reminded the public that copies of the Proposed Ordinance were available at the entrance of the Council Chambers or could be obtained from the City Clerk's office. Since the ordinance amends the Comprehensive Plan, a public hearing is required. Staff recommended referral of the amendment to the Planning Commission on Tuesday, February 16, 2016 at 7:00 p.m., and that a public hearing take place during the Council Meeting of Monday, March 14, 2016, at 7:30 p.m., at which time final action by Council will take place.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that every year an opportunity is provided for property owners to request amendments to the Comprehensive Plan. She noted that two (2) applicants requested Comprehensive Plan amendments related to their requests for rezoning. Mrs. Townshend advised that Staff, in preparation for the annexation and rezoning of the Dover International Speedway properties, has also included an amendment to the Comprehensive Plan so that the recreation and commercial zoning amendments that were recently approved by City Council will apply to the entirety of the festival lands.

Prior to amending the Comprehensive Plan, a public hearing is required.

Mr. Sudler moved to refer the request to the Planning Commission for a public hearing on February 16, 2016 and to set a public hearing before City Council on March 14, 2016 at 7:30 p.m. The motion was seconded by Mr. Hare and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2016-02, as read by the City Clerk, by title only, as follows:

➢ PROPOSED ORDINANCE #2016-02 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED, BY REPLACING MAP 12:1: LAND DEVELOPMENT PLAN (PROPOSED REVISIONS TO LAND USE CLASSIFICATIONS OF MULTIPLE PROPERTIES (MI-16-01))

FIRST READING - PROPOSED ORDINANCE #2016-03 - REZONING REQUEST FOR PROPERTY LOCATED WEST OF NEW BURTON ROAD AND THE RAILROAD CORRIDOR AND INCLUDING THE PROPERTY LOCATED AT 1436 NEW BURTON ROAD

A request was received to rezone property located west of New Burton Road and the railroad corridor and including the property located at 1436 New Burton Road, consisting of $37.2^{+/-}$ acres, owned by Lands of Kesselring Company, LLC and others. The properties are currently zoned R-20 (One-Family Residence Zone) and the proposed zoning is IPM (Industrial Park Manufacturing Zone).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

Mr. Neil moved to refer the request to the Planning Commission for a public hearing on February 16, 2016 and to set a public hearing before City Council on March 14, 2016 at 7:30 p.m. The motion was seconded by Mr. Cole and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2016-03 as read by the City Clerk, by title only, as follows:

➢ PROPOSED ORDINANCE #2016-03 AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY WEST OF NEW BURTON ROAD AND THE RAILROAD CORRIDOR AND INCLUDING THE PROPERTY LOCATED AT 1436 NEW BURTON ROAD

FIRST READING - PROPOSED ORDINANCE #2016-04 - REZONING REQUEST FOR PROPERTY LOCATED AT 834 SOUTH STATE STREET

A request was received to rezone property located at 834 South State Street, consisting of $17{,}000^{+/-}$ s.f., owned by Michael W. and Winifred M. Braun. The property is currently zoned R-8 (One-Family Residence Zone) and the proposed zoning is C-PO (Commercial and Professional Office Zone).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

Mr. Neil moved to refer the request to the Planning Commission for a public hearing on February 16, 2016 and to set a public hearing before City Council on March 14, 2016 at 7:30 p.m. The motion was seconded by Mr. Lewis and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2016-04 as read by the City Clerk, by title only, as follows:

➢ ORDINANCE #2016-04 AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 834 SOUTH STATE STREET

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler encouraged his constituents and other individuals who oppose the death penalty to join him at Legislative Hall on Thursday afternoon in support of Sean Lynn, House Representative for the 31st District.

Mr. Sudler also sent his warm and heartfelt condolences to the family of his dear friend, Vernon Austin, Jr. He advised that they attended Dover High together and he passed away of a heart attack that weekend while shoveling snow. Mr. Sudler stated that Mr. Austin was a police officer in Washington, D.C. with the Capitol Police, he was a great guy, and he will be missed. He also cautioned everyone to be careful during severe weather storms and advised to take care and let loved ones know that you love and care about each other.

Mr. Neil thanked Scott Koenig, City Manager, and all of his staff who provide wondrous services when they are constantly contacted about problems. He noted that they consistently get the

contractors to go do their jobs and Staff members do their jobs. Mr. Neil wanted them to know how much their work is appreciated.

Mr. Hutchison requested an update on the snow clean-up. Responding, Mr. Koenig stated the City went into snow operations around 7:00 p.m. on Friday, January 22, 2016 with 12-hour shifts. He noted that there was currently a 12-hour shift that was reduced in order to resume trash operations. Mr. Koenig stated that he believed all the developments had been plowed, with slightly better success in some areas than others. He advised that they are still addressing concerns related to freezing. Mr. Koenig stated that Staff members from the Public Works Department, Warehousing, Fleet, Electric Department, Police Department, Code Enforcement, and Fire contributed to the response and he applauded their efforts.

Mr. Koenig advised that the City utilized three (3) different contractors to assist them over the weekend. He thought that they would probably be finished that evening if they had not already. Mr. Koenig stated that they will continue clean-up efforts over the next few days, trucking snow out and getting back to normal trash collection. He advised that there were three (3) large water main breaks over the weekend that slowed down progress and they were called off on a number of emergency calls with the Fire Department and EMS to assist getting vehicles to certain locations.

Mr. Koenig stated that they appreciate people's patience while they cleaned up anywhere from 14 to 17 inches of snow and thanked each and every individual that contributed.

Mr. Anderson thanked the members of the volunteer Dover Fire Department for inviting them to participate in their awards banquet last week. He thanked them for their service each and every day, noting that the Fire, Police, and Emergency Services do a tremendous job around the clock. Mr. Anderson encouraged everyone to check out the Fire Department.

Mr. Anderson announce the Annual Chili Cook-Off at Christian Life Center from 12:00 p.m. to 4:00 p.m. on February 27th which will benefit the Veterans' United Outreach and the MLK Junior Educational Center.

Mr. Sudler echoed Mr. Anderson's sentiments about the City's Fire Department and stated that he looked forward to working with them.

Mr. Sudler moved for adjournment, seconded by Mr. Neil and unanimously carried.

Meeting Adjourned at 8:19 P.M.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of January 25, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2016\01-25-2016.wpd

Exhibits
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 53 South New Street

Violation of Dangerous Building Ordinance 53 S New St

Planning & Inspections Department

Dover, Delaware

January 25, 2016

EXHIBIT #1
Regular Council Meeting of 01/25/2016

53 S New St
Case History

- Fire occurred on January 15, 2016
- Condemned as unfit for human habitation on January 16, 2016, due to the severe damaged caused by the fire.
- All utilities, including electric, water and gas lines were ordered terminated on January 16, 2016.

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(4) *Fire damage, etc.*

(5) *Unfit for habitation.*

(9) *General welfare.*

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-388

Sec. 22-388. - Emergency cases.

In cases where it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished, the building inspector shall report such facts to the council, which may cause the immediate repair, vacation, or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in section 22-385(5).

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-388

- Extent of Damage
- Proximity to Neighboring Building
- Repeatedly Found Unsecured




53
PRIVATE PROPERTY




FIRE LINE DO NOT CROSS


FIRE LINE DO NOT CROSS
FIRE LINE DO NOT CROSS
FIRE LINE DO NOT CROSS



















Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property repaired or demolished by **February 10, 2016** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.