REGULAR COUNCIL MEETING
AGENDA

JANUARY 12, 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 HARE

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 DECEMBER 8, 2014**

2. TRIBUTE NO. 2014-03 - MURIEL SCHWARTZ

3. PROCLAMATION - NATIONAL MENTORING MONTH

4. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2014-24 - REZONING REQUEST FOR PROPERTIES LOCATED AT 21 AND 27 SAULSBURY ROAD AND 983 FOREST STREET, OWNED BY FAITHWORK, LLC

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 24, 2014. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPERTIES LOCATED AT 21 SAULSBURY ROAD (15,505 S.F.$^{+/-}$), 27 SAULSBURY ROAD (9,515 S.F.$^{+/-}$), AND 983 FOREST STREET (8,276 S.F.$^{+/-}$), OWNED BY FAITHWORK, LLC. THESE PROPERTIES ARE CURRENTLY ZONED C-PO (COMMERCIAL AND PROFESSIONAL OFFICE) AND ARE SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY) AND THE PROPOSED ZONING IS IO (INSTITUTIONAL AND OFFICE) AND SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY ZONE). (TAX PARCELS: ED-05-076.07-01-38.00-000, ED-05-076.07-01-39.00-000, AND ED-05-076.07-01-36.00-000 FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-14-04)

5. TWO MONTH REVIEW - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 1370 COLLEGE ROAD, OWNED BY SARAH E. JONES

(DURING THEIR MEETING OF OCTOBER 27, 2014, CITY COUNCIL: (1) DECLARED THIS BUILDING AND ALL ACCESSORY STRUCTURES ON THIS PROPERTY DANGEROUS; 2) ORDERED THE PROPERTY TO BE REPAIRED OR DEMOLISHED BY NOVEMBER 27, 2014 (DATE REVISED) BY THE OWNER OR EQUITY OWNER AT THEIR OWN RISK; 3) ORDERED THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNER WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL AND 4) ORDERED 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, WITH A PROVISO THAT THE DATE FOR ORDERING THE PROPERTY REPAIRED OR DEMOLISHED BE MARCH 27, 2015 WITH A REVIEW IN TWO (2) MONTHS TO ENSURE PROGRESS IS BEING MADE)

6. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 8, 2014

*** A. OVERVIEW OF 1988 CONSENT DECREE**

(COMMITTEE ACTION NOT REQUIRED)

B. PROPOSED FINANCIAL REFORMS

*** B-1. COMPENSATION POLICIES**

(COMMITTEE RECOMMENDED TABLING THE COMPENSATION POLICIES TO ALLOW FURTHER DISCUSSION)

B-1-A. COUNCIL WILL NOT AUTHORIZE PAY RAISES, BONUSES, OR OTHER FORMS OF COMPENSATION IN CONSECUTIVE FISCAL YEARS FOR ANY CITY EMPLOYEE, INCLUDING COUNCIL APPOINTEES. A TWO-THIRDS VOTE OF COUNCIL IS REQUIRED TO AUTHORIZE AN EXCEPTION TO THIS POLICY (POLICY #6).

B-1-B. COUNCIL WILL NOT AUTHORIZE MORE THAN 1% COMPENSATION INCREASES (WHICH SHALL INCLUDE THE TOTAL OF SALARY, BONUS, AND OTHER FORMS OF COMPENSATION) FOR ANY ONE FISCAL YEAR. A TWO-THIRDS VOTE OF COUNCIL IS REQUIRED TO AUTHORIZE AN EXCEPTION TO THIS POLICY (POLICY #7).

B-1-C. COUNCIL WILL NOT AUTHORIZE ANY COMPENSATION PACKAGE WHICH RESULTS IN A TOTAL COMPENSATION INCREASE OF MORE THAN 2.5% IN ANY THREE-YEAR PERIOD. A TWO-THIRDS VOTE OF COUNCIL IS REQUIRED TO AUTHORIZE AN EXCEPTION TO THIS POLICY (POLICY #8).

B-2. PROPERTY TAX GOVERNANCE

COUNCIL SHALL NOT RAISE THE PROPERTY TAX RATE MORE THAN 9.5% WITHOUT FIRST HOLDING A REFERENDUM ON THE PROPOSED TAX INCREASE; THIS PROVISION SHALL NOT APPLY IN THOSE YEARS WHEN A REVENUE-NEUTRAL ADJUSTMENT TO THE TAX RATE IS REQUIRED BECAUSE OF PROPERTY REVALUATION (COMPENSATION POLICY #9). THE PROPOSED POLICY WAS REVISED BY CITY COUNCIL DURING THEIR MEETING OF SEPTEMBER 22, 2014 TO INCLUDE THAT THERE BE A PROVISION IN THE DRAFTING OF THE ORDINANCE THAT COUNCIL MAY VACATE THE PROVISIONS IN TIMES OF UNFORESEEN EMERGENCIES, WITH THE STIPULATION THAT THE ORDINANCE BE REVIEWED FOUR (4) YEARS AFTER IMPLEMENTATION.

(COMMITTEE FORWARDED PROPOSED FINANCIAL REFORM #9, PROPERTY TAX GOVERNANCE, TO CITY COUNCIL WITHOUT A RECOMMENDATION FOR THE PURPOSE OF HAVING A FULL DISCUSSION BY CITY COUNCIL)

6. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 8, 2014 (CONTINUED)

* **C. PERMISSION TO RECRUIT - DOVER POLICE DEPARTMENT CADET PROGRAM**

(COMMITTEE RECOMMENDED APPROVAL OF THE POLICE CADET PROGRAM, AS REQUESTED)

* **D. CONTINUING DISCLOSURE POLICY CONCERNING MUNICIPAL SECURITIES**

(COMMITTEE RECOMMENDED ADOPTION OF THE CONTINUING DISCLOSURE POLICY CONCERNING MUNICIPAL SECURITIES AS AN APPENDIX TO THE DEBT POLICY)

* **E. CAPITAL IMPROVEMENT PROJECT (CIP) COST ESTIMATING/BID PROCESS GUIDELINES**

(COMMITTEE RECOMMENDED ACKNOWLEDGMENT OF THE CAPITAL IMPROVEMENT PROJECT (CIP) COST ESTIMATING/BID GUIDELINES THAT HAVE BEEN IMPLEMENTED BY THE CITY MANAGER IN RESPONSE TO CONCERNS RAISED BY CITY COUNCIL)

F. DISCUSSION - RESPONSIBILITIES AND REPORTING STRUCTURE FOR THE MAYOR AND CITY MANAGER AND CONTINUATION OF FULL-TIME STATUS FOR THE POSITION OF MAYOR

(COMMITTEE REFERRED THIS MATTER TO CITY COUNCIL WITHOUT A RECOMMENDATION, STIPULATING THAT ALL INFORMATION REGARDING OPTIONS A, B, & C BE PROVIDED)

* **7. MONTHLY REPORTS - NOVEMBER 2014**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CITY PLANNER'S REPORT
D. CONTROLLER/TREASURER'S BUDGET REPORT
E. FIRE CHIEF'S REPORT
F. POLICE CHIEF'S REPORT

8. EVALUATION OF BIDS

A. GENERAL SCOTT SWITCHGEAR

(STAFF RECOMMENDS AWARDING THE CONTRACT TO THE LOW BIDDER, POWER ELECTRONICS, INC., IN THE AMOUNT OF $560,975.27)

B. WEST DOVER CONNECTOR ROAD UTILITY RELOCATIONS

(STAFF RECOMMENDS AWARDING THE CONTRACT TO TEAL CONSTRUCTION, INC. FOR THE CITY OF DOVER WEST DOVER CONNECTOR ROAD UTILITY RELOCATION PROJECT, BID #15-0018PW, IN THE AMOUNT OF $1,256,988)

9. ACCEPTANCE OF PROPOSAL - SCADA EQUIPMENT TECHNOLOGY UPGRADE (WATER) - SOLE SOURCE VENDOR

(STAFF RECOMMENDS AWARDING THE PROPOSAL FOR SCADA EQUIPMENT MATERIAL TO THE SOLE VENDOR, WHEL-TECH, INC., FOR A THREE (3) YEAR AMOUNT OF $241,090.88)

* **10. SUPPORT LETTER - FUNDING FOR DELAWARE CASINOS**

11. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 12, 2015

(EXCEPT FOR THE FOLLOWING TIME SENSITIVE ISSUE, THE LF&A COMMITTEE REPORT FROM JANUARY 12, 2015 WILL BE PRESENTED TO COUNCIL DURING THEIR REGULAR MEETING OF JANUARY 26, 2015 FOR REVIEW AND CONSIDERATION)

A. DOVER POLICE DEPARTMENT - PERMISSION TO INCREASE AUTHORIZED STRENGTH OF POLICE OFFICERS FROM 92 TO 102

* **12. APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR** *(SCOTT D. KOENIG AND DONNA S. MITCHELL)*

13. COUNCIL MEMBERS' ANNOUNCEMENTS