REGULAR COUNCIL MEETING
AGENDA

OCTOBER 27, 2014 - 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 THE BOY SCOUTS OF AMERICA - TROOP 9 - THE ELK'S LODGE #1903

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

Those items on the Council Agenda which are considered routine and non-controversial are 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 13, 2014**

2. PRESENTATIONS
- **A. LEED GOLD CERTIFICATION - DOVER PUBLIC LIBRARY (**DOUG MOSS**)**
- **B. CERTIFICATE OF CONGRATULATIONS - KRAFT FOODS 50TH ANNIVERSARY**

3. PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2014-18 WITH STAFF AMENDMENT #1 (SA#1)

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF AUGUST 25, 2014. THE FINAL READING WAS DEFERRED DURING THE COUNCIL MEETING OF OCTOBER 13, 2014. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

- **A. #2014-18 WITH STAFF AMENDMENT #1 AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 24 - PLANNED NEIGHBORHOOD DESIGN OPTION (PND), SUBSECTION 24.62 - BUFFERS AND ARTICLE 4 - ZONING BULK AND PARKING REGULATIONS, SECTIONS 4.10 AND 4.11**

4. PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 1370 COLLEGE ROAD, OWNED BY SARAH E. JONES

(Staff recommends: 1. Declaring this building and all accessory structures on this property dangerous; 2. Ordering the property repaired or demolished by November 27, 2014 by the owner or equity owner at their own risk; 3. Ordering 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; 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. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - OCTOBER 13, 2014

* **A. UPDATE - RECREATION NEEDS ASSESSMENT**

(Committee action not required)

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

(Committee action not required)

C. REVIEW OF DRAFT DOWNTOWN DEVELOPMENT DISTRICT APPLICATION AND PROPOSED RESOLUTION NO. 2014-13 IN SUPPORT OF APPLICATION FOR DESIGNATION AS A DOWNTOWN DEVELOPMENT DISTRICT

(Committee recommended endorsement of the Draft Downtown Development District application, acknowledging that staff will continue to refine the application prior to its final presentation to City Council, and adoption of Resolution No. 2014-13 as submitted)

* **6. UTILITY COMMITTEE REPORT - OCTOBER 13, 2014**

A. TUDOR PUMP STATION - ACCEPTANCE AND DEDICATION OF INFRASTRUCTURE

(Committee recommended acceptance and dedication of the Tudor Pump Station to allow the City of Dover Department of Public Works to take on all operation and maintenance responsibilities (excluding the gravity wastewater system internal to the site, as that infrastructure will remain the responsibility of the property owner) in an effort to protect and maintain the safety, health, and welfare of the public in this area)

B. TEA/NAES REPORT *(JULY AND AUGUST)*

(Committee recommended acceptance of the reports)

* **7. QUARTERLY REVENUE REPORT**

* **8. SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY**

9. TENTATIVE LABOR CONTRACT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME)

* **10. APPOINTMENT OF JUDGES - ROBBINS HOSE COMPANY ELECTION - NOVEMBER 17, 2014**

A. JAMES HOWLETT

B. JAMES HURLEY, JR.

C. WILLIAM H. HURLEY IV *(ALTERNATE)*

* **11. APPOINTMENTS/REAPPOINTMENTS RECOMMENDED BY MAYOR ROBIN R. CHRISTIANSEN**

A. AWARDS COMMITTEE - RONALD R. GOUGH (*To fill the expired term of Mary Skelton***)**

B. ELECTION BOARD

B-1. CURTIS E. RAYMOND (THIRD DISTRICT) (*To fill the unexpired term of John J. Davis - term to expire May 2016***)**

B-2. M. MILFORD CALDWELL (FOURTH DISTRICT) (*To fill the unexpired term of Lillie Mae Johnson - term to expire May 2016***)**

12. FIRST READING OF PROPOSED ORDINANCE #2014-23 - REZONING REQUEST FOR PROPERTY LOCATED AT 603 WEST DIVISION STREET

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON NOVEMBER 17, 2014 AND THAT A PUBLIC HEARING BE SET FOR DECEMBER 8, 2014 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 603 WEST DIVISION STREET, CONSISTING OF TWO (2) PARCELS (16,538 S.F $^{+/-}$ AND 14,465 S.F. $^{+/-}$), OWNED BY WEST DIVISION HOLDINGS, LLC. THIS PROPERTY IS CURRENTLY ZONED M (MANUFACTURING), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS C-3 (SERVICE COMMERCIAL), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE)

(TAX PARCEL: ED-05-076.08-01-19.00-000 AND ED-05-076.08-01-19.01-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-14-03)

13. FINAL READING - PROPOSED ORDINANCE #2014-22

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF OCTOBER 13, 2014. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPOSED ORDINANCE #2014-22 - BUDGET AMENDMENT RELATED TO CAPITAL INVESTMENT PLAN - FISCAL YEAR 2014 (FY14) CARRY-FORWARD BALANCES

14. COUNCIL MEMBERS' ANNOUNCEMENTS

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