REGULAR COUNCIL MEETING
AGENDA

NOVEMBER 23, 2015 - 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 MAYOR CHRISTIANSEN

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 NOVEMBER 9, 2015**

2. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - NOVEMBER 9, 2015

* **A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM QUARTERLY UPDATE (JULY, AUGUST, AND SEPTEMBER)**
(COMMITTEE ACTION NOT REQUIRED)

B. YOUTH ADVISORY COMMITTEE RECOMMENDATIONS - NEW YEAR'S EVE EVENT
(COMMITTEE RECOMMENDED ACCEPTANCE OF THE YOUTH ADVISORY COMMITTEE RECOMMENDATIONS PROVIDED BY MR. KOENIG AND MRS. MITCHELL IN REGARD TO THE EXPENSES AND INSURANCE FOR THE EVENT)

* **3. UTILITY COMMITTEE REPORT - NOVEMBER 9, 2015**

A. ELECTRIC DEPARTMENT INTEGRATED RESOURCE PLAN (IRP) INFORMATION DISCUSSION

(COMMITTEE ACTION NOT REQUIRED)

B. QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER)(JULY, AUGUST, AND SEPTEMBER)

(COMMITTEE ACTION NOT REQUIRED)

C. TEA/NAES REPORTS (AUGUST AND SEPTEMBER)

(COMMITTEE ACTION NOT REQUIRED)

D. UPDATES

(COMMITTEE ACTION NOT REQUIRED)

* **4. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - NOVEMBER 9, 2015**

A. CITY OF DOVER E-MAIL ADDRESSES FOR COUNCIL MEMBERS

(COMMITTEE RECOMMENDED STAYING WITH THE CITY OF DOVER EMAIL SYSTEM AS IT STANDS NOW AND FOR THE CITY CLERK TO PROVIDE INFORMATION TO MEMBERS REGARDING RECORDS RETENTION)

B. STATUS OF PERFORMANCE AUDIT OF CIVILIAN SIDE OF CITY GOVERNMENT

(COMMITTEE ACTION NOT REQUIRED)

C. PROPOSED CHANGE TO COMMITTEE MEETING FORMAT

(COMMITTEE RECOMMENDED COMMENCING THE COMMITTEE OF THE WHOLE MEETING FORMAT DURING THE FIRST MEETINGS IN JANUARY AND TRY IT FOR A FEW MONTHS, AND IF MEMBERS DECIDE TO ADOPT THE FORMAT AS ONE (1) OF THE PROTOCOLS FOR THE NEXT COUNCIL YEAR, THAT THIS BE DONE DURING THE ANNUAL MEETING)

5. RESCHEDULING OF PLANNING COMMISSION PUBLIC HEARING - PROPOSED ORDINANCE #2015-20 AMENDING APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS

THE FIRST READING OF THE PROPOSED ORDINANCE WAS HELD ON NOVEMBER 9, 2015 AT WHICH TIME THE ORDINANCE WAS REFERRED TO THE PLANNING COMMISSION FOR A PUBLIC HEARING ON DECEMBER 21, 2015. THAT PLANNING COMMISSION MEETING HAS BEEN RESCHEDULED FOR WEDNESDAY, DECEMBER 16, 2015 AT 7:00 P.M. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON DECEMBER 16, 2015. THE PUBLIC HEARING BEFORE CITY COUNCIL WILL TAKE PLACE ON JANUARY 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.

6. EVALUATION OF BIDS - FY 2016 FALL STREET AND ALLEY PROGRAM

(STAFF RECOMMENDS AWARDING A UNIT PRICE CONTRACT, BASED UPON BID #16-0015PW FOR THE FY 2016 FALL STREET AND ALLEY PROGRAM TO SAM'S CONSTRUCTION BASED ON THE PREVAILING WAGE UNIT PRICES FOR EACH WORK ITEM SUBMITTED. THE ESTIMATED VALUE OF THE CONTRACT IS $740,735.00. WORK WILL BE PERFORMED IN STRICT ACCORDANCE TO THE BID SPECIFICATIONS.)

7. EVALUATION OF REQUESTS FOR PROPOSALS - FINANCIAL ADVISOR SERVICES

(STAFF RECOMMENDS THE APPROVAL OF A FIVE (5) YEAR SERVICE CONTRACT FOR FINANCIAL ADVISOR SERVICES WITH PUBLIC FINANCIAL MANAGEMENT, INC.)

* **8. REAPPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN - ST. JONES GREENWAY COMMISSION - THREE (3) YEAR TERMS TO EXPIRE DECEMBER 31, 2018**

A. JAMES BURCHAM
B. MICHAEL P. MERCER
C. ANN MARIE TOWNSHEND (EX-OFFICIO)

* **9. ELECTION OF OFFICERS - ROBBINS HOSE COMPANY - YEAR 2016 FIRE LINE OFFICERS**

FIRE CHIEF	-	**CARLETON CAREY, JR. (UNCONTESTED)**
DEPUTY FIRE CHIEF	-	**RONALD RHODES (UNCONTESTED)**
FIRST ASSISTANT FIRE CHIEF	-	**DAVID CAREY (UNCONTESTED)**
SECOND ASSISTANT FIRE CHIEF	-	**GLENN WHITT (UNCONTESTED)**
THIRD ASSISTANT FIRE CHIEF	-	**DUANE REEDER**
FOURTH ASSISTANT FIRE CHIEF	-	**MICHAEL O'CONNOR, JR.**
FIRST FIRE LINE CAPTAIN	-	**MICHAEL O'CONNOR, III**
SECOND FIRE LINE CAPTAIN	-	**DAVID KNIGHT**

10. REZONING REQUEST FOR PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE - FIRST READING OF PROPOSED ORDINANCE #2015-23

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON DECEMBER 16, 2015 AND THAT A PUBLIC HEARING BE SET FOR JANUARY 11, 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. PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE, OWNED BY WHATCOAT COMMUNITY DEVELOPMENT, INC. THIS PROPERTY IS CURRENTLY ZONED RG-1 (GENERAL RESIDENCE ZONE) AND SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS RG-2 (GENERAL RESIDENCE ZONE) AND SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY ZONE)
(TAX PARCEL: ED-05-067.19-02-11.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-15-04)

11. FIRST READING - PROPOSED ORDINANCES

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCES. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING OF THE ORDINANCES ON DECEMBER 14, 2015. 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. ORDINANCE #2015-21 AMENDING CHAPTER 82 - PLANNING AND APPENDIX F - FEES AND FINES (PROPOSED NEW REVENUE SOURCES)
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

B. ORDINANCE #2015-22 AMENDING CHAPTER 110 - UTILITIES, ARTICLE II - ELECTRIC SERVICE AND APPENDIX F - FEES AND FINES (REVIEW AND MAINTENANCE OF PLANNING AND CUSTOMER SERVICE FEES)
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

12. COUNCIL MEMBERS' ANNOUNCEMENTS

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on November 9, 2015 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson (departed at 8:46 p.m.; returned at 8:49 p.m.), Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Hosfelt, Mr. Hare (departed at 8:24 p.m.; returned at 8:26 p.m.), and Mr. Hutchison. Mr. Lewis was absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mrs. Townshend, Fire Chief Hall, Mr. Koenig, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:39 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 Reverend Theodore Henderson, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil moved for approval of the Consent Agenda, seconded by Mr. Cole and carried by a unanimous roll call vote (Lewis absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 26, 2015

The Minutes of the Regular Council Meeting of October 26, 2015 were unanimously approved by motion of Mr. Neil, seconded by Mr. Cole and bore the written approval of Mayor Christiansen.

PRESENTATION BY MAYOR CHRISTIANSEN - NATIONAL LEAGUE OF CITIES (NLC) MILESTONE AWARD

Mayor Christiansen presented the National League of Cities (NLC) Milestone Award to Council President Slavin. Mayor Christiansen stated that he had accepted the award commemorating the City's 50 years of continuous membership and leadership in the NLC on behalf of City Council, City staff, and the citizens of the City of Dover during the NLC Conference in Nashville, Tennessee. He explained that in the early 1960s Mayor Crawford Carroll and members of Council worked to establish the Delaware League of Local Governments (DLLG) and, as part of that organization, also joined the NLC in 1965. Mayor Christiansen noted that NLC was an advocate group for cities and towns across the country and the City's participation was a great benefit.

Council President Slavin thanked all of the mayors and members of Council who previously served and authorized the City's membership in the NLC.

PROCLAMATION - GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHY AWARENESS WEEK

The City Clerk read the following Proclamation into the record:

WHEREAS, fascination with the earth's geography inspired the early explorers of our country to learn and record information about the surface of the land and its people, environments, resources, political boundaries, and characteristics and today remains a fundamental part of our national heritage; and

WHEREAS, geographic information has many useful applications for our municipal government and is a valuable resource used in the analysis of infrastructure, emergency services, economic development, and long-range planning; and

WHEREAS; Geographic Information Systems (GIS) technology provides an efficient means of managing geographic information and providing data that allows for effective decision-making and improved delivery of services to the residents of the City of Dover and our surrounding area; and

WHEREAS, the City of Dover's GIS Division plays a vital role in the continued growth of the City and has been nationally recognized for its outstanding efforts in the advancement of GIS and its foresight in creating programs that can be used to better manage services in the City.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 18, 2015 as GIS Day, and November 15 – 21, 2015 as **GEOGRAPHY AWARENESS WEEK** in the City of Dover and urge all residents to adopt the national Geography Awareness Week theme, "Explore! The Power of Maps," and encourage all citizens to participate in this special observance.

Mayor Christiansen presented the Proclamation to Mr. Jason Lyon, Water/Wastewater Manager, Department of Public Works, noting the importance of GIS in the daily operations of the entire City. On behalf of the Public Works Department and the GIS Division, Mr. Lyon thanked the Mayor and members of Council. He reiterated that GIS is an important aspect of the City and informed members that everyone has the ability to access it on their smart phone. Mr. Lyon stated that the amount of material that can be used in GIS is limitless and that the City is going to strive to utilize it as much as they can in the future.

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 1032-1058 SOUTH DUPONT HIGHWAY, OWNED BY BMDR LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 1032-1058 South Dupont Highway, owned by BMDR LLC. Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the property is a two (2) story, wood-framed/blocked commercial building. The structure was condemned by City staff on September 3, 2014, due to possible asbestos contamination with businesses located on the first floor of the structure. Renovations and asbestos abatement had begun on the second floor without any permits and the abatement area was not properly contained, causing

asbestos fibers to enter the business tenant spaces on the first floor. Walls were removed without approved building plans or a building permit. Ultimately, the asbestos abatement was completed in accordance with Department of Natural Resources and Environmental Control (DNREC) requirements. Due to the removal of walls on the second floor, the City required a structural engineering report prior to allowing the building to be occupied. Building plans prepared by a licensed architect are required in order for the City to issue a building permit for renovations. To date, building plans and a permit application had not been submitted. The electric and water services were terminated on March 12, 2015. Currently the structure was registered as a vacant building, with no utilities, and numerous outstanding code violations.

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

Staff recommended that City Council take the following action for property located at 1032-1058 South Dupont Highway: 1) declare this building dangerous; 2) order the property demolished by December 9, 2015 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the demolition of the structure if not completed by the owner within 10 days of the date established by City Council; and 4) 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.

Mrs. Townshend stated that she and Councilman Hare met onsite with Mr. Robert MacLeish, Sr., Lighthouse Construction, Inc. on Friday, November 6, 2015. She noted that Mr. MacLeish was working with the building owner, Dr. Ramani, and she expected that members would hear from the owners during the public hearing about their plans and a request for time to make repairs.

Responding to Mr. Sudler, Mrs. Townshend stated that Dr. Ramani was the same individual who owned the building last year.

Mr. Sudler asked whether Dr. Ramani had provided an explanation as to why the building had been vacant and not repaired within the last year. In response, Mrs. Townshend indicated that Mr. MacLeish would probably address that question during the public hearing. She stated that Mr. MacLeish and an architect had been working on building plans and it had taken more time, noting that the nuisance condition had put the City in a tough spot regarding this building.

Mr. Hosfelt asked if there had been any criminal complaints logged with the Police Department regarding this property. Responding, Mrs. Townshend stated that she did not have any data from the Police Department but the City had received complaints from the neighbors. She advised that the impetus for the meeting on Friday, November 6, 2015 and this matter being brought forward to Council was an email from a neighbor that was very constructive, but very critical of the time that it had taken for the City to address the nuisance that the property is creating. Mrs. Townshend noted that there may be neighbors present during the public hearing who can speak about the problems that they are experiencing.

In response to Mr. Hosfelt, Mrs. Townshend explained that the company that was doing the asbestos abatement was licensed by DNREC; however, the company was not following the proper protocol and, ultimately, the property owner is responsible. Mrs. Townshend informed members that there was a Secretary's Order from DNREC that specified how the asbestos clean up was supposed to happen, and it was a multi-month process just to get the asbestos issue worked out.

Mr. Hare noted that, since his meeting with Mr. MacLeish on November 6, 2015 to discuss what needed to be done and the expectation, he had been driving by the property on a regular basis. He informed members that a new stockade fence was being put up across the back to separate the property from the homeowners. Mr. Hare stated that it appeared that Miss Utility had been there and sprayed where the lines exist. He indicated that there was another building on the property that would be demolished; however, it was his belief that asbestos would have to be removed first. Mr. Hare expressed his opinion that things had started going in a positive direction. He noted that he had talked to some of the neighbors, some of whom had indicated that they were okay to a certain degree; others said that they would wait and see. Mr. Hare stated that some of the neighbors were concerned about homeless people walking through their backyards.

Council President Slavin declared the public hearing open.

Mr. Bob Hartman, 35 Lotus Street, Dover, stated that he had been to the property and they had begun putting up the fence, but that was the only progress he saw. He informed members that Police Chief Paul Bernat got Mr. Hartman's neighborhood involved with the site next door, and the neighborhood had been talking about vacant buildings and crime in their neighborhood. Mr. Hartman stated that there were robberies, people going through cars, a break-in, vandalism, and spray painting in his neighborhood and, although it might not seem like a lot compared to other neighborhoods, his neighbors were concerned.

Mr. Hartman stated that his neighbors did not understand why the City had not taken action regarding the property located at 1032-1058 South Dupont Highway. He informed members that he was involved in the onsite meeting with the contractor and Councilman Hare and thanked Councilmen Hare and Lewis, as well as Mayor Christiansen, for helping to bring this matter forward to Council.

Mr. Hartman expressed his opinion that, so far, the owner of the property located at 1032-1058 South Dupont Highway had been a very bad neighbor. Referring to the illegal asbestos abatement, he noted that asbestos does not go away. Mr. Hartman indicated that if the owner were to look out the top of the building, where the asbestos was illegally removed, he would see kids playing in the yards behind the building. He stated that there was no fence that separated the yards from the building and expressed his belief that the property owner would not want his kids there. Mr. Hartman stated that the property owner needs to be a better neighbor, and Council needs to recognize that the City needs to do their job and hold the owner's feet to the fire to make him a better neighbor if he will not do it on his own. He asked that if Council gives the property owner another chance, not to give him a second chance and to follow through on this dangerous building and get it taken care of.

Mr. Robert MacLeish, Sr., Lighthouse Construction, Inc., 859 Golf Links Lane, Magnolia, stated that he had been involved with this project since mid-May. He was initially contacted to try to rectify some of the issues on the property and, since that time, the asbestos removal had been completed and approved by DNREC. Mr. MacLeish stated that a structural engineer reviewed the building and a letter was submitted to the City regarding the structural soundness of the building. He explained that they engaged the services of Moonlight Architecture on June 9, 2015 and the initial plan was to renovate the existing building. Mr. MacLeish stated that there were a couple of challenges, including the heights on the second floor, but by the first week of July, they had reviewed the budget with Dr. Ramani and had a meeting with his real estate advisor, who indicated that he would have a lot of trouble trying to rent the spaces on the first and second floor.

Mr. MacLeish advised that during the second week of September, the architect provided plans to maintain the exterior walls of the structure and demolish the interior of the building. These plans were then reviewed by the structural engineer. He stated that he had ongoing conversations with Mrs. Townshend as well. Mr. MacLeish indicated that they were working through the process and then the project came to a halt. Noting that he had been in this business for almost 40 years, he explained that sometimes he has to wait on other individuals and it is just part of the process. Mr. MacLeish informed members that since the onsite meeting, they had started putting up the permanent fence behind the property and he hoped that it would be completed by Wednesday, November 11, 2015.

Mr. MacLeish stated that they had received approval from DNREC for asbestos removal from the other building on the property, which was not part of this request. He informed members that the asbestos removal would be completed the following day and demolition would commence on Monday, November 16, 2015 and, hopefully be completed just after Thanksgiving. Mr. MacLeish indicated that they also got a construction fence which would be poured into the pavement. He explained that this fence was approximately 800 feet long with two (2) main gates and would secure the site. Mr. MacLeish stated that they coordinated with the City Fire Marshal's Office to ensure that access for emergency vehicles is maintained.

Referring to the primary building, Mr. MacLeish stated that bids were due by November 19, 2015, and it was his hope that a contract would be awarded within one (1) week. He indicated that demolition would take two (2) to three (3) weeks, depending on the weather. Mr. MacLeish stated that the final building would be similar to the building that he recently completed on New Burton Road. He noted that the project had been coordinated with the City of Dover, conservation, the Delaware Department of Transportation (DelDOT), etc., in order to begin construction.

Responding to Mr. Hutchison, Mr. MacLeish stated that Fisher Environmental, LLC completed the asbestos abatement and received all of the releases from DNREC.

In response to Mr. Hutchison regarding how long it would take to complete the construction of the building, Mr. MacLeish stated that he expected it to be complete by the end of July 2016.

Mr. Anderson asked how valuable the building was and questioned the value in keeping the exterior walls, rather than demolishing the entire building and building another structure. Responding, Mr. MacLeish stated that he does not value the building, that would be done by an appraiser. He

only looks at the construction cost. In regard to the plans for the current building, Mr. MacLeish advised that there was nothing wrong with the slab or the exterior block walls, and it would be more costly to demolish and rebuild the entire structure. From an economic sense, he would not recommend demolishing a usable structure to any client. He stated that he is always challenged to reuse everything possible.

Mr. Anderson asked, in addition to the fencing, if there were other security plans, such as security cameras, that would make the residents feel more secure. In response, Mr. MacLeish stated that there was currently a fence located on the rear property line, separating the residents from the property. He noted that the fence would be extended and they would be putting up a six (6) foot tall fence as well. Mr. MacLeish stated that the entire site would be enclosed and secure, noting that there would be a lock with a key pad to allow for emergency access if needed. He explained that they did not plan on installing any cameras; however, there would be temporary lighting. He noted that, with the exception of the exterior walls, there was really nothing on the site and someone would have to climb over a six (6) foot tall fence to gain access.

Responding to Mr. Hutchison, Mr. MacLeish confirmed that he had a contract with the property owner to do the project from start to finish.

There being no one else present wishing to speak, the public hearing was closed.

Mr. Neil reminded members that the City is faced with similar problems with individual homes and other dangerous buildings. He stated that the problem with this commercial property had existed for quite some time and there was no sense of responsibility or penalty. Mr. Neil noted that Mr. Hartman pointed out that there was no concern or sense of urgency on the part of the property owner. Mr. Neil expressed his opinion that the City needs to set an example by telling this property owner to get this building done quickly. It was his feeling that the City should demolish this building and set an example. He stated that the City needs to do what it is supposed to do with individual homes, landlords, and slumlords, as well as this property owner who, as a doctor, should know better and have a sense of civic responsibility.

Mr. Hosfelt asked Mr. Hartman if the completion date of July 2016 would be acceptable to the neighborhood. Responding, Mr. Hartman stated that he could not speak for all of the neighbors that are concerned with this property, but that July seemed like a reasonable date to him. He informed members that the neighbors were more interested in the measures that were discussed to keep people out of the property, including lighting, fencing and security. Mr. Hartman noted that there were police reports regarding people stealing metal out of buildings on this property, and the neighbors had called the police numerous times regarding the property. He stated that there had been talk about putting up no trespassing signs as well.

Mr. Slavin asked Mr. Hartman if he felt that it would be fair if Council allowed additional time to complete the project, per the suggested timeline, and also established control dates to bring this matter back to Council for progress reports and to ensure that the timeline is being enforced. In response, Mr. Hartman echoed Mr. Neil's comment that Council should be prepared to make an example. It was Mr. Hartman's opinion that Council should be establishing a timeline for all properties like this and holding the owners accountable, noting that this was not a unique problem

for his neighborhood but something that impacts the whole City. He stated that he would like to see the City go after these things uniformly, and not pick and choose who is squealing the loudest and go after that project.

Mr. Slavin stated that he appreciated Mr. Hartman's perspective. He explained that one (1) of the conundrums for Council is that when a dangerous building comes forward for final action, it is sometimes the first time Council is hearing about it. Council's tendency has been to find a reasonable conclusion and provide additional time, when in fact staff has been working the issue for many months, giving extensions and being patient, before finally bringing the matter forward to Council.

Mr. Hartman expressed his opinion that it is a great idea to bring these matters before Council with the suggestion to demolish, as was initiated with the property this evening.

Mr. Sudler asked if Mr. Hartman would be comfortable if the property owner had an onsite security officer for the premises. Responding, Mr. Hartman noted that no one in his neighborhood had ever mentioned a security officer to him and he could not answer the question without first asking his neighbors. He stated that there would be a community meeting on November 19, 2015 at 7:00 p.m. at St. John's Lutheran Church, 113 Lotus Street and everyone was welcome.

Mr. Hutchison shared Mr. Neil's concerns; however, he thought that this situation was changed by the fact that Mr. MacLeish was involved. He stated that he had known Mr. MacLeish for a long time, and he is well known as an outstanding businessman in the community. Mr. Hutchison expressed his opinion that if there were an opportunity for this building to be saved, Council should consider that and keep the property on the tax rolls. He noted that this situation is different from the typical dangerous building Council considers because Mr. MacLeish has a contract to do the job. Mr. Hutchison expressed his hope that Council would support giving this matter back to the City Planner to make sure that the requested timeline is followed. He stated that he knows, first hand, the reputation Mr. MacLeish has and assured members that he will do what he says he is going to do. Mr. Hutchison thought that it was unfortunate that the doctor chose to wait so long, but Council had an opportunity and responsibility to save the building, if possible.

Mr. Hare stated that he also knew Mr. MacLeish. He reminded members that Mr. MacLeish just got involved with this property in May and had already accomplished many things that needed to be done. Mr. Hare stated, from a fiscal point of view, that the City would be cutting off its nose to spite its face by tearing the building down, because once the building is done it will be a first class building, and the value will be something the City will want to have on the tax rolls. Mr. Hare agreed that Council should monitor the progress and request an update by the end of January.

Mr. Neil stated that this issue was about the property owner and what the owner did not do, not about Mr. MacLeish.

In response to Mr. Neil, Mr. Scott Koenig, City Manager, stated that taxes were currently being collected on this property. Mr. Koenig stated that the only penalties for the owner not following up with the City were fines and the threat of demolition and a lien being placed.

Mr. Neil reiterated that there is a point where the City has to be responsible and say no. He stated that if it is a valuable piece of property, another building would eventually be constructed and the property would be an income producer.

Mr. Anderson stated his belief that the Council needs to follow certain principles, noting that there are many abandoned properties in the City and that is where demolition money is focused. When there is a private sector property owner willing and committed to repairing and upgrading a property, Council gives a reasonable opportunity for repairs with enhanced oversight, and that had worked quite well for the City. Mr. Anderson stated that if the City were to demolish this property just to send a message, it would cost approximately $60,000 and expend all but approximately $7,000 of the City's demolition budget. He stated that if it becomes necessary he would be fine with the City demolishing the building, even if the money had to be appropriated; however, as long as the site is secure, he did not think it was necessary. Mr. Anderson expressed his hope that the owner would consider adding some digital video recording (DVR) cameras as well. He stated that, as long as the site is secure and progress is made, the problems will disappear and there will be something much better that will add value to the City.

Mr. Hare moved to declare the structure located at 1032-1058 South Dupont Highway a dangerous building; order that the property be repaired or demolished by July 1, 2016 by the owner or equity owner at their own risk; order the Building Inspector to cause the demolition of the structure 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; and that progress reports be provided at the Council Meetings scheduled for January 11, 2016, March 14, 2016, and June 13, 2016. The motion was seconded by Mr. Hutchison.

Mr. Cole asked if there would be benchmarks for progress, whether the extension would continue if progress was not made because of weather, if there would be penalties if progress was not made, or if Council would simply receive an update and it would be completed in July. Responding, Mr. Hare stated that members of Council would have to use their judgement. If there is 58 inches of snow in the next six (6) weeks and no progress to report in January, Council would have to allow for that; however, if Mr. MacLeish indicates in January that he resigned because he was not being paid, then Council can make a determination.

The motion to declare the structure located at 1032-1058 South Dupont Highway a dangerous building; order that the property be repaired or demolished by July 1, 2016 by the owner or equity owner at their own risk; order the Building Inspector to cause the demolition of the structure 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; and that progress reports be provided at the Council Meetings scheduled for January 11, 2016, March 14, 2016, and June 13, 2016 was carried by a roll call vote of five (5) yes (Anderson, Sudler, Hare, Hutchison, and Slavin), three (3) no (Neil, Cole, and Hosfelt), and one (1) absent (Lewis).

Mr. Hutchison requested Mr. MacLeish to notify the City immediately in the event that he is no longer part of the project. Responding, Mr. MacLeish stated that he would absolutely notify the City right away.

Referring to benchmarks, Mr. MacLeish stated that he would submit a schedule to Mrs. Townshend, noting that in addition to the timeline mentioned previously, the demolition work for the interior of the structure would be completed by mid-December. He stated that he would also attend the community meeting on November 19, 2015 at St. John's Lutheran Church to let the citizens know what was going on. Mr. MacLeish thought that the citizens would be able to share any other issues with regard to the security of the site that he is not aware of.

Mr. Sudler asked that the owner keep in contact with a point person in the neighboring community, share information, and try and keep everything transparent, since he is a neighbor and members of Council are concerned about the constituents in the City of Dover. Mr. Sudler also asked that members of Council receive the schedule once it is submitted and noted that he would be visiting the site.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE REPORT - OCTOBER 26, 2015

The Safety Advisory and Transportation Committee met on October 26, 2015 with Chairman Hosfelt presiding.

Discussion - Prohibited Speed Reduction Devices

Chairman Hosfelt explained that this item was the result of a discussion that took place at a neighborhood meeting at the Greentree Shopping Center involving the owner of the property as well as business owners. Crime issues and speed reduction devices were discussed. Mr. Hosfelt indicated the desire to hear from the public regarding the problems that they were incurring.

Mr. John Anstine, JBA Properties, 1460 Russell Road, Paoli, Pennsylvania, advised members that JBA is the property manager for the Greentree Shopping Center. He indicated that there is a service road in back of the shopping center that extends from Redner's Warehouse Markets to PNC bank between Independence Boulevard and Kenton Road that has become a major cut-through road. Mr. Anstine explained that the space is very tight in that area and tenants must cross over the road to access their dumpsters. He noted that there is a lot of traffic on the road and people drive very quickly. Mr. Anstine expressed his opinion that speed bumps would help to slow people down or deter them from going through there in the first place.

Responding to Mr. Hosfelt, Mr. Anstine stated that, as property manager, he favored speed bumps and noted that although traffic is supposed to be one-way traffic heading west from Independence Boulevard, people disregard the "Do Not Enter" sign and travel in both directions.

Mr. Hutchison stated that there had been previous discussion about changing the dumpsters around to reduce drivers' ability to get through the service road easily and questioned if that had been done. Responding, Mr. Anstine stated the need for 18-wheeled trucks to get through since trucks back in to the loading dock at Redner's and then head out to the west. He noted that some trucks do an illegal U-turn and then go back out.

In response to Mr. Hutchison regarding which businesses have large tractor trailers coming in, Mr. Anstine indicated that Giacomo's Pizza Delight and the UPS store receive deliveries from these large vehicles.

Mr. Hutchison stated that speed bumps had been discussed for many years; however, they do not work well with fire and paramedic apparatuses. He indicated that he very strongly supported measures other than speed bumps.

Mr. Anstine stated that his township in Pennsylvania uses speed bumps on municipal roads, noting that they do slow the traffic in neighborhoods. He indicated that they were open to other ideas to slow people down as well.

Mr. Keller stated that his only objection was that emergency vehicles would run into a problem. He questioned how visible the one-way sign was and whether enforcing it or putting another sign up would help. Responding, Mr. Anstine stated that there was only one (1) sign, and it was clearly visible and met specifications, estimating that it was approximately 18 inches wide by two (2) feet tall. He noted that the ground is also stenciled; however, he expressed his opinion that people do what they want to do. Mr. Anstine explained that the service road previously allowed two-way traffic until Redner's opened and he felt that people have this ingrained in their minds.

Responding to Mr. Keller regarding the traffic in front of the stores, Mr. Anstine stated that pedestrian crossing signs were put out, which helped; however, sometimes people speed through and there is only so much that can be done. He noted that people sometimes run over these signs and do not even know that they have done so.

Mr. Shelton stated that he goes by the area all the time; however, he had not seen the signs. He asked if there was a sign that says "For Deliveries Only." Responding, Mr. Anstine stated that they used to have a "Do Not Enter, Authorized Vehicles Only" sign that was up for years. A truck ran over it and he had it removed and it was never replaced.

Mr. Ed Trumble, Owner, Integrity.PC.Computers, 59 Greentree Shopping Center, advised members that he had concerns not only with the back of the store but also the front. He indicated that he is usually there six (6) or seven (7) days per week, over 12 hours per day, and had been at that location for over one (1) year. He expressed his opinion that it is very dangerous to park in the front lot or to try to cross in the back to take trash out. Mr. Trumble stated that there are three (3) or four (4) one-way

arrows and a "Do Not Enter" sign. There is no speed limit sign out back, but he questioned if this would matter since it is private property and the police would not issue a ticket anyway. Mr. Trumble stated that there is a 15-mph speed limit sign in front of his store; however, he indicated that speeders are not ticketed.

Mr. Trumble advised members that there were speed bumps in Rodney Village, less than five (5) miles away, and in Milford and Christiana and that these speed bumps work. He noted that the police, fire services, and paramedics can function in those municipalities and questioned why they could not do so in Dover. He felt that an ounce of prevention was worth a pound of cure and questioned what would be done when someone gets hurt. Mr. Trumble indicated that he has senior citizen customers that come from as far at Milford to use his services, and he sometimes has to help them carry their equipment in and out and the drivers don't seem to care. He stated that there had been several instances of crime in the shopping center lately and felt that speed bumps would make it less easy for those involved to get in and out, noting that they might not even come if there are speed bumps. Mr. Trumble felt that this was something that needed to be looked at and addressed since the problem was getting worse.

In response to Mr. Hosfelt, Mr. Trumble stated that the problem increases in the fall when football teams practice on a nearby field, although more football participants had been parking on the main road rather than in the back lately. He suggested that more yellow striping, like that around fire hydrants, could be added so that motorists do not park so close to the drive. Mr. Trumble noted that he currently has to go beyond the parked vehicles to look left and right to see what is coming before he can cross to dump his trash. He advised members that people are using the service road as a thoroughfare to go from one (1) road to the next, noting that he had observed three (3) or four (4) cars in a 10 to 15 minute period passing through to avoid an intersection or going through the front of the shopping center.

Ms. Susan Whitney, Something Unique, 61 Greentree Drive, stated that customers come from as far as Salisbury, Maryland, and Wilmington to her establishment and have problems crossing the street without somebody hitting them. The stylists who work there also complain about almost being hit by cars. Ms. Whitney felt that this was definitely a problem that was getting worse. In addition, she stated that she recently saw a man beating a woman in front of the store and had to call the police.

Responding to Mr. Hosfelt as to whether her problems were only related to traffic in the front of her store, Ms. Whitney stated that when big tractor trailers come to the back area, she cannot get into her parking space. When backing out to leave, she notices that the football families sometimes leave a lot of trash and park in such a way that it is hard for her to back out. Ms. Whitney confirmed that the service road is used as a thoroughfare to go from one (1) side to the other by those who do not work or live there. She noted that people come and dump their trash in the store's trash cans as well.

Responding to Mr. Keller regarding whether the nature of the problem in the front was disregard for the people crossing or speed, Ms. Whitney stated that it was a combination. She noted that one (1) lady hollered out, "I don't stop for pedestrians." Ms. Whitney indicated that there were elderly clients, 80 or 90 years old, that try to cross. She stated that kids also ride their skateboards and bikes on the sidewalks, which could become an issue if an elderly client is hit.

Referring to the photo of a device that was similar in nature to a portable speed bump, Mr. Hosfelt advised members that this type of speed bump would allow heavy apparatus to cross. He stated that this example was provided by Council President Slavin and forwarded to the City of Dover Police Chief and Fire Chief.

Responding to Mr. Hutchison as to whether these devices were being used in Delaware, Mr. Hosfelt stated that he was unsure and that this would be a better question for Councilman Slavin. Mr. Hutchison stated that he liked the idea.

In response to Mr. Keller, Mr. Hosfelt indicated that he was unsure about the installation of these bumps or if they were just laid down.

Mr. Cole advised members that these devices had been looked at with respect to State Street and the Delaware Department of Transportation (DelDOT) had indicated that these types of devices were being used in upstate Delaware.

Fire Chief Mark Hall expressed his belief that South Governors Avenue had these speed cushions and indicated that the Fire Department was not, at this time, opposed to them. He stated that speed bumps are permanent and that national response time is reduced seven (7) to 11 minutes with the installation of speed bumps, and noted that two (2) firefighters in Dover had been injured by them. Chief Hall indicated that they liked the idea of speed cushions since the wheel base of an apparatus can get through. He stated that he had done some research and it looked like the cushions are bolted to the ground with an eyebolt and, although he was not completely sure, he felt that the City would be able to remove them for snow removal. Chief Hall noted that different types of devices are offered by different companies, stating that the cushions are a speed calming device, whereas a speed bump is more of a speed reduction device. He reiterated that Capitol Park on South Governors Boulevard had them and advised members that the Fire Department had been there for fires in the past and had one (1) issue involving a loose eyebolt that got caught in the wheel well and ended up in someone's yard.

In response to Mr. Hosfelt regarding the devices on South Governors Boulevard, Chief Hall stated that they were similar to those pictured but smaller and for use in developments. He was unsure if they were yellow striped, but indicated that they are accessible to the fire apparatus and wheels can be put between them when traveling through them. Chief Hall indicated that the firefighters' injuries referenced previously were both leg injuries but was unsure of the location of the speed bumps involved. He stated that Kentwood Mobile Home Park has permanent speed bumps and there is a great reduction in the Fire Department's rate of response once they

enter that development. The fire apparatus must come almost to a full stop, and it takes some time to get it back up to speed. Chief Hall stated his belief that the national average response time mentioned previously was based on speed bumps on more open, residential streets as opposed to developments, noting that the current discussion was about private property. He reiterated that he did not have an issue with speed calming devices.

In response to Mr. Hosfelt, Chief Hall clarified that the areas he had mentioned were outside the City of Dover limits and its police jurisdiction, but within the Dover Fire Department's jurisdiction.

Captain David Spicer, Dover Police Department, stated that he had spoken to Police Chief Paul Bernat, who indicated that he was against speed bumps and speed cushions. Captain Spicer stated that they would reduce response time, maybe by seconds, which in their line of work could mean the difference between life and death. He indicated that Chief Bernat had mentioned to him that the City of Harrington was using similar devices and it was his belief that they had worked there; however, it was his understanding that a snow plow had damaged one (1). Captain Spicer noted that if they are fastened to the ground with eyebolts that work their way loose, there could be potential injuries to pedestrians, motorists, and vehicles. Captain Spicer stated that, at this time, they were against this approach.

Responding to Mr. Hosfelt, Captain Spicer confirmed that the Police Department was against these devices on both private property and public roadways.

Mr. Sudler inquired if there were any other mechanisms that residents may be able to utilize to decrease the speeds that the Police Department would favor. Responding, Captain Spicer stated that approximately one (1) month ago, he attended a meeting where different ideas were discussed for Independence Boulevard, Bicentennial Village, and North State Street. The pros and cons of speed cushions, traffic redesign to divert traffic around objects or slow it down, and traffic islands were discussed. Captain Spicer felt that Chief Bernat would be in favor of a traffic circle similar to that on Mifflin Road, which seemed to slow a lot of traffic in that area.

Captain Spicer noted, in regard to signage at the Greentree Shopping Center, that the Police Department is limited in the number of traffic laws that they can enforce on private property, and that inattentive driving, driving under the influence (DUI), and reckless driving on private property could be enforced.

Mr. Hosfelt stated that he would like the Committee to continue this discussion after a couple of months, which would allow him time to do further research, especially in regard to speed cushions. He stated that this subject would not be put aside and was worth investigation. He expressed his thanks to Captain Spicer, Chief Hall, the business owners who participated, and the property manager from Greentree Shopping Center. Although the discussion had concentrated on speed bumps,

Mr. Hosfelt expressed his understanding that some who were present had other concerns regarding crime and stated that he was sure Captain Spicer would make himself available to them regarding any concerns.

Request for Waiver - Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 17 - Emergency Access Requirements - Waiver of Emergency Rear Access Requirement for Blue Hen Apartments Phase 2 (Application S-15-12)

Mrs. Dawn Melson-Williams, Principal Planner, reviewed a request from Blue Hen Apartments, LLC, located behind the Blue Hen Corporate Center, for a waiver of the requirement for a 16-foot alley or a 18-foot secondary fire lane and a 18-foot subgrade emergency access lane as emergency access to the rear building areas for two (2) and three (3) story apartment buildings. Mrs. Melson-Williams explained that a site plan had been filed to expand this community of apartment complexes to include 12 additional apartment buildings, two (2) at the intersection of Blue Hen Boulevard and Haslet Street and the remaining buildings in a straight line, running parallel to the Blue Hen Corporate Center building.

Mrs. Melson-Williams reviewed a site plan depicting the proposed layout, noting that all of the buildings had a 24-foot fire lane crossing in front of the main entrances to the buildings. In some cases, given the position of the building, the building would either back up to another street or there would be a secondary driveway in close proximity. Mrs. Melson-Williams advised members that the Planning Commission, in reviewing the application, looked at the overall layout as well as the comments provided by the City Fire Marshal's Office. She noted that, due to their size, the buildings were required to be sprinklered.

Mrs. Melson-Williams noted that there is a fire lane coverage percentage requirement for the front of the building. Fire lanes must be marked on the ground surface, and the buildings are required to have a fire alarm system and a Knox box safe; therefore, they have a high level of fire protection required by other regulations beyond the requirements of the zoning ordinance. She reiterated that the applicant was seeking relief from the secondary rear fire access requirement for either an alley or another fire lane and advised members that the waiver request had been presented to the Planning Commission and members recommended approval.

Responding to Mr. Hutchison, Mrs. Melson-Williams confirmed that the waiver was supported by the Fire Marshal's Office, noting that they were fairly comfortable that the other fire prevention regulations specific to the building construction, including a sprinkler and fire alarm as well as the primary fire lane across the front, would be adequate for response to that type of building.

In response to Mr. Hutchison as to whether a legal opinion had been obtained from the City Solicitor's Office approving the waiver and in regard to any liabilities, Mrs. Melson-Williams stated that the zoning ordinance established that this was a waiver that could be asked for. She explained that the review process is that the

Planning Commission makes a determination which goes through the Committee, with final action by City Council. Mrs. Melson-Williams indicated that she was unsure if the liability question had ever been posed in this regard.

Noting that waivers had been granted previously, Councilman Anderson questioned what the history had been and if there had been any problems. Responding, Mrs. Melson-Williams stated that she was not aware of any problems. She stated that the most recent waiver approved was probably in the Leander Lakes apartment complex, which was now under construction on the west side of Dover High Drive. Mrs. Melson-Williams indicated that the Leander Lakes building project was very similar, sought the same waiver, and was successful. The Leander Lakes project was a three (3) story apartment building with a sprinkler, fire alarm and a front primary fire lane but no ability to provide the rear access via an alley or secondary fire lane due to the layout of the complex. She stated her belief that the existing Blue Hen Apartments project, which was a little older in its construction, also received this waiver previously.

Mr. Anderson inquired if this regulation was outdated due to the current technology in designs, or if this was a unique situation. Responding, Mrs. Melson-Williams stated that staff had come across this situation in multiple instances and had seen a lot of requests for waivers of the rear emergency access provision for apartments, which also applied to townhouse developments. Staff had identified this as one (1) of the sections of the zoning ordinance that needed review. Mrs. Melson-Williams indicated that technology had improved and there were other fire protection requirements and regulations that would greatly supersede and probably be more beneficial than additional pavement to the rear of these units.

Mrs. Donna Mitchell, Controller/Treasurer, expressed her hope that the safety of the public is looked at when approving these waivers, noting that the requirements were included in the code for public safety. She stated that she was speaking as a member of the public and that this was not a professional comment.

Responding to Mr. Sudler's request for elaboration on her comment, Mrs. Mitchell stated that the purpose of the requirement was for safety equipment to get in and out, rather than public access and egress, or to allow two (2) entrances or exits in case there was something that caused an unsafe environment. She also expressed concern that if some of the streets were narrowed, fire apparatus could not get around and maneuver as well, and this was why she felt the provisions were in place.

In response to Mr. Sudler as to whether Mrs. Mitchell was saying that if the waiver were granted some apparatus would not be able to have access, Mrs. Mitchell stated that she was not sure but, as a citizen, she felt that there was a need to make sure that these issues could be handled when making these decisions.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the waiver ability is in the zoning ordinance, so that if it is determined it would not compromise public safety to waive the alley requirement, members had

the ability to do this. In addition, she noted that the section of the zoning ordinance that requires rear access behind apartments predates a lot of the current fire protection regulations and was much more relevant at a time when buildings were not required to be sprinklered. Mrs. Townshend stated that there were a number of cases where waivers had been granted, including townhouse developments such as Senator's Lake, off Silver Lake Boulevard, which subsequently sprinklered the townhouses voluntarily. She indicated that this was not an uncommon waiver.

Fire Chief Mark Hall stated that he had discussed this with the Fire Marshal, and he advised members that without a rear access, the Fire Department could not access the rear of the building, unless they physically walk a 24-foot or 35-foot ground ladder to that side of the building. With respect to the 16-foot to 18-foot alley, Chief Hall stated that it takes anywhere from 20 to 24 feet to set up a ladder truck. In his opinion, eliminating the rear access would be a life safety issue, noting that if someone's apartment was on fire and they were on their balcony or hanging out their window, this would thwart the Department's response to them. Chief Hall indicated that, although the Fire Department would get to them as fast as they could on foot, it would be a lot better with a ladder truck, especially when someone is panicking. In regard to sprinklers for fire protection, he noted that recently there was a fire at Luther Towers and another at Legislative Hall where sprinklers did not activate. He indicated that the sprinklers in place do not always work and he asked members to take that into consideration.

In response to Mr. Sudler regarding how far it would be necessary to walk and carry a ladder to the rear area, Mrs. Melson-Williams stated that new fire prevention regulations require that plans provide perimeter access around the buildings. She estimated that, in most cases, 40 to 50 feet would get firefighters around the short end of the building to the rear. Mrs. Melson-Williams explained that in some situations, there is either another street or another circulation path that covers another side of the building or the rear of the building, depending on the specific building.

In response to Mr. Hutchison regarding the cost of an emergency rear access, Mrs. Melson-Williams stated that she was unsure of the cost. She stated that, in the case of this project, it would be a paved, hard surface and she was unsure that there was space to physically construct it, which would mean a total redesign of the project, depending on which building was being looked at. Mrs. Melson-Williams reiterated that some of the buildings had two (2) means of coverage, including a 24-foot fire lane across the front of all of the buildings, which is the main entry into these buildings and where the Fire Department connection is located.

Mr. Anderson questioned how far the front of one (1) building is to the rear of another and if there was complementary access. Responding, Mrs. Melson-Williams advised members that there were two (2) different situations in this apartment complex. She stated that in one (1) area, the buildings are in a line, the spacing distance between individual buildings was specified in the code, and a second roadway goes between two (2) of the buildings. In the other area of the apartment development, the two (2) proposed buildings were flanked in the rear by either a

street or another existing drive aisle. Mrs. Melson-Williams indicated that there would be some measure to get to the full back and full front of the building. There was capability to get to the full front on the long strip of buildings, but there would not necessarily be access to the rear on the main line of apartment buildings as proposed.

In response to Mr. Hosfelt as to what is at the rear of the development, Mrs. Melson-Williams stated that there is a green, open space area at this location and a pedestrian path a little further away. She expressed her belief that there was a graded swale between the path and the building within that 40-foot area.

Responding to Mr. Hosfelt, Chief Hall stated that access was not something that the brush truck could handle but, if needed, the Fire Department could get the ladder truck behind the area. He noted that the ladder truck would jump the curb and tear up some of the property, but they would do this in order to get to someone needing assistance.

Responding to Mr. Sudler regarding what kind of damage this would do to the apparatus, Chief Hall estimated possible damage from $10,000 to $50,000.

In response to Mr. Sudler regarding the width of the roads in the plans, Mrs. Melson-Williams stated that the drive aisle in the upper left corner, where parking is located in front of the buildings, was a 24-foot-wide, two-way path of travel. These would be the primary fire lanes, which were required to be 24 feet, and there were additional paved areas with parking spaces which could be utilized if there were no cars parked there. She noted that one (1) of the buildings backed up to Blue Hen Boulevard, which was a public street and closer to 30 feet in width.

Fire Chief Hall stated that the diagram appeared very similar to Bay Tree Apartments, where the front apartment building did not have front access and the rear apartment building did not have rear access. He indicated that the Fire Department would have to take pre-planning measures and would figure it out. He noted that the Fire Marshal had provided him information regarding a turn-around at this location, which was a big help.

Responding to Mr. Hutchison as to whether there were after-hours staff or security people at the location, Mrs. Melson-Williams indicated that the Blue Hen Apartment complex had on-site property management, but she was unsure of their work hours or overnight staffing. She indicated that an on-site property office and leasing facility currently manages Phase 1 and would also manage Phase 2.

Mr. Hutchison stated, for the record, that he had the opportunity to personally go out and look at the Blue Hen Apartments, both at day and night, and felt that the operation was very impressive and absolutely first class. Based upon what he had seen personally, he stated that he supported the request.

Mr. Hutchison moved to recommend approval of the request for a waiver of the emergency rear access requirement for Blue Hen Apartments Phase 2, seconded by Mr. Keller.

Mr. Keller indicated that his seconding of the motion was based on Mr. Hutchison's statement.

The Committee recommended approval of the request for a waiver of the emergency rear access requirement for Blue Hen Apartments Phase 2.

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

Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects - Capital Gateway Study Presentation (Rich Vetter)

Mr. Rich Vetter, Executive Director, Dover/Kent County Metropolitan Planning Organization (MPO) reviewed a presentation, entitled "Capital Gateway Study." He advised members that the MPO had been involved in a planning study, along with the City's Planning Department, for the past month with regard to the area including Division Street from Salisbury Road to State Street and Forest Street from its split from Division Street down to the Duncan Center. The purpose of the study was to develop a land use and transportation master plan for this area. Mr. Vetter explained that the most important part of the study would be to provide a gateway to downtown from the west, which was lacking. He indicated that there was currently no identity or theme in terms of land use and transportation for this area and the goal was beautification, enhancements in streetscapes, and a land use vision. Mr. Vetter explained that the existing land use in this area was mixed and included vacant parcels and areas that were not aesthetically pleasing, and it was desired to develop the gateway theme to present to future developers and property owners in the area. He indicated that landscaping and beautification could be considered, potentially extending what currently exists on Loockerman Street westward.

Mr. Vetter stated that community input was being sought, noting that so far, based on local information, they had heard that bicyclists and pedestrians were an important aspect of the plan, and there could be maintenance and parking improvements as well. He informed members that a charrette process would be used to solicit community involvement, explaining that a charrette is a condensed, hands-on, multi-day planning process which is something of a magic marker session for the community. In a three (3) or four (4) day period, the goal would be to progress from a blank piece of paper to something that could be presented as a community vision. Mr. Vetter stated that public participation was planned for Monday, November 16th; Tuesday, November 17th; and Thursday, November 19th, probably from 5:00 to 7:00 p.m., at the Inner City Cultural League at 54 South Kirkwood Street. He informed members that, during the past couple of weeks, there had been meetings with stakeholders such as Councilman Anderson, the Delaware Department of Transportation (DelDOT), the Delaware Transit Corporation, the Downtown

Dover Partnership (DDP), residents, and business owners to get input in preparation for the charrette. Mr. Vetter indicated that flyers would also be going out in the next couple of weeks and it was hoped that there would be a lot of media coverage.

Mr. Anderson encouraged members to provide input, noting that the questions asked would be valuable and the opportunity to provide constituent input was important.

In response to Mr. Hosfelt, Mr. Vetter stated that business owners and residents in the area would be notified. He stated his belief that Mrs. Ann Marie Townshend, Director of Planning and Community Development, would direct mail to every business and property owner.

Briefing on Delaware Department of Transportation (DelDOT) Projects

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that she had received an update on transportation projects from the Delaware Department of Transportation (DelDOT) and there was not much to report since the previous update provided during the Committee's meeting of July 27, 2015. She stated that it was a pleasant surprise that the Bicycle and Pedestrian Program at DelDOT was getting some unexpected funding, which would help with some of the projects on the City's priority list, including planning for the Senator Bikeway, which would help with the construction of sidewalks within the walk zone of the new Dover High School. Mrs. Townshend noted that U.S. 13 sidewalk construction would also be addressed through this funding.

In regard to matters for future discussion, Mr. Anderson advised members that concerns were heard at a recent neighborhood watch meeting about shots being fired and confusion about how to identify where they are coming from. He stated his understanding that there was a State program called Shotspotter that involved grants and wondered if it had any use or viability. Mr. Anderson stated that the program seemed to have pluses and minuses to it.

Mr. Hosfelt stated his belief that the City of Wilmington had looked into the Shotspotter program at one point.

By consent agenda, Mr. Neil moved for acceptance of the Safety Advisory and Transportation Committee Report, seconded by Mr. Cole and carried by a unanimous roll call vote (Lewis absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - OCTOBER 26, 2015

The Legislative, Finance, and Administration Committee met on October 26, 2015 with Chairman Hare presiding.

Benchmarks Established for the Economic Development Office

Mr. Bill Neaton, Economic Development Manager, advised members that the Economic Development Office provides a semi-annual review of the benchmarks established for the Economic Development Office.

With respect to the Downtown Dover Partnership (DDP), Mr. Neaton indicated that the History, Heritage and Hops event, which was held in conjunction with the Dover Days Festival, and the Merchants Committee's recent OktDoverfest brought thousands of people to the downtown area. He noted a survey of downtown merchants was finished earlier in the day and results would be reported at the next meeting.

With respect to downtown Dover business growth, Mr. Neaton stated that there were currently two (2) new large Downtown Dover Development District (DDD) projects. He explained that a health care provider would become a tenant of the second floor of the Priscilla Building at 152 South State Street in late November and there was a potential tenant for a portion of the downstairs area of this building that was formerly occupied by a restaurant. Another large project was the Grey Fox Grille and Public House. He stated that a number of DDD initiatives had helped the downtown area and several businesses were utilizing them.

In reference to City-wide economic development, Mr. Neaton stated that four (4) out-of-town businesses were considering moving to Dover, including a boiler-making company and several developers out of New York City.

In regard to strategic objectives for Fiscal Year 2015- 2016, Mr. Neaton stated that he had met with Mr. Brian DiSabatino, President and Chief Executive Officer of EDiS Company, regarding assistance with marketing the Garrison Oak Technology Park (GOTP) and was also scheduled to take a trip there with Ms. Bernice Whaley, Director, Delaware Economic Development Office (DEDO), to determine how the GOTP could best be marketed. Mr. Neaton indicated that the GOTP would be featured on DEDO's website as the primary location for business growth in Delaware.

Mr. Neaton stated that Calpine had been in commercial operation since the first part of June at the GOTP and was in the PJM grid for a 500 MW plant, noting that a second plant could be built on a 37-acre parcel of land at the location. He noted that a ribbon cutting was held for the Uzin Utz facility in early October and they had been so successful that they were getting ready to add a second shift of workers. Mr. Neaton stated that Advantech, Inc. hoped to move forward with building construction at the GOTP after the first of the year.

Status of Discussion Items Proposed During the FY 2015/16 Budget Review

Proposed New Revenue Sources

Members were advised that during the FY-2016 budget hearings City Council directed staff to review various City operations and submit requests for potential revenue sources. Staff requested suggestions internally regarding revenue sources and/or cost recovery sources.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, informed members that Mr. Scott Koenig, City Manager, was unable to be present and that she and Mr. Kirby Hudson, Assistant City Manager, would be reviewing the proposed suggestions.

Mrs. Townshend stated that four (4) fees were being proposed as new revenue sources, three (3) from the Planning and Inspections Department and one (1) from the Customer Services Department. She advised members that two (2) of the Planning Department fees were for Temporary Certificate of Occupancy (TCO), noting that the current fee for a residential TCO was $40 dollars. Mrs. Townshend explained that a TCO creates a lot more work for City staff in terms of tracking, noting that there can be loose ends when projects sit on a TCO for much longer than they should. She advised members that other jurisdictions charge more for a TCO and limit the amount of time that it can be applied, which discourages people from keeping projects on a TCO indefinitely. Staff recommended a $75 fee for a residential TCO and a $100 fee for a non-residential TCO. Under this proposal, a TCO would be valid for a maximum of 45 days and the fee would be paid for each renewal.

The Planning and Inspections Department also suggested that the City implement a fee for Zoning Verification/Administration Interpretations. Mrs. Townshend advised members that zoning verification letters are often requested by property owners who need an entrance permit from the Delaware Department of Transportation (DelDOT), and these letters may also be needed for settlement or refinancing of property. She stated that the letters take a lot of staff time and there is currently no charge for this service; however, nearly all other jurisdictions charge a fee. As an example, Mrs. Townshend explained that she recently completed a request that involved doing research on 15 properties and preparing 15 letters, and this service was performed at no charge. Staff recommended implementing a $50 fee to capture the cost of the service.

In regard to the Customer Services Department, Mrs. Townshend informed members that staff suggested that the City implement a $1.00 charge for a copy of a utility bill. She indicated that customers often come to Customer Services to pay a bill and request a copy of the bill to take to the cashier to pay. Mrs. Townshend stated that private utilities charge for this and suggested that implementing a charge may reduce the workload because customers may not continue to request copies. This charge would at least allow for the City to recover the cost when this service is provided. Mrs. Townshend explained that Mr. Koenig's conservative revenue estimate for the utility bill copies was $10,000 dollars, since approximately 118 extra utility bills are printed each day, which would annualize to $26,000 dollars. Since it was believed that fewer people would request copies if the fee were implemented, this number was projected to decrease.

Staff recommended adoption of the referenced fees, to be implemented on January 1, 2016.

Responding to Mr. Sudler regarding the proposed fee for zoning verification letters, Mrs. Townshend stated that there was currently no charge for this service and a $50 fee was recommended.

Mr. Anderson expressed his opinion that the proposed adjustments were reasonable and a good balance, noting his desire for there not to be too big of a jump or burden on individuals and businesses in these times, and indicated that he liked the proposal.

Mr. Hudson advised members that Customer Services would be looking at other fees to bring forward to the Committee at a later date. He noted that in many instances staff has to run credit reports, and this need is often attributed to those who habitually pay late or have been cut off. Credit reports may also be used to determine the reliability of new customers. Mr. Hudson stated that those costs were currently being borne by the City. He also indicated that late fees were a little low and that municipalities smaller than Dover were charging a lot more for late fees, noting that the desire was not to make income but to cover costs.

In response to Mr. Cole regarding the number of credit reports done per year or month, Mr. Hudson stated that he did not have this information but offered to provide it the next time this was considered. He indicated that the last figure he saw was in the thousands.

Mayor Christiansen asked why the two (2) fees that Mr. Hudson mentioned were not being considered at this time, noting that they reflected the cost of doing business. Responding, Mr. Hudson stated that he was recently assigned oversight of the Customer Services Department and was shocked to find that these things were not being done.

Noting that the City was losing revenue, Mayor Christiansen asked why these additional fees were not included for consideration. He expressed his opinion that the City should not take half steps but should either be a business that serves the community or not charge anything, and Mr. Hudson agreed.

Responding to Mayor Christiansen regarding the percentage of customers that would be adversely affected by the suggested fees, Mr. Hudson stated that all customers would be affected and estimated that 25% or 30% were “frequent flyers.” In response to Mayor Christiansen as to whether this was due to inability to pay or because these individuals do not accept adult responsibility, Mr. Hudson stated his opinion that the City had been very lenient.

Mrs. Townshend stated her belief that most of the issues currently being discussed were related to item #2B - Review and Maintenance of Fees - Planning and Customer Services Departments, which was the next item on the agenda, and the current item under discussion was the $1.00 charge for a copy of a utility bill. She stated that the effect on a typical customer would be that they would be charged $1.00 if they do not have their bill.

In response to Ms. Maucher, Mr. Hudson confirmed that credit checks were performed to determine whether a deposit is required. He explained that there are certain parameters and a certain scale, and if a score comes in very low because the customer habitually does not pay their bills, then their deposit will be higher than someone with stellar credit.

Ms. Maucher stated that there was an obligation to serve, so regulated utilities generally look at the customer's payment history. If they have been late, the deposit is the equivalent of two (2) months of their annual usage. If there is no history, they can charge their deposits. She thought it was curious that the City found it necessary to run credit checks.

Mrs. Townshend advised members that Customer Services requires a standard deposit; however, the amount of that deposit may be reduced for a customer who has not had an account with the City and has good credit. If the customer has a poor payment history with the City, running the credit report will not help. Mrs. Townshend stated that the customer benefits from the City running the credit report, and the idea was that this cost should be borne by the customer.

In response to Mayor Christiansen, Mrs. Townshend confirmed that running the credit report would be a new source of revenue and Mayor Christiansen expressed his opinion that it could, therefore, be discussed under item #2A - Proposed New Sources of Revenue and Mr. Hudson's recommendation should be considered.

Mr. Sudler noted, in regard to deposits, that in the past if a previous occupant had a bill of $300 or $400, the deposit for the next occupant was almost doubled or tripled. Responding, Mrs. Townshend advised members that the deposit was based on the customer's history, not the history of the customer's unit. Mr. Sudler requested that staff double check this to make sure, noting that he is a landlord and had heard within the last two (2) to three (3) years that the previous occupant's history had been considered, which he felt was unfair.

Mr. Hudson explained that a large deposit is required for those with poor credit to carry the cost and provide something to fall back on if the customer decides to leave without paying.

Mr. Sudler asked what score would determine whether someone has good or bad credit. He expressed his opinion that most people do not have good credit for different reasons, noting the many recent foreclosures. Mr. Sudler stated his desire to make sure that the City is fair and, at the same time, that costs are covered. He thought that a reasonable credit score of at least a C rating should be required, but not an A1.

Mr. Hudson stated that the scores used by the City are within the same limits and to the regular standards that the banks or others would use. The idea was to be fair and follow the same policies that other lending institutions might use but to cover costs.

Mr. Hudson stated that the amounts outstanding for people who had skipped out were in the hundreds of thousands of dollars.

Mr. Sudler moved to recommend adoption of the referenced fees, to be implemented on January 1, 2016, as recommended by staff.

In response to Mr. Cole, Mr. Sudler confirmed that the recommendation included the fees for credit checks and the additional items discussed.

Mr. Anderson asked if there was an amount for the credit check fee.

Mrs. Townshend recommended, since Mr. Koenig had done the research on this and was not present, that this item be removed from the November 9, 2015 City Council Consent Agenda so that the fee could be included and this item could get the proper airing at the Council meeting.

Mr. Anderson stated that the concept of a credit check fee was good but that the amount would matter.

Mr. Sudler withdrew his motion to recommend adoption of the referenced fees, to be implemented on January 1, 2016, as recommended by staff, and including the fees for credit checks and the additional items discussed.

Mr. Hudson stated his belief that the cost for a credit check was $10.

Mr. Anderson felt that $10 or $15 was not an unreasonable fee.

Mr. Hare asked if the hundreds of thousands of dollars that were owed by customers had been given over to a collection agency. Mr. Hudson confirmed that this had been done and that he and Mrs. Donna Mitchell, Controller/Treasurer, may be looking for a new collection agency, preferably one (1) that might be able to go outside the boundaries of the State to pursue those who might have fled to other places.

Mr. Sudler moved to recommend adoption of the referenced fees, to be implemented on January 1, 2016, as recommended by staff, and to add a credit check fee of $20, seconded by Mr. Cole.

Mr. Slavin encouraged incorporating built-in escalators to the fee increases so that it would not be necessary to come back and make amendments as the costs driving the fees increase. For instance, rather than putting a specific amount on the credit check fee, he suggested passing the cost of the credit report along to the customer, so that as the cost goes up, the customer's fee would increase.

In response to Mr. Slavin, Mr. Sudler stated that the motion was only proposing to pass through the amount the City is charged for a customer.

Mr. Slavin suggested an amendment to the motion to say that the fee would be whatever the cost of the credit report would be.

Mr. Sudler inquired if 60 days' notice would be given to residents when these changes are made. Responding, Mrs. Townshend stated that the changes would require adoption of an ordinance that would have a first and second reading. The fees would become effective January 1, 2016, which would give staff an opportunity to communicate information about the fees and put notices up at Customer Services stating that copies of utility bills would cost $1.00.

Responding to Mr. Hare as to whether Customer Services can provide an account balance without printing it, Mrs. Townshend explained that a Customer Services representative can do this; however, a printed copy of the bill must be presented to the cashier with payment.

Mr. Hudson advised members that individuals can look up information for themselves at the kiosk at any time.

Mrs. Townshend stated that customers can print their own bills from the City's website as well.

Responding to Mr. Hare, Mrs. Townshend stated that Customer Services representatives cannot take cash.

Mr. Hudson encouraged members to go by and take a look at the Customer Services area, noting that new walls had been put in and the design was different. He indicated that security improvements were being made and Advantech, Inc. was currently putting in new security doors, etc. Mr. Hudson explained that only those who work with cash will have access to the back area where cash goes in and out.

Mr. Cole stated that an amendment to the motion was needed for the credit check fee to read "will covers costs as is."

Mr. Hare indicated that staff time was involved in addition to the credit check cost, noting that $20 would include a little bit extra over a $10 or $15 credit check cost. Responding, Mr. Hudson stated that one of the supervisors advised him that once the credit report is in hand, it could typically take 15 to 20 minutes to process the customer. He believed that $20 would adequately cover not only time spent with that customer, but also the paper and other things that are associated.

Mrs. Townshend suggested setting the fee at cost of service plus 10% or 15%.

Mr. Hare suggested that the fee be set at the cost of service plus $10.

Mr. Anderson felt that this fee was not unreasonable.

Mr. Sudler moved to amend the motion to specify that the fee for credit checks be set at the cost of service plus $10, seconded by Mr. Cole and unanimously carried.

The Committee recommended adoption of the referenced fees, to be implemented on January 1, 2016, as recommended by staff, and to add a credit check fee at the cost of service plus $10.

During the Regular Council meeting, Mr. Scott Koenig, City Manager, stated that staff had developed several proposed revenue sources. New fees were proposed for temporary certificates of occupancy for residential structures at $75 and non-residential structures at $100, zoning verification/administration interpretations at $50, and copies of utility bills at $1.00. He advised members that during the Committee meeting, members also discussed instituting a credit check fee at the cost of service plus $10 for the administrative processing. Mr. Koenig advised that the estimated value of these new revenues would be approximately $31,760.

Mr. Neil moved for acceptance of the Committee's recommendation to adopt the referenced fees, to be implemented on January 1, 2016, as recommended by staff, and to add a credit check fee at the cost of service plus $10, seconded by Mr. Hutchison.

Mr. Anderson stated that he was pleased that the City did not try to raise the fees too high, too fast, noting that many of the proposed fees had not changed in a decade. He expressed his opinion that the increase was fairly conservative and congratulated staff on making sure that economic growth was not hampered by the need to keep pace with cost. Mr. Anderson stated that he was not big on increasing fees and taxes; however, he would support the proposed fees because he thought that staff's reasoning was valid.

The motion for acceptance of the Committee's recommendation to adopt the referenced fees *(Exhibit #2)*, to be implemented on January 1, 2016, as recommended by staff, and to add a credit check fee at the cost of service plus $10 was carried by a unanimous roll call vote (Lewis absent).

Review and Maintenance of Fees - Planning and Customer Service Departments

Members were advised that during the FY-2016 budget hearings, City Council directed staff to review various City fees and submit recommendations for consideration by City Council. Several fees in the Planning and Inspections and Customer Service Departments were recommended for increases.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the recommended proposed fee increases and the estimated annual revenue from the increases. She explained that the recommendations relating to the Customer Services Department were to increase the returned check fee from $25 dollars to $40 dollars and to increase the after-hours utility reconnection fee between the hours of 5:00 p.m. and 9:00 p.m. from $50 to $100, because staff was being paid overtime, on-call pay, or callback pay to reestablish that service.

Staff recommended adoption of the referenced fee changes, to be implemented on January 1, 2016.

Ms. Maucher questioned if a cost-of-service study was done to determine rates, noting that $100 for an after-hours utility reconnection seemed low. Responding, Mr. Hudson stated that the desire was not to become so high as to make money. He stated that the $100 fee had been discussed with the Customer Services Department and this was believed to be a fair amount. Mr. Hudson advised members that this amount would cover the cost.

Mr. Hare asked if $100 would cover all of the expenses to call someone in to turn on service.

Mrs. Townshend stated that typically when someone is called in they are not just reestablishing one (1) service.

Concurring, Mr. Hudson stated that there would be a list of locations, perhaps a hundred for each employee.

Mr. Hare questioned what would happen if this service was needed for only one (1) person.

Responding to Mr. Cole as to whether staff tried to schedule multiple reconnections at the same time, Mrs. Townshend stated that with the number of cuts that the City does, the need would be for more than one (1) reconnection.

Ms. Maucher questioned why there were so many after-hours reconnects and how many of them were typically done. Responding, Mr. Hudson stated that he could provide this information, noting that the number varies. He stated that most reconnections are done during the day; however, there are times when staff has to go out after 5:00 p.m.

Responding to Ms. Maucher as to why reconnections cannot be deferred to the next day, Mr. Hudson stated that these needs occur either because staff may have not been able to get to them or the reconnection was scheduled after the daily schedule was prepared. Mrs. Townshend explained that this sometimes has to do with the time that the customer brings their account current, noting that if this is done in the afternoon, the reconnection cannot be scheduled for that afternoon.

Responding to Mr. Hosfelt, Mr. Hudson and Mrs. Townshend expressed their belief that after-hours utility connections would be done between 5:00 p.m. and 9:00 p.m. and no later than 9:00 p.m.

Mr. Hosfelt asked if there were crews that work 3:00 p.m. to 11:00 p.m. and if this would be overtime or on-call. Responding, Mrs. Townshend stated her belief that this would be overtime but indicated that this could be verified before the Council meeting.

Mr. Hosfelt stated his belief that $100 would not come close to covering the cost of on-call pay and call-out pay on top of that, if he was recalling the union provisions correctly. He felt this amount seemed low.

Mrs. Donna Mitchell, Controller/Treasurer, stated that $100 would probably just cover a meter reader's cost with benefits. She expressed doubt that it would cover an International Brotherhood of Electrical Workers (IBEW) union member, such as a line crewman, etc., noting that gas and equipment would have to be covered.

In order to ensure fairness, Mr. Sudler felt that there should be a time frame specified for when the $100 fee would be charged after the customer brings their account current, such as after 3:00 p.m.

Mrs. Townshend explained that staff goes out around 7:00 a.m. to do disconnects. Customers begin calling when Customer Services opens at 8:30 a.m. People who bring their accounts current in the morning can be scheduled for reconnection in the afternoon. If they do not come in until the afternoon, staff's afternoon reconnection schedule is already full and additional reconnections are done in the evening. When they come in to pay, customers are told what the connection fee will be.

Mr. Sudler asked if there was a fixed time frame indicating, for example, that if the customer comes in after 12:00 p.m. they are subject to the additional charge. Responding, Ms. Townshend stated that this information could be provided at the City Council meeting. Mr. Hudson stated his belief that it was around 11:00 a.m. or 11:30 a.m.

Mr. Sudler noted that 11:00 a.m. and 11:30 a.m. were still in the morning. Responding, Mr. Hudson stated this was getting into the afternoon and people would be taking lunch.

Responding to Mr. Hare, Mrs. Townshend stated that the reconnection rate was $50 during normal working hours.

Mr. Sudler felt that charging the higher fee after 12:00 p.m. would be fair because this would be considered the afternoon.

Mr. Hudson stated his belief that 11:30 a.m. was the cutoff for adding new people to the list before staff goes out for the afternoon.

Mr. Sudler felt that the 11:30 a.m. deadline should be posted so that the constituents of Dover are aware. Mr. Sudler stated that his desire was to ensure that all bases are covered because he could see his constituents complaining about this.

Mr. Hare questioned whether it would be those that do not pay their electric bill that would be complaining about reconnecting.

Ms. Maucher asked if reconnection could be deferred to the next day if customers pay after 1:00 p.m. unless there was an emergency circumstance, feeling that it was odd to send people out after-hours.

Mr. Hudson stated that it was getting cold and staff would prefer to get people reconnected as soon as possible, noting that some have electric heat.

Mrs. Townshend stated that usually if utilities were cut, this would mean water was being cut as well, which would mean these customers would not have plumbing.

Ms. Maucher asked if the additional $50 was just for electric or for any utilities. Responding, Mrs. Townshend stated her belief that the fee was for full reconnection.

Mr. Anderson stated that he was all for adjusting the fees because they made sense, noting that the costs are different for those who come in or go online before 11:30 a.m. and those who do not.

Mr. Anderson advised members that the people he has the pleasure to deal with are not those making $100,000 per year, but are paycheck-to-paycheck people, and if they get the flu and have to miss a week of work, it is a crisis. He expressed the desire to make sure that there are proper extensions for extraordinary circumstances, such as for a person that has been laid up for two (2) weeks with the flu or has been in the hospital and has not been able to pay their bill. He stated that he had dealt with these situations and brought people to City Hall who were unable to pay their bills because they had been in the hospital.

Mr. Hare questioned if these individuals in the hospital that were unable to pay their bills did not have someone to pay their bills for them. Responding, Mr. Anderson said they did not, noting that not everyone has someone who can do this and a lot of people live alone.

Mr. Hudson stated that the average person has 21 days to pay their bill. If they are unable to pay, the amount carries over to the next month. The customer then has a current bill and an unpaid back bill. Mr. Hudson indicated that the customer often pays the back bill, makes a payment arrangement for the bill going forward, and then has another 21 days to pay the current bill that they should have paid. They may continue to not pay the current bill but pay the arrears. If this is a first time situation or not a continued situation, they are given 45 days to pay the bill. *[City Clerk's Office Note: Subsequent to the meeting, the City Clerk's Office was informed that a three (3) day extension is provided to those who are unable to pay their bills at the end of the 45 days.]* Mr. Hudson felt that this was way too long if the City was to be run like a business. He felt that ideally when a bill has a current and previous balance, there should be a note saying that the customer must pay their full bill, noting that back bills were causing a problem for Customer Services and resulting in a lot of receivables. Mr. Hudson felt that the City should put its foot down.

Mr. Anderson stated that instead of using extensions for hardship situations, the City basically went to almost an open-ended system where people could give themselves extensions. He believed that the City had given up its discretion and this could be regained to be used for the people who have a hard time.

Mr. Hudson stated that there are people who know how to play the game and know that if they only pay their back bill they have 21 more days to pay on the front end and can keep carrying this over and over again.

Mr. Sudler stated that it would be great if this could be handled on a case-by-case basis to address outstanding circumstances, but he felt that the new policy should be that the City wants all monies owed when there is a current and a back bill.

The Committee recommended adoption of the referenced fee changes, to be implemented on January 1, 2016, as recommended by staff.

During the Regular Council meeting, Mr. Scott Koenig, City Manager, reviewed the estimated annual revenue projected for the proposed increases for existing fees. He stated that the total estimated annual revenue was approximately $224,305, noting that this total did not include the zoning verification letter revenue, since it was included with the proposed new revenue sources adopted by Council during consideration of the previous agenda item.

Mr. Sudler moved for acceptance of the Committee's recommendation to adopt the referenced fee changes *(Exhibit #3)*, to be implemented on January 1, 2016, as recommended by staff. The motion was seconded by Mr. Hosfelt and carried by a unanimous roll call vote (Lewis absent). *[City Clerk's Office Note: Subsequent to the meeting, Exhibit #3 was revised to include staff corrections to Exhibit A - Planning Inspections Fees.]*

Status of Performance Audit of Civilian Side of City Government

Due to time constraints, the Committee deferred consideration of this item until the next meeting.

Proposed Change to Committee Meeting Format

Mr. Hutchison stated that he wished to propose a change to the way in which committee meetings were being held. He noted that committee meetings are held on the same day as City Council meetings, with meeting times beginning at 3:30 p.m. and extending until approximately 7:00 p.m. Mr. Hutchison reminded members that three (3) members of Council serve on each committee, with one (1) serving as chair, along with two (2) civilian members. He noted that there are four (4) standing committees: Legislative, Finance, and Administration Committee; Utility Committee; Safety Advisory and Transportation Committee; and Parks, Recreation, and Community Enhancement Committee.

Mr. Hutchison advised members that he and Mrs. Traci McDowell, City Clerk, attended a Kent County Levy Court committee meeting to observe their process and they are run very differently. He explained that the Kent County Levy Court committee meetings are held on a different night than the Levy Court meeting, the

president presides over the committee meeting, each committee has a chairperson, and every elected member of Levy Court is automatically a member of each committee; therefore, there is a committee of the whole. Mr. Hutchison felt that committee meetings were some of the most important things done in the City, outside of Council meetings. He noted that the City's elected officials have full-time jobs, which makes it difficult to attend these meetings.

Mr. Hutchison stated that the City was different from Kent County in that it has civilian committee members, which he thought was fine. He indicated that he was only talking about changing to a format that would allow Council to operate as a committee of the whole, where every Council member is a member of each of committee, there would be one (1) chair of each committee, and the Council President would preside. Mr. Hutchison stated that all nine (9) members of Council would be present at the committee meeting, noting that this had not occurred in his experience. Mr. Hutchison strongly encouraged considering this change, which he felt would be more efficient and effective and would allow greater opportunity for interaction and networking among elected officials and civilians.

Mr. Sudler inquired if Mr. Hutchison had a blueprint of what he was suggesting for members to review. Responding, Mr. Hutchison stated that his purpose was to discuss this suggestion and see what the thoughts were. He promised, if there were a consensus, that he would have a blueprint at the next Committee meeting.

Mr. Sudler indicated that he liked what he heard.

At the request of Mr. Hare, Mr. Hutchison stated that he would bring a blueprint with times for the next meeting, when there would be more time for discussion.

Mr. Hare indicated that this matter would be placed on the next agenda.

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

MONTHLY REPORTS - SEPTEMBER 2015

By motion of Mr. Neil, seconded by Mr. Cole, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Police Chief's Report

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) *(JULY, AUGUST, AND SEPTEMBER)*

Members were provided the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2015.

By consent agenda, Mr. Neil moved for acceptance of the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2015, seconded by Mr. Cole carried by a unanimous roll call vote (Lewis absent).

APPOINTMENTS - COMPENSATION COMMISSION - TWO (2) YEAR TERMS TO EXPIRE MAY 2017 (DEFERRED DURING THE MEETING OF MAY 26, 2015)

By consent agenda, Mr. Neil moved for approval of the following appointments to the Compensation Commission, seconded by Mr. Cole and carried by a unanimous roll call vote (Lewis absent).

James Brockton (Councilman Neil)
Clarence (Bud) Wagner II (Councilman Lewis)
Kim Hawkins, Human Resources Director (Ex-Officio)
Donna Mitchell, Controller/Treasurer (Ex-Officio)

REVIEW OF CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS AND APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 1 - ONE-FAMILY RESIDENCE ZONES AND PROPOSED ORDINANCE #2015-20 AMENDING APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS

Mrs. Ann Marie Townshend, Director of Planning and Community Development, informed members that, following the issuance of a building permit for the construction of a manufactured home on a property within the R-8 (One Family Residence) Zone, several residents and members of City Council expressed concerns about the appropriateness of this housing type within the One Family Residence Zones. She stated that staff subsequently reviewed literature available about manufactured housing and developed recommendations for amending the code to prohibit manufactured housing in One Family Residence Zones and to update code requirements in the Dover Code of Ordinances, Chapter 66 - Manufactured Homes and Trailers, and Appendix B - Zoning.

Mrs. Townshend reviewed a presentation regarding terminology related to Manufactured Homes ***(Exhibit #4)***.

Staff recommended introduction of an ordinance to amend the definition of "dwelling, one-family" and to add a definition for "manufactured home," with referral to the Planning Commission on December 21, 2015 and public hearing and action by City Council on January 11, 2016. *[City Clerk's Office Note: Subsequent to the meeting, the Clerk's Office was advised that the Planning Commission's December meeting would be rescheduled for December 16, 2015.]*

Staff also recommended, within the next 6 -12 months, the following: 1) full review of Dover Code of Ordinances, Chapter 66 to determine what components of the chapter are relevant and should be retained, and what components should be eliminated. Any provisions that appear to regulate placement should be eliminated, as these requirements need to be in the Zoning Ordinance; 2) full review of MHP (Mobile Home Park) Zone to ensure that the zone is current with best practices; and

3) full review of the Residential Zones and associated definitions. There are other areas that need to be tightened up to provide clarity on a number of matters that could affect the character of neighborhoods throughout the City.

Mr. Neil noted his belief that the City only had three (3) manufactured home communities; however, he stated that problems existed within these communities and it was his hope that this chapter could include licensing for a rental property. He thought that licensing would provide for regular inspections of the communities to ensure they are maintained in accordance with City, State, and Federal codes.

In response to Mr. Hare, Mrs. Townshend stated that a permanent foundation is something that is in footers. She explained that the second part of the definition change is important because it makes it clear that a manufactured home and a mobile home would not be included in the definition and that all one-family dwellings would be constructed in accordance with Chapter 22 - Buildings and Building Regulations of the Dover Code.

Mr. Hare asked whether the manufactured mobile home which was recently permitted for construction on a property within the R-8 (One Family Residence) Zone would be on a permanent, unmovable foundation and if all wheels, axles, and other minor incidental operations would be removed, in accordance with the Dover Code. Responding, Mrs. Townshend explained that the permanent foundation consists of the piers that are set in footings. She stated that one (1) of the City's building inspectors had been certified by the State to inspect the construction of manufactured housing, and it was all being done in accordance with the regulations. Mrs. Townshend advised that there would be a block foundation wall that would also be set on footings, and it was her belief that the axle would be removed but the metal chassis would remain because it was the structural support component. She stated that the chassis would not be viewable because it would be behind the wall. Mrs. Townshend advised that the home would be sitting on a permanent foundation and would look like a ranch house.

In response to Mr. Hare, Mrs. Townshend stated that a certificate of occupancy would not be issued until all code requirements are met.

Mr. Neil moved to accept staff's recommendation for the introduction of an ordinance to amend the definition of "dwelling, one-family" and to add a definition for "manufactured home," with referral to the Planning Commission on December 21, 2015 and public hearing and action by City Council on January 11, 2016, while also looking at the issue of licensing of lease land communities. The motion was seconded by Mr. Hare and unanimously carried. *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

[City Clerk's Office Note: Subsequent to the meeting, the Clerk's Office was advised that the Planning Commission's December meeting would be rescheduled for December 16, 2015.]

Mr. Neil moved to accept staff's recommendation that within the next 6-12 months, the following will occur: 1) full review of Dover Code of Ordinances, Chapter 66 to determine what components of the chapter are relevant and should be retained, and what components should be eliminated. Any provisions that appear to regulate placement should be eliminated, as these requirements need to be in the Zoning Ordinance; 2) full review of MHP (Mobile

Home Park) Zone to ensure that the zone is current with best practices; and 3) full review of the Residential Zones and associated definitions. There are other areas that need to be tightened up to provide clarity on a number of matters that could affect the character of neighborhoods throughout the City. The motion was seconded by Mr. Hare and unanimously carried.

FIRST READING - PROPOSED ORDINANCE #2015-20 AMENDING APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS

Council President Slavin reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Since the ordinance amends the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on December 21, 2015 and that a public hearing take place during the Council Meeting of January 11, 2016, at 7:30 p.m., at which time final action by Council will take place. *[City Clerk's Office Note: Subsequent to the meeting, the Clerk's Office was advised that the Planning Commission's December meeting would be rescheduled for December 16, 2015.]*

Mr. Hare moved to refer the amendments and set a public hearing before City Council for January 11, 2016 at 7:30 p.m., as recommended by staff. The motion was seconded by Mr. Neil and unanimously carried.

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

- PROPOSED ORDINANCE #2015-20 AMENDING APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS

FINAL READING - PROPOSED ORDINANCE #2015-19

The First Reading of the following proposed ordinance was accomplished during the Council meeting of October 26, 2015.

Proposed Ordinance #2015-19 Amending Appendix C - Downtown Redevelopment, Article II - Definitions, Section 4 - Target Area

Mr. Hutchison moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Hare and unanimously carried.

By motion of Mr. Hare, seconded by Mr. Hosfelt, and carried by a unanimous roll call vote (Anderson and Lewis absent), Ordinance #2015-03 was adopted, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix C - Downtown Redevelopment, Article II - Definitions, Section 4 - Target Area of the Dover Code be amended to read as follows:

High Priority Target Area shall mean that part of the city more particularly described as bounded by the street center lines as follows:

From the intersection of the centerlines of North Governors Avenue and Mary Street south to the intersection of the centerlines of North Governors Avenue and Fulton Street, east to the intersections of the center lines of Fulton Street and North State Street, south to the intersection of the center lines of South State Street and Loockerman Street, east 202 feet and then south 172 feet and then west 36 feet and south 73 feet, and west along the right-of-way of North Street for 136 feet, and then south 45 feet along the center line of State Street and then east 73 feet along the south right-of-way of North Street and then south 71 feet, and then west 11 feet and south six feet and west 20 feet and south 135 feet and west 8 feet and then south 22 feet, then west following the centerline of The Green to the south intersection of the center lines of South State Street and The Green, south to West Water Street and south 218 feet and west 205 feet and southwest 41 feet and west 246 feet and north 102 feet and west 103 feet and northwest 3 feet and west 40 feet and southwest 9 feet and west 44 feet and north to the intersection of South Governors Avenue and the centerline of West Water Street and west to the intersection of the center lines of West Water Street and South Queen Street, south along the center line of South Queen Street 541.11 feet and then west to the center line of South West Street, and north to the intersection of the center lines of West North Street and South West Street, and west to the intersection of the center lines of West North Street and Clarence Street and north to the intersection of the center lines of Clarence Street and Slaughter Street, and west along the center line of Slaughter Street to Cherry Street and north along the center line of Cherry Street to the intersection with the center line of Lincoln Street, and east along the center line of Lincoln Street to the intersection of the center lines of Forest Street and South West Street, and north along the center line of South West Street to the intersection of the center lines of West Street and West Division Street, and west to the east property line of the Norfolk Southern railroad track, and north along this property line to the intersection with the center line of Mary Street, and west to the intersection of the center lines of Mary Street and North Governors Avenue.

ADOPTED: NOVEMBER 9, 2015

COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

Council President Slavin noted that, as Council had done in the past, due to the holiday season, it was recommended that the Safety Advisory and Transportation; Utility; and Legislative, Finance, and Administration Committee Meetings and City Council Meeting scheduled for December 28, 2015 be cancelled. He assured members that if the need arose, Special Meetings would be called.

Mr. Neil moved to cancel the Council and Committee Meetings as presented by Council President Slavin, seconded by Mr. Cole and unanimously carried (Anderson and Lewis absent).

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Hare announced that there would be a Second District meeting held on Thursday, November 19, 2015 at 7:00 p.m. at St. John's Lutheran Church, 113 Lotus Street, noting that a representative from the Police Department would be in attendance.

Mr. Sudler thanked Tom Armstrong, the owner of Tom's Bullpen for allowing the Fourth District Councilmen to conduct a town hall meeting at his restaurant on November 19, 2015 from 6:30 p.m. to 8:00 p.m., to develop strategies for the Hamlet community to curb the violence in the Hamlet Shopping Center. Mr. Sudler stated that a City of Dover code enforcement officer, as well as a community police officer, would be in attendance to listen to the concerns of the community. He noted that the meeting was for all residents of the City of Dover and light refreshments would be served.

Mr. Hosfelt reminded members that Wednesday, November 11, 2015 is Veterans Day and asked all to take the time to thank a veteran for all of the sacrifices they have made for us and our country.

Mr. Neil moved to adjourn into the Special Council meeting, seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 8:51 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of November 9, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 1032-1058 South Dupont Highway
Exhibit #2 - Proposed New Revenue Sources - Planning and Inspections Department and Customer Services Department
Exhibit #3 - Proposed Fee Increases - Planning and Inspections Department and Customer Services Department, as Revised by Staff Subsequent to the Meeting
Exhibit #4 - Presentation - Manufactured Homes

Violation of Dangerous Building Ordinance 1032 – 1058 S DuPont Hwy

Planning & Inspections Department

Dover, Delaware

November 9, 2015

EXHIBIT #1
Regular Council Meeting of 11/09/2015

1032 – 1058 S DuPont Hwy
Case History

- The structure was condemned by City Staff on September 3, 2014, due to possible asbestos contamination with businesses located on the first floor of the structure.
- Renovations and asbestos abatement had begun on the second floor without any permits.
- The abatement area was not properly contained, causing asbestos fibers to enter the business tenant spaces on the first floor.
- Walls were removed on the second floor without building plan review or permits
- Utilities were terminated on March 12, 2015
- Registered as a vacant building on March 30, 2015

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

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


CAPITOL
SHOPPING
CENTER


1050
EXIT
Unity Fashionware & Barbers
302-678-3040
Unity Fashionware
STORE HOURS




















09/03/2014 09:05


09/03/2014 09:05


09/03/2014 09:06


EXIT
09/03/2014 09:06


09/03/2014 09:12


09/03/2014 09:06


09/03/2014 09:11


09/03/2014 09:10


09/03/2014 09:11


09/03/2014 09:11

09/03/2014 09:10


BriteHue
Shuttle
09/03/2014 12:00

Recommended Council Action

- Declare this building on this property dangerous.
- Order the property demolished by **December 9, 2015** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause the demolition of the structure 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.

ACTION FORM

PROCEEDING: Legislative, Finance, & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: 10/20/2015
PREPARED BY: Scott D. Koenig, P.E., City Manager; Ann Marie Townshend, AICP, City Planner
SUBJECT: Proposed New Revenue Sources
RELATED PROJECT: N/A
REVIEWED BY: City Manager, Controller/Treasurer
EXHIBITS: N/A
EXPENDITURE REQUIRED: **N/A** **AMOUNT BUDGETED**: **N/A** **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: Implement new fees on January 1, 2016.
RECOMMENDED ACTION: Recommend to City Council the adoption of the referenced fees.

BACKGROUND AND ANALYSIS

During the FY-2016 budget hearings, City Council directed staff to review various city operations and submit requests for potential revenue sources. Staff conducted internal requests for suggestions regarding revenue sources and/or cost recovery sources. Below is a listing of the items staff is recommending action on and the annual revenue associated with the item:

Proposed New Revenues

Fee Type	Proposed Amount	Projected Revenue	Explanation
Temporary Certificate of Occupancy (TCO) - Residential	$75.00	$200.00	Currently regular CO fee is charged. Other locations charge a separate fee for TCO due to the work involved in tracking them and following up. Under this proposal, a TCO would be valid for a maximum of 45 days and the fee would be paid for each renewal.
Temporary Certificates of Occupancy - Non-Residential	$100.00	$2,000.00	
Zoning Verification/Administrative Interpretations	$50.00	$5,000.00	Zoning verification letters and administrative interpretations involve staff time to complete, and currently there is no fee. Other jurisdictions charge a fee. The proposed fee is to reflect capturing the cost of the service provided.
Utility Bill Copies - Customer Service	$1.00	$10,000.00	A random sample day yielded 118 copies printed in a day. This equates to $26,550.00 annualized. Staff believes the actual revenue will substantially decline once a charge is adopted.
Total Projected Revenue		**$17,200.00**	

ACTION FORM

PROCEEDING: Legislative, Finance, & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: 10/20/2015
PREPARED BY: Scott D. Koenig, P.E., City Manager; Ann Marie Townshend, AICP, City Planner
SUBJECT: Review & Maintenance of Fees – Planning & Customer Service Departments
RELATED PROJECT: N/A
REVIEWED BY: City Manager, Controller/Treasurer
EXHIBITS: Exhibit A – Planning & Inspections Fees
EXPENDITURE REQUIRED: **N/A** **AMOUNT BUDGETED**: **N/A** **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: Implement revised fees on January 1, 2016.
RECOMMENDED ACTION: Recommend to City Council the adoption of the referenced fee changes.

BACKGROUND AND ANALYSIS

During the FY-2016 budget hearings, City Council directed staff to review various city fees and submit recommendations for consideration by City Council. Exhibit A is a listing the various Planning & Inspections Department fees being recommended for increases. In addition, there are several fees in Customer Services being recommended for increases. These include the Returned Check Fee being increased from $25.00 to $40.00 and the Service Fee for After Hours Utility Reconnection from $50.00 to $100.00 between 5:00 p.m. – 9:00 p.m. The anticipated additional annual revenue is summarized below.

Estimated Annual Revenue from Proposed Increases	
Planning Application Fees	$ 7,000
Zoning Verification Letter	$ 5,000
Public Occupancy Increase	$ 10,000
Certificates of Occupancy	$ 4,000
Mechanical	$ 23,400
Plumbing	$ 13,000
Rental Permits	$ 80,000
Itinerant Merchant License	$ 7,300
Vacant Buildings	$ 40,000
Sign Permits	$ 9,000
Returned Check Fees	$ 10,605
Service Fee for After Hours Utility Reconnection	$ 20,000
Total	$ 229,305

Type	Sub Type	Last Updated	Current Fee	Proposed Fee
Sign Permits (22-65)		2004	$.50 per SF/minimum fee $15	$.75 per SF/minimum fee $50
Temporary Sign Permits (Appendix B, Article 5)		2004	$ 15	$ 50
Business License	Itinerant Merchant	2010	$ 41.50	$ 100
Mechanical	Heating permit	2004	$30.00 first 10,000 BTUs and $5.00 each additional 10,000 BTUs or multiple thereof	$40.00 first 10,000 BTUs and $7.00 each additional 10,000 BTUs or multiple thereof
Mechanical	Air conditioning permit	2004	$30.00 per ton for the first five tons and $5.00 per ton over five tons or multiple thereof	$40.00 per ton for the first five tons and $7.00 per ton over five tons or multiple thereof
Mechanical	Heat pump permit	2004	$15.00 first 10,000 BTUsand $5.00 each additional 10,000 BTUs or multiple thereof and $2.50 for each additional 10,000 BTUs or multiple thereof and an additional $15.00 for the first five tons and $2.50 per ton for over five tons or multiple thereof	$40.00 first 10,000 BTUs and $7.00 each additional 10,000 BTUs or multiple thereof or $40.00 per ton for the first five tons and $7.00 per ton over five tons or multiple thereof
Plumbing	Fixtures	2004	$25.00 first five fixtures and $2.00 for each additional fixture	$35.00 first five fixtures and $3.00 for each additional fixture
Plumbing	Garbage Disposal & Hot Water Heaters	2004	Minimum of $25	Minimum of $35
Plumbing	Gas, water and sewer inspection underground	2004	$20.00 for first 150 feet and $0.50 for each additional ten feet or multiple thereof	$30.00 for first 150 feet and $0.75 for each additional ten feet or multiple thereof
Rental Permits	Single-family detached dwelling, each dwelling	2000	$ 90	$ 100
Rental Permits	Single-family attached dwelling, each dwelling	2000	$ 70	$ 80
Rental Permits	For the first three dwelling units	2000	$ 90	$ 100
Rental Permits	For each additional dwelling unit in excess of three	2000	$ 30	$ 35

Rental Permits	Condominium units and accessory apartments located within structures principally used for owner occupancy, each	2000	$ 30	$ 35
Vacant Building	< 1 year	2006	$ 250	$ 375
Vacant Building	1-2 years	2006	$ 500	$ 750
Vacant Building	2-5 years	2006	$ 1,000	
Vacant Building	2-3 years		$ 1,000	$ 1,500
Vacant Building	4-5 years		$ 1,000	$ 3,000
Vacant Building	5+ years	2006	$ 2,000	$ 5,000
Public Occupancy Permits	Churches	1993	$ 25	$ 50
Public Occupancy Permits	Civic auditoriums	1993	$ 25	$ 50
Public Occupancy Permits	Clubhouses	1993	$ 50	$ 100
Public Occupancy Permits	Commercial auditoriums	1993	$25.00 first 200 seats and $2.50 for each additional 50 seats	$50.00 first 200 seats and $5.00 for each additional 50 seats
Public Occupancy Permits	Day care facilities	1993	$ 25	$ 50
Public Occupancy Permits	Hospitals, nursing homes or rest homes	1993	$5.00 first ten rooms and $1.25 for each additional room	$15.00 first ten rooms and $2.00 for each additional room
Public Occupancy Permits	Mercantile (10,000 square feet of area or greater)	1993	$ 25	$ 50
Public Occupancy Permits	Outdoor public events, including but not limited to firework displays, carnivals, and outdoor music concerts ..... (would be amended to just include fire works displays)	1993	$ 25	$ 250
Public Occupancy Permits	Public office buildings	1993	$ 25	$ 50
Public Occupancy Permits	School	1993	$ 25	$ 50
Public Occupancy Permits	Theaters	1993	$25.00 for the first 200 seats and $2.00 for each **50** additional seat**s**	$50.00 for the first 200 seats and $5.00 for each **50** additional seat**s**
Public Occupancy Permits	Restaurants (10,000 square feet of area or greater)…..	N/A	N/A	$ 50
Public Occupancy Permits	Restaurants of any size that serve alcoholic beverages	N/A	N/A	$ 75
Subdivision	Preapplication; filing fee	2004	$ 200	**200**

Subdivision	Preliminary layout; filing fee	2004	$ 325	**325**
Subdivision	Plat; review fee	2004	$150.00, plus $65.00 per acre for the first ten acres, $40.00 per acre for the next ten acres and $25.00 per acre for each acre thereafter	$200.00, plus $85.00 per acre for the first ten acres, $60.00 per acre for the next ten acres and $45.00 per acre for each acre thereafter
Subdivision	Minor Lot Line Adjustment	2004	Plats for minor lot line adjustments shall require a review fee of $100.00	$ 150
Subdivision	Minor Subdivision	2004	Plats for minor subdivisions shall require a review fee of $100.00	$150 plus $15 per lot
Certificates of occupancy	All properties zoned single-family residential	2004	$ 40	$ 60
Certificates of occupancy	All other property in other zoning classifications, other than single-family residential	2004	$40.00 for the first 20,000 square feet of building area plus the sum of $10.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof	$75.00 for the first 20,000 square feet of building area plus the sum of $15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof
Board of Adjustment	Variance for Residential	2004	$ 200	$ 300
Board of Adjustment	Variance for Non-Residential	2004	$ 300	$ 600
Board of Adjustment	Appeal	2004	$ 200	$ 300
Conditional Use		2004	$325 plus $15 per acre	$425 plus $25 per acre
Site Plan	Administrative Site Plans	2004	$ 125	$ 300
Site Plan	Site Plan	2004	$ 325	$425 plus $25 per acre
Historic District Comm.		2004	$ 250	$ 250
Rezoning		2004	$325 plus per acre fee	$425 plus per acre fee
Rezoning	~~**R-7**~~, R-8, R-10, R-15, and R-20	2004	$10 per acre	$25 per acre
Rezoning	RG-0, RG-1, RG-2, RG-3, ~~RG-4~~, RG-5, RM-1, ~~and~~ RM-2**, and MHP**	2004	$30 per acre	$50 per acre
Rezoning	C-1, C-1A, C-2, C-2A, C-3, **C-4,** CPO, RC and IO	2004	$50 per acre	$70 per acre
Rezoning	SC-1, SC-2 and SC-3	2004	$60 per acre	$75 per acre
Rezoning	M**,** ~~and~~ IPM, **and IPM2**	2004	$60 per acre	$75 per acre

Manufactured Homes

Planning Office
Dover, Delaware
November 9, 2015

EXHIBIT #4
Regular Council Meeting of 11/09/2015

Dover Code – Chapter 66 & Zoning Ordinance (Appendix B)

- Inconsistencies between provisions
- Outdated definitions
- Zoning definition for “Dwelling, One Family” does not preclude manufactured homes

Terminology

- **Manufactured Home:** A factory-built housing unit designed and constructed to meet the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as “manufactured homes”.

Terminology

- **Mobile Home:** A factory-built unit constructed on a chassis and completed before June 15, 1976. Prior to the HUD code, mobile homes were not subject to uniform construction or safety standards.
- **Trailer:** Trailers are technically recreational vehicles that do not conform to either local building codes or the HUD code. While still used by many to refer to mobile or manufactured homes, these are not technically trailers.

Terminology

- **Modular Home:** While often built in the same factories, modular homes are built to the same state or local building codes as site-built homes and are always placed on permanent foundations. Homes are assembled in pieces at a factory and towed to the building site where they are assembled to construct the unit. This may be as simple as two rectangular pieces, similar to a multi-section manufactured home, or very complex.

Key Distinctions

- Manufactured Homes
  - Post June 15, 1976
  - Built to HUD standards – not local building codes
- Mobile Homes
  - Pre June 15, 1976
  - Not built to HUD standards or local building codes
- Modular Homes
  - Stick built off site
  - Required to comply with local building codes

Recommended Code Changes

- Immediate amendment to definition of “dwelling, one family” and addition of definition for “manufactured home”
- Full review (6-12 months) of Chapter 66, MHP Zone, Residential Zones and associated definitions

Dwelling, one family

Dwelling, one-family: A **permanent** dwelling unit **placed on a permanent foundation and** designed and intended for use by only one family**. One-family dwellings shall not include manufactured homes or mobile homes but shall include modular homes constructed to the standards of the Dover Code of Ordinances, Chapter 22 – Buildings and Building Regulations.**

Manufactured Home

Manufactured Home: A factory-built housing unit designed and constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held on November 9, 2015, at 3:30 p.m. with Chairman Anderson presiding. Members present were Mr. Hosfelt, Mr. Caldwell, and Mrs. Horsey. Mr. Lewis was absent. Members of Council present were Mr. Cole (arrived at 3:33 p.m.) and Mr. Hutchison.

AGENDA ADDITIONS/DELETIONS

Mr. Hosfelt moved for approval of the agenda, seconded by Mrs. Horsey and unanimously carried.

Community Development Block Grant (CDBG) Program Quarterly Update (July, August, and September)

Mrs. Tracey Harvey, Planner I, advised members that all of the Community Development Block Grant (CDBG) FY 15 projects were currently underway, noting that contracts were signed in late September and early October. She stated that Habitat for Humanity purchased a single-family home located at 19 North New Street on November 2, 2015, and CDBG funds would be used to rehabilitate the existing home to provide affordable housing to a qualifying family. Mrs. Harvey informed members that the Mayor's Task Force for Ending Veterans Homelessness had met its goal by housing 36 homeless veterans within 200 days. The task force was now planning to meet its next goal by housing an additional 14 veterans within the next 100 days, which would fulfill the Mayor's Challenge to End Veterans Homelessness by housing 50 homeless veterans by December 28, 2015.

Mr. Anderson, referring to the Mayor's Task Force for Ending Veterans Homelessness, asked how housing was defined. Responding, Mrs. Harvey stated that it was all permanent housing within the City of Dover.

Mr. Anderson asked why the Connections Community Support Program had not yet drawn any of their money for emergency housing. In response, Mrs. Harvey informed members that Connections signed their contract in the middle of October and she was expecting them to send a draw soon.

Youth Advisory Committee Recommendations - New Year's Eve Event

During the Parks, Recreation, and Community Enhancement Committee of October 12, 2015, members considered recommendations from the Youth Advisory Committee, including a proposal regarding a New Year's Eve event and a request for support from the City for security, insurance, public announcement stages, and facilities. The Committee recommended that the City Manager evaluate the Youth Advisory Committee's proposal for the event, including numbers, to see if the proposal was doable this year or if it was something that must be planned for next year, and this recommendation was approved by City Council during their meeting of October 26, 2015.

Mr. Scott Koenig, City Manager, advised members that he and Mrs. Ann Marie Townshend, Director of Planning and Community Development, met with Councilman Anderson and two (2) other representatives of the Youth Advisory Committee (YAC) on Tuesday, October 20, 2015 to review their proposal for the New Year's Eve Event. Mr. Koenig stated that, following that meeting, he was provided with support documents and a narrative for the event. He informed members that the City's

insurance broker had indicated that the City can purchase a policy to cover this event based on the narrative provided by the representatives for $433, noting that, at this time, this was an estimated fee and the event narrative would have to be finalized in order for the City to confirm and finalize the policy documents for the insurance company. Mr. Koenig advised that Extra Duty Police Officers would be required to support this event. He explained that the YAC would need to work directly with the Police Department, noting that the Department was not under the City Manager's purview. Mr. Koenig stated that all traffic control permits and authorizations for use of the State property for fireworks must also be obtained by the YAC.

Mr. Koenig informed members that he suggested trying to slightly limit the event so that it was more controllable for the YAC. It was his belief that his suggestions were considered by the YAC; however, no formal commitments had been made at this time.

Mr. Koenig advised that no City funds were earmarked for the event, so there were concerns regarding any overtime expenses that would be required of City staff, noting that this was a holiday evening and it would be difficult to get staff to volunteer for the event activities. He reminded members that, if those concerns were worked out, it was really up to Council as to whether they would like to pursue this type of event.

Mr. Caldwell asked if the event would run from Legislative Hall to the Duncan Center and whether the entire area would be blocked off for activities. Responding, Mr. Koenig referred to the map provided by the YAC which depicted that the event would be held from the Legislative Mall area to a vacant lot adjacent to the Duncan Center at the corner of New Jerusalem Way and Loockerman Street. He stated that, to his knowledge, the YAC was only planning to block off the roads where vendors would be set up in the Legislative Mall area.

Mr. Caldwell stated that he was concerned about safety, noting that this would be a cumbersome task for two (2) or three (3) off-duty officers and two (2) cadets to cover. In response, Mr. Koenig stated that it was his understanding that the areas that would be blocked off would be the typical areas around Legislative Mall where people attend fireworks, and Loockerman Street and all other intersections would be open to traffic.

Responding to Mrs. Horsey, Mr. Koenig confirmed that the YAC would be contacting the State directly for authorization to use Legislative Mall.

Mr. Anderson informed members that the number of officers and cadets were set by Police Chief Paul Bernat and his staff, so Mr. Anderson did not believe that would be a problem. He stated that he was not sure that the event would go all the way to the Duncan Center, noting that this had not yet been arranged. Although there were merchants who wanted the event to go that far, Mr. Anderson advised that the footprint may end up being smaller than proposed.

In response to Mr. Hosfelt, Mr. Anderson stated that the Police Department recommended two (2) off-duty officers and two (2) cadets.

Mr. Anderson stated that, as suggested by Mr. Koenig, the YAC was considering ending the event at 10:00 p.m. rather than midnight, which would address some security concerns and other issues. Mr. Anderson expressed his opinion that ending at 10:00 p.m. would be a more manageable event and a good place to start; however, it was a controversial decision and members of the YAC were split on the idea.

Mr. Hutchison asked who would be responsible and accept liability for the event. Responding, Mr. Koenig stated that this was the purpose of the rider on the City's insurance policy. He explained that it would be a separate policy that would prevent the City's umbrella from being used should someone get hurt or if there is damage related to the event. The separate rider policy would be specifically for this event and cover the parameters of this event. If someone were injured, they would be funneled through this separate policy. Mr. Koenig reiterated that there would be a $433 out-of-pocket expense to purchase the rider.

Mr. Anderson noted that there were already pledges to privately cover the cost of the insurance rider.

Mrs. Donna Mitchell, Controller/Treasurer, questioned who would pay the bills. She asked whether the YAC got their own checkbook and if they were paying the bills and raising the funds. In response, Mr. Anderson stated that there were pledges but a lot of that would end up going to the City.

Responding to Mrs. Mitchell, Mr. Anderson stated that the bills would run through the City and the donations would come to the City to pay for those bills. He noted that, currently, the only bills were for insurance and extra duty police. Mr. Anderson stated that the money for the fireworks was being raised separately, so it would be covered separately.

Mr. Koenig stated that the City would need to be reimbursed for all staff overtime. Mrs. Mitchell asked whether the City would receive the money from the YAC up front or after the fact. Responding, Mr. Anderson stated that the City would receive the money up front, noting that most of the fund-raising should be done by December 15, 2015.

Staff recommended, if the event goes forward, the narrative must be finalized and all costs associated with the event must have revenue commitments.

Mr. Hosfelt moved to recommend acceptance of the Youth Advisory Committee recommendations provided by Mr. Koenig and Mrs. Mitchell in regard to the expenses and insurance for the event, seconded by Mr. Caldwell and unanimously carried.

Mr. Hosfelt moved for adjournment, seconded by Mr. Caldwell and unanimously carried.

Meeting adjourned at 3:45 p.m.

David L. Anderson
Chairman

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Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
FAX: (302) 736-7002
E-mail: skoenig@dover.de.us

To: **City Council**

From: **Scott D. Koenig, P.E.**
City Manager

Date: **November 18, 2015**

Subject: **Youth Advisory Committee – New Year's Eve Event**

The Youth Advisory Committee has been planning a family oriented New Year's Eve Event. The event has been discussed at several meetings in recent weeks. As of the last discussion, the proposed event would end with a fireworks display at 10:00 p.m. on December 31, 2015. The following actions must be addressed to finalize the event from the City's standpoint:

1. The final event narrative must be submitted to the City Manager's Office by 5:00 p.m. on Friday, December 4, 2015.
2. A special event insurance policy must be purchased from the city's insurance provider. The estimated cost is approximately $433.00. The funds to purchase the policy must be delivered to the City of Dover by 5:00 p.m. on December 11, 2015.
3. The Youth Advisory Committee members must secure all permits for the event and road closures by Friday, December 11, 2015.
4. The Youth Advisory Committee members must provide the required documentation to use all private property associated with the planned event by 5:00 p.m. on Friday, December 11, 2015. This includes any lists of additional insured required to use the properties.
5. The funds to reimburse the City of Dover for Police Cadets and Extra Duty must be paid to the City of Dover by 5:00 p.m. on December 11, 2015.
6. Sanitary facilities must be secured by the Youth Advisory Committee members for the venue.
7. Due to the holiday, it is very unlikely that any non-police city staff will volunteer to staff the event so the Youth Advisory Committee must be prepared to remove all trash and debris from the event setting.

This is an administrative recommendation. City Council may add or delete from the above list as they see fit.

sdk/SDK
cc: Mayor Robin Christiansen
Ann Marie Townshend, Director of Planning & Community Development

UTILITY COMMITTEE

The Utility Committee Meeting was held on November 9, 2015 at 5:00 p.m. with Chairman Hutchison presiding. Members present were Mr. Cole, Mr. Neil, Mr. Blakeman, and Ms. Stewart. Members of Council present were Mr. Anderson (arrived at 5:08 p.m.) and Mr. Hosfelt.

AGENDA ADDITIONS/DELETIONS

Mr. Blakeman moved for approval of the agenda, seconded by Mr. Neil and unanimously carried.

Electric Department Integrated Resource Plan (IRP) Information Discussion

Mr. Harry Maloney, Electric Director, advised members that the goal of the Integrated Resource Plan (IRP) was to investigate the various physical and financial options open to the City to fulfill its capacity and energy needs now and in the future in an environmental stewardship manner. He explained that the study would be an all-hands approach from the Utility Department staff, The Energy Authority (TEA) as the main consultant, City management staff, the Utility Committee, the public, and City Council. Mr. Maloney stated that the study would proceed with data collection, verification, consumption review, and approval, and then move into exploring the various solutions to Dover's energy and capacity needs and obligations. He noted that he would serve as the point person between TEA and the City. In their negotiations over the past few years, TEA had offered to do the study for free as part of their annual fee. Mr. Maloney indicated that he initially thought that the project would go out for bid and wrote up a detailed Request for Proposals (RFP) outlining the type of reports being sought. TEA reviewed the RFP and stated that they would prepare a letter this week agreeing to proceed after some minor clarifications, noting that they had additional tools they could use for the project.

Mr. Maloney explained that the overall process would take at least a year. He informed members that TEA comes to the City for risk management meetings on the fourth Thursday of every month and additional meetings could be scheduled, perhaps on Wednesday evenings preceding those meetings, to discuss the IRP. He stated that TEA had also offered to be present twice within the year for meetings as needed with the Utility Committee and/or Council and the public. Mr. Maloney stated that efforts were being made to control costs, noting that this total project, if done by an outside contractor, would cost close to $200,000. He indicated that the expense was related to model runs using Pro Mod software, which is not cheap to run as it takes the data from all the generators and load buses in part of the eastern United States and runs an economic dispatch to determine the type of municipal generation construction that makes economic sense. Mr. Maloney advised members that he had posted 72 different computer run models using ideas that had been developed and they would be filtering through them. Mr. Maloney assured members that staff would be in constant contact with the Utility Committee and everyone involved as they proceed with the study.

Mr. Blakeman stated that, in years past, the City had made a fair amount of revenue from off-system sales, which the City no longer had the capability to do. Mr. Blakeman suggested that if there were some way to structure the organization so that it would not be capped at the federal requirement to stay at the load plus 10%, the City could be back in the business of selling power and making off-system revenue, so that its customers would not be paying the whole cost. He was unsure if this could legally be done; however, he felt it might be worth investigating.

Mr. Maloney advised members that Mr. Blakeman was referring to a 10% tax exempt bonding cap for all utility debt. He indicated that the City cannot be a net seller and if this cap were exceeded, the City would become a third-party independent generator that is subject to taxes and taxing bonds.

Mr. Blakeman stated that some municipalities are structured so that a board of directors runs the utility. The municipality continues to own the property and receives a fixed revenue stream from the utility. Mr. Blakeman was unsure if this would be enough to exempt the utility from being municipally owned or not. He felt that the City may be losing an opportunity and was unsure if the utility could be structured in this way.

Mr. Maloney stated that this was a tax question that they could explore. He advised that one (1) of the reasons that the City was able to be energy efficient for its size was because the tax exempt status for bonding provides an advantage, since the City serves the customers and citizens who back the bonds. This allows the City to enjoy a 2% to 3% spread on bonding, which is a big investment in capital.

Mr. Blakeman thought it might be worthwhile to see if enough off-system sales could be generated to offset the loss on savings from the exemption from bond taxes.

Mr. Maloney advised members that generally if capacity was at 110%, systems were efficient, the load was approximately 60 MW, and peak generation was 142 MW, theoretically the City could be selling 50 MW. *[City Clerk's Office Note: Subsequent to the meeting, the City Clerk's Office was informed that the correct figure for peak generation was 110 MW.]* Responding, Mr. Blakeman noted that the City did not seem to do this.

Mr. Maloney stated that the City was now dealing with Calpine, which has a heat rate that is half that of Unit 3, which is a 100 MW unit.

Mr. Blakeman noted that any system that might be built would be better than what the City currently has, which could put the City back into this possible revenue stream at a limited amount.

Mr. Hutchison questioned when the last time a study such as the IRP was done. Mr. Blakeman, as a former Electric Director for the City, stated that he was unsure.

Mr. Hutchison questioned how often such a study was recommended. Responding, Mr. Maloney stated that in the past, load was plotted out, load growth was reviewed, and building was done to meet the obligation. However, he explained that the current market and rules were changing so much that it would be necessary to keep on top of it. Mr. Maloney stated that the Delaware Municipal Electric Corporation (DEMEC) runs a brief model every couple of years. He indicated that after building the model and getting it going, staff may revisit this study in a couple of years and update it, rather than starting from scratch.

Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/ Wastewater) *(July, August, and September)*

Mr. Scott Koenig, City Manager, reviewed the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2015. He advised members that this report tracks capital improvement projects; vehicle purchases planned for the Water/Wastewater, Electric, and General Funds; and Community Transportation Fund spending. Mr. Koenig indicated that total funding sources were estimated at $26.59M.

Mr. Koenig reviewed the major CIP projects in the General Fund. He explained that improvements at the Garrison Oak Technology Park (GOTP) related to general infrastructure, including the roads, curbs, sidewalks, and storm sewer system, would likely be completed by the end of the calendar year. He indicated that the Self-Contained Breathing Apparatus (SCBA) and radio purchases for the Fire Department were complete and that equipment for park and playground improvement would be purchased as a carry forward from last year. Billing for the Street Program was being finished, as well as storm sewer repairs and PW2 site improvements that were moved from last year's budget to the current year.

Mr. Koenig indicated that capital purchases had begun for the year and the annual contribution had been made to the Robbins Hose Company. The farmhouse at the GOTP had been demolished and abandonment of a small water supply well associated with the farmhouse was being completed. It was expected that Lot 13, where the farmhouse was located, would be transferred to Advantech, Inc. within the next 30 days.

Mr. Koenig advised members that a camera monitoring station would be installed at the police station, and bids for the Fall component of the FY 16 Street Program would be considered by City Council during their meeting scheduled for November 23, 2015. Staff was experiencing difficulty getting the Salt Storage Barn Project completed, had bid it out several times, and was making arrangements to bid it again. It was hoped that a successful bid would be received within the parameters described. Mr. Koenig stated that emergency street and storm drain repairs were underway.

In regard to the Community Transportation - Major CIP Projects, Mr. Koenig advised members that a number of these projects were underway. Paving of the Village of Cannon Mill Phase I, II, and III were complete, and it was hoped that the Phase IV, the final phase, would be complete by the end of the year, before bad weather sets in.

In reference to the Water/Wastewater Improvement and Extension Fund - Major CIP Projects, Mr. Koenig explained that the 1.0M gallon elevated water storage tank project planned for the northwestern component of the City had lagged. He stated that it was hoped that staff would be bringing a memorandum of understanding (MOU) with a property owner to Council soon, so that the property could be purchased and tower construction could begin. Mr. Koenig noted that the location of the property would be at the very edge of the City.

In regard to the water storage tank construction at the GOTP, Mr. Koenig informed members that the exterior of a 1.5M gallon water tower was complete and its telemetry and control systems would be completed over the next few weeks, with the expectation that the tower would be online just after

the first of the year. Sanitary sewer improvements, including the new pump station at the GOTP, were being completed. The upgrade of the White Oak Farms Pump Station and the abandonment of a small station on White Oak Road were moving toward completion by the end of the calendar year.

Mr. Koenig stated that there had been difficulty getting the contractor for the FY14 Brandywine Pump Station project to move forward, and Council members had been notified that during the past weekend there was a sanitary sewer backup related to a bypass pumping failure with respect to this project. Staff was scheduled to meet with contractors later in the week to determine the final path forward on the project, which was currently stalled. Mr. Koenig stated that the station was currently on bypass with temporary pumps in place. He indicated that the Westover Pump Station was now estimated at approximately $1.3M and the contractor had mobilized and begun laying out the anticipated work schedule and improvements associated with that project.

Referring to the FY15 Water/Wastewater Improvement and Extension Fund - Major CIP Projects, Mr. Koenig explained that several projects related to the West Dover Connector were nearing completion. The Retreat Pump Station Replacement project came in over budget and staff was refining the bid documents and would rebid that project since only one (1) bid was received and it was higher than anticipated.

Mr. Koenig reviewed the FY16 Water/Wastewater Improvement and Extension Fund - Major CIP Projects that were currently underway, noting that nearly 100% of the fence installation at the Bayard Avenue water tower was complete and other projects were in various stages of development or bidding and staff expected to move forward with all of the projects this fiscal year.

In regard to the Electric Improvement and Extension Fund - Major CIP Projects, Mr. Koenig explained that the General Scott Switchgear project had been underway for some time. The switchgear had been delivered approximately seven (7) to 10 days ago, staff was working on getting it connected, and it was hoped that the project would be closed out by the end of the calendar year. The 69 KV relocation at the Garrison Farm was complete, as was the VanSant capacity increase. Mr. Koenig stated that staff was now working on plenum improvements that must be in place prior to late Spring 2016. He indicated that most of the FY 15 projects were moving forward toward completion and Mr. Harry Maloney, Electric Director, had begun the leg work associated with a majority of the electric projects outlined in the capital plan.

Mr. Anderson questioned if there were any budgetary items regarding the emergency breakages or cost overruns that should be on the radar. Responding, Mr. Koenig stated that some Public Works projects had created budget difficulties. He advised members that bids for the Hazlettville Road Interceptor project came in quite high and the project would be rebid this year in hopes that better timing would result in lower bids. Mr. Koenig stated that the City typically receives three (3) to four (4) bids for each pump station upgrade or replacement; however, only one (1) bid was received for the Retreat Pump Station Replacement and it was approximately$90,000 higher than anticipated. He noted that a number of other pump station bids had been close to the budget, perhaps plus or minus $20,000 or $30,000, but not $90,000 on a $400,000 project.

Mr. Koenig informed members that staff was hopeful that bids for water projects would come in right at budget. He explained that if a project comes in over budget and it is within the City Manager's authority, staff moves money within the capital plan to move forward those projects that are ready for construction, noting that some changes require Council approval. Mr. Koenig indicated that staff had been diligent about trying to get the capital plan caught up and, outside of a handful of projects, staff was addressing current year projects.

Mr. Koenig explained that a number of projects at the power plant would be looked at with the new power plant manager and information from the Integrated Resources Plan (IRP) would be used. He reminded members that earlier in the year, the Assistant Generation Manager position was identified as a position to be filled. Staff was getting ready to advertise the position and would be back before Council to confirm the desire to move forward. Mr. Koenig indicated that this was an important position in planning the future of the utility since the utility must have manpower and intellectual power in place so that gaps do not develop as people retire. He noted that it is more important than ever to have people who understand the electric market, which is changing more rapidly than anticipated. Mr. Koenig stated that the system was now very interactive and technical and included solar, wind, and other types of generation, as well as battery storage issues and additional suppliers who are trying to take advantage of the market. On the distribution side, Mr. Koenig expressed staff's belief that there would be land purchases for future substations and necessary improvements to the system. Mr. Koenig advised members that modeling was showing that baseline costs were going up, but the load was flat or in some cases negative. He stated the need to figure out how to manage those issues going forward because capital improvements may need to occur.

Mr. Koenig stated that an evaluation of the electric system was done several years ago, and the City has a very good electric system with high reliability. This was being promoted as an economic or competitive advantage over other areas, since the City has a very consistent flow of energy for business and few substantial outages, which is an advantage to those trying to locate facilities. He noted that staff was still working on issues related to commercial rates and would be making related recommendations in the future.

Mr. Koenig informed members that the capital plan is very dynamic and there is a need to make sure that facilities are in place on the General Fund, Water and Wastewater Fund, and Electric Fund sides to set the City up for the ability to grow economically. He indicated that it would not be desired to have to scramble to develop infrastructure if there were an advantageous economic development opportunity. Mr. Koenig felt that the GOTP is probably the premiere piece of land in the State for economic development opportunities, and the City needed to get partners to the area and interested in the facility.

Mr. Hosfelt questioned if there were residents with concerns related to the water tower in the northwest part of the City. Responding, Mr. Koenig stated that a potential location was sited adjacent to Maple Glen behind a church that was willing to sell or lease a piece of property for the tower. The site was in very close proximity to the Maple Glen subdivision and the residents objected. The placement of the tower at that location would have required several variances or waivers by City Council in accordance with the code, since there was no road at the location. Staff

had been working for more than a year to secure a secondary location and were currently working with a developer. Mr. Koenig felt that a MOU would be signed shortly so that the tower could be sited on the northern boundary of the City, and it would not be located immediately next to existing houses.

Mr. Neil questioned if the City's load would increase as companies and businesses move in to the GOTP. Responding, Mr. Koenig stated that it would depend upon what happens between now and when these operations begin. He indicated that people were using more efficient air-conditioning systems, lighting, and appliances; therefore, the residential load was altering. Mr. Koenig advised that some newer houses have smaller loads; however, much larger houses were also being built in some areas in the City. He informed members that businesses and manufacturers are actively looking for ways to increase energy efficiency and reduce their costs. Mr. Koenig noted that smaller commercial properties may have enough private improvements in their systems to make their load appear flat when they come online. He advised members that Energizer was bringing on a maximum of 12 MW, which would increase the load at their plant by one-third and would cause a true increase in the City's load. Mr. Koenig stated that without more increases of this nature, as the years progress, the City's load will start to drop slightly.

Mr. Hutchison asked if the City's efforts to reach out to larger users and educate them on how to be more efficient and effective in running their operations would continue. In response, Mr. Koenig stated that staff had met with some larger customers and learned that these customers do not all have the same issues associated with power supply but have individual goals and objectives. For some, climate control in their facility is the premium issue for them and they cannot shed or alter the load. Others can alter load and are willing to try to work on load management. Mr. Koenig felt that one (1) way for the City to save money in the long run would be to look at load management and try to shave off some of the peaks so that the City does not have to purchase that amount of capacity in the market forever. He noted that managing load is a very dynamic two-way street.

Mr. Koenig advised members of the need to change how the utility functions by getting the word out to customers to try to drop off or shed load, or use load in the off hours. He thought that Delaware Electric Cooperative (DEC) did a very good job of beating the peak and felt that the City should improve in that area. Mr. Koenig stated the need to actively manage demand to get the lowest reasonable cost for its customers; however, this is time consuming, manpower intensive in some cases, and a real change from past procedures. He reiterated that the City's electric utility is a big plus in the economic development realm, because the City has the ability to set rates and make decisions as to where its return should be and to attract residential or commercial development or re-development to the area. Mr. Koenig felt that a lot of things were needed to become a more nimble utility that is more reactive to customers. He stated that customers favored the City's reliable power stream and, although they sometimes complain about the costs, they were willing to consider their consumer behavior as a way to help manage costs. Mr. Koenig explained that, in order to manage the load going forward, the City needed to continue to foster this two-way communication with the larger customers and reach out to all other customers as well. He advised members that the potential negative load curve could be a plus if managed for the economic good of the utility.

TEA/NAES Reports *(August and September)*

The TEA/NAES Monthly Reports for August and September 2015 were provided to members to enable them to monitor electric sales and revenues received, which will provide a better understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Mr. Koenig reviewed the Executive Summary on Page 1 of the TEA Report for September 2015, noting that the cost of power supply in July, August, and September was under budget, and in some cases substantially under budget. The general trend was that the actual load had been slightly higher than expected. Mr. Koenig stated that, for September, the forecasted load was 62,200 MWh and the actual total load was 66,689 MWh.

Referring to the Budget Report on Page 10 of the TEA Report for September 2015, Mr. Koenig stated that the final cost of service to rate payers was budgeted at $70.92 and delivered at $60.50; therefore, there was a savings of $10.42. He noted that year-to-date for the current fiscal year, the City was under budget in power supply and staff was looking for ways to continue that through the 12-month planning horizon to keep those costs under the anticipated budget.

Mr. Koenig advised members that staff was working with the new plant manager to get accustomed to how he manages the plant. Mr. Harry Maloney, Electric Director, had been discussing how to avoid problems related to cold weather and there had been preparations including additional fuel oil, stock piles, etc., so that power could be delivered if there is a very cold event.

Mr. Blakeman, referring to the Generation Summary on Page 4 of the TEA Report for August 2015, requested clarification regarding why in August 2015 revenue was budgeted at approximately $0.5M but negative revenue was reflected. Responding, Mr. Maloney explained that generation failed to perform its capacity obligations and this was a generation fee.

Updates

Mr. Scott Koenig, City Manager, provided the following updates:

Green Energy Funding and Programming

Members reviewed details regarding Green Energy Funding and Programming as of November 3, 2015.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit

Mr. Koenig stated that National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permits would be reissued as a comprehensive umbrella permit in the Spring. The City's environmental scientist and permit manager had been working diligently to try to bring the City into compliance with the parameters of this permit. Staff had also been working on a potential stormwater utility, which would be brought before Council for consideration in the future and would relate to capital project planning, fees, and managing MS4 permit obligations for the City. Mr. Koenig indicated that the City was actively working on MS4 permit obligations and, now that personnel were in place for this, staff felt much more comfortable moving forward with the permit, authorization, and annual reporting associated with it.

Garrison Oak Technical Park Project Updates

Mr. Scott Koenig, City Manager, provided the following updates:

City Infrastructure

Mr. Koenig stated that staff anticipated wrapping up all contracts related to the Garrison Oak Technical Park (GOTP) by the end of the year or January 2016 and releasing all final payments. Minor close-out items were being completed for each of the contracts, so there was still construction activity, but the project was more than 90% complete.

Calpine Energy Center

Mr. Koenig reminded members that the Garrison Energy Center had been in full operation since June 1, 2015. He advised that a fuel tank had recently been installed and was working its way through the permitting process. Mr. Koenig stated that there were initial complaints related to noise associated with a valve failure; however, the plant had been relatively quiet after the first six (6) to eight (8) weeks of operation. He noted that the City recently completed a water system flushing across the City and there were very few complaints. Mr. Koenig advised members that water was moving very quickly through the system on the east side, especially when the plant is up and running, and this had been good for the quality of the water inside the system.

Mr. Koenig indicated that there had been additional benefits since Calpine came online. He noted that summertime revenues appeared to be meeting the outlined goals and he was looking forward to seeing what they would be over the entire year.

Dover Sun Park

Mr. Koenig reviewed a spreadsheet entitled "City of Dover Electric Revenue Fund - FY 15 - White Oak Solar Park Incremental Cost." He stated that the year-to-date incremental costs reflected that the City was paying approximately $467,000 more for this power than would have been paid in the market. He advised members that this was a necessary component of the utility and the City must look at how to manage these costs and how solar energy will play into the City's portfolio in the future.

In response to Mr. Blakeman, Mr. Koenig stated that the increased cost was spread across all kilowatt hours sold.

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

Meeting adjourned at 5:45 p.m.

James L. Hutchison, Sr.
Chairman

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LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on November 9, 2015, at 6:00 p.m. with Chairman Hare presiding. Members present were Mr. Cole, Mr. Sudler (arrived at 6:05 p.m.), Ms. Maucher, and Mr. Shevock. Members of Council present were Mr. Anderson, Mr. Hosfelt (arrived at 6:01 p.m.), Mr. Hutchison, and Mr. Slavin. Mayor Christiansen was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved for approval of the agenda, seconded by Mr. Cole and unanimously carried.

City of Dover E-Mail Addresses for Council Members

Mr. Anderson stated that Council members had received various requests under the Freedom of Information Act (FOIA) for emails over the past couple of years. He indicated that these emails were not necessarily being archived with the City Clerk's Office or the City government and that this was becoming more of an issue across the country. Mr. Anderson asked if it would be an advantage for members of City Council to have official email accounts on the City's email server for the sake of simplicity and legal protection.

Mayor Christiansen asked if a case had been proved that a City email account was needed, noting that it might be redundant to have two (2) email accounts. Responding, Mr. Anderson stated that the reason for his inquiry was for easier compliance with FOIA requirements.

Responding to Mayor Christiansen as to whether this would also apply to Facebook accounts, Mr. Anderson indicated that it would not. Mr. Anderson stated that official email accounts would be listed on the City's website, which would be the first and most likely place for people to look for contact information for their representatives. He also noted that emails could be archived automatically, as opposed to having to do it manually.

Mr. Hare asked if Mr. Anderson was saying that if a constituent sent an email to his personal account, he would send it to his City account. Responding, Mr. Anderson stated that, currently, if someone sends him an email regarding official City business, he sends a copy of the original email and the response to the City Clerk's Office. In this way, if there is a FOIA request there is no issue because the Clerk's Office has been copied. Mr. Anderson felt that he might inadvertently fail to copy a particular response and that using an official account could lower legal exposure to liability on his part and on the part of the City. He indicated that this was recommended by the National League of Cities and others and wanted to find out from the City Solicitor if this was the best way to go with regard to Delaware law.

In response to Mr. Hare, Mr. Anderson indicated that he had not discussed this with the City Solicitor prior to the meeting.

Mr. Slavin stated that there is a records retention policy that applies to email, noting that the content of a record determines its value and retention. Some emails are transitory in nature and can be deleted after they are read, some are administrative and have a longer specified retention period, and some are policy-based records that have a permanent retention. Mr. Slavin requested that the City Clerk brush up Council's training by pulling retention information from the Delaware Public

Archives website so that members are aware of their responsibilities. He indicated that, with a FOIA request, if records have been destroyed as a matter of the normal course of business they typically do not have to be presented.

Mr. Slavin stated his belief that Mr. Andy Siegel, IT Director, could provide the relevant cost estimates.

Members were informed that prices were obtained for nine (9) Microsoft Office 365 licenses in order to provide members of Council with City e-mail addresses. The quote for Microsoft Core CAL Bridge for Office 365 was $574.38; however, this version had limitations, including the inability to access e-mail from a mobile device. The quote for the full version of Microsoft Office 365 was $4,194.90. Mr. Andy Siegel, IT Director, advised members that he had a few spare licenses, but not enough to add the nine (9) members of Council. He stated that he could see advantages to the suggestion but also financial disadvantages, noting that this item was not included in the budget.

Mr. Anderson noted that this would not have to happen right away.

Mr. Hare questioned if a Council member could pay the $529 fee to have an individual account. Responding, Mr. Siegel stated that he could not speak to how this would work from a financial standpoint, noting that the license would belong to the City and would become part of the City's renewal when the Microsoft Enterprise license is renewed every three (3) years.

Mr. Hare stated that Mr. Rodriguez could be asked to provide information and the City Clerk could research this also.

Mr. Slavin cautioned members that requesting a legal opinion costs the City money and suggested that research not be conducted at a higher hourly rate than could be accomplished by other means.

Mr. Hare questioned the reason for the proposed change, noting that he does not care if anyone reads the emails that he sends.

Ms. Maucher asked if the concern was related to exposure of personal emails that are not City related and whether personal emails could be searched if a FOIA requestor felt that members had not been forthcoming. Responding, Mr. Anderson stated that personal emails that relate to a FOIA request were currently being handled through an honor code and members search and turn over the emails requested. He indicated that if the matter became the subject of legal action, the emails could be compelled through subpoena and someone else would search them; however, to his knowledge, this had not occurred during his tenure on Council.

In response to Mr. Hare as to whether telling the truth had been a problem, Mr. Anderson indicated that it had not; however, something may be overlooked since no system is perfect, and one (1) mistake could cause fines for the City.

Mr. Shevock noted that emails could be subpoenaed wherever they were located, whether from a personal or City account, and questioned why they would not all be in one (1) place that is backed up and maintained by the City.

Mr. Siegel stated that with the Microsoft Enterprise license, all City email is in the Cloud; however, if something happened to a councilman's personal email account, the City would have no recourse in getting it back.

Mr. Shevock questioned why the City would put itself in a position of having a legal problem or lawsuit and causing the appearance of trying to hide something.

Mr. Hare reiterated that if something serious happened with regard to emails, all accounts, including personal accounts would be subpoenaed. He was not sure that it would be desired to spend money on this proposal, noting that hours would also have to be spent to maintain it.

Mr. Shevock moved to recommend staying with the City of Dover email system as it stands now, seconded by Mr. Cole.

Mr. Cole moved to amend the motion to state that Mrs. McDowell would provide information on records retention, and Mr. Shevock concurred.

Responding to Mrs. McDowell, Mr. Hare indicated that a legal opinion should not be sought on this matter.

The motion to recommend staying with the City of Dover email system as it stands now and for Mrs. McDowell to provide information to members regarding records retention was unanimously carried.

Status of Performance Audit of Civilian Side of City Government *(Deferred During the Meeting of October 26, 2015 Due to Time Constraints)*

During their meeting of July 13, 2015, Council approved the Committee's recommendation that the Staff Strategic Planning Team and members of Council develop ideas by August 1, 2015 and that a workshop be scheduled after August 1, 2015.

During the Legislative, Finance, and Administration meeting of November 9, 2015, Mr. Scott Koenig, City Manager, advised members that a management meeting was held on August 4, 2015 to develop ideas to improve City government and service delivery, and a list of potential new revenue sources, cost saving measures, and other ideas was developed. The City Manager, Controller/Treasurer, and City Clerk then met with the Council President and the Chairmen of the Utility and Legislative, Finance, and Administration Committees on August 21, 2015 to review these ideas. Mr. Koenig reminded members that several of the new revenue sources were currently being proposed for consideration by City Council, while some of the ideas, such as an accommodations tax related to hotel rooms, would require authorizing legislation and could not move forward without help from State legislators. Mr. Koenig advised members that

different discussions had also been ongoing with various State legislators about reviewing revenue streams coming to the City of Dover and potentially backfilling those revenue streams should State revenues decline. He stated that other ideas would relate to FY 2017 budget development, such as utility rate structures, recovery of public safety costs, and potential public safety surcharges, etc. Mr. Koenig explained that these items would be brought forward throughout the year for Council's consideration, noting that new fees and fee adjustments had been considered at the committee level and would be considered by Council later in the evening.

In addition, Mr. Koenig noted that the City conducted a Lean Boot Camp on October 28-29, 2015, and thirty (30) members of staff attended. He stated that updates on this program would be provided as additional ideas and projects are developed. Mr. Koenig informed members that the Lean process was about driving efficiency in the organization, making sure there is value in the processes being used, and removing non-value-added steps, rather than reducing staff. Mr. Koenig stated that he found the 16 hours spent with the Lean consultant to be very enlightening. He stated that he intended to budget additional funds to continue the training to more efficiently apply resources, and this would also be part of the FY 17 budget development. He reminded members that, in the FY 16 budget, Council had authorized a public safety study to be conducted by an outside third party to determine whether current techniques and technology related to emergency and police services were being used efficiently, and this study was currently underway through onsite interviews and review of documents and facilities. Mr. Koenig stated that related written recommendations would be made in the coming months.

Mr. Koenig advised members that the above items were underway at the staff level and would continue to move forward to Council over the next few months.

Mr. Anderson asked if Mr. Koenig foresaw these efforts as providing information regarding the possible restructuring of City government that had been discussed for many years and if there would also be short-term benefits. Responding, Mr. Koenig stated that the Lean process was to reaffirm that Dover is one (1) city that is working toward a common goal and to determine how to share information so that roadblocks are not created between departments. He noted that staff from one (1) department may sometimes not be aware how their decisions may create an additional workload and burdens for other departments. For example, downsizing the number of meter readers several years ago created problems in having to backfill positions from elsewhere and resulted in work that was incomplete, which caused unintended consequences in the organization. Mr. Koenig expressed the need to know how decisions are impacting the overall organization and whether those decisions are maintaining the overall goals.

In response to Mayor Christiansen regarding the cost of the Lean Boot Camp training, Mr. Koenig estimated the cost at $6,000 to $8,000 for 30 people.

Mayor Christiansen asked whether the training addressed the issues of individual departments' missions, structure, current budget, and staffing. Responding, Mr. Koenig stated that it did not address those items, but considered how Lean concepts are applied, the basic principles, and how to get people hooked on the idea of continuous improvement. It also showed the things that can be done initially to start thinking about how to make improvements while other operations are going on.

Mayor Christiansen noted that approximately $100,000 had been spent for the public safety study to review police, fire, and EMS services to check mission, structure, budget, and staffing, and to provide eventual recommendations, and he had thought it might be good if the City had people in the community do this for all City departments. He did not feel that the Lean initiative was in the same vein as the study that the City paid $100,000 for.

Mayor Christiansen expressed his feeling that the Ad Hoc Financial and Operational Advisory Committee came off as an adverse group to the City, whose initial intention seemed to be bringing out a giant ax and cutting everything in sight. Mayor Christiansen felt there was a possibility for some people, possibly former Council members, business people, and general citizens, to review the mission of each City department, including the structure, budget, and staffing from an outside view. While he felt that the Lean initiative would provide internal insight, he expressed a desire to have a look from the outside, noting that there could never be too many answers.

Mr. Koenig felt that the type of the review suggested by Mayor Christiansen would be viewed as hostile by the organization. He noted that the Ad Hoc Financial and Operational Advisory Committee, while it had good intentions, ruffled a lot of feathers in the organization and statements were made at the committee level that could not be influenced or controlled. Mr. Koenig advised members that any such committee would be public, subject to the Freedom of Information Act (FOIA), and would have to post meetings. He stated that the members of those types of committees must be very careful when they start talking about the names, qualifications, and actions of City employees.

Mayor Christiansen expressed his opinion that this committee would not be conducted on a hostile basis but would have the ultimate goal of improving the organization. He noted that some departments were understaffed and the goal would not be to cut but to help the City.

Mr. Koenig stated that there may be people that would argue for additional or expansion of services or activities; however, there were budget constraints. He felt that marrying up those two (2) initiatives would be a challenge.

Mayor Christiansen questioned if a committee of well-intended, non-hostile citizens would be as effective as a committee of people from outside Dover coming to review the Dover's police, fire and EMS services. He reiterated that his intent was not to ruffle feathers but to make sure that all departments have the proper structure, guidance and staffing to do the job, and he believed that a committee of well-intended citizens with no ax to grind could perform this mission.

Responding to Mayor Christiansen, Mr. Koenig stated that Council could select a committee if they would like to. He explained that the hiring of a professional, third party to conduct the public safety study was to benchmark against national standards and hopefully get ideas from other communities under the same pressures that Dover has. He felt that local talent did not have the same breadth of experience as a consulting firm that is dedicated to public safety management across the nation. Mr. Koenig stated that there are local experts at certain things; however, the question was how to manage those experts and their personalities, opinions, and statements, noting that the dialogue and dynamics of such committee meetings are not easy to control, and ad hoc committees had experienced difficulty keeping the objectives clear in the past.

In response to Mr. Hare regarding the frequency of employee evaluations, Mr. Koenig stated that evaluations are supposed to be completed annually and it was his belief that most evaluations were done annually.

Responding to Mr. Hare, Mr. Koenig stated that he was unsure which employees were not being evaluated and would have to get a list. Mr. Hare stated that he would like to see who was not being evaluated. Mr. Koenig stated that he had not given his department heads written evaluations in the last year. Mr. Hare asked if Mr. Koenig felt that this was something that should be done so that Mr. Koenig and Council could get an idea of how the employees were performing. Responding, Mr. Koenig stated he felt it fair that there should be something in writing; however, he indicated that employees are evaluated every day. He noted that Council had not always stuck to annual evaluations. Mr. Koenig indicated that he understood the value of evaluations as an assessment tool, but he stated that evaluation of performance is a daily occurrence and not once per year.

Mayor Christiansen questioned if it would be abrasive to anyone if a disinterested third party, not affiliated with the City, performed a review based on mission, structure, budgeting, and staffing, and made a recommendation, not as an official committee of the Mayor or the Council, but as interested citizens. He noted that people from the Chamber of Commerce had worked on and reviewed the City's budget. Mayor Christiansen did not feel that such a group would be subject to FOIA if they did not meet on City property, and he stated that it would be ensured that these were people who were looking at the operation of the City with good intent.

Mr. Hosfelt questioned if this would be similar to the Ad Hoc Financial and Operational Advisory Committee. Responding, Mayor Christiansen stated that the Ad Hoc Financial and Operational Advisory Committee was an official committee of City Council, and the alternative he suggested would not be connected with City and the review would be done for the love of the City. He indicated that he would insist that the first department to be reviewed would be the Economic Development Office, which he is in charge of.

Mr. Slavin expressed his appreciation for the efforts related to the ongoing process of continuous improvement. He stated his impression that there was a heavy load coming up in the six (6) weeks after the holidays, with the preparation for a much earlier budget cycle. Mr. Slavin explained that key decisions would come much earlier in the budget process, and there were potential cuts from the State to be dealt with. He stated the need to be careful in balancing workload and felt that there was a bit of fatigue related to the conversation regarding structuring and restructuring City government. Mr. Slavin stated that if a group, such as the Chamber of Commerce, wanted to put an independent study group together, there was nothing pro or con that the City could do. However, he wanted to be sure that this was not the result of a suggestion coming from the City to circumvent FOIA. Mr. Slavin cautioned that once a committee is created, that committee has to play by rules that make it very difficult to have candid conversations, and he did not want employees to feel threatened. He felt that the Ad Hoc Financial and Operational Advisory Committee had good intentions, but it became very much a threat to employees, who felt the Committee was meeting to slash jobs and go after certain positions, and he indicated that he would not want to see something like that.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that she had managed the Planning Department for approximately 10 years and they had struggled over the course of many years with employee morale based on comments made in Council Chambers or by committees set up by Council. She expressed serious concerns, as a manager who constantly works to build up staff but also hold them accountable, about an outside group coming in and telling staff how to do their jobs better. Mrs. Townshend advised members that municipal government is very complex and is not a business, noting that most businesses do not deal with four (4) bargaining units or have to make decisions in a very open environment where closed door discussions cannot be held. She noted that many people question why things cannot be done in a way that would seem to make more sense, noting that department managers ask the same things about other departments until they spend a day in those departments and see how those processes work. Mrs. Townshend expressed concern about bringing in people who may have little or no experience in municipal management, and who may have the best of intentions but do not understand the legal and other constraints of government. She felt this would degrade morale and start infighting among departments, finger pointing, and defensiveness. Mrs. Townshend felt that every time discussions like this come up, it is like a kick in the stomach to the staff that come in and work hard every day, whether senior management, mid-level management, or the employees out on the road doing the work.

In regard to the Lean Boot Camp training, Mrs. Townshend stated that during the session, staff learned and had meaningful discussions about working together within the organization to evaluate processes, take out steps that do not add value to the process or the customer, and come up with a more efficient and customer-friendly organization. Attendees left each day excited to start working together, across departments, to implement these concepts. Mrs. Townshend expressed concern about starting more things rather than letting the Lean process, which staff was fully engaged in, run its course. She felt that anything getting in the way of that process would be counterproductive.

Responding to Ms. Maucher, Mrs. Townshend stated that 30 of the approximately 360 members of staff attended the training and all departments had representatives, with some departments having up to four (4) staff members present. She noted that most of the attendees were from management, but not all.

In response to Mr. Sudler, Mr. Koenig stated that a mixture of unionized and non-unionized employees were present.

Mr. Hare stated that he did not disagree with Mrs. Townshend or Mr. Koenig. Having experience in business and dealing with unions, and having done consulting, he did not see the need to bring someone in to evaluate employees; however, he felt that Council should make sure managers were accountable, were not overworked, and were not trying to do too much with too little. Mr. Hare stated this could not be done until management was informing Council about the evaluation of their own departments.

Mr. Sudler stated that evaluating employees may provide the City protection from future lawsuits. He noted that without evaluations, employees who are terminated might say they were not given an opportunity to improve or that they did not know they were having an issue in a certain area.

Mr. Koenig stated that no departments had indicated to him that they had too many people and too little to do in the last two (2) years; they all indicated that they were overworked and had more to do than could be accomplished. He understood the context of wanting to get more out of things but noted that the City was also faced with cutting budgets. Mr. Koenig felt that there was debate and difficulty making decisions on things that appeared straightforward. He noted that an independent, third-party review of public safety had been requested; however, 10 new police offices were then hired due to the submission of a page-and-a-half memo without any data to back up the request. Mr. Koenig felt that data probably could have backed up the request; however, it was not analyzed and a decision was made to move forward since members were backed up against the wall publicly because of a major issue going on in the City. Mr. Koenig advised members that the public safety study would tell whether or not the hiring of those officers was a good decision.

Mr. Koenig stated that it was frustrating to hear that there were experts out there that could tell the City how to save millions or hundreds of thousands of dollars, noting that the doors are open to those who want to come and have those discussions or make observations; however, he cautioned that there are real people involved. For example, he noted that the City had quietly gotten out of the custodial business, but accomplished this through attrition. It was known through calculations that the City would save money by outsourcing or privatizing those services, but the City waited because of the human factor. Mr. Koenig advised members that all these decisions would involve employees, and, traditionally, the public had not been very kind to local government services. He stated that ideas cannot just be thrown into the public arena without debate and cannot be pulled back once out there.

Mr. Cole concurred, stating that in his line of work, education, there can be fatigue and there is always someone with a new plan or idea. He questioned why members could not let the new Lean Boot Camp process play out and review it after implementation.

Mayor Christiansen stated that his proposal was not presented from an adversarial point of view; rather, his intention was to make sure that there were enough people to do the work that is thrown at staff on a day-to-day basis and is not getting done.

In regard to the police officers that were hired, Mayor Christiansen asked that members look around at what had happened over the course of the year in the City and stated that related recommendations that were made by one (1) of the City's current councilmen, while formerly serving as Chief of Police, were ignored by Council. He indicated that this became a crisis and was still a crisis today.

Proposed Change to Committee Meeting Format (Hutchison)

Councilman Hutchison proposed changing the format of the standing Council committee meetings to a Committee of the Whole format, in an effort to be more efficient and effective, to allow greater opportunity for interaction and networking among elected officials and the civilian committee members, and to enhance the decision-making process by involving all members of City Council in discussions at the committee level. Mr. Hutchison explained that the Committee of the Whole, which would include all members of City Council and the civilian members of the Parks, Recreation, and Community Enhancement; Safety Advisory and Transportation; Utility; and Legislative,

Finance, and Administration committees, would be chaired by the Council President and the civilian members would participate only in their committee's discussions. The Committee of the Whole format would enable members to give detailed consideration to agenda items in a committee setting. The results of votes taken would not be final decisions but would have the status of recommendations, which City Council would consider further and vote on at its regular meeting, either as a discussion item or on Consent Agenda. Mr. Hutchison indicated that the Council President would preside over the Committee of the Whole and each of the chairpersons of the four (4) standing committees would chair those committees.

Mr. Hutchison recommended that Staff be directed to prepare the necessary ordinance, that the Committee of the Whole begin meeting on Tuesday, January 12, 2016, and that the Committee of the Whole meet on Tuesday evenings following the Regular Council meetings, beginning at 6:00 p.m.

Mr. Hare noted that, under this format, there would be no opportunity to bring an item from committee to Council quickly and questioned if there could be an exception if something had to be fast tracked by having a special meeting. Responding, Ms. Traci McDowell, City Clerk, stated that special meetings could be scheduled with seven (7) days advance notice.

Mr. Hutchison stated that having Committee of the Whole meetings on Tuesday evenings at 6:00 p.m. or 6:30 p.m. would allow Council and civilian members who have jobs to attend and open the door for better lines for communication.

Mr. Slavin noted that this would effectively double the number of nights that Council would be committed to. In addition, he questioned how a Committee of the Whole would be organized with citizen members, stating that the committee would then become nine (9) members of Council plus two (2) citizen members and a quorum would become six (6). Mr. Slavin inquired if the citizen members would be expected to be present through all of the meetings, noting that the length of each meeting was unknown and these members would not know when their respective items would be considered and may have a long wait time.

Responding to Mr. Slavin, Mr. Hutchison stated that committee members are paid, and he felt that they should be there at the start of the meeting with Council members. It was his opinion that everyone must be able to work together if City of Dover business was to be done.

Mr. Slavin questioned what problem was trying to be solved, noting his awareness that the solution was modeled after Kent County Levy Court, which was a different organization that does not have citizen members and meets as a Committee of the Whole because only commissioners serve on committees.

Mr. Hutchison felt it important to have all nine (9) members of Council address and work on issues. He stated that most of the items that go from committee to Council are on Consent Agenda. He noted that matters involving millions of dollars are discussed at committee meetings and felt it important to get the interaction of all members so that everyone has a good working knowledge.

Mr. Slavin did not disagree with the idea of having as many people discussing matters as possible; however, he noted that Council members can attend committee meetings, pull items off the Consent Agenda, and read the minutes and backup material. He was not convinced that the issue was that members were not participating.

Mr. Hare noted that sometimes members pull items off the Consent Agenda at a Council meeting and ask questions that committee members had already spent time discussing.

Mr. Slavin stated that he was unsure what the effect would be on public participation if all meetings were moved to a specific evening time versus earlier in the afternoon, noting that many people work shifts. He was unsure if the net effect would be to alienate those who work evenings.

Mr. Cole felt that the proposal was well intended but that the whole picture should be looked at before moving forward. He concurred with Mr. Slavin regarding the need to ensure that a solution to a problem was being looked for.

Mr. Hare indicated that he did not think it was a bad idea but was not prepared to say that it should be done. He stated that this could be tried for two (2) or three (3) meetings and then discussed again.

Mr. Hare moved to recommend commencing the Committee of the Whole meeting format during the first meetings in January and try it for a few months, and if members decide to adopt the format as one (1) of the protocols for the next Council year, that this be done during the annual meeting, seconded by Mr. Sudler and unanimously carried.

By unanimous consent, the meeting adjourned at 7:07 p.m.

William F. Hare
Chairman

WFH/TM/js/dd
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FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2015-20

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by inserting the text indicated in bold, blue, as follows:

Dwelling, one-family: A **permanent** dwelling unit **placed on a permanent foundation and** designed and intended for use by only one family. **One-family dwellings shall not include manufactured homes or mobile homes but shall include modular homes constructed to the standards of the Dover Code of Ordinances, Chapter 22 - Buildings and Building Regulations.**

***Manufactured Home*: A factory-built housing unit designed and constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."**

ADOPTED: *

SYNOPSIS

The proposed amendment revises and adds definitions

(SPONSORS:)

Actions History
11/09-2015 - Introduce at City Council meeting

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-20 APPENDIX B - ZONING, ART 12 - DEFINITIONS\ORDINANCE #2015-20 APPENDIX B - ZONING, ART 12 - DEFINITIONS-FIRST READING.wpd

Draft

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM**:
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 11/13/2015
PREPARED BY: Sharon J. Duca, P.E., Public Works Director / City Engineer	
SUBJECT: Evaluation of Bids – FY 2016 Fall Street & Alley Program	
REFERENCE: CIP – Street, Concrete and Alley Program	
RELATED PROJECT:	
APPROVALS: City Manager, Controller	
EXHIBITS: Aerial Maps	
EXPENDITURE REQUIRED: $740,735.00 Est. **AMOUNT BUDGETED**: $890,000 (REMAINING) **FUNDING SOURCE (Dept./Page in CIP & Budget)**: Multiple Funding Sources: $568,735 General Fund; $172,000 Community Transportation Funds; Account No.: 147-1800-554.40-31 and 318-990-582.40-31	
TIMETABLE: Notice to Proceed to be issued within 60 days of Council approval. Project anticipated to be completed in 90 calendar days from Notice to Proceed issuance, weather permitting.	
RECOMMENDED ACTIONS: Award a unit price contract, based upon Bid #16-0015PW for the FY 2016 Fall Street & Alley Program to Sam's Construction based on the Prevailing Wage unit prices for each work item submitted. The estimated value of the contract is $740,735.00. Work will be performed in strict accordance to the Bid Specifications.	

BACKGROUND AND ANALYSIS

In concurrence with the City of Dover's Capital Investments Plan, it is proposed to rehabilitate various pavement and concrete sections throughout the City of Dover during Fiscal Year 2016. The total length of scheduled street repaving is approximately 6,500 linear feet or 1.23 miles. Along with repaving, this project includes replacing approximately 2,200 linear feet of curb, 20 linear feet of valley gutter, 2,800 square feet of driveway apron, 6,000 square feet of sidewalk, 6 catch basin heads, and 350 square yards of various patch work. This project also includes installing inlet protections, 12,000 square feet of new sidewalk, and 150 square feet of detectable truncated domes. The following locations were included in the proposed scope of work to be completed under the FY 2016 Fall Street & Alley Program:

STREET NAME / EXHIBIT TITLE
DAVIS CIRCLE EAST
DAVIS CIRCLE WEST
FAIRWAY CT
GREGORY CT
HEMSTED COURT
KENSINGTON CT
MAPLE PARKWAY
MARTIN STREET
MICHAEL CT

STREET NAME / EXHIBIT TITLE
MILLER RD
NIBLICK CT
REED STREET
S. NEW STREET
TALLOWICK LN

Bids were opened on Friday, October 30, 2015. Two (2) contractors submitted unit price bids for the proposed work to be performed. Based on the proposed quantities, the estimated contract values are as follows:

CONTRACTOR	**LOCATION**	**AMOUNT OF BID (WITH PREVAILING WAGES)**	**AMOUNT OF BID (WITHOUT PREVAILING WAGES)**
SAM'S CONSTRUCTION	WILMINGTON, DE	$740,735.00	$740,735.00
GEORGE & LYNCH	DOVER, DE	$908,957.14	$744,828.47

Since the anticipated Street Program includes locations intended to be funded with Community Transportation Funds (Davis Circle East, Davis Circle West, Fairway Court, and Tallowick Lane), the City of Dover will be required to use bids with prevailing wages. Therefore, Sam's Construction has been determined to be the low bidder. In addition, their previous work with the City was found to be satisfactory. It is staff's opinion that the bid represents fair market value and their qualifications are in accordance with the requirements of this project.



FY-2016 FALL STREET & ALLEY PROGRAM

DAVIS CIRCLE EAST

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

DAVIS CIRCLE WEST

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

FAIRWAY CT

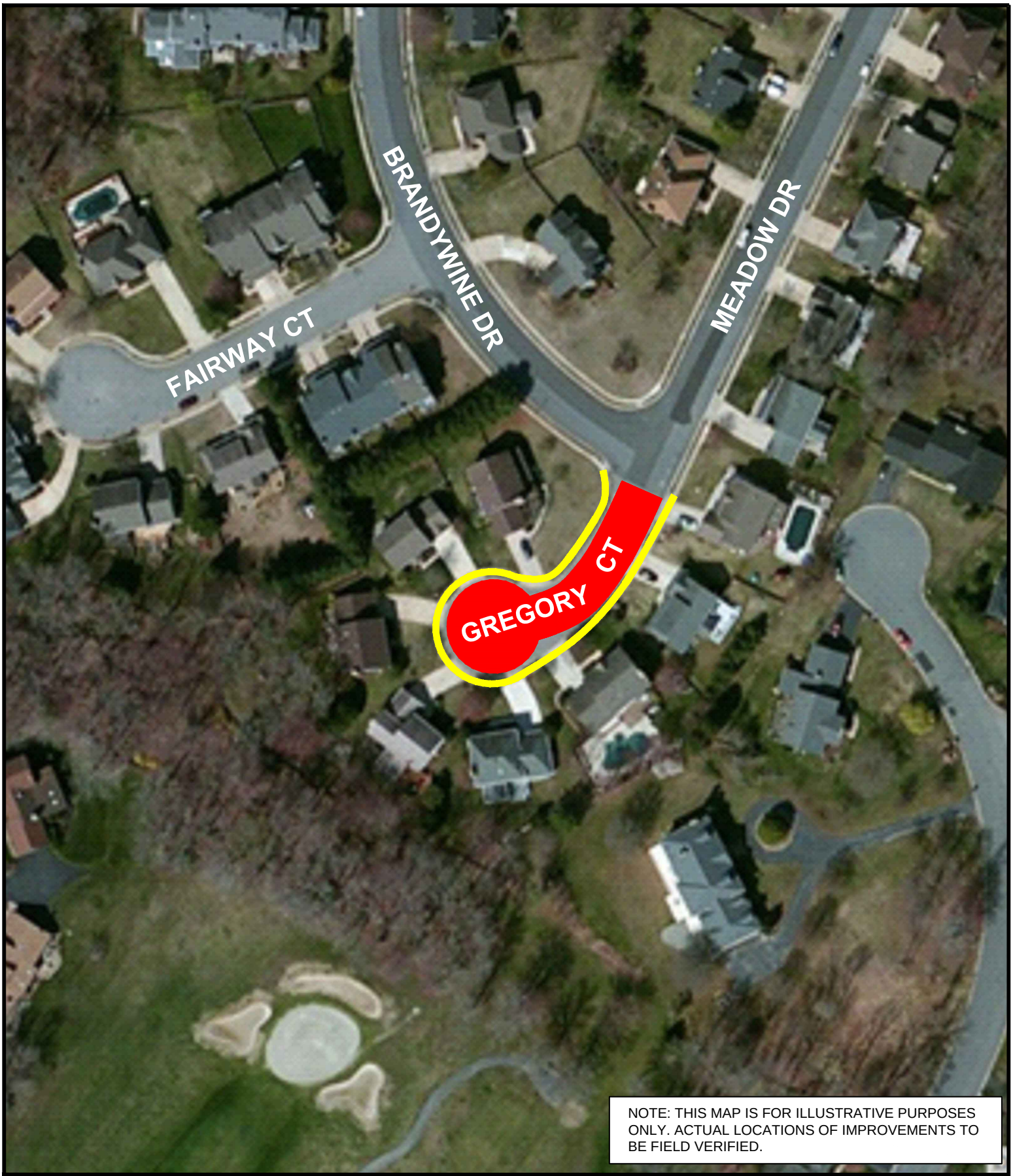
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LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



NOTE: THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL LOCATIONS OF IMPROVEMENTS TO BE FIELD VERIFIED.

FY-2016 FALL STREET & ALLEY PROGRAM

GREGORY CT

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

HEMSTED COURT

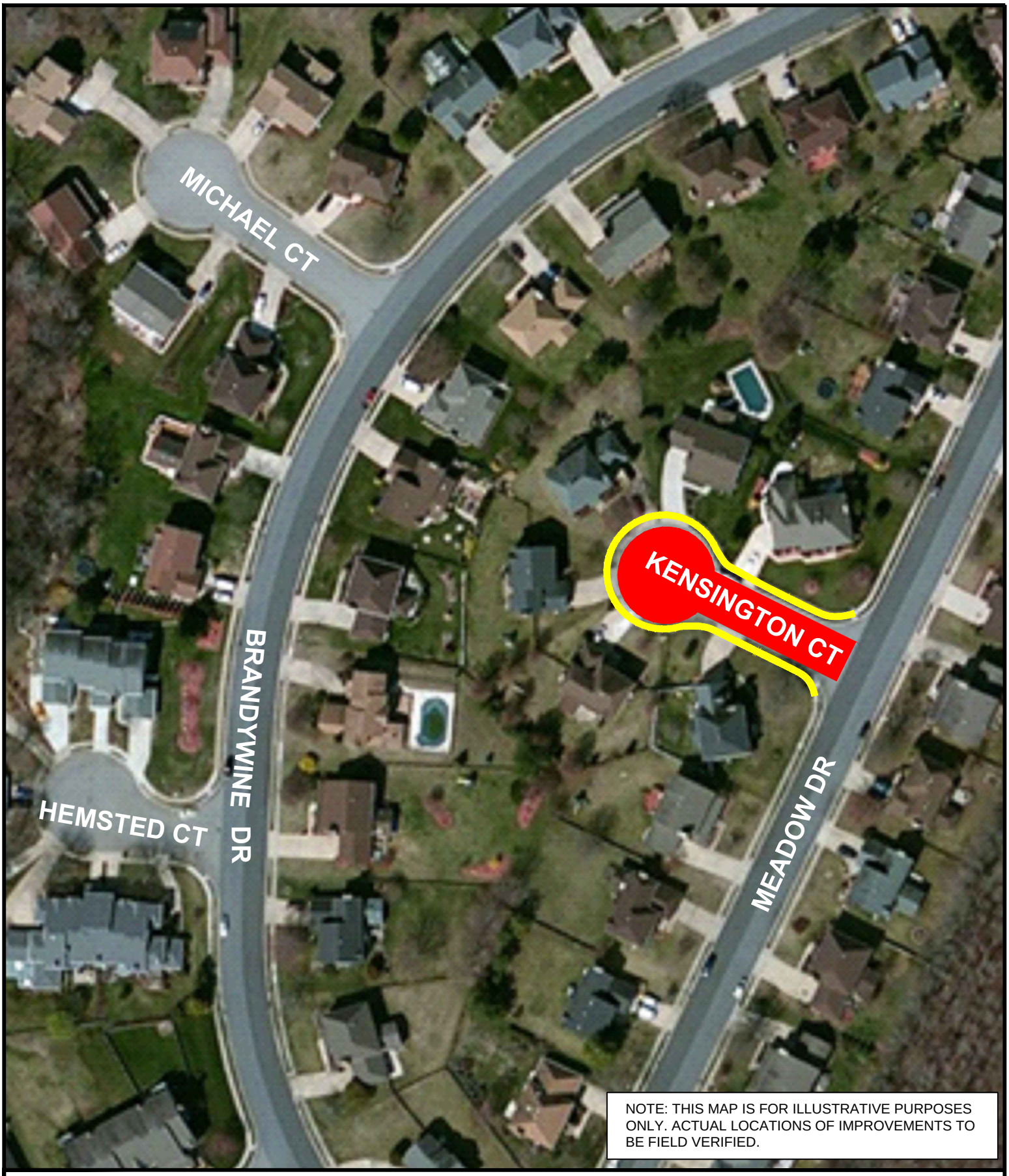
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LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

KENSINGTON CT

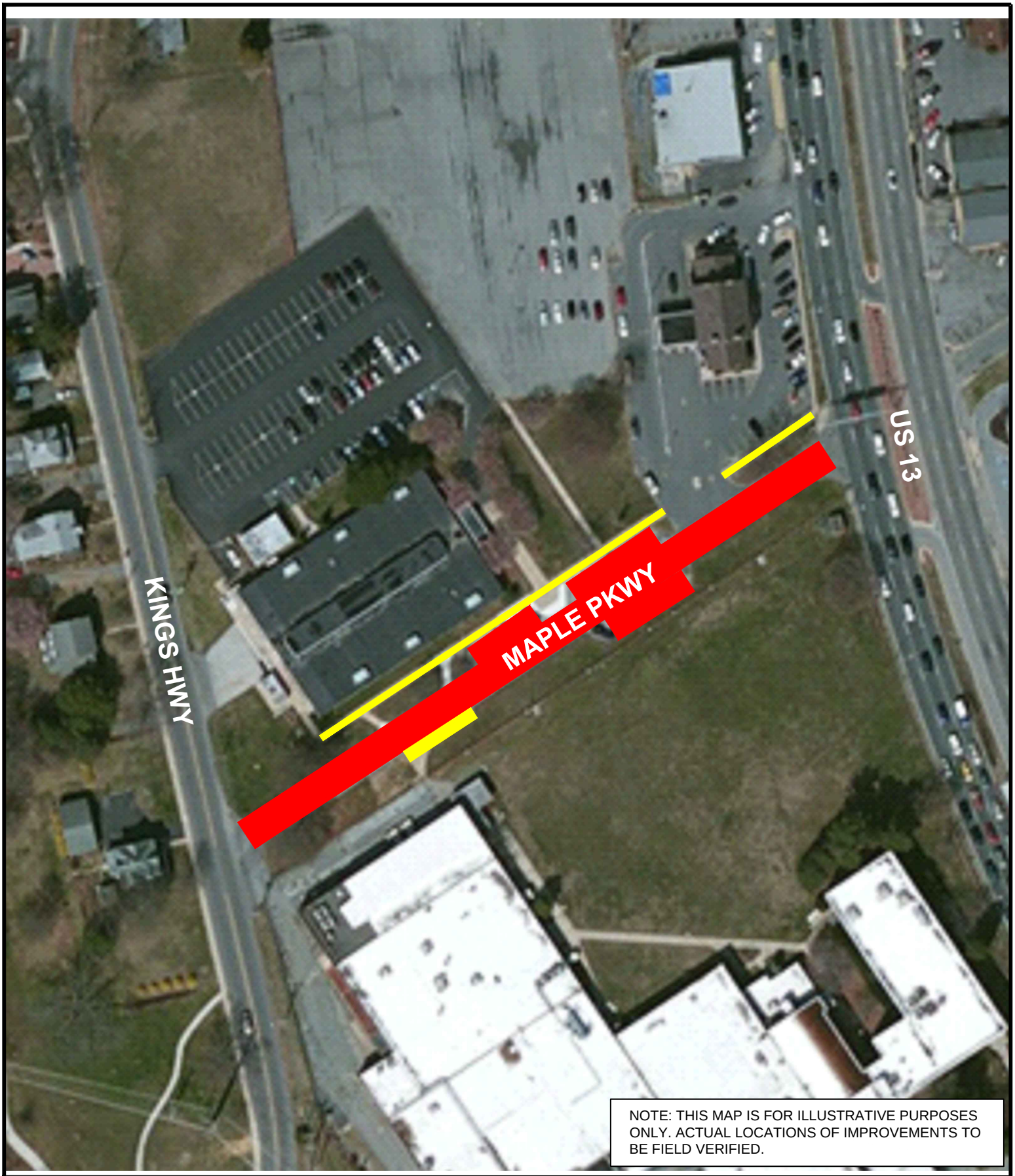
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LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

MAPLE PARKWAY

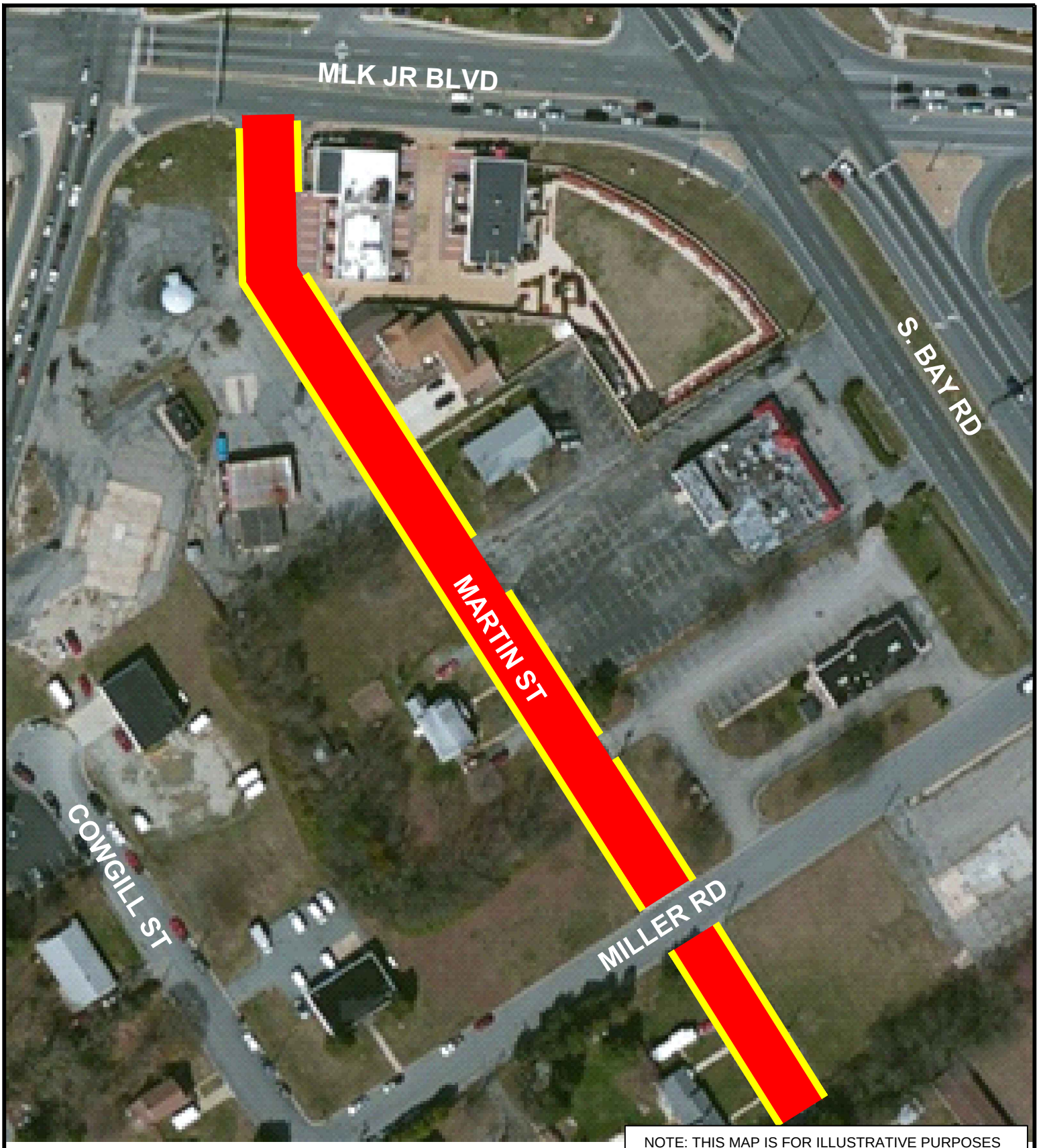
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LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



NOTE: THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL LOCATIONS OF IMPROVEMENTS TO BE FIELD VERIFIED.

FY-2016 FALL STREET & ALLEY PROGRAM

MARTIN STREET

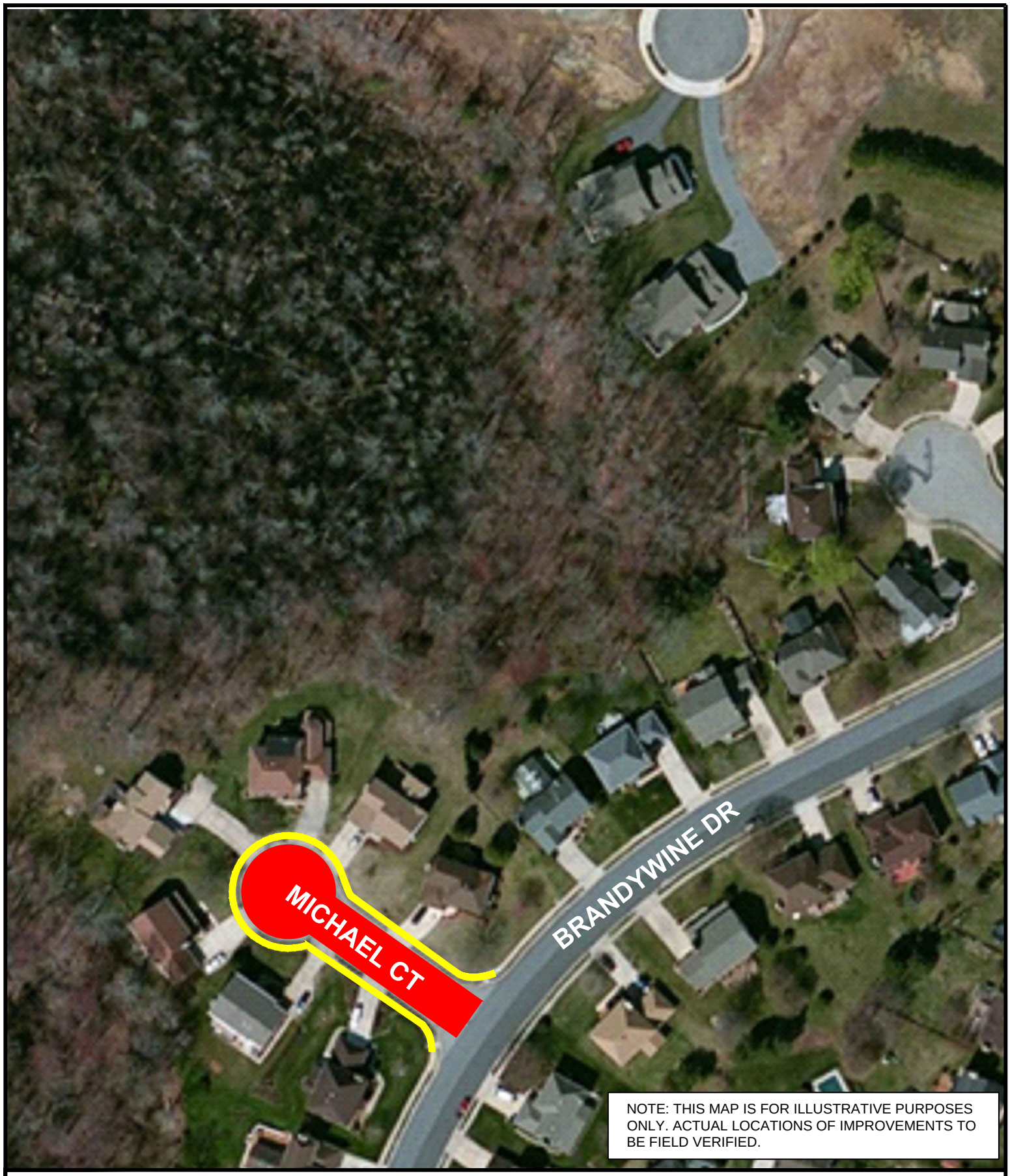
N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

MICHAEL CT

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

MILLER RD

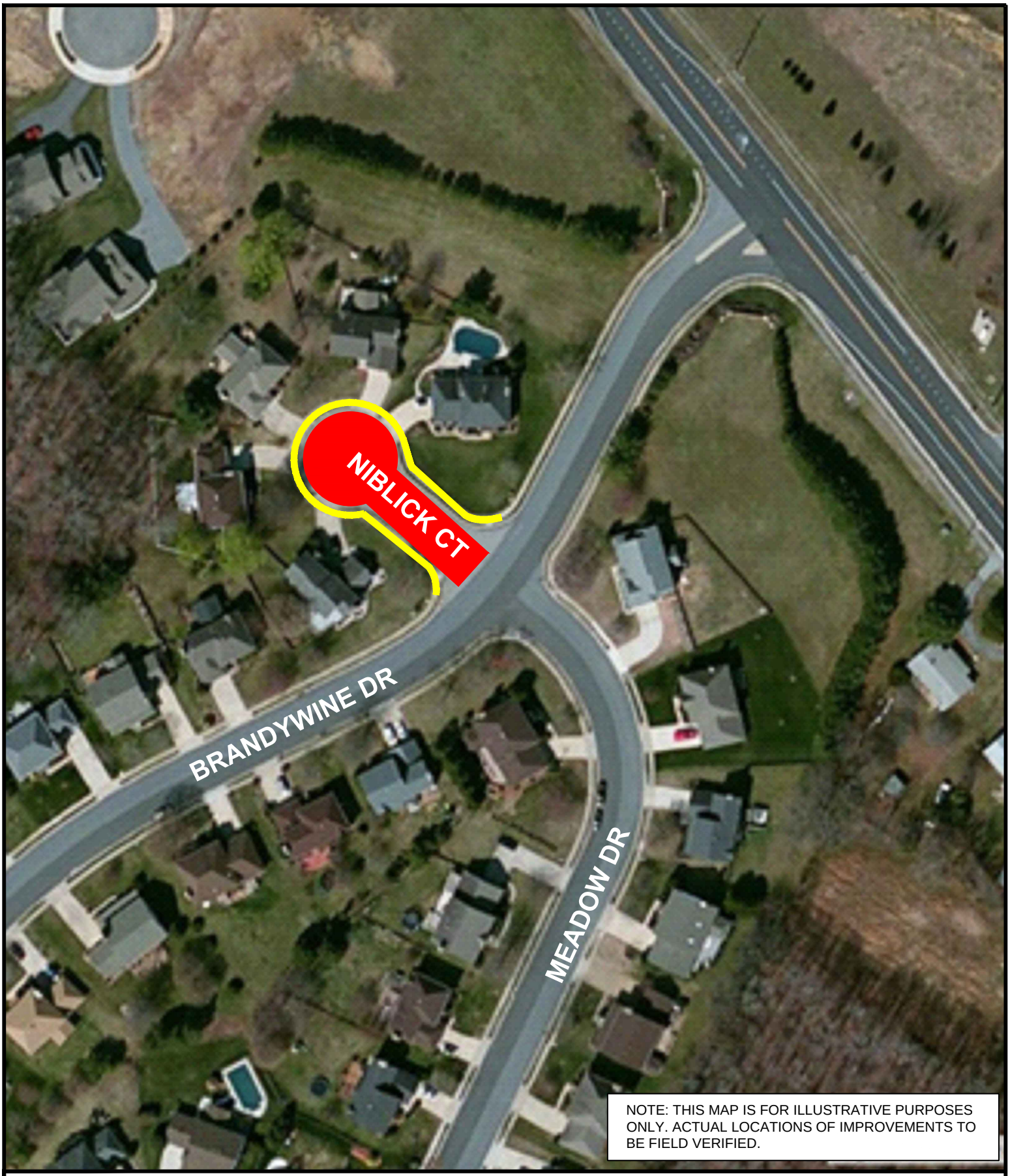
N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



NOTE: THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL LOCATIONS OF IMPROVEMENTS TO BE FIELD VERIFIED.

FY-2016 FALL STREET & ALLEY PROGRAM

NIBLICK CT

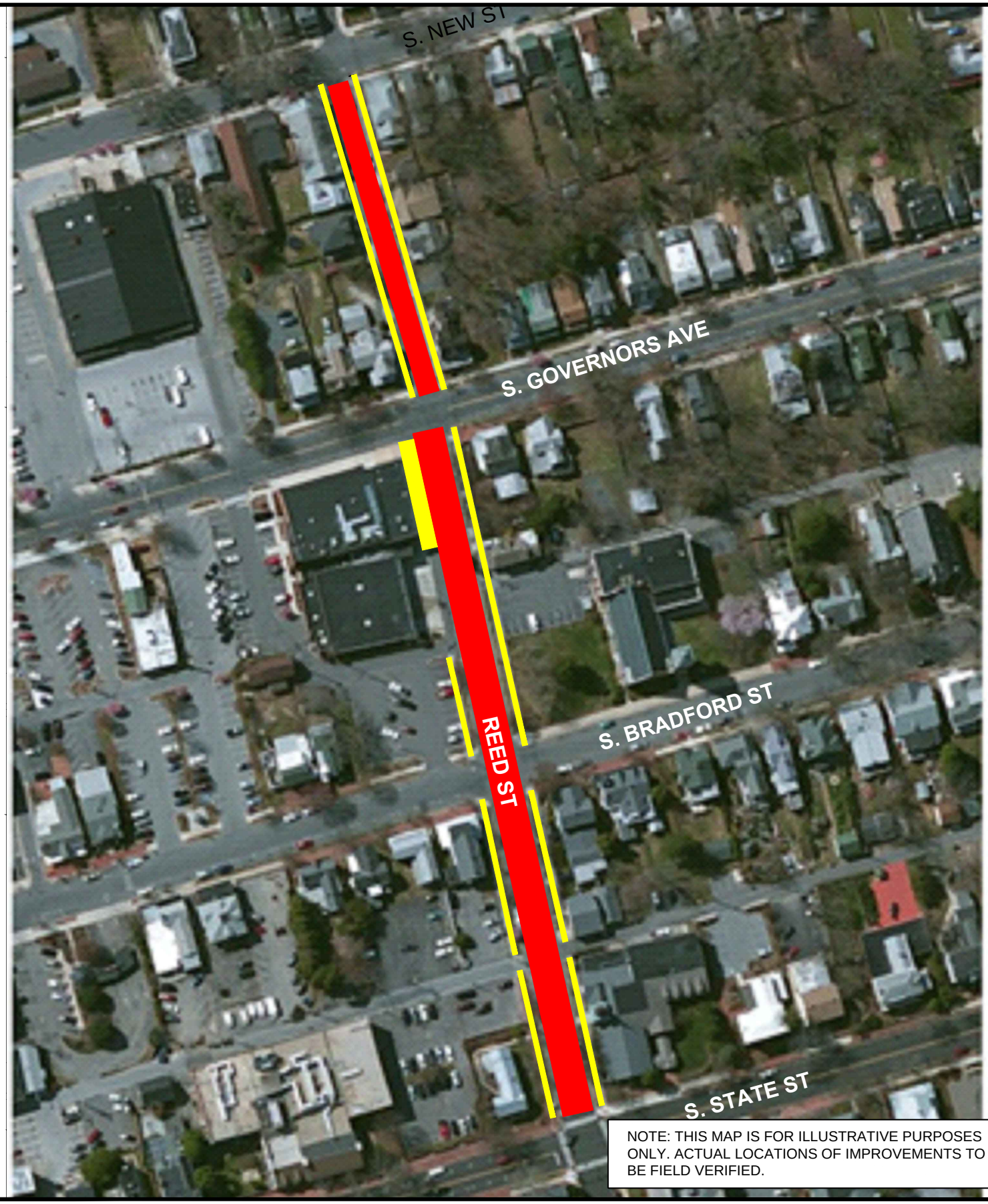
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LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



NOTE: THIS MAP IS FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL LOCATIONS OF IMPROVEMENTS TO BE FIELD VERIFIED.

FY-2016 FALL STREET & ALLEY PROGRAM

REED STREET

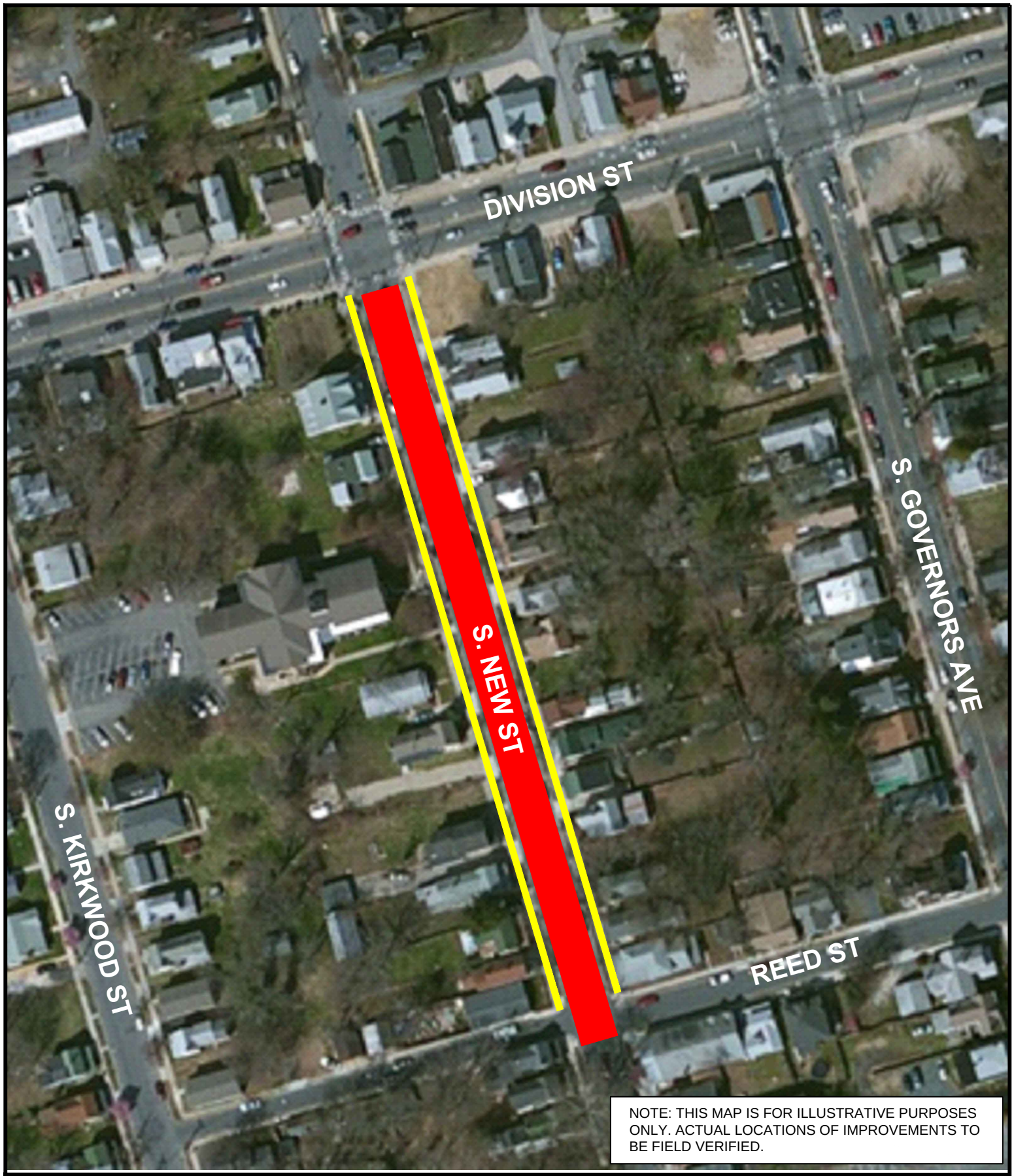
N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 125 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

S. NEW STREET

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET



FY-2016 FALL STREET & ALLEY PROGRAM

TALLOWICK LANE

N

LEGEND

ROAD REPAIR

CONCRETE REPAIR

0 100 FEET

ACTION FORM

PROCEEDING: Legislative, Finance, & Administration
DEPARTMENT OF ORIGIN: Finance Department **DATE**: 11/23/15
PREPARED BY: Donna Mitchell, Controller/Treasurer
SUBJECT: Financial Advisor Services Contract
REFERENCE: RFP # 16-0006FN
RELATED PROJECT: N/A
APPROVALS: City Council
EXHIBITS: Evaluation Summary
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: $0 **FUNDING SOURCE (Dept./Page in CIP & Budget)**:
TIMETABLE: Five year contract effective upon approval.
RECOMMENDED ACTION: Staff recommends the approval of a five year service contract for financial advisor services with Public Financial Management, Inc.

Excerpt from Debt Management Policy –

> ***Financial Advisors*** shall be selected by means of an RFP from a selected pool of such advisors to mitigate time constraints and reduce overhead costs of the City in procuring such services. Once selected, the City shall require a new RFP for each new issue or refinancing every five years. The City may replace a financial advisor with notice at any time.

In accordance with the City of Dover Debt Management Policy, the Finance Department has just completed a solicitation for Financial Advisory Services. We received and reviewed three proposals. Based upon our review the Department is recommending the selection of Public Financial Management, Inc., a subsidiary of the PFM Group headquartered out of Philadelphia, PA.

Our recommendation of Public Financial Management, Inc. (PFM) is based largely on the network of professionals they employ and the scope of services provided. PFM's response to the request for proposal demonstrated their capability in providing assistance to the City of Dover in many of the challenges we face today with budgetary and capital requirements. PFM has provided assistance in the past for labor negotiations, Municipal Continuing Disclosure Cooperation requirements, and provided training on financial management topics at no cost to the City.

As in the past, all fees related to these services are paid out of the bond proceeds and not budgeted as current expenses in the City budgets. Attached for additional information are the Financial Advisor Scoring Sheet and List of Rates & Services.

City of Dover Financial Advisor Scoring Sheet					
		Point Range	**NW Financial Group**	**Public Advisory Consultants**	**Public Financial Management, Inc.**
A	Reputation and experience of the proposer in connection with financial advisory services and scope of services the firm provides.	0 -30	One of the leading regional advisory organizations. 30	Served the City of Dover from 2001 to 2008 as financial advisor; 30	2014 Ranked #1 in the Country National Firm; Extensive State of Delaware experience Serves as the City's advisor since 2008 30
B	Organization and structure of firm.	0 - 15	12	10	15
C	Qualifications of staff to be assigned. Education, position in firm, type and years of experience will be considered, as derived from the written proposal.	0 - 25	25	20	25
D	Responsiveness of the written proposal in clearly stating an understanding of the work to be performed, as outlined in the scope of services portion of this request for proposals.	0 - 20	16	12	20
E	Location of office performing work.	0 - 10	10	10	10
	MAXIMUM QUALITATIVE POINTS	**100**	93	82	100

	City of Dover Financial Advisor - Proposal Reviews Rates & Services (Five Year Contract Term)		
	NW Financial Group LLC	**Public Advisory Consultants**	**Public Financial Management, Inc.**
	NJ / PA Regional	**MD / DE Regional**	**National Firm**
Hourly Rates by Position			
Sr VP/Director	$180		
Managing Director	$185	$225	$300
Director		$200	$275
Vice President	$170		
Principal	$195		
Senior Consultant			$250
Consultant		$175	$200
Associate		$150	$125
Senior Analyst			$225
Analyst	$140	$100	$200
Administrative		$55	
Size of Firm	3 Offices (NJ/PA)	1 Office (MD)	39 Offices (Nationwide)
Employment	Professionals & Support Staff = 27	Didn't provide (small firm)	Professionals & Support Staff = 500
Out of pocket and travel	100%	100%	100%
Location providing svs	Mount Laurel, NJ	Owings Mills, MD	Philadelphia, PA
	87.8	110 miles	76.6
Bonds & Notes	Hourly rates don't apply **Notes: Up to $10M** = Flat Fee $3,500 **Over $10M** = Flat Fee of $5,000 **G.O. Bonds Up to $15M** = $9,500 **G.O. Bonds Over $15M** = $13,500		Hourly rates don't apply **New Money Bonds** $1.00 per bond; or Minimum Fee of $15,000; Maximum Fee $25,000; **Refunding Bonds** $1.00 per bond; or Minimum Fee of $20,000; Maximum Fee $30,000;
Other Services			
Policy Review	X	X	X
Strategic Planning	X		X
Arbitrage Rebate			X
Forecasting	X	X	X
Revenue Studies		X	X
Investment Advisory	X		X
Redevelopment Projects	X		X
P3's & Capital Project Planning	X		X
Pension & OPEB Advisory			X
Management & Budget Consulting			X
Cash-flow Forecasting	X	X	X
Labor Negotiations			X
Rating Agency Strategies	X	X	X
Renewable Energy Projects	X (SEU)		
SEC Continuing Disclosure	X	X	X
Client Base	DE Sustainable Energy Utility	DE Municipal Electric Corp	State of Delaware
	Kent County, DE	City of Lewes	City of Wilmington
	DE State University	Sussex Cty, DE	DE Transp. Auth.
	DE Econcomic Develop Authority	DSWA	DE Facilities Auth.
		Smyrna	City of Milford
		City of Rehoboth Beach	Wilmington Parking Authority
		Maryland	New Castle County

DOVER FIRE DEPARTMENT

DOVER'S VOL. FIRE DEPT.
Since 1882

RECEIVED
NOV 17 2015
OFFICE OF THE CITY CLERK

November 16, 2015

To: Traci McDowell

From: Charles Boyer, President
Al Farling, Secretary

Reference: 2016 Fire Line Officer Election Results

Dear Ms. McDowell:

The following are the results of the November 16, 2015, Dover Fire Department Fire Line Officer Election as certified by the election judges:

Chief:	Carleton Carey, Jr. (uncontested)
Deputy Fire Chief:	Ronald Rhodes (uncontested)
First Assistant Fire Chief:	David Carey (uncontested)
Second Assistant Fire Chief:	Glenn Whitt (uncontested)
Third Assistant Fire Chief:	Duane Reeder
Fourth Assistant Fire Chief:	Michael O'Connor, Jr.
First Fire Line Captain:	Michael O'Connor, III
Second Fire Line Captain:	David Knight

Please forward the above names to City Council for their review and approval.

Respectfully,

Al Farling, Secretary

Charles Boyer, President

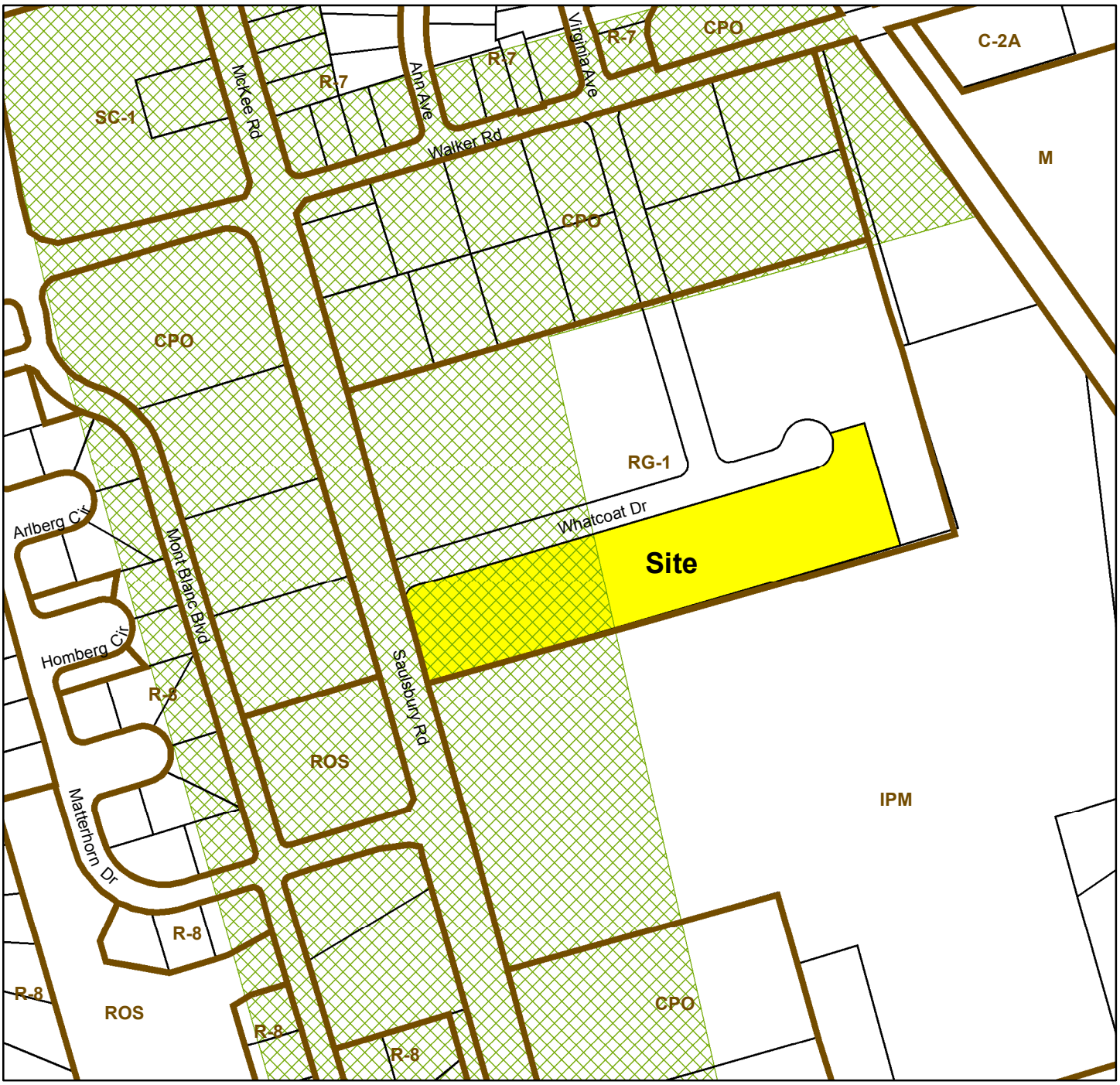
PETITION TO AMEND AND ZONING DISTRICT
First Reading before the
Dover City Council
November 23, 2015

Applicants/Owners:	Whatcoat Community Development Inc.
Address:	904-992 Whatcoat Drive
Location:	East side of Saulsbury Road south of Whatcoat Drive
Tax Parcel ID #:	ED-05-067.19-02-11.00-000
Size:	4.282 +/- acres
Present Use:	Apartments
Proposed Use:	Apartments
Comprehensive Plan Designation:	Residential High Density
Present Zoning:	RG-1 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RG-2 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
File Number:	Z-15-04
Ordinance Number:	2015-23

City of Dover

Department of Planning & Inspections

Application No.: Z-15-04



Title: Lands of Whatcoat Community Dev Inc
Address: 904-992 Whatcoat Drive
Parcel ID: ED-05-067.19-02-11.00-000
Existing Zoning: RG-1 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Proposed Zoning: RG-2 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Owner: Whatcoat Community Dev Inc
Date: 11/10/2015

Legend

- Zoning
- Dover Parcels
- Corridor Overlay Zone
- Subject Property

W E S

0 175 350 700 Feet

FIRST READING

CITY OF DOVER
PROPOSED ORDINANCE #2015-23

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located at 904, 910, 930, 950, 956, 970, 986, and 992 Whatcoat Drive, consisting of $4.282^{+/-}$ acres, owned by Whatcoat Community Development, Inc.
   (Tax Parcel: ED-05-067.19-02-11.00-000; Planning Reference Z-15-04; Council District: 4)

ADOPTED: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-23 REZONING - 904, 910, 930, 950, 956, 970, 986, 992 WHATCOAT DRIVE\Ordinance #2015-23 Rezoning Property at 904-992 Whatcoat Drive-FIRST READING.wpd

Actions History
November 23, 2015 - Scheduled for First Reading by City Council

Draft

CITY OF DOVER PROPOSED ORDINANCE #2015-21

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 82, Planning, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Chapter 82 - Planning

Sec. 82-1. - Planning commission.

There is hereby created a planning commission. The members of the planning commission shall be appointed by the mayor, subject to confirmation by the council. The planning commission shall consist of nine members serving three-year terms. Two members shall be selected from each council district and one member shall serve from the city at-large. The terms of the members shall be arranged so that each year the terms of three members shall expire, and the expiration date shall be on June 1. Incumbent members of the planning commission shall continue to serve beyond the expiration of their term until a successor is appointed by the mayor and confirmed by the council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-1; Ord. of 6-27-1994)

Charter reference— Power of council to create planning commission, subpart A, § 23.

State Law reference— Planning commission, 22 Del. C. §§ 701—711.

Sec. 82-2. - City planner.

There is hereby established the office of city planner who shall be selected by *the city council ~~**at its annual meeting**~~ and employed at the pleasure of mayor and council. The city planner shall be directly responsible to the mayor and council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-2; Ord. of 1-9-2006; Ord. of 7-24-2006(1); Ord. No. 2009-24, 11-9-2009)

Sec. 82-3. - Planning services.

(a) *Zoning verification letters/administrative interpretations*. A zoning verification letter or administrative interpretation will be provided by the city planner upon request to verify the current zoning of a particular piece of property and the types of uses that are allowed in that zoning district. A request for a zoning verification letter or administrative interpretation shall be submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F - Fees and Fines.

(b) *Content*. A zoning verification letter or administrative interpretation may contain the following information based upon the request received:

(1) The zoning district of the property and any zoning overlay districts applicable to the property.

Draft

(2) Verification that a particular use is permitted within the property's zoning district.

(3) A list of permitted uses in the zoning district.

(4) Identification of any current Notice of Violations issued for code enforcement violations on the subject property.

(5) Any other requested information determined by the city planner to be within the scope of this section.

(c) *Appeal of zoning verification letter or administrative interpretation*. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B - Zoning, Article 9 - Board of Adjustment, Section 2.2 - Appeal of administrative order, requirement, decision or determination.

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Description	**Fees and Fines (in dollars)**

Chapter 82 - Planning			
Sec. 82-3	**Planning services**		
	(a)	**Zoning verification letters/ administrative interpretations**	**$50.00 per letter/interpretation**

Appendix B - Zoning, Article 8 - Enforcement and Penalties			
Sec. 2	Certificates of occupancy		
	Subsec 2.4	**Certificate of occupancy for ~~All properties zoned single-family~~ one-family** residential **uses~~.....~~**	$**~~40.00~~ 60.00**
		Temporary certificate of occupancy for one-family residential uses	**$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days**

Draft

	Certificate of occupancy for uses ~~All other property in other zoning classifications,~~ other than **~~single-family~~ one-family** residential **uses~~.....~~**	$**~~40.00~~ 75.00** for the first 20,000 square feet of building area, plus the sum of $**10.00 15.00** for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.
	Temporary certificate of occupancy for uses other than one-family residential uses	**$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days**

ADOPTED: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-21 PROPOSED NEW REVENUE SOURCES\ORDINANCE #2015-21 PROPOSED NEW REVENUES-First Reading.wpd

SYNOPSIS

The amendment adds new revenue sources.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

(SPONSORS: * HUTCHISON AND HARE)

Actions History

11/23/2015 - Scheduled for Introduction at the City Council meeting

Draft

	Certificate of occupancy for uses ~~All other property in other zoning classifications,~~ other than single-family residential**~~.....~~**	$**~~40.00~~ 75.00** for the first 20,000 square feet of building area, plus the sum of $**10.00 15.00** for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.
	Temporary certificate of occupancy for uses other than single-family residential uses	**$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days**

ADOPTED: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-21 PROPOSED NEW REVENUE SOURCES\ORDINANCE #2015-21 PROPOSED NEW REVENUES-First Reading.wpd

SYNOPSIS

The amendment adds new revenue sources.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

(SPONSORS: * HUTCHISON AND HARE)

Actions History

11/23/2015 - Scheduled for Introduction at the City Council meeting

Draft

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2015-22

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 110 - Utilities, Article II - Electric Service, of the Dover Code be amended by inserting a new Section 110-33. - Charge for discontinuing or restoring electric service, as follows:

Sec. 110-33. - Charge for discontinuing or restoring electric service.

(a) *Maintenance and repair*. There will be no charge for turning on or off any electric service for maintenance and repair purposes if done between the hours of 7:00 a.m. and 5:00 p.m. There will be a charge as provided for in Appendix F—Fees and Fines, for all service calls between 5:00 p.m. and 7:00 a.m.

(b) *Nonpayment*. There will be a service charge as provided for in Appendix F—Fees and Fines paid prior to turning on any electric service discontinued for nonpayment.

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

APPENDIX F - FEES AND FINES

Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

			~~Fees and Fines (in dollars)~~
~~SUBPART A—CHARTER~~			
~~Article II—Mayor and Council~~			
~~Sec. 18~~	~~Ordinances authorized; maximum penalty for violation~~		~~$ 1,000.00~~

Correction to Appendix F-Maximum penalty removed from Charter July 8, 2009 (77 Del. Laws, c. 130, § 16)

			Fees and Fines
SUBPART B - RELATED LAWS			
Sec. 2 - Licenses			
	Subsec. (c) - Fines - Operating a business without a license		Not in excess of $100.00

Draft

	Fees and Fines
CODE OF ORDINANCES	
Chapter 1 - General Provisions	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 1-17 - General Penalty; separate offenses; unpaid fines	Not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 10 - Alcoholic Beverages		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 10-1 - Consumption or possession		
	Subsec. (c) - Underage persons	$100.00

	Fees and Fines
Chapter 18 - Animals	
Mandatory and nonsuspendable fine of at least the minimum fine for each offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 18-3 - Keeping swine; for each violation	Not less than $25.00 or more than $100.00
Sec. 18-4 - Running at-large; for each violation	Not less than $25.00 or more than $100.00
Sec. 18-5 - Dog licenses required; for each violation	Not less than $25.00 or more than $1,000.00 ~~Sec. 1-17~~)
Sec. 18-6 - Noisy animals or fowl	
Subsec. (b) - Notice; abatement; fine	Not less than $50.00 or more than $100.00 shall be subject to a fine until such nuisance is abated
Sec. 18-7 - Hitching to public trees; for each violation	Not less than $10.00 Or more

Draft

		than $100.00
Sec. 18-8 - Excrement		
	Subsec. (g) - Violations; penalties	Not less than $25.00 or more than $1,000.00 ~~Sec. 1-17)~~
Sec. 18-9 - Vicious dogs and animals - Generally		
	Subsec. (f) - Violations; penalties; for each violation	$100.00
Sec. 18-12 - Cruelty		
	Subsec. (6) - Violations; penalties; for each violation	$100.00
Sec. 18-13 - Public nuisances		
	Subsec. (d) - Violations; penalties; for each violation	Not less than $25.00 or more than $100.00
Sec. 18-16 - Keeping bees		
	Subsec. (m) - Violations; penalties, for each violation	Not less than $25.00 or more than $100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article III—Building Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-61 - Adopted (International Building Code)		
	Sec. 105.5.1 - Expiration; Additional 180 day extensions may be granted with payment of a renewal fee	$25.00 per 180 - day extension
	Sec. 113.4 - Violation penalties; Each day that a violation continues shall be deemed a separate offense	Fine of not less than $100.00 or more than $10,000.00
	Sec. 114.3 - Unlawful continuance	
	First offense	$100.00
	Second offense	$250.00
	Third offense	$500.00
	Fourth and subsequent offenses	No less than $1,000.00 and no more than $10,000.00
Sec. 22-65 - Permit fees		

Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.		
	Subsec. (a) - Building permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiples thereof up to $10,000,000.00 of costs, $6.00 for each additional $1,000.00 of costs or multiple thereof up to $20,000,000.00, and $5.00 for each additional $1,000.00 of costs or multiple thereof above $20,000,000.00
	Subsec. (a) - Fence permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof
	Subsec. (a) - Sign permits	$~~0.50~~ **0.75** per square foot of sign area; minimum fee for each permit $~~15.00~~ **50.00**
	Subsec. (a) - Swimming pool permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof
	Subsec. (a) - Demolition permits, any building which is being demolished for the purpose of vacating the land for future development or construction upon the same	$50.00; $0.00 if condemned and required to be demolished by the city or any public entity
	Subsec. (a) - Moving permits, each building	$250.00
	Subsec. (a) - Construction plan reviews, nonresidential (Not subject to doubling)	$20.00 per set of plans
	Subsec. (b) - Reinspections (Not subject to doubling)	
	First reinspection	$0.00
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00

Draft

		Fees and Fines
59	Chapter 22 - Buildings and Building Regulations, Article IV - Electrical Installations	
60 61	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
62	Sec. 22-110 - Violations	Not less than $25.00 or more than $1,000.00 ~~(Sec. 1-17)~~

		Fees and Fines
63	Chapter 22 - Buildings and Building Regulations, Article V—Mechanical Code	
64 65	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
66	Sec. 22-145 - Heating, air conditioning, and heat pump permit fees	
67 68	Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector.	
	Subsec. (a) - Heating permit	$~~30.00~~ **40.00** first 10,000 BTUs and $~~5.00~~ **7.00** each additional 10,000 BTUs or multiple thereof
	Subsec. (a) - Air conditioning permit	$~~30.00~~ **40.00** per ton for the first five tons and $~~5.00~~ **7.00** per ton over five tons or multiple thereof
	Subsec. (a) - Heat pump permit	$~~15.00~~ **40.00** first 10,000 BTUs and $~~2.50~~ **7.00** for each additional 10,000 BTUs or multiple thereof **or $40.00 per ton for the first five tons and $7.00 per ton over five tons or multiples thereof** ~~and an additional~~

Draft

		~~$15.00 for the first five tons and $2.50 per ton for over five tons or multiple thereof~~

		Fees and Fines
	Chapter 22 - Buildings and Building Regulations, Article VI - Plumbing Code	
	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
	Sec. 22-185 - Permit fees	
	Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.	
	Subsec. (a) - Enumerated	
	Fixtures	$~~25.00~~ **35.00** first five fixtures and $~~2.00~~ **3.00** for each additional fixture
	Garbage disposal and hot water heaters	A minimum fee of $~~25.00~~ **35.00**
	Gas, water and sewer inspection underground	$~~20.00~~ **30.00** for first 150 feet and $~~0.50~~ **0.75** for each additional ten feet or multiple thereof

		Fees and Fines
	Chapter 22 - Buildings and Building Regulations, Article VIII - Leases	
	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
	Sec. 22-251 - Unlawful leases	
	Subsec. (g) - Violations; penalties	
	First offense	$50.00
	Each subsequent offense	$100.00

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			Fees and Fines
81	Chapter 22 - Buildings and Building Regulations, Article IX - Lodging Houses, Division 2 - Permit		
82 83	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
84	Sec. 22-301 - Generally		
	Subsec. (b) - Expiration; fee		
		~~If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.~~ **Annual permit fee**	$50.00 for the first ten rooms and $5.00 for each additional room.
		~~If the dormitory permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.~~ **Annual dormitory permit fee**	$50.00 for the first ten rooms and $2.50 for each room thereafter.
	Subsec. (c) - Failure to pay on due date		A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee		$100.00

			Fees and Fines
85	Chapter 22 - Buildings and Building Regulations, Article X - Rental Dwellings, Division 2 - Permit		
86 87	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
88	Sec. 22-332 - Inspection required		
	Subsec. (b) - Reinspection fee (Not subject to doubling)		
		First follow-up inspection	$0.00
		Each subsequent reinspection, per inspection	$50.00
89 90	If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.		
91 92	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
93	Sec. 22-351—Generally		
	Subsec. (a) - Single-family dwellings, annual permit		
		Single-family detached dwelling, each dwelling	$~~90.00~~ **100.00**

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	Single-family attached dwelling, each dwelling	$~~70.00~~ **80.00**
	Subsec. (b) - Multiple-family dwellings, annual permit	
	Multiple dwellings consisting of three or less dwelling units	$~~90.00~~ **100.00**
	Multiple dwellings consisting of four or more dwelling units:	
	For the first three dwelling units	$~~90.00~~ **100.00**
	For each additional dwelling unit in excess of three	$~~30.00~~ **35.00**
	Condominium units and accessory apartments located within structures principally used for owner occupancy, each	$~~30.00~~ **35.00**
	Subsec. (c) - Late payment penalty	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee	$100.00

		Fees and Fines
94	Chapter 22 - Buildings and Building Regulations, Article XI - Dangerous Buildings	
95 96	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
97	Sec. 22-386 - Violations; penalties for disregarding notices or orders	
	Subsec. (a) - Violations by owner, each offense, minimum	$100.00
	Subsec. (b) - Violations by occupant or lessee, each offense, minimum	$100.00
	Subsec. (c) - Removal of notice, each offense, not to exceed	$100.00

		Fees and Fines
98	Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings	
99 100	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
101	Sec. 22-403 - Registration and Registration Fees	
	Subsec. (a)(2)b.(ii) - Registration fee	
	Residential buildings and non-residential buildings <10,000 SF:	
	Buildings vacant one year or less	$~~250.00~~ **375.00**
	Buildings vacant for more than one year but less than two years	$~~500.00~~ **750.00**

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	Buildings vacant for more than two years but less than ~~five~~ **three** years	$~~1,000.00~~ **1,500.00**
	Buildings vacant for more than four years but less than five years	**$3,000.00**
	Buildings vacant for five years or longer	$~~2,000.00~~ **5,000.00**
	~~Non-residential buildings ≥ 10,000 SF:~~	
	~~Buildings vacant one year or less~~	~~$500.00~~
	~~Buildings vacant for more than one year but less than two years~~	~~$1,000.00~~
	~~Buildings vacant for more than two years but less than five years~~	~~$2,000.00~~
	~~Buildings vacant for five years or longer~~	~~$4,000.00~~

			Fees and Fines
102	Chapter 26 - Businesses, Article II - Licenses		
103 104	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
105	Sec. 26-35 - License required; fees		
	Subsec. (d)(1) - Businesses licensed		
		Advertising agency	$95.00
		Amusement operator	$157.00
		Architect	$250.00
		Attorney-at-law	$313.00
		ATM machines (third-party or off bank premises)	$50.50
		Auctioneer	$157.00
		Automobile race operator	$375.00
		Bank, or loan and trust company	$313.00
		Barber	$63.00
		each additional chair over two	$4.00
		Beautician	$63.00
		each additional chair over two	$4.00
		Broadcasting station	$313.00
		Broker	$157.00
		Car wash	$188.00
		Certified public accountant	$250.00
		Cesspool cleaner	$125.00

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	Chiropractor	$313.00
	Clinical social worker	$96.00
	Coin-operated amusement machine owner	$3.00 Per machine
	Coin-operated vending machine owner	$3.00 Per machine
	Coin-operated electronic video machine	$125.00 Per machine
	Commercial sign business	$125.00
	Computer-related services	$125.00
	Consultant	$50.50
	Day care operator:	
	Center or home provider with greater than six children	$50.50
	Dentist	$313.00
	Distributor	$63.00
	Dray person or mover	$125.00
	Eating establishment and/or eating establishment operator	$125.00
	Employment agency	$125.00
	Entertainer:	
	One - three entertainers per group	$50.50
	Four - nine entertainers per group	$95.00
	Ten or more	$125.00
	Entertainment agent	$188.00
	Finance or small loan agency	$250.00
	Fitness trainer	$69.00
	Funeral director	$250.00
	Gaming position	$155.00
	Gas, light, power, cable TV and telephone company	$938.00
	General repairman	$63.00
	Health spa or health club	$188.00
	Home day care operator	$25.50
	Hotel:	
	Per room	$9.50
	Per suite	$12.50
	Income tax consultant	$188.00
	Incorporator	$125.00

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	Insurance adjustor office	$125.00
	Itinerant merchant, per event	$~~41.50~~ **100.00**
	Janitorial and cleaning service:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Landscape service company:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Laundry service operator:	
	Primary facility	$125.00
	Additional drop-off locations	$50.50
	Linen supplier	$125.00
	Manicurist	$32.00
	Manufacturer's agent or representative	$125.00
	Mercantile agency or collection agency	$125.00
	Mobile home park, per space	$7.00
	Motel, per room	$7.00
	Motion picture theater	$188.00
	Motor vehicle serviceman	$95.00
	Nursing, rest or convalescent home	$188.00
	Open market operator:	
	First 20 spaces, per rented space	$22.50
	21st - 50th space, per rented space	$11.50
	Each space over 50, per rented space	$6.00
	Outdoor tables, per table	$6.00
	Optometrist	$313.00
	Pawnbroker	$188.00
	Pest control services	$95.00
	Pharmacist	$188.00
	Photographer	$125.00
	Physical therapist	$188.00
	Physician and/or surgeon	$313.00
	Plant nursery and florist	$95.00
	Podiatrist	$313.00

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	Pool table operator, per table	$63.00/ Maximum fee $189.00
	Printer	$125.00
	Private investigator agency	$188.00
	Professional counselor	$63.00
	Professional engineer	$250.00
	Professional land surveyor	$250.00
	Psychologist	$313.00
	Public accountant	$188.00
	Public stenographer	$38.00
	Publisher	$313.00
	Real estate broker, appraiser, and manager	$157.00
	Real estate development corporation	$344.00
	Real estate property manager:	
	One - three units managed	$50.50
	Four - ten units managed	$125.00
	Ten + units managed	$125.00
	Real estate salesperson or associated broker	$50.50
	Rental service	$125.00
	Sales representative	$50.50
	School and educational service (nonvocational)	$63.00
	School and educational service (vocational)	$125.00
	Scientific laboratory	$250.00
	Scrap and waste material service	$125.00
	Secondhand dealer of precious metals	$125.00
	Security service	$188.00
	Self-service laundry or dry cleaner	$125.00
	Shoe repairman	$50.50
	Sound truck, per hour	$33.00
	Tailor and garment service	$50.50
	Taxicab or bus operator:	
	First vehicle	$26.00
	Each additional vehicle	$26.00
	Tourist home, per room	$7.00
	Trailer park, per space	$7.00
	Travel agency	$125.00

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	Veterinarian	$313.00
	Warehouseman	$250.00
	Wholesale news agency	$63.00
	All other businesses not listed:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten - 50 employees	$125.00
	51 - 100 employees	$313.00
	Subsec. (d)(2) - Manufacturers/contractors rate	$0.00046 of aggregate gross receipts/ Minimum fee $125.00
	Subsec. (d)(3) - Merchants/bottlers rate	$0.00046 of aggregate gross purchases for resale/ Minimum fee $63.00
	Subsec. (d)(4) - Sports betting and horse racing (Simulcast)	rate of $0.00046 of the aggregate gross receipts (defined as commission) for each activity/ Minimum license fee $125.00
106	Sec. 26-42 - Penalty for late payment of license fee	A penalty fee in the amount of ten percent per month of the amount of the licensee fee until the same is paid

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			Fees and Fines
107	Chapter 26 - Businesses, Article III - Going-Out-Of-Business Sales; Fire Sales		
108 109	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
110	Division 1- Generally		
		Sec. 26-108 - Violations; penalties	Not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~
111	Division 2 - License		
		Sec. 26-137 - Fees	$25.00; renewal fee $25.00

			Fees and Fines
112	Chapter 30 - Code of Conduct and Ethics Commission, Article II - Code of Conduct		
113 114	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
115	Sec. 30-33 - Prohibitions relating to conflicts of interest		
		Subsec. (g)(1) - Criminal Sanctions, penalties	Not to exceed $1,000.00

			Fees and Fines
116	Chapter 38 - Emergencies, Article II - Civil Emergencies		
117 118	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
119	Division 3 - State of Emergency		
		Sec. 38-84 - Violations; penalties	Not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~

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			Fees and Fines
120	Chapter 42 - Environment		
121 122	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
123	Sec. 42-2 - Noise		
		Subsec. (d) - Violations; penalties	Not less than $50.00 nor more than $100.00

			Fees and Fines
124	Chapter 46 - Fire Prevention and Protection, Article I - In General		
125	Sec. 46-1 - Means of egress		
		Subsec. (f) - Penalties	
		Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section	$25.00 first offense $50.00 second or subsequent offense
		Any required exit door found to be locked against egress	$100.00 each locked exit
126	Sec. 46-3 - Impairment of Fire Protection Equipment		
		Subsec. (f) - Fines	$50.00 first offense; $100.00 second and subsequent offenses
127	Sec. 46-7 - Preventable and malfunctioning alarms to the fire company		
		Subsec. (b)(1) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of $75.00
		Subsec. (b)(2) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Malfunction	Failure to return documentation of service/repair

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		within the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a fine for the fire alarm malfunction
	Subsec. (c)(1) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Amount of fine	
	Number of preventable or malfunctioning fire alarms	Fine per preventable or malfunctioning fire alarm
	Third	$75.00
	Fourth	$100.00
	Fifth	$200.00
	All over fifth, each	$250.00
	Subsec. (c)(2) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Panel reset	A $25.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives
128	Sec. 46-8 - Maintaining a known violation or hazard	
	Subsec. (c)(1) - Penalties; Any fines issued for violation of this section	Not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~

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		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article II - Fire Department		
Division 1 - Generally		
	Sec. 46-45 (b) - Failure to answer alarms, orders and perform duties orderly; Penalties	Fine of not less than $25.00, nor more than $1,000.00 or by suspension from the fire department or both ~~(Sec. 1-17)~~

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes		
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.		
Sec. 46-126 - Fire Prevention Permit		
	Subsec. (b) - Fee; Each applicant	$12.00 for each $1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be $50.00
	Subsec. (c) - Reinspection	
	First reinspection	No charge
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00
	Subsec. (d) - Fire signaling system inspection fee	
	Certificate of inspection	$25.00 each fire alarm system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire alarm system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire alarm system up

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		to a maximum of 20 buildings. Maximum fee per complex not to exceed $300.00 for fire alarm systems
	Subsec. (e) - Fire suppression system inspection fee	
	Certificate of inspection	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire suppression system up to a maximum of twenty (20) buildings. Maximum fee per complex not to exceed $300.00 for fire suppression systems
Sec. 46-127	Smoke detection devices	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
	Subsec. (g) - Violations; penalties	Revocation of any existing license to do business in the city, or a fine of not more than $100.00 per violation, or both such penalties

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			Fees and Fines
140	Chapter 46 - Fire Prevention and Protection, Article IV - Public Occupancies		
141	Sec. 46-164 - Fees		
		Churches	$~~25.00~~ **50.00**
		Civic auditoriums	$~~25.00~~ **50.00**
		Clubhouses	$~~50.00~~ **100.00**
		Commercial auditoriums	$~~25.00~~ **50.00** first 200 seats and $~~2.50~~ **5.00** for each additional 50 seats
		Day care facilities	$~~25.00~~ **50.00**
		Hospitals, nursing homes or rest home	$~~5.00~~ **15.00** first ten rooms and $~~1.25~~ **2.00** for each additional room
		Mercantile (10,000 square feet of area or greater)	$~~25.00~~ **50.00**
		Outdoor public events, including but not limited to firework displays, carnivals, and outdoor music concerts	$~~25.00~~ **250.00**
		Public office buildings	$~~25.00~~ **50.00**
		Restaurants (10,000 square feet of area or greater)	**$50.00**
		Restaurants of any size that serve alcoholic beverages	**$75.00**
		School	$~~25.00~~ **50.00**
		Theaters	$~~25.00~~ **50.00** for the first 200 seats and $~~2.50~~ **5.00** for each additional 50 seats
142	Sec. 46-168 - Reinspection Fee		
		Subsec. (a) - Amount	$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a followup inspection to confirm the correction of the violation
		Subsec. (b) - Fee Attached	A fee may be attached to any summons written for any violation found to be uncorrected upon reinspection

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			Fees and Fines
143	Chapter 46 - Fire Prevention and Protection, Article V - Fire Lanes		
144 145	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
146	Sec. 46-202 - Violations; penalties		
		Subsec. (c) - Other obstructions	Any property owner or tenant found to be in violation; $50.00
		Subsec. (d) - Failure to mark	Any property owner found to be in violation; $50.00
147	Sec. 46-205 - Responsibility of owner or tenant		Any property owner found to be in violation; $50.00

			Fees and Fines
148	Chapter 50 - Floods, Article II - Administration		
149	Sec. 50-22 - Permits Required		
		Permit	$50.00
		Permit extension	$25.00
		Violation and non-compliance penalties	Not less than $25.00 nor more than $100.00, plus cost of prosecution

			Fees and Fines
150	Chapter 52 - Freedom of Information Act Related to Public Records Access		
151	Sec. 52-3 - Fees for Responding to FOIA Requests		
		Administrative Fees	
		First 30 minutes of staff time	No charge
		Staff time in excess of 30 minutes	Hourly salary plus overhead rate of the lowest paid staff member capable of performing the service. Billed in 15-minute increments.
		Production Fees - Photocopies	
		Fees for printing the first 10 standard-sized black and white or the first 5 color copies (single sided)	Waived
		Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") black and white copies	$0.25 per sheet (each side)

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	Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") color copies	$0.50 per sheet (each side)
	Oversized copies (larger than 11" by 17")	$30.00 per sheet (each side)
	Production Fees - Electronically generated records	
	Files provided via PDF (via email)	No charge
	CD or DVD (including case)	$2.00
	Other Electronic Storage Costs	Material cost to generate records
	Other Costs	
	Other costs associated with filling the request, such as postage, are the responsibility of the requestor. If the City does not have the resources or equipment to duplicate requested records, the City, at its discretion, may arrange to have records duplicated by an outside contractor. In this instance, the requestor will be liable for payment of these costs.	
	Fee Waivers	
	The FOIA Coordinator or designee shall have the authority to determine if a fee for a FOIA request shall be waived and the following criteria shall be used to render such a decision: 1) The public record is already available in duplicate form (extra copies). 2) The request for public record is made by an individual who is entitled to information under the FOIA and who submits an affidavit, provided by the City upon request, which shall state that the individual is then receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigence. A person shall be considered indigent if that person's income level is at or below the federal poverty level, as established by the Bureau of the Census. 3) No written request will be required or charges levied for requests to review specific documents which are required by ordinance to be made available to the public by the City Clerk.	
	Payment	
	Payment of fees related to FOIA requests will be due prior to any related service being performed. Full payment of all final costs incurred must be received prior to the retrieval and release of information.	

		Fees and Fines
	Chapter 54 - Health and Sanitation, Article I - In General	
	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
	Sec. 54-4 - Smoking Regulations	
	Subsec. (d) - Violations; penalties; appeals	
	Subsec. (2) - Penalties	Not to exceed $25.00; each day such violation continues shall constitute a separate offense

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			Fees and Fines
156	Chapter 54 - Health and Sanitation, Article II - Food and Food Handlers, Division 2 - Certificate		
157	Sec. 54-52 - Fee		
	Subsec. (a) - Type of establishment		
		Mobile food units	$50.00
		Push carts	$25.00
		For-profit temporary eating places	$25.00
		Membership clubs	$50.00
		Institutions	$100.00
	Subsec. (b) - Services provided		
		Breakfast service	$15.00
		Lunch service	$18.00
		Dinner service	$18.00
		Salad bar service	$15.00
		Hot and cold buffet, including salad bar service	$40.00
		Drive through service	$75.00
		Delivery service	$20.00
		Catering service	$15.00
		Takeout service	$20.00
		Seating service:	
		100 - 150	$50.00
		151 - 200	$75.00
		201 or more	$100.00

		Fees and Fines
158	Chapter 54 - Health and Sanitation, Article V - Rat Control	
159 160 161 162	Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
163	Sec. 54-155 - Compliance with notice to ratproof	Unless the work and improvements have been completed by the owner in the time specified in the written notice, which in no event shall be more than 15 days, or within

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		the time to which a written extension may have been granted by the health inspector, then the owner shall be punished by a fine of not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~
164	Sec. 54-156 - Compliance with notice to eradicate rats	Unless eradication measures are undertaken within five days after receipt of the notice, the owner or occupant shall be punished by a fine of not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~

			Fees and Fines
165	Chapter 59 - Juvenile Curfew		
166	Sec. 59-7 - Violations and penalties.		
		Subsec. (a)(1) - Offenses by the parent	First offense by a parent - $50.00; each subsequent offense by a parent shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense.
		Subsec. (a)(2) - Personnel costs incurred by the City of Dover for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation	The hourly wage and cost of benefits of the city employee assigned to remain with the juvenile
		Subsec. (c) - Operators - Any operator who knowingly permits a juvenile to remain at the establishment under circumstances not constituting an exception	$50.00 for first offense by an operator; for each subsequent offense

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		the fine shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense
	Subsec. (d) - False certification - Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Dover police department in violation of section 59-4(c)	$50.00 for the first offense; for each subsequent offense the fine shall be increased by an additional $20.00, plus costs

			Fees and Fines
167	Chapter 62 - Law Enforcement, Article I - In General		
168 169	Fees not paid within 30 days of the day the fee was issued, including the day the fee was issued, shall be automatically doubled in amount.		
170	Sec. 62-2 - False alarms to police		
	Subsec. (c)(1) - Violations; penalties		
	Number of False Alarms		Amount of Fee Per False Alarm
	3 - 5		$25.00
	6 - 9		$50.00
	10 - 15		$100.00
	16 and over		$150.00

			Fees and Fines
171	Chapter 66 - Manufactured Homes and Trailers		
172	Sec. 66-2 - License		
	Subsec. (a) - Required fee		$45.00 each license
	Subsec. (b) - Payment; penalties		A fine of not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~ and a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee

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			Fees and Fines
173	Chapter 70 - Offenses and Miscellaneous Provisions		
174	Sec. 70-1 - Combative fighting		
		Subsec. (d)(1) - Violations; penalties, Fines	Not to exceed $1,000.00. Separate fines may be issued to the promoter of such an event, participants in such an event, and the owner of the premises of such an event
175	Sec. 70-7 - Registered Sexual Offenders		
		Subsec. (d) - Penalties	$500.00 for any offense; each day shall constitute a separate offense

		Fees and Fines
176	Chapter 74 - Parks and Recreation, Article I - In General	
177 178	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
179	Sec. 74-51 - Operating any nonpermitted motorboat on Silver Lake	Not to exceed $200.00, and not less than $100.00
180	Sec. 74-52 - Same - Fine	Not to exceed $100.00, and not less than $10.00

		Fees and Fines
181	Chapter 78 - Peddlers and Solicitors	
182	Sec. 78-4 - Refusing to leave premises	A fine of not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~

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		Fees and Fines
183	**Chapter 82 - Planning**	
184	**Sec. 82-3 - Planning services**	
	(a) Zoning verification letters/administrative interpretations	**$50.00 per letter/interpretation**

	Fees and Fines
185	Chapter 86 - Secondhand Goods, Article II - Precious Metals, Division 2 - License
186	Sec. 86-63 - Fee | $25.00 per license
187	Sec. 86-64 - Bond required | Penal sum of $1,000.00

	Fees and Fines
188	Chapter 90 - Solid Waste
189 190	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.
191	Sec. 90-17 - Violations; penalties | Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
192	Chapter 98 - Streets, Sidewalks and Other Public Places, Article I - In General
193 194	Sec. 98-5 - Duty of tenants or owners to maintain sidewalks and landscaped areas within the street right-of-way | Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
195	Chapter 98 - Streets, Sidewalks and Other Public Places, Article V - Excavations, Division 2 - Permit
196	Sec. 98-193 - Bond | Maximum of $5,000.00 per opening

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		Fees and Fines
197	Chapter 98 - Streets, Sidewalks and Other Public Places, Article VI - Parades, Division 2 - Permit	
198	Sec. 98-243 - Fee at the time of filing the application for a parade permit	$10.00. This fee may be waived, in whole or in part, by the chief of police.

		Fees and Fines
199	Chapter 102 - Taxation, Article I - In General	
200	Sec. 102-2 - Delinquent property tax collection costs	
	Subsec. (a) - Action to collect delinquent property taxes filed in a court of appropriate jurisdiction	Fee of $50.00 added to amount due, plus court costs and service fees assessed by state or county offices
	Subsec. (b) - Action proceeds and a writ of venditioni exponas monition or similar execution process is filed	Additional fee of $100.00 shall be added to the amount due, plus court costs and service fees assessed by state or county offices

		Fees and Fines
201	Chapter 102 - Taxation, Article III - Realty Transfer Tax	
202 203	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
204 205	Sec. 102-79 - Violations; penalties, Any person guilty of conduct prohibited in section 102-78 - Prohibited acts enumerated	A fine of not more than $100.00

		Fees and Fines
206	Chapter 106 - Traffic and Vehicles, Article I - In General	
207 208	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
209 210 211	Sec. 106-7 - Obedience to state law; violation of any provision of 21 Del. C. § 101 et seq. (except Sec. 106-7(1) - Handicapped parking and Sec. 106-7(2) - Fire lanes)	A fine of not less than $25.00, nor more than $1,000.00 ~~(Sec. 1-17)~~
	Subsec. (1) - Handicapped parking	Minimum fine, as defined in 21 Del. C. § 4183, at the

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		time the violation occurs
	Subsec. (2) - Fire lanes	Minimum fines, as defined in 21 Del. C. § 7001(a), at the time the violation occurs
Sec. 106-14 - Off-road motor vehicle regulations		
	Subsec. (d) - Penalties	A minimum fine of $25.00 and a maximum fine of $100.00
Sec. 106-15 - Failure to stop for a red traffic signal; traffic light signal violation monitoring program; penalties		
	Subsec. (b)(3) - Traffic light signal violation monitoring program; civil or administrative assessment	
	Failure to comply with a traffic light signal	$75.00
	If not paid within 14 days, an additional assessment shall be added to the original assessment	$10.00
	Additional assessment shall be increased if the assessment is not paid within 45 days	$20.00
	Additional assessment shall be increased if the assessment is not paid within 90 days	$30.00
	Court costs or similar administrative fees may also be assessed if the owner requests a hearing to contest the violation, and is ultimately found to be in violation or fails to pay or contest the violation in a timely manner	Maximum $30.00
Sec. 106-16 - Violations; Except as otherwise provided		
	Subsec. (a)(1) - Moving offense	Minimum of $10.00
	Subsec. (a)(2) - Nonmoving offense	Minimum of $15.00
	Subsec. (a)(3) - Parking violation	$20.00 for each offense, if the fine is paid within 72 hours from the date the offense is recorded in time, the fine shall be $15.00

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		Fees and Fines
216	Chapter 106 - Traffic and Vehicles, Article II - Bicycles	
217 218	Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
219	Sec. 106-55 - Penalties for violation	Not to exceed $100.00 and not less than $10.00

		Fees and Fines
220	Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 1 - Generally	
221	Sec. 106-135 - Residential parking	
	Subsec. (i)(1) - Expiration; Two-hour parking	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (i)(2) - Expiration; Change of residence, etc.	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (m) - Violations; Penalties	Any violation of this section not having a stated, specified penalty will result in a $20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
222	Sec. 106-137 - Parking areas for persons with disabilities	
	Subsec. (c)(3) - Signage; Fines	Failure to achieve compliance within 30 calendar days of the issuance of the notice of violation shall be subject to the fines set forth in subsection (f) of this section
	Subsec. (f) - Penalties	Whoever violates this section shall be fined not less than the minimum fine as

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		defined in 21 Del. C. § 4183 at the time the violation occurred

			Fees and Fines
223	Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking		
224			
225	Sec. 106-163 - Use of meters required		
		Subsec. (a) - Failure to make the required payment in the parking meter	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
		Subsec. (b) - Payments accepted	
		Each $0.25 coin	Permits the vehicle to be parked for a period of one hour
		Each $1.00	Permits the vehicle to be parked for the duration of the enforcement period of 8:00 a.m. to 5:00 p.m.
226	Sec. 106-164 Violations; penalties		
		Subsec. (a) - Generally; Each violation if paid within 24 hours from time summons giving notice of violation is issued	A fine of not less than $1.00 for each violation
		Subsec. (a) - Generally; Each violation if paid after expiration of 24 hours from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
		Subsec. (a) - Fourth Violation; Each violation if paid within one hour from time summons giving notice of violation is issued	$1.00 for each such violation
		Subsec. (a) - Fourth Violation; Each violation if paid after expiration of one hour from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons

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	Subsec. (a) - Fifth violation, etc.; Any person committing more than four violations within any 30-day period of the provisions of this division	$5.00 for each such violation, if payment is made voluntarily prior to the time and date set forth in the summons.
	Subsec. (b)(4) - Any person who unlawfully removes a device for immobilization of a vehicle	$500.00 fine for each violation
	Subsec. (b)(5) - Any person who tows or otherwise moves an immobilized vehicle without authorization by the chief of police or his designee	$500.00 fine for each violation
	Subsec. (c) - Cost. No cost will be assessed if payment of the penalty as hereinbefore imposed is voluntarily paid without the necessity of a hearing before the proper official	

		Fees and Fines
227	Chapter 110 - Utilities, Article II - Electric Service	
228	Sec. 110-32 - Pole attachment fee; use of Dover Electric Department facilities	
229 230 231	If payment is not received for any fee or other amount owed within 30 calendar days after it becomes due, the licensee shall pay interest at the rate of one and one-half percent per month, on the amount due (Subsec. (f)).	
	Subsec. (4) - Fees and charges; Annual pole attachment fee	$8.17 per attachment
	Subsec. (4)(l) - True up	Wherever the actual cost of DED's activity exceeds the advance payment of estimated expenses, licensee agrees to pay DED for the difference in cost when that amount exceeds $50.00; To the extent that the actual cost of the activity is less than the estimated cost, DED shall refund to licensee the difference in cost where that amount exceeds $50.00
	Subsec. (5) - Scope of authority	
	Subsec. (l)(i) - Overlashing, unauthorized attachment penalty	Three times the

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		annual attachment fee, per occurrence
	Subsec. (8) - Permitting, (b) - Pole Attachment Permit Application Process	
	Subsec. (i)(a) - Charge for expenses related to the Pre-Permit survey application	
	Less than 11 poles	$50.00 application fee plus $2.00 per pole
	11 poles up to and including 25 poles	$90.00 application fee plus $2.00 per pole
	26 poles or greater	$4.00 per pole application fee
	Subsec. (i)(b) - Charge for expenses related to the leasing of conduit	
	Less than 100 feet	$50.00 application fee plus $0.50 foot
	100 feet to 251 feet	$90.00 application fee plus $0.50 foot
	Greater than 250 feet	$0.75 per foot application fee
	Subsec. (9) - Make-ready work, (b) - Payment of make-ready work	DED may require payment in advance for all make-ready work based upon the estimated cost of such work if the estimate exceeds $1,000.00. Upon completion, licensee shall pay DED's actual cost of make-ready work, which shall be itemized.
	Subsec. 10 -Transfers, (b) - Billing for transfers performed by DED	If DED performs the transfer(s), DED will bill licensee for actual costs per subsection (4) Fees and charges. Licensee shall reimburse DED within 30 calendar days of the receipt of the invoice.
	Subsec. 12 - Abandonment or removal of DED facilities	
	Subsec. (b) - Option to purchase abandoned poles	Rate equal to the

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		depreciated value of said pole; if a pole that is to be purchased is older than 30 years, then the rate to be charged is set at $50.00 per pole
	Subsec. 16 - Unauthorized occupancy or access	
	Subsec. (a) - Penalty fee	Three times the annual attachment fee, per occurrence; if licensee fails to pay such fee within 30 calendar days of receiving notification thereof, DED has the right to remove such attachments at licensee's expense, unless such fee is disputed in good faith
	Subsec. 17 - Advance payment	$8.17 per attachment; plus estimated make-ready work expenses

		Fees and Fines
232	**Chapter 110 - Utilities, Article II - Electric Service**	
233	**Sec. 110-33 - Charge for discontinuing or restoring electric service**	
	Subsec. (a) - Maintenance and repair	**No charge for discontinuing or restoring electric service for maintenance purposes if done between 7:00 a.m. and 5:00 p.m.; $100.00 for all service calls between 5:00 p.m. and 7:00 a.m.**

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	Subsec. (b) - Nonpayment	**There will be a service charge of $50.00 paid prior to turning on any service discontinued for nonpayment between 7:00 a.m. and 5:00 p.m.** **There will be a service charge of $100.00 paid prior to turning on any service discontinued for nonpayment between 5:00 p.m. and 7:00 a.m.**

		Fees and Fines
234	Chapter 110 - Utilities, Article III - Water Service, Division 6 - Rates, Charges and Billing Procedures	
235	Sec. 110-191 - Water use fees generally	
	Subsec. (b) - Penalty	A penalty of 1½ percent or $1.00, whichever is greater, per month shall be added to all water service fees which shall be in arrears for a period in excess of 30 days after the date of rendering the water service bill
236	Sec. 110-192 - Charge for discontinuing or restoring water service	
	Subsec. (a) - Maintenance and repair	No charge for turning on or off any service for maintenance purposes if done ~~**during normal working hours**~~ **between 7:00 a.m. and 5:00 p.m.**; $~~**50.00**~~ **100.00** for

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		all service calls ~~after normal working hours~~ **between 5:00 p.m. and 7:00 a.m.**
	Subsec. (b) - Nonpayment	There will be a service charge of $50.00 paid, together with all current and overdue charges, prior to turning on any service discontinued for nonpayment **between 7:00 a.m. and 5:00 p.m.** **There will be a service charge of $100.00 paid, together with all current and overdue charges, prior to turning on any service discontinued for nonpayment between 5:00 p.m. and 7:00 a.m.**

			Fees and Fines
237	Chapter 110 - Utilities, Article III - Water Service, Division 7 - Water Impact Fees		
238	Sec. 110-208 - Water impact fee established; payment, credits		
	Subsec. (c) - Fee and applicability		
		(1) - Applicable building permit before February 1, 2008. A buyer independent of the seller may submit a sales contract executed prior to February 1, 2008 to the city manager for consideration in lieu of a building permit issued before February 1, 2008	No fee
		(1) - Building permit and certificate of occupancy is issued on or after February 1, 2008	$700.00
		(2) - Certificate of occupancy issued after February 1, 2009	$1,400.00
		(3) - Certificate of occupancy is issued after February 1, 2010	$2,100.00

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		Fees and Fines
Chapter 110 - Utilities, Article IV - Sewer Service, Division 1 - Generally		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 110-240 - Violations		
	Subsec. (c) - Payment of cost	Not less than $25.00 nor more than $1,000.00

		Fees and Fines
Chapter 114 - Vegetation, Article II - Weeds		
Every day that a violation of section 114-32 continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 114-33 - Failure to maintain proper height; abatement by city; costs and lien.		
	Subsec. (a) - Summons; action by city	$50.00 per hour for such work that must be done to render the property in compliance with this article
Sec. 114-34 - Fines		
	Subsec. (a) - Generally	In addition to charges or assessments imposed, a fine of not less than $25.00, nor more than $100.00 in accordance with minimum fine schedule in subsec. (c)(1)
In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past 18 months, or for every day that the violation of section 114-32 continues as per subsection (b) of this section.		
	Subsec. (c)(1) - Minimums - Any fine assessed pursuant to subsection (a) of this section shall be no less than the following minimum:	
	First offense	$25.00
	Second offense	$50.00
	Third and subsequent offenses	$100.00

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			Fees and Fines
254	Chapter 118 - Vehicles for hire, Article II - Taxicabs, Division 2 - Operator's Permit		
255	Sec. 118-54 - Fee		
		Taxicab operator's permit	$5.00

			Fees and Fines
256	Appendix A - Subdivisions, Article IV - Subdivision - Procedure		
		Subsec. A.2. - Preapplication; filing fee	$200.00
		Subsec. B.2. - Preliminary layout; filing fee	$325.00
		Subsec. C.3. - Plat; review fee	$~~150.00~~ **200.00**, plus $~~65.00~~ **85.00** per acre for the first ten acres, $~~40.00~~ **60.00** per acre for the next ten acres and $~~25.00~~ **45.00** per acre for each acre thereafter
		Subsec. C.3. - Plat; review fee - minor lot line adjustment	Plats for minor lot line adjustments shall require a review fee of $~~100.00~~ **150.00**
		Subsec. C.3. - Plat; review fee - minor subdivision	Plats for minor subdivisions shall require a review fee of $~~100.00~~ **150.00 plus $15.00 per lot**

			Fees and Fines
257	Appendix B - Zoning, Article 3 - District Regulations		
258	Sec. 24 - Planned neighborhood design option (PND)		
		Subsec. 24.2 - Review process - General sketch plan review fee, each application	$100.00
		Subsec. 24.8 - Conditional use plan approval	

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	Subsec. 24.81 - Plan approval fee, each application	$200.00, plus $10.00 per acre
	Subsec. 24.9 - Site development preliminary subdivision plan review	
	Subsec. 24.91 - Preliminary plan approval fee; each application	$325.00, plus $20.00 per acre
	Subsec. 24.10 - Final subdivision plat approval	
	Subsec. 24.101 - Final subdivision plat approval; each application	$250.00
Sec. 28 - Traditional Neighborhood Design Zone (TND)		
	Subsec. 28.4 - Procedure; application for rezoning of a land area to a TND zone	
	Subsec. 28.411 - Minimum fee; each rezoning petition	$325.00
	Subsec. 28.422 - Implementation plan approval; each application	$325.00, plus $10.00 per acre
	Subsec. 28.434 - Site development plan or subdivision plat; each application	$250.00

		Fees and Fines
Appendix B - Zoning, Article 5 - Supplementary Regulations		
Section 4 - Supplementary sign regulations		
	Subsec. 4.8 - Unified campuses and complexes	
	Subsec. D.4. - Submission requirements; application fee	$200.00, due at time of application
	Subsec. 4.9 - Supplementary sign provisions	
	Subsec. D.1. - Temporary signs; permit	$~~15.00~~ **50.00**

		Fees and Fines
Appendix B - Zoning, Article 6 - Off-street Parking, Driveways and Loading Facilities		
Sec. 5 - Supplementary Regulations for Parking and Loading Facilities		
	Subsec. 5.5 - Parking for Motorsports Racing	
	Subsec. 5.52 - Recreational vehicle parking	
	1-5 Recreational vehicles	No fee
	6 - 25 Recreational vehicles	$25.00
	26-50 Recreational vehicles	$50.00
	51 - 100 Recreational vehicles	$100.00
	>100 Recreational vehicles	$150.00

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			Fees and Fines
264	Appendix B - Zoning, Article 8 - Enforcement and Penalties		
265	Sec. 2 - Certificates of occupancy		
	Subsec 2.4 - Every application for a certificate of occupancy or a temporary certificate of occupancy shall be accompanied by a fee:		
		Certificate of occupancy for ~~All properties zoned single-family~~ one-family residential **uses~~....~~**	$**~~40.00~~ 60.00**
		Temporary certificate of occupancy for one-family residential uses	**$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days**
		Certificate of occupancy for uses ~~All other property in other zoning classifications,~~ other than **~~single-family~~ one-family** residential **uses~~ ....~~**	$**~~40.00~~ 75.00** for the first 20,000 square feet of building area, plus the sum of $**~~10.00~~ 15.00** for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof
		Temporary certificate of occupancy for uses other than one-family residential uses	**$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days**

			Fees and Fines
266	Appendix B - Zoning - Article 9 - Board of Adjustment		
267	Sec. 3 - Procedure		
	Subsec. 3.**~~5~~ 4** - All variance requests and appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city shall be accompanied by a fee		
		All variance requests for residential uses	$**~~200.00~~ 300.00**
		All variance requests for nonresidential uses	$**~~300.00~~ 600.00**

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268		All appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city The board of adjustment may, in its discretion, return to the applicant part or all of the fee paid by him in the event that his appeal under section 2.1 (interpretation) hereof is partially or wholly successful. The fees filed in connection with applications under section 2.2 (variances) shall not be returnable, regardless of disposition of the case by the board	$~~200.00~~ **300.00**

			Fees and Fines
269	Appendix B - Zoning - Article 10 - Planning Commission		
270	Sec. 1 - Approval of conditional uses		
		Subsec. 1.52 - Application procedure; Conditional use permit; each application	$~~325.00~~ **425.00**, plus $~~15.00~~ **25.00** per acre of the area or multiple thereof involved in the application
271	Sec. 2 - Site development plan approval		
		Subsec. 2.42 - Fees - Application for administrative site plans	$~~125.00~~ **300.00**
		Subsec. 2.43 - Fees - Application for site development plan approval	$~~325.00~~ **425.00 plus $25 per acre**
272	Sec. 3 - Historic district commission and architectural review		
		Subsec. 3.26 - Procedures for an architectural review by the historic district commission or planning commission	
		Subsec. (b) Application and fee for an architectural review certificate	$250.00
273	Sec. 5 - Amendments		
		Subsec. 5.32 - Application. Each application for a zoning map amendment:	
		Minimum fee, in addition to required district supplemental fee	$~~325.00~~ **425.00**
		~~**Residential and single-family**~~ **One-family residence zones** (~~**R-7**~~, R-8, R-10, R-15, and R-20); supplemental fee~~**, per acre**~~	$~~10.00~~ **25.00 per acre**
		General residence zones, Medium density residence zones, and Mobile home park zones ~~**Multifamily**~~ (RG-0, RG-1, RG-2, RG-3, ~~**RG-4**~~, RG-5, RM-1, RM-2, and MHP) ~~**cluster**~~; supplemental fee~~**, per acre**~~	$~~30.00~~ **50.00 per acre**
		Commercial and ~~**institutional**~~ **office** (C-1, C-1A, C-2, C-2A, C-3, **C-4,** CPO, RC and IO); supplemental fee~~**, per acre**~~	$~~50.00~~ **70.00 per acre**

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	Shopping center development (SC-1, SC-2 and SC-3); supplemental fee~~, per acre~~	$~~60.00~~ **75.00 per acre**
	~~Manufacturing and industrial development~~ **Industrial zones** (M**,** ~~and~~ **IPM, and IPM2**); supplemental fee~~, per acre~~	$~~60.00~~ **75.00 per acre**

ADOPTED: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-22 REVIEW & MAINTENANCE-PLANNING & CUSTOMER SERVICE FEES\ORDINANCE #2015-22 REVIEW AND MAINTENANCE-PLANNING & CUSTOMER SERVICE FEES-Rev 2-First Reading.wpd

SYNOPSIS

The amendment codifies the maintenance of fees approved by City Council. Appendix F - Fees and Fines has also been reformatted for ease of use.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

Actions History

11/23/2015 - Scheduled for Introduction at the City Council meeting

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