REGULAR COUNCIL MEETING
AGENDA

NOVEMBER 9, 2015 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

REVISED 11/09/15 TO INCLUDE NEW ITEM #2 - PRESENTATION BY MAYOR CHRISTIANSEN - NATIONAL LEAGUE OF CITIES (NLC) MILESTONE AWARD

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN HUTCHISON

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 OCTOBER 26, 2015**

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

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

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

(STAFF RECOMMENDS: 1) DECLARING THIS BUILDING DANGEROUS; 2) ORDERING THE PROPERTY DEMOLISHED BY DECEMBER 9, 2015 BY THE OWNER OR EQUITY OWNER AT THEIR OWN RISK; 3) ORDERING 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; 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE ADDED TO THE TAX DUPLICATE AS AN ASSESSMENT, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER.)

* **5. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE REPORT - OCTOBER 26, 2015**

A. DISCUSSION - PROHIBITED SPEED REDUCTION DEVICES

(COMMITTEE ACTION NOT REQUIRED)

B. 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)

(COMMITTEE RECOMMENDED APPROVAL OF THE REQUEST FOR A WAIVER OF THE EMERGENCY REAR ACCESS REQUIREMENT, AS RECOMMENDED BY THE PLANNING COMMISSION)

C. BRIEFING ON DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECTS - CAPITAL GATEWAY STUDY PRESENTATION (RICH VETTER)

(COMMITTEE ACTION NOT REQUIRED)

D. BRIEFING ON DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT) PROJECTS

(COMMITTEE ACTION NOT REQUIRED)

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

* **A. BENCHMARKS ESTABLISHED FOR THE ECONOMIC DEVELOPMENT OFFICE**

(COMMITTEE ACTION NOT REQUIRED)

B. STATUS OF DISCUSSION ITEMS PROPOSED DURING THE FY 2015/16 BUDGET REVIEW

B-1. PROPOSED NEW REVENUE SOURCES

(COMMITTEE RECOMMENDED ADOPTION OF THE REFERENCED FEES, TO BE IMPLEMENTED ON JANUARY 1, 2016, AND TO ADD A CREDIT CHECK FEE AT THE COST OF SERVICE PLUS $10.00)

B-2. REVIEW AND MAINTENANCE OF FEES - PLANNING AND CUSTOMER SERVICE DEPARTMENTS

(COMMITTEE RECOMMENDED ADOPTION OF THE REFERENCED FEE CHANGES, TO BE IMPLEMENTED ON JANUARY 1, 2016)

* **C. STATUS OF PERFORMANCE AUDIT OF CIVILIAN SIDE OF CITY GOVERNMENT**

(COMMITTEE DEFERRED CONSIDERATION OF THIS ITEM UNTIL THE NEXT MEETING DUE TO TIME CONSTRAINTS)

* **D. PROPOSED CHANGE TO COMMITTEE MEETING FORMAT** (HUTCHISON)

(COMMITTEE DEFERRED THIS ITEM UNTIL THE NEXT MEETING)

* **7. MONTHLY REPORTS - SEPTEMBER 2015**

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

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

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

- **A. JAMES BROCKTON (COUNCILMAN NEIL)**
- **B. CLARENCE (BUD) WAGNER II (COUNCILMAN LEWIS)**
- **C. KIM HAWKINS, HUMAN RESOURCES DIRECTOR (EX-OFFICIO)**
- **D. DONNA MITCHELL, CONTROLLER/TREASURER (EX-OFFICIO)**

10. 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

(STAFF RECOMMENDS 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) **(SEE ITEM #11)**

(STAFF RECOMMENDS, 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)

11. FIRST READING - PROPOSED ORDINANCE #2015-20

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B - ZONING REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON DECEMBER 21, 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 OF ALL PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

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

12. FINAL READING - PROPOSED ORDINANCE #2015-19

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF OCTOBER 26, 2015. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPOSED ORDINANCE #2015-19 AMENDING APPENDIX C - DOWNTOWN REDEVELOPMENT, ARTICLE II - DEFINITIONS, SECTION 4 - TARGET AREA

13. COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

(CANCELLATION OF DECEMBER 28, 2015 SAFETY ADVISORY AND TRANSPORTATION; UTILITY; AND LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETINGS AND CITY COUNCIL MEETING)

14. COUNCIL MEMBERS' ANNOUNCEMENTS

/TM

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2015\11-09-2015 REVISED.WPD