REGULAR COUNCIL MEETING
AGENDA

JUNE 8, 2015 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

REVISED TO INCLUDE NEW ITEM NO. 9 - SETTING OF ELECTRIC RATES AND TARIFFS

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

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

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN 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 MAY 26, 2015**

2. **CERTIFICATE OF RECOGNITION - DR. WILLIAM N. JOHNSTON AND MRS. SUSAN S. JOHNSTON**

3. **PROCLAMATION - FLAG DAY AND FLAG WEEK**

4. **PROPOSED RESOLUTIONS**
   - A. **NO. 2015-10 - PROPOSING INCLUSION OF MAPLE GLEN INTO THE KENT COUNTY STORM WATER MAINTENANCE DISTRICT**
   - B. **NO. 2015-11 - PROPOSING INCLUSION OF FOX HALL WEST ADDITION INTO THE KENT COUNTY STORM WATER MAINTENANCE DISTRICT**
   - C. **NO. 2015-12 - PROPOSING VACATING AND ABANDONING HARMONY LANE**

5. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-02 - REZONING REQUEST FOR PROPERTY LOCATED AT 801 NORTH STATE STREET

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 9, 2015. ON FEBRUARY 17, 2015 THE PLANNING COMMISSION DEFERRED THE PUBLIC HEARING AND ACTION ON THIS ITEM PENDING CITY COUNCIL'S DECISION ON ORDINANCE #2015-01. ON APRIL 13, 2015, A PUBLIC HEARING WAS SCHEDULED FOR THIS TIME AND PLACE. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. #2015-02 - REZONING REQUEST FOR PROPERTY LOCATED AT 801 NORTH STATE STREET, OWNED BY 801 GOLD COAST, LLC (LUTHER D. SHANK III). THE PROPERTY IS CURRENTLY ZONED RG-3 (GROUP HOUSING ZONE) AND THE PROPOSED ZONING IS C-2A (LIMITED CENTRAL COMMERCIAL ZONE).

(TAX PARCEL: ED-05-068.09-01-13.00-000; PLANNING REFERENCE Z-15-01; 3RD COUNCIL DISTRICT)

(PLANNING COMMISSION RECOMMENDED APPROVAL OF THE REZONING REQUEST)

6. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-08 - REZONING REQUEST FOR PROPERTIES LOCATED AT 605, 625, 635, 645, AND 655 BAY ROAD AND 400 HASLET STREET

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF APRIL 27, 2015. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. #2015-08 - REZONING REQUEST FOR PROPERTIES LOCATED AT 605, 625, 635, 645, AND 655 BAY ROAD AND 400 HASLET STREET, OWNED BY BLUE HEN CC, LLC, READ STREET, LLC, AND BLUE HEN APT, LLC. THE CURRENT AND PROPOSED ZONES ARE AS FOLLOWS:

ADDRESS	CURRENT AND PROPOSED ZONES
605 BAY ROAD	**CURRENTLY ZONED:** RM-2 (MEDIUM DENSITY RESIDENCE) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER) AND RG-2 (GENERAL RESIDENCE) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE)
625, 635, 645 BAY ROAD	**CURRENTLY ZONED:** SC-3 (REGIONAL SHOPPING CENTER) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER)
655 BAY ROAD (12.82 AND 23.16 AC)	**CURRENTLY ZONED:** SC-3 (REGIONAL SHOPPING CENTER) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER) AND RG-2 (GENERAL RESIDENCE)
655 BAY ROAD (0.93 AC)	**CURRENTLY ZONED:** SC-3 (REGIONAL SHOPPING CENTER) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER)
655 BAY ROAD (13.21 AC)	**CURRENTLY ZONED:** SC-3 (REGIONAL SHOPPING CENTER) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER) AND RG-2 (GENERAL RESIDENCE) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE)

6. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-08 - REZONING REQUEST FOR PROPERTIES LOCATED AT 605, 625, 635, 645, AND 655 BAY ROAD AND 400 HASLET STREET (CONTINUED)

A. #2015-08 - REZONING REQUEST FOR PROPERTIES LOCATED AT 605, 625, 635, 645, AND 655 BAY ROAD AND 400 HASLET STREET, OWNED BY BLUE HEN CC, LLC, READ STREET, LLC, AND BLUE HEN APT, LLC. THE CURRENT AND PROPOSED ZONES ARE AS FOLLOWS:

ADDRESS	CURRENT AND PROPOSED ZONES
655 BAY ROAD (3.09 AC)	**CURRENTLY ZONED:** SC-3 (REGIONAL SHOPPING CENTER) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE) **PROPOSED ZONE:** SC-2 (COMMUNITY SHOPPING CENTER) SUBJECT TO SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE)
400 HASLET STREET	**CURRENTLY ZONED:** RM-2 (MEDIUM DENSITY RESIDENCE) **PROPOSED ZONE:** RG-2 (GENERAL RESIDENCE)

(Tax Parcels: ED-05-077.00-01-19.00-000; ED-05-077.00-01-19.02-000; ED-05-077.00-01-19.03-000; ED-05-077.00-01-19.04-000; ED-05-077.00-01-19.05-000; ED-05-077.00-01-19.06-000; ED-05-077.00-01-19.07-000; ED-05-077.00-01-19.08-000; ED-05-077.00-01-19.09-000; ED-05-077.00-01-01.00-000; Second Council District; Planning Reference: Z-15-02)

(PLANNING COMMISSION RECOMMENDED APPROVAL OF THE REZONING REQUEST)

7. REQUEST FOR EXTENSION - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 742 SLAUGHTER STREET, OWNED BY JOE BURDEN, JR.

8. PUBLIC HEARING - ELECTRIC REVENUE FUND BUDGET

9. SETTING OF ELECTRIC RATES AND TARIFFS

(STAFF RECOMMENDS APPROVAL OF THE PROPOSED ELECTRIC RATES AND TARIFFS)

10. PRESENTATION - PLANNING AND COMMUNITY DEVELOPMENT ANNUAL REPORT

* **11. MONTHLY REPORTS - APRIL 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. FIRE CHIEF'S REPORT** *(MARCH AND APRIL)*
- **G. POLICE CHIEF'S REPORT**

* **12. COMMITTEE APPOINTMENTS (DEFERRED DURING THE MEETING OF MAY 26, 2015)**

- **A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
  - **A-1. M. MILFORD CALDWELL, JR.** (APPOINTED BY COUNCIL PRESIDENT)
  - **A-2. ANN BAKER HORSEY** (APPOINTED BY CHAIRPERSON)
- **B. UTILITY COMMITTEE - SCOTT W. COLE** (APPOINTED BY COUNCIL PRESIDENT)

* **13. REAPPOINTMENT - RECOMMENDED BY MAYOR CHRISTIANSEN**

A. DOVER PUBLIC LIBRARY ADVISORY COMMISSION - LOIS J. DUNNING - FIVE (5) YEAR TERM TO EXPIRE JUNE 16, 2020

14. 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 JUNE 22, 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. #2015-10 - NOTIFICATION OF TAX RATE INCREASE OVER THE ROLLED BACK TAX RATE [REQUIRED IN ACCORDANCE WITH 22 DELAWARE CODE SECTION 1105(B)]

B. #2015-11 - FISCAL YEAR 2015/2016 CITY OF DOVER BUDGET ORDINANCES

15. FINAL READING - PROPOSED ORDINANCE #2015-09, WITH STAFF AMENDMENT #1 (SA#1)

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

A. #2015-09, WITH STAFF AMENDMENT #1 (SA#1), AMENDING CHAPTER 62 - LAW ENFORCEMENT, ARTICLE II - POLICE DEPARTMENT, CHAPTER 106 - TRAFFIC AND VEHICLES, ARTICLE III - STOPPING, STANDING AND PARKING, DIVISION 2 - METERED PARKING, AND APPENDIX F - FEES AND FINES

16. COUNCIL MEMBERS' ANNOUNCEMENTS

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