REGULAR COUNCIL MEETING
AGENDA

FEBRUARY 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 BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* 1. **ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF FEBRUARY 9, 2015**

2. **RESCHEDULING OF PUBLIC HEARING/PROPOSED ORDINANCES #2015-01 AND #2015-02**

THE FIRST READING AND REFERRAL OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 9, 2015. DUE TO THE CANCELLATION OF THE FEBRUARY 17, 2015 PLANNING COMMISSION MEETING, THESE PUBLIC HEARINGS MUST BE RESCHEDULED. IT IS RECOMMENDED THAT THE PLANNING COMMISSION PUBLIC HEARING BE RESCHEDULED FOR MONDAY, MARCH 16, 2015 AT 7:00 P.M. AND THE CITY COUNCIL PUBLIC HEARING BE RESCHEDULED FOR MONDAY, APRIL 13, 2015 AT 7:30 P.M. AT WHICH TIME THE SECOND READING AND FINAL ACTION BY COUNCIL WILL TAKE PLACE. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. **#2015-01 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED, BY REPLACING MAP 12-1: LAND DEVELOPMENT PLAN, AND AMENDING CHAPTER 13: GROWTH AND ANNEXATION PLAN**

B. **#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) AND THE PROPOSED ZONING IS C-2A (LIMITED CENTRAL COMMERCIAL)** (TAX PARCEL: ED-05-068.09-01-13.00-000; PLAN. REF. Z-15-01; 3RD COUNCIL DISTRICT)

3. **PRESENTATION - TYLER TECHNOLOGIES - 2015 REVALUATION (*MELISSA BAER*)**

* 4. **SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - JANUARY 9, 2015**

A. **DISCUSSION - CITY MEETINGS WITH INTERDENOMINATIONAL MINISTERIAL ALLIANCE (IMA) OF DOVER AND VICINITY, INC. AND IMA COMMITTEES (MAYOR CHRISTIANSEN)**

(COMMISSION ACTION NOT REQUIRED)

B. **DISCUSSION - IMPLEMENTATION OF THE DHRC 2015-2018 STRATEGIC PLAN COMMITTEE OBJECTIVES**

(COMMISSION ACTION NOT REQUIRED)

* 5. **PRESIDENT'S COUNSEL ON PUBLIC/PRIVATE PARTNERSHIPS AND THE FUTURE OF CITY HALL, WEYANDT HALL, FORMER DOVER LIBRARY, AND OTHER CITY PROPERTIES REPORT - FEBRUARY 4, 2015**

A. **SELF-INTRODUCTION OF MEMBERS**

B. **WELCOME BY COUNCILWOMAN WILLIAMS AND EXPLANATION OF THE COUNSEL'S PURPOSE**

C. **OVERVIEW OF CITY PROPERTIES**

D. **SCOPE OF WORK**

E. **APPRAISAL METHODOLOGY**

(COUNSEL RECOMMENDED OBTAINING APPRAISAL VALUES FOR WEYANDT HALL, THE FORMER DOVER PUBLIC LIBRARY, AND CITY HALL)

(COUNSEL RECOMMENDED OBTAINING THREE (3) QUOTES FOR AN APPRAISER, TO INCLUDE ONE (1) FROM OUTSIDE OF DOVER, AND TWO (2) FROM DOVER)

F. **DISCUSSION OF MEETING DATES AND TIMES**

(COUNSEL SCHEDULED THE NEXT MEETING FOR WEDNESDAY, FEBRUARY 25, 2015 AT 9:00 A.M.)

* 6. **PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - FEBRUARY 9, 2015**

A. **SEMI-ANNUAL REVIEW - STATISTICS REGARDING JOBS AND BUSINESSES GAINED AND LOST IN THE CITY OF DOVER SINCE JULY 2014**

(COMMITTEE ACTION NOT REQUIRED)

B. **INVESTIGATING AMERICORPS AND RETIRED SENIOR VOLUNTEER PROGRAM (RSVP) TO SUPPLEMENT STAFFING**

(COMMITTEE ACTION NOT REQUIRED)

C. **REVIVAL OF YOUTH ADVISORY COMMITTEE**

(COMMITTEE RECOMMENDED REVIVING THE YOUTH ADVISORY COMMITTEE AND REVIEWING APPLICATIONS AT THE MARCH 9, 2015 PARKS, RECREATION, AND COMMUNITY ENHANCEMENT MEETING)

D. **UPDATES**

(COMMITTEE ACTION NOT REQUIRED)

7. **UTILITY COMMITTEE REPORT - FEBRUARY 9, 2015**

A. **REIMBURSEMENT AGREEMENT WITH PIONEER MATERIALS - ABANDONMENT OF SHALLOW WELL #7A**

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO EXECUTE THE REIMBURSEMENT AGREEMENT)

7. UTILITY COMMITTEE REPORT - FEBRUARY 9, 2015 (CONTINUED)

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

(COMMITTEE ACTION NOT REQUIRED)

* **C. TEA/NAES REPORT (*DECEMBER*)**

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

* **D. UPDATES**

(COMMITTEE ACTION NOT REQUIRED)

8. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - FEBRUARY 9, 2015

A. PROPOSED ORDINANCE #2015-05 FISCAL YEAR 2015 SECOND BUDGET AMENDMENT

(COMMITTEE RECOMMENDED AMENDING ORDINANCE #2015-05 TO INCLUDE THE TRANSFER OF $300,000 FROM SURPLUS FUNDS INTO THE CONTINGENCY RESERVE FUND)

(COMMITTEE RECOMMENDED AMENDING ORDINANCE #2015-05 TO ALLOCATE $60,000 OF THE REMAINING $85,000 TO THE CAPITAL ASSET RESERVE FOR THE PRESIDENT'S COUNSEL ON PUBLIC/PRIVATE PARTNERSHIPS AND THE FUTURE OF CITY HALL, WEYANDT HALL, FORMER DOVER LIBRARY, AND OTHER CITY PROPERTIES AND $25,000 TO THE PARKLAND RESERVE FUND, TO BE TAKEN OUT OF THE PARKLAND RESERVE FUND AT A LATER DATE IF APPROVED BY COUNCIL)

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2015-05, AS AMENDED BY LF&A#1) **(SEE ITEM #10-A)**

* **B. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDING JUNE 30, 2014**

(COMMITTEE ACTION NOT REQUIRED)

* **C. REVIEW OF TRAINING, CONFERENCE, AND TRAVEL POLICY**

(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENTS TO THE POLICY)

* **D. REVIEW OF EFFECTIVENESS OF THE SAFE COMMUNITIES ORDINANCE**

(COMMITTEE ACTION NOT REQUIRED)

* **E. AUTOMATIC ESCALATOR FOR BUILDING-RELATED PERMIT FEES**

(COMMITTEE ACTION NOT REQUIRED)

* **F. PROPOSED RESOLUTION NO. 2015-01 - DOVER PROSPERS INITIATIVE (ECONOMIC GREENING)**

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED RESOLUTION NO. 2015-01)

* **G. FREEDOM TO WORSHIP ACT (TO ADDRESS ZONING INEQUITIES FOR PLACES OF ASSEMBLY)**

(COMMITTEE RECOMMENDED THAT THE ISSUE OF MAKING SURE THAT PLACES OF MEETING AND PLACES OF WORSHIP ARE ALLOWED WHEREVER THEY ARE APPROPRIATE FOR PUBLIC SAFETY AND MEET THE NORMAL REQUIREMENTS BE REFERRED TO STAFF)

* **H. UPDATES**

H-1. CERTIFIED LOCAL GOVERNMENT APPLICATION

(COMMITTEE RECOMMENDED APPROVAL OF THE APPLICATION AND THAT THE APPLICATION BE FORWARDED TO THE STATE HISTORIC PRESERVATION OFFICE, ACCOMPANIED BY A LETTER FROM THE MAYOR)

H-2. "SAFE WHISTLES" NATIONAL RECREATION AND PARK ASSOCIATION RECOMMENDED GUIDELINES FOR CREDENTIALING VOLUNTEERS (BACKGROUND SCREENING FOR YOUTH COACHES AND SPORTS OFFICIALS FOR ALL CITY RECREATION OFFERINGS)

(COMMITTEE ACTION NOT REQUIRED)

9. SELECTION OF POLLING PLACES FOR 2015 REGULAR MUNICIPAL ELECTION

10. FIRST READING - PROPOSED ORDINANCE

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCE. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING OF THE ORDINANCE ON MARCH 9, 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. #2015-05 - FISCAL YEAR 2015 SECOND BUDGET AMENDMENT
(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

11. FINAL READING - PROPOSED ORDINANCES

THE FIRST READING OF THE FOLLOWING PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 9, 2015. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. #2015-03 AMENDING CHAPTER 102 - TAXATION, ARTICLE III - REALTY TRANSFER TAX, SECTION 102-71 - DEFINITIONS; ARTICLE IV - ABATEMENT OF REAL ESTATE TAXES, SECTION 102-113 - QUALIFICATIONS; AND ARTICLE V - TAX CREDITS FOR HISTORIC PROPERTIES, SECTION 102-152 - APPLICATION REQUIREMENTS AND SECTION 102-153 - APPLICATION REVIEW AND APPROVAL, WITH HISTORIC DISTRICT COMMISSION AMENDMENT #1 (HDC#1)

B. #2015-04 AMENDING APPENDIX C - DOWNTOWN REDEVELOPMENT

12. COUNCIL MEMBERS' ANNOUNCEMENTS

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