REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 27, 2014 at 7:30 p.m. with Council President Bonar presiding. Council members present were Mr. Anderson, Mr. Dixon, Mr. Lynn, Mr. Perza, Mr. Slavin, and Mr. Hare. Mrs. Williams and Mr. Hutchison were absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, City Solicitor Rodriguez, and Mrs. McDowell. Fire Chief Carey was absent. Mayor Christiansen was also present (departed 7:38 p.m. and returned at 7:46 p.m.).

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Bonar declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

The invocation was given by Bishop Thomas L. Holsey, followed by the Pledge of Allegiance led by the Boy Scouts of America - Troop 903 - The Elk's Lodge #1903.

AGENDA ADDITIONS/DELETIONS

Council President Bonar requested the deletion of Item #2B - Presentation of Certificate of Congratulations - Kraft Foods 50th Anniversary. Mr. Bonar noted that the Mayor would hand-deliver the certificate due to scheduling conflicts.

Mr. Dixon moved for approval of the agenda as amended, seconded by Mr. Hare and unanimously carried.

Mr. Hare moved for approval of the consent agenda as presented, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 13, 2014

The Minutes of the Regular Council Meeting of October 13, 2014 were unanimously approved by motion of Mr. Hare, seconded by Mr. Slavin and bore the written approval of Mayor Christiansen.

PRESENTATION - LEED GOLD CERTIFICATION - DOVER PUBLIC LIBRARY (DOUG MOSS)

Ms. Margie Cyr, Director of the Dover Public Library, reminded members that when the New Public Library Steering Committee began putting together plans for the new library in 2008, it was made clear by the public that they wanted a library that was cost effective and responsible to the environment. To that end, she stated that they began the process of becoming LEED (Leadership in Energy and Environmental Design) Certified. She announced that the Dover Public Library had achieved a rating of LEED Gold Certification.

Ms. Cyr introduced Mr. Douglas Moss, Chief Architect, Holzman Moss Bottino Architecture. Mr. Moss congratulated members of Council and City staff on achieving such a high honor, noting that the Certification was a substantial accomplishment for the City of Dover, as well as its citizens. He advised members that the City was able to attain the level of LEED Gold Certification because a savings of 35% was realized over a normal building the same size, as well as a 43% savings in potable water usage, and over 90% savings for water irrigation used around the building. He indicated that over 316 tons of material was diverted from the landfills due to the manner in which materials were recycled during the construction process. In addition, Mr. Moss stated that there was natural ventilation, with over 30% of outside air being used in the building. He stated that these measures, as well as several others, resulted in providing the citizens of Dover an extraordinary building that would last for 50-100 years.

Mr. Gregg Moore, Becker Morgan Group, stated that, as President of the Downtown Dover Partnership, he was proud of the new Dover Public Library since it was the biggest project that had been undertaken to help energize downtown Dover. He noted that the building had ample meeting space, which provided another opportunity to bring the community to the downtown area. Mr. Moore stated that another advantage was the geothermal well system for the building, located under the rear parking lot.

Ms. Cyr presented the Mayor and Council President with the LEED Gold Certification and thanked all members of City Council for their support during the construction years of the new library.

Council President Bonar stated that the new library was the largest single project that the City had undertaken, aside from the Calpine/Garrison Oak Technology Center. He advised members that he was recently advised by his neighbors that the library was one of the reasons they chose to move to Dover (from Manhattan). Mr. Bonar thanked Ms. Cyr for the work she had done in making the new library a success.

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

During the Regular City Council Meeting of October 13, 2014, the public hearing and final reading of Proposed Ordinance #2014-18 with Staff Amendment #1 (SA#1) was deferred in order for staff to bring an amendment forward (SA#1). Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the proposal would amend 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 by eliminating the 40-foot buffer around the perimeter of the development and reducing the front and rear setbacks. Staff Amendment #1 would provide for retroactivity of the new provisions to previously approved developments. The Planning Commission recommended approval of the proposed amendments.

Mr. Slavin moved that the Final Reading of the proposed zoning text amendment be acknowledged by title only, seconded by Mr. Dixon and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of August 25, 2014.)*

Council President Bonar declared the hearing open.

Mr. John Paradee, of the law firm Prickett, Jones and Elliott, P.A., 11 N. State Street, indicated his support for Proposed Ordinance #2014-18 with SA#1 and his appreciation for the work done by staff. He felt that the proposed amendments would enhance project design flexibility, which was the intent of the PND ordinance. In addition, he felt that the proposed amendments would alleviate some of the concerns that had been raised, explaining that currently property owners were prohibited from using part of their property due to the 40-foot buffer requirement and had very little incentive to maintain the property. Mr. Paradee reminded members that a substantial amount of flexibility would remain with the Planning Commission for PND projects, and particular requirements could be imposed where circumstances warrant. He stated that the setback had been too restrictive and the product that the market demands was incapable of fitting within the footprint. For these reasons, Mr. Paradee urged members of City Council to adopt the proposed ordinance.

At the request of Mr. Lynn, Mr. Paradee stated that an example of a subdivision where proposed amendments would have made a difference was the Clearview Meadow Subdivision. He advised members that this project went into bankruptcy because the developer was unable to market it as it was currently designed and improved. Mr. Paradee stated that his client purchased the project out of bankruptcy and immediately ran into the same problem as the previous owners. He explained that the basic problem was that the footprint was too narrow, shallow, and restrictive to allow for flexibility in design. Mr. Paradee reminded members that the Dover Code currently required a buffer between residential and commercial properties in areas where a buffer would be appropriate.

There being no one else wishing to speak during the public hearing, Council President Bonar declared the hearing closed.

Mr. Hare moved for adoption of Staff Amendment #1 (SA#1), seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams and Hutchison absent).

Mr. Hare moved for adoption of the proposed ordinance as amended by SA#1, seconded by Mr. Anderson, and by a unanimous roll call vote (Williams and Hutchison absent), Council adopted Ordinance #2014-18, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B - Zoning, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option (PND), Subsection 24.62 - Buffers, of the Dover Code be amended by deleting it in its entirety and re-designating the remaining Subsections accordingly.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 4 - Zoning Bulk and Parking Regulations, Section 4.10 of the Dover Code be amended to read as follows:

Section 4.10. R-20, R-15, R-10, R-8, RM-1, RM-2 planned neighborhood design option and recreation and open space zone (ROS).

Bulk and parking standards for PND within the following zones: R-20, R-15, R-10, R-8, RM-1, RM-2, as well as Bulk and Parking Standards for the ROS zone are as follows:

	One-Family Detached Dwellings	One-Family Lot Line Dwellings	Duplex Dwellings	Multiplex Dwellings
Minimum requirements per dwelling unit:				
Lot area (sq. ft.)	7,500	6,000	4,500	4,000
Lot width (ft.)	70	65	40	
Lot depth (ft.)	100	90	100	
Off-street parking spaces	2	2	2	2
Minimum requirements per building:				
Front yard (ft.)	15	20	15	30
Minimum side yard (ft.)	8	—	—	10
Total side yards (ft.)	20	30	10	30
Rear yard (ft.)	20	40	20	20
Lot width (ft.)				80
Lot depth (ft.)				80
Maximum permitted:				
Building height				
Stories	2½	2	2½	3
Feet	35	24	35	35
Lot coverage	40%	45%	45%	50%
Number of dwelling units per building	1	1	2	5

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 4 - Zoning Bulk and Parking Regulations, Subsection 4.11 of the Dover Code be amended to read as follows:

Section 4.11. R-20, R-15, R-10, R-8, RM-1, RM-2 planned neighborhood design option and recreation and open space zone (ROS).

Bulk and parking standards for PND within the following zones: R-20, R-15, R-10, R-8, RM-1 and RM-2, as well as Bulk and Parking Standards for the ROS zone are as follows:

	Patio Houses	Townhouses	Garden Apts.
Minimum requirements per dwelling unit:			
Minimum average lot area (sq. ft.)	3,500	2,200	1,800
Minimum lot area (sq. ft.)	3,000	2,000	1,800
Lot width (ft.)	40	22	
Lot depth (ft.)	70	80	
Off-street parking spaces	2	2	2
Minimum requirements per building:			
Lot area			1 acre
Lot width (ft.)			100
Lot depth (ft.)			125
Building setback			
From street (ft.)	15	20	50
From property line (ft.)	—	10	50
Building spacing	—	30	50
Patio area	60%		
Patio dimension (ft.)	20		
Maximum permitted:			
Building height			
Feet	24	35	35
Stories	2	3	2
Lot coverage	60%	75%	60%
Average No. of dwelling units per building	1	8	24

BE IT FURTHER ORDAINED:

That the provisions of this ordinance shall be retroactive to developments previously approved by the Planning Commission that utilize the Planned Neighborhood Design Option (PND) provisions of Section 24.

ADOPTED: OCTOBER 27, 2014

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

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 1370 College Road, owned by Sarah E. Jones. The property consisted of a two (2) story, wood-framed, single-family home. Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the structure was registered as a vacant building on November 8, 2013 and that on May 8, 2014, the property was found to be unsecured with numerous exterior and interior code violations. She noted that there had been 11 code enforcement cases since 2008 related to the property and that the utilities were terminated on July 10, 2014. On August 18, 2014, after several reinspections of the property, with no corrections being made to the code violations and no active utilities, the structure was condemned as unfit for human occupancy. Mrs. Townshend stated that the structure currently remained unoccupied, with no active utility services and in a serious state of disrepair. She indicated that $200.00 was owed for code enforcement citations against the property and $7,163.85 for delinquent property taxes on properties owned by the owner, $526.80 of which was due on this particular property.

Mrs. Townshend provided a chronological history and presentation on the conditions of the house located at 1370 College Road ***(Exhibit #1)***.

Staff recommended that City Council: 1) declare this building and all accessory structures on this property dangerous; 2) order the property to be repaired or demolished by November 27, 2014 by the owner or equity owner at their own risk; 3) order 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) order 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.

Responding to Mr. Lynn, Mrs. Townshend stated that a member of the owner's family contacted City staff last week and requested additional time.

Council President Bonar declared the public hearing open.

Mr. Dwayne Jones, 1290 West State College Road, advised members that his mother owned the property and requested that City Council delay declaring the building dangerous. He explained that his mother had a brain aneurism a year ago, which resulted in financial difficulties. He recently contacted other family members who had agreed to assist him in making the necessary repairs to the property.

In response to Mr. Anderson, Mr. Jones requested an additional six (6) months to complete the repairs. He stated that prior to his mother becoming ill, they had begun to make repairs and noted that, as depicted in the pictures, half of the house had been gutted. He felt confident that the repairs to the interior of the structure could be completed within six (6) months.

There being no one else present wishing to speak during the public hearing, Council President Bonar declared the public hearing closed.

Responding to Mr. Lynn, Mrs. Townshend stated that although there were other houses in the vicinity of this property, they were not particularly close enough to be endangered, should there be a fire at the property. She confirmed that the property had been secured and Chief Bernat stated that he was not aware of any criminal activity at this property.

In response to Mr. Perza, Mrs. Townshend reminded members that a family member had contacted staff last week and was advised that staff could not grant the request for additional time and that such approval could only be granted by City Council.

Mr. Anderson moved to approve staff's recommendation, with a proviso that the date for ordering the property repaired or demolished be March 27, 2015, with a review in two (2) months (December 27, 2014) to ensure progress is being made. The motion was seconded by Mr. Lynn.

Mr. Hare suggested that the owner consider making the easy fixes a priority, such as cleaning up the exterior of the property, removing trash, etc. Mr. Jones indicated his agreement in fulfilling the request.

Mrs. Townshend noted that members of City Council typically cancel the second meeting in December; therefore, she suggested that the review be moved from December 27, 2014 to January 12, 2015.

In response to Mr. Perza regarding staff's recommendation, Mrs. Townshend stated that if work were started and continued to be actively made on repairing the property, staff would not take action to demolish the structure.

Responding to Mr. Lynn, Mrs. Townshend stated that although monies are owed to the City, since the "clean hands" ordinance was amended, the owners of a dangerous building would be able to obtain a building permit. However, they would not be permitted to obtain a rental permit.

The motion to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property to be repaired or demolished by November 27, 2014 (date revised) by the owner or equity owner at their own risk; 3) order 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) order 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, was carried by a roll call vote of six (6) yes (Anderson, Dixon, Lynn, Slavin, Hare, and Bonar), one (1) no (Perza), and two (2) absent (Williams and Hutchison).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - OCTOBER 13, 2014

The Parks, Recreation, and Community Enhancement Committee met on October 13, 2014 with Chairman Dixon presiding.

Update - Recreation Needs Assessment

Mrs. Ann Marie Townshend, Director of Planning and Community Development, provided members with the displays that were utilized during the public workshops. She advised members that three (3) public workshops were held for the Recreation Needs Assessment and that, although no one attended the first two (2) workshops, the third workshop was well attended.

Mrs. Townshend reviewed the map on display that depicted the walk and bicycle zones in the larger parks and noted that the majority of the residential areas in the City of Dover, there are recreational resources situated in close proximity to residents. She reminded members that a survey was conducted and that to date, there

have been 429 responses. She stated that Wednesday, October 15, 2014, is the last day the survey will be available for the public at which time, staff will gather the data from the survey and then develop recommendations based on that data.

Mrs. Townshend stated it is her hope to have a solid draft in December to be presented to the Committee and that additional workshops be held in early January to allow for public feedback and then in February/March a final recommendation be presented for adoption.

Mrs. Townshend relayed appreciation for the work provided by Ms. Carolyn Courtney, noting that she has been responsible for much of the work involved with his project, including all public relations, completion of survey, etc.

Responding to Mr. Hutchison, Mrs. Townshend stated that the survey data will be combed through to determine those responses submitted by City of Dover residents and those who reside outside of the City limits. Mr. Hutchison requested that Staff provide a comprehensive breakdown of all recreation provided to include what is provided by the State of Delaware (in Kent County), Kent County, Boys and Girls Club, local churches, schools, etc.

Benchmarks Established for the Economic Development Office

Mr. Bill Neaton, Economic Development Director, reviewed the benchmarks and results that were established for the Economic Development Office, which includes the Downtown Dover Partnership (DDP), Downtown Dover Business Growth, and City-Wide Economic Development.

Mr. Neaton announced that he was just recently elected the Executive Director of the DDP. At his request, Mr. Ed Perez, Downtown Coordinator, reviewed the benchmarks related to the DDP. Referring to the number of new businesses in the downtown target area, he noted that the report reflects four (4) new businesses; however, since its printing, there have been two (2) additional new businesses for a total of six (6) and eight (8) new jobs. Of the six (6) new businesses, four (4) are minority/women owned businesses.

Mr. Perez referred to the strategic objective: Advance Initiatives of the Downtown Dover Partnership - Develop a recruitment strategy to attract new business to downtown with the assistance of the Recruitment Subcommittee of the Economic Development Committee. He stated that although this is an ongoing project, the DDP is a part of the Kent County "Open for Business", which is a group of economic development network partners, such as the Small Business Administration, DDP, Economic Development Office, USDA, Delaware State University, Del Tech, Kent County Executive Director, Score, etc., with the Chamber of Commerce serving as the lead. This project gives an opportunity for individuals wishing to establish a business, to seek resources at a "one-stop shop". To date, there have been 12

inquiries regarding a desire to open small businesses. He explained that although this does not necessarily mean that there will be 12 additional businesses, it does mean that meetings were held with 12 individuals who have a concept, and are either looking for space, financing, technical assistance in putting their business together, etc. In addition, he stated that the DDP is a part of the Kent County Network Group that established the Annual Summit.

Mr. Perez stated that the DDP continues to update the marketing brochure which includes a current vacant property list and a map of the downtown district and is made available on the DDP Website. Mr. Neaton advised members that recently, he and the Mayor met with individuals interested in property in the downtown area. He had requested that the vacant property list be updated and was pleasantly surprised that there were only a few store fronts that remain available, noting that downtown Dover is beginning to revitalize. It was his feeling that this is the result of a very active Merchants Committee that is a part of the DDP.

As a part of DDP's support to NCALL, Mr. Perez assured members that information and support is continuously being provided to NCALL for the "Restoring Central Dover" initiative. The DDP is currently involved with the Positive Outcome and Strong Community Subcommittees and just completed the final phase of the plan that will be reviewed and submitted for a grant.

Responding to Mr. Hutchison's question to Mr. Perez regarding the Loockerman Exchange and the old Library location, Mayor Christiansen stated that there are two (2) possibilities for the use of the Loockerman Exchange, one (1) of which is contingent upon the State of Delaware awarding grant money to Main Street and the other is the development of upscale student housing, explaining that the owner of that property has met with individuals who are interested in such a concept.

In response to Mr. Hutchison regarding E-Z Pass, Mr. Neaton stated that he is in contact with Ms. Susan Forrester-Coates who is the TransCore Manager for E-Z Pass and reported that E-Z Pass is pleased with their facility in the downtown area. He noted that there are 85 employees and that there have been no parking problems. He noted that they have relayed some security concerns; however, he assured members that he, along with the Mayor and Police Chief, will be meeting with Ms. Forester-Coats to resolve these issues. Mr. Perez advised members that since E-Z Pass moved to downtown, other businesses have seen a spike in their sales volume.

Mr. Caldwell relayed his pleasure with the business growth that has occurred in the downtown area over the past year and hopes that these efforts will continue in the future.

In response to Mr. Anderson regarding the 2013-2014 results in the number of businesses opened in the Downtown Target Area, Mr. Perez explained that there were 15 new businesses that were open last year and that 24 jobs were created. Of those businesses, six (6) were minority owned and 11 were women owned, and seven (7) were of the service category, three (3) were of the retail category, and one (1) restaurant. During this same reporting period, he stated that there were ten (10) businesses that closed, which resulted in a net of five (5) additional businesses in the downtown target area. He explained that of those ten (10) businesses, there were over 27 employees and that some of these businesses were in operation for over 20 years (Simon's Bridal Shoppe, Delaware Made, For Dreamers Gallery, and W.T. Smithers).

Mr. Neaton advised members that at the request of Mr. Hutchison, the Economic Development Office created a Development Incentives Awarded Report. He stated that over the last five (5) years, there have been 45 incentive packages were issued varying from facade grants to tax abatements to impact fee waivers, etc. He noted that there was concern that incentive packages were being provided and then the business would close and there would be no return to the City for providing the incentives. As reflected in the report, he stated that none of those businesses that were provided an incentive have closed, which is an indication that the incentive packages are working as planned and as such, he urged their continuation.

Review of Draft Downtown Development District Application and Proposed Resolution No. 2014-13 in Support of Application for Designation as a Downtown Development District

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Delaware General Assembly enacted the Downtown Development District Act in June 2014. She explained that under this law, the Governor will designate three (3) Downtown Development Districts in the first round of designations, one (1) from each county. Development projects within designated Districts will be eligible for a 20% rebate for project costs over $25,000. She noted that the City of Dover is well positioned to submit a successful application for Downtown Development District designation, since the City has several redevelopment incentives in place. In addition, the City has two (2) master plan documents: *The Dover Transit Center Neighborhood Plan and Design Book; and Restoring Central Dover*, that complement each other in support of revitalizing the downtown.

Mrs. Townshend reminded members that staff had previously submitted the proposed District boundary and some proposed incentives that would be enacted if the City is designated as a Downtown Development District. She noted that the Downtown Development District application is due on November 1, 2014 and that although a draft application was provided to members for their review, staff will continue to refine the application prior to its presentation to City Council for approval during their Regular Meeting of October 27, 2014.

Mrs. Townshend explained that there are three (3) components of the application for designation as a District, as follows: 1) the need and impact of the District designation, accounting for 50% of the consideration given to scoring each application; 2) the quality of the District Plan, accounting for 30% of the consideration given to scoring each application; and 3) the quality of the local incentives offered, accounting for 20% of the consideration given to scoring each application.

Mrs. Townshend briefly reviewed the application as well as the numerous attachments that will be submitted. She distributed Attachment #2 of the application - Documentation of Need and Impact (Photographs) which was not included in the packet submitted to the committee, which will also be made a part of the Downtown Development District Application. Although Attachment #5 of the application - Letters of Support also was not included in the packet, she advised members that several letters have been received and that additional letters are anticipated, assuring members that they will be included in the presentation to City Council on October 27, 2014.

Mrs. Townshend explained that once the application is submitted, the City will be bound to its contents. As an example, she explained that if the City includes an incentive that would provide a business license fee waiver for new businesses for three (3) years, the City cannot make any change to this incentive. She stated that if a Downtown Development District is designated for the City, and the City does not comply with the plan and does not follow through on incentives, the designation can be rescinded. Therefore, she stated that this application will result in a commitment from the City of Dover and require Code amendments.

Members were provided Proposed Resolution No. 2014-13 for their review and recommendation. Mrs. Townshend advised members that such a Resolution is required to be submitted with the application that indicates the local government's desire to apply for the designation as a District, and the local government's willingness to adhere to the District Plan and the Local Incentives for the duration of the District designation.

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

Mr. Hutchison relayed his support for the application and the desire to address home ownership, which he has been concerned for several years. He felt that the designation will help in this regard. Responding, Mrs. Townshend stated that there are partners that will also help such as Habitat for Humanity, Dover Housing Authority, etc. She also noted that with the CDBG Program, the proposed Consolidated Plan would allow, for purchases within the Downtown Development

District, down payment assistance and rehabilitation, explaining that a new property owner wishing to purchase property could obtain down payment assistance as well as rehabilitation funds from the City, noting that several properties in the area are in need of maintenance.

Mr. Anderson thanked Staff for the work conducted on the project and Chairman Dixon for championing the Wells Fargo Grant, noting that the $90,000 has been helpful and an enormous value to the City. Noting that the designation will require the adoption of ordinances and that staff proposes their consideration in the Spring of 2015, he questioned if members would be committed to the language contained in the draft ordinances. Responding, Mrs. Townshend stated that the proposed Resolution is what is required to be adopted by City Council on October 27, 2014; however, in terms of any proposed ordinances, which are primarily related to the incentives, she stated that it is hoped to have them in place by the Spring of 2015. In order to do so, she stated that staff will begin drafting the proposed ordinances once the application is submitted and expects that they will be presented to members for their review and recommendation beginning in January 2015.

In response to Mr. Anderson regarding the backlog in housing rehabilitation due to the decline in federal support, Mrs. Townshend stated that the City could provide some assistance in this matter through the rebates available through the Downtown Development District Program, although the first $25,000 would be out of pocket. She stated that other alternatives would be from the next phase of the Wells Fargo Foundation since housing rehabilitation is under funded. It is anticipated that the Steering Committee will continue under the leadership of NCALL and that the next grant application would provide funds for housing rehabilitation. She also noted that within the Restoring Central Dover Plan, there are different plans such as a volunteer based repair programs that have been successful in other locations and that Milford Housing has indicated an interest to work with the City on this a program. As a result, she felt confident that with the implementation of Restoring Central Dover, there will be other resources the City can investigate, explaining that the rebate provided under the Downtown Development District Program is only one of those resources.

Responding to Mr. Anderson, Mrs. Townshend stated that it is anticipated that the Restoring Central Dover Plan will be finalized within the next two (2) months, noting that a draft was just recently submitted.

Mrs. Horsey noted that according to Map #2B - Downtown Development District with the Land Development Plan per the 2008 Comprehensive Plan, there is a lot of mixed use within those boundaries and questioned if it would be desirable. Responding, Mrs. Townshend explained that Map #2B reflects the adopted Comprehensive Plan. She stated that Staff anticipates some degree of flexibility in zoning so that the strong residential area does show as medium density residential

and the areas where there are a mix of uses. She felt as more planning has been done in the downtown area and as the Comprehensive Plan is updated, this area will be reviewed to determine the best way to move forward.

Mrs. Townshend relayed her appreciation for those employees who have assisted in bringing this matter forward, Mr. Bill Cook, Planner I, and Mr. Jeremy Gibb, GIS Technician, who had dedicated a lot of their time to this project.

The Committee recommended approval of staff's recommendation for the 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. *[Clerk's Office Note: Subsequent to the meeting, Mrs. Townshend submitted a revised Downtown Development District application for presentation to City Council during the regular meeting of October 27, 2014]*.

During the City Council meeting of October 27, 2014, Mrs. Townshend noted that a revised application had been provided to members as an attachment to the Parks, Recreation, and Community Enhancement Committee Report. As mentioned during the Committee meeting, staff had since obtained letters of support and completed refining the application. She reminded members that the Delaware Downtown Development District Program initiative was adopted by the State of Delaware and would allow the Governor to designate three (3) Downtown Development Districts in the first year of the program and that $7M was allocated in the State's approved budget for the current fiscal year for incentives within the designated downtown development districts. The City would be competing with other municipalities in Kent County, since there would be one (1) designated district from each county.

Mrs. Townshend reminded members that there were three (3) components of the application for designation as a District and briefly reviewed the City's application contents. Noting that the demonstrated need and impact of the District designation would account for 50% of the consideration given to scoring each application, she stated that demographic information, crime data, vacant and dangerous buildings, vacant lots, etc. was considered, along with the impact that could be realized. She explained that the City's partnership with the Downtown Dover Partnership (DDP) would prove beneficial, as well as the City's relationship with the National Council on Life and Labor Research (NCALL), who was leading the Restoring Central Dover Plan, which was being funded through the Wells Fargo Foundation. She felt confident that the City demonstrated both the need and impact.

Mrs. Townshend noted that the quality of the District Plan would account for 30% of the consideration given to scoring each application. The City had included two (2) planning documents: 1) Dover Transit Center Neighborhood Plan and Design Book, which was completed in 2011 and used as the basis for North Street improvements that were completed during the past year; and 2) Restoring Central Dover Plan - Vision for Vitality, which was the Plan resulting from a Wells Fargo Foundation Grant to NCALL, explaining that the City participated in assisting to fund

that grant. She advised members that the Restoring Central Dover Plan was in its final draft form, the steering committee had been very active, and NCALL had been a great leader, which had resulted in a lot of momentum coming from this process into the implementation phase. Mrs. Townshend stated that, last week, NCALL, on behalf of the steering committee, submitted an application to the Wells Fargo Foundation for a $750,000 implementation grant. If the City were successful in obtaining the Downtown Development District designation, she stated that the Wells Fargo Foundation grant would further leverage the funding that would come into the City.

Mrs. Townshend noted that the quality of the local incentives would account for 20% of the consideration given to scoring each application. She advised members that the application included the incentives currently offered by the City, such as the building permit waivers, impact fee waivers, and tax abatement on the value of improvement for a period of ten (10) years. In addition, she stated that the City had several residential incentives, including a tax waiver for owner-occupied residential uses, as well as a first-time homebuyer real estate transfer tax exemption and transfer tax abatement to the sellers of property being sold to owners who will be occupying the home. She noted that these incentives were currently offered only for those properties within a defined area and, under the Downtown Development District Program, the City would consider expansion to properties within the entire district boundary. As added incentives, Mrs. Townshend stated that staff would draft ordinances proposing to waive business license fees for new businesses for a period of three (3) years and an ordinance that would allow for a rebate of 50% of the real estate transfer tax for properties that are sold and then developed, which would be made available upon Certificate of Occupancy. In addition to these incentives offered by the City, she explained that the DDP would provide some architectural services for businesses coming into an existing tenant space that had code issues.

Mrs. Townshend thanked Mr. Bill Cook, Planner I, and Mr. Jeremy Gibb, GIS Technician, for their work on this project, specifically the mapping, data gathering, and demographics. She noted that the application was due during the current week and stated her hope for endorsement of the application and adoption of Resolution No. 2014-13 by City Council.

Responding to Mr. Perza, Mrs. Townshend stated that since only one (1) municipality from each county would be awarded the designation, there was a possibility that another town could receive it; however, she noted that the City could re-apply the following year. She advised members that if the City were awarded the designation, it would not receive monies directly, explaining that the designation would allow for a developer, building, or property owner to apply to the State for a rebate of up to 20% of development costs. Being optimistic, she stated staff's plan would be to prepare draft ordinances to present to the appropriate committee in late January 2015. By the time the ordinance would be presented to Council for final action, she stated that the City would know whether or not the designation was awarded to the City. Even if the designation were not awarded to the City, Mrs. Townshend suggested that there may be a desire to move forward with adoption of the ordinances, since they could help to spur business growth and redevelopment in the downtown area.

Mr. Lynn moved to approve the Committee's recommendation for the endorsement of the Draft Downtown Development District application, acknowledging that staff continued to refine the application prior to its final presentation to City Council, and adoption of Resolution No. 2014-13 as submitted. The motion was seconded by Mr. Slavin.

Mr. Anderson thanked staff for the tremendous job done on this application and relayed confidence in the City receiving the designation. Regardless of such designation, he felt that the details and plans would be good for the City and that the City should continue to move forward in making improvements for the residents of Dover, as well as the business community.

Council President Bonar stated he was an advocate for the City receiving monies from the State, noting that often times such funds are provided to areas in New Castle and Sussex Counties.

The motion to approve the Committee's recommendation was carried by a unanimous roll call vote (Williams and Hutchison absent) and Council adopted Resolution No. 2014-13, as follows:

A RESOLUTION IN SUPPORT OF APPLICATION FOR DESIGNATION AS A DOWNTOWN DEVELOPMENT DISTRICT

WHEREAS, under the Downtown Development Districts Act, 22 Del.C. §§ 1901 et seq. (the "Act"), the State of Delaware may designate districts within Delaware's cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

WHEREAS, these districts are known as Downtown Development Districts ("Districts"); and

WHEREAS, the State is accepting applications for the designation of the initial round of Districts, with such applications being due on November 1, 2014; and

WHEREAS, under the Act, each applicant must submit a plan that includes the boundaries of, and a detailed planning and development strategy for, the proposed District (the "District Plan"); and

WHEREAS, under the Act, each applicant must also propose incentives that address local economic and community conditions, and that will help achieve the purposes set forth in the Act (the "Local Incentives"); and

WHEREAS, if an application is successful and the City receives District designation, the District Plan and Local Incentives proposed by an applicant shall be binding upon the applicant; and

WHEREAS, the incentives associated with designation as a Downtown Development District would greatly benefit current and future residents, businesses, non-profit organizations, and others within the City of Dover; and

WHEREAS, the City Council of the City of Dover strongly believes that it is in the best interest of the City of Dover to apply for District designation.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The City Council supports the Application for Designation as a Downtown Development District prepared by the Dover Planning Office and dated October 27, 2014 (the "Application"); and

2. The City of Dover is authorized to appoint a District administrator (the "Administrator") to file the Application on behalf of the City, and to provide such other documents and information as may be necessary or desirable in connection with the Application; and

3. If the Application is successful and the City of Dover receives notice that it has been selected for designation as a District:
   a. The City shall adhere to the District Plan and the Local Incentives contained in the Application for the duration of the District designation; and
   b. The Administrator, or his or her designee(s), is authorized to execute such documents and enter into such agreements as may be necessary or desirable in connection with the Downtown Development Districts program and the rights and obligations of the City of Dover thereunder; and
   c. The Administrator, or his or her designee(s), is authorized to carry out all District administrative and reporting requirements on behalf of the City of Dover for the duration of the District.

ADOPTED: OCTOBER 27, 2014

Mr. Lynn moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Dixon and unanimously carried.

UTILITY COMMITTEE REPORT - OCTOBER 13, 2014

The Utility Committee met on October 13, 2014 with Chairwoman Williams presiding.

Tudor Pump Station - Acceptance and Dedication of Infrastructure

Mr. Scott Koenig, City Manager, reminded members that the Tudor Industrial Park was constructed during the 1990s. Since that time, all City Managers (including James O'Connor, Anthony DePrima and Scott Koenig) were willing to present the associated private wastewater pump station to City Council for dedication as long as minimum upgrades were made by the owner to meet current City of Dover requirements. Mr. Koenig informed members that the owner completed the upgrade requirements to the subject station, which provides wastewater service for multiple buildings within and immediately adjacent to the Tudor Industrial Park.

Mr. Koenig advised members that the current station was not compatible with the City of Dover's Wastewater System Supervisory Control and Data Acquisition (SCADA) system, which notifies the City's 24/7 Systems Operations Center when problems with a station arise. Instead, he explained, this pump station had a beacon light which flashes when there is a problem with the station. If the light is on, anyone

from the neighboring communities can contact the Systems Operations Center and report the situation. This same protocol exists at another pump station located on Maureen Place in the Wild Meadows development. He stated that an easement had been drafted, as well as a good faith agreement with the property owners to contact the City if they observe the beacon light flashing.

Mr. Koenig indicated that the estimated value of the pump station was $43,000 and it would become a part of the City's inventory upon its acceptance and dedication.

Staff recommended that City Council accept the dedication of the Tudor Pump Station to allow the City of Dover Department of Public Works to take on all operation and maintenance responsibilities in an effort to protect and maintain the safety, health, and welfare of the public in this area. However, Mr. Koenig stated that the City of Dover would not accept responsibility of the gravity wastewater system internal to the site, as that infrastructure would remain the responsibility of the property owner.

Responding to Mr. Perza, Mr. Koenig assured members that the City had conducted an inspection of the pump station and found it to be adequate for dedication.

The Committee recommended the 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, as recommended by staff.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

TEA/NAES Report *(July and August)*

The TEA/NAES Monthly Reports for July and August 2014 were provided to members to enable them to monitor electric sales and revenues received, which will provide a better understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Mr. Scott Koenig, City Manager, referred to Page 12 of the August report, and noted that it provided a year-to-date summary. Thus far, he stated that the City was $1M positive for operations. He explained that the load had been lower since it had been a cool year, resulting in lower costs as well as lower revenues. During the summer, there were several opportunities for Units 1, 2, and 3 to run; therefore, the generation revenues were higher than budgeted. As a result of the cool weather this year, he stressed the importance of monitoring revenues, explaining that although the City's expenses were reduced, a certain amount of revenues is necessary to maintain percentages and budgets.

Referring to Pages 8 and 9 of the August Report, Mr. Blakeman noted the City wrote off $13,825 of Solar Renewable Energy Credits (SREC) by retiring them and that there is only one (1) viable market located in Philadelphia. He questioned if it was required for the credits to be sold at the current rate or if they could be sold at a discount. Responding, Mr. Koenig indicated that, although he did not know the answer to that specific question, the City was acting on the advice of both The Energy Authority (TEA) and Mr. Harry Maloney, City of Dover Electric Director.

Responding to Mr. Anderson, Mr. Koenig stated that although the City had generated more electricity than planned, there had not been any associated increase in maintenance costs; however, it had been necessary to buy fuel oil. Mr. Koenig explained that as a result of the previous severe winter, PJM had issued new requirements and the City had to increase the fuel oil levels at McKee Run, at a cost of approximately $750,000, to meet reserve requirements for running on fuel oil. He stated that staff had concerns and, after discussions with TEA, the offer price of Units 1, 2, and 3 had been changed earlier in the year with the intent they would run more often, with the assurance that this would not cause higher maintenance costs. Mr. Koenig advised members that this had held true to date and the City was still anticipating the retirement of Units 1 and 2. He noted that staff was very conscious of those units running due to potential concerns of any expenses that would result from unplanned required maintenance, or taking the risk of not doing the maintenance. He stated that these issues are discussed monthly at the staff level and include discussions with TEA.

Mr. Koenig reminded members that a decision was made to take Units 1 and 2 out in Power Year 2018, which would result in 34 megawatts of capacity that must be replaced, and it had not yet been determined how this would occur. The power purchase agreement being discussed with Calpine, if it comes to fruition as intended, could replace the 34 megawatts and provide additional capacity. He advised members that other options were being evaluated, such as building some type of combustion turbine that would replace that power or potentially partnering with the Delaware Municipal Electric Corporation (DEMEC) or others to build generation.

Mr. Blakeman requested that an asterisk be placed next to those items on the PJM invoice that make up the PJM credit or that these items be somehow highlighted, noting that he was having difficulty determining this.

The Committee recommended acceptance of the TEA/NAES Monthly Reports for July and August 2014.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

By consent agenda, Mr. Hare moved for acceptance of the Utility Committee Report, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

QUARTERLY REVENUE REPORT

Members were provided the Revenue Report as of September 2014.

By consent agenda, Mr. Hare moved for acceptance of the Quarterly Revenue Report as of September 2014, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY

In accordance with Chapter 46 - Fire Prevention and Protection, Article II - Fire Department, Section 46-43 of the City Code, Mr. Scott Koenig, City Manager, met with the Fire Chief to discuss fire company issues. He discovered that the equipment and facilities were being maintained in excellent condition. The following points were noted during the on-site visit:

1) As a follow-up to the last inspection of Station #1 in October 2013, the Chief indicated there were no problems to report related to the asphalt parking lot, the building structure or vehicles associated with Station #1. There was some minor discussion about private vehicles parking in the lot area adjacent to Bradford Street for extended periods of time; however, no action is necessary at this time.

2) The Chief and City Manager reviewed the various types of response calls identified on the monthly report so the City Manager has a better understanding of the types of calls to which personnel are responding.

3) The City Manager reiterated the request to create electronic files of the maintenance records for each vehicle in the inventory and store those files and the associated summary spreadsheets in the Fortis system so they can be reviewed by city staff and are readily available for future considerations of vehicle replacements. The City Manager spoke with the Fire Chief's Assistant, Mr. Patrick Smith, several days prior to the inspection regarding the same request.

4) The Fire Chief will include a summary report regarding type of alarm and attendance in future monthly reports. A copy of the type of information requested was provided to members for reference purposes.

By consent agenda, Mr. Hare moved for acceptance of the report of the Semi-Annual Robbins Hose Company Inspection, as submitted by the City Manager, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

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

Mr. Glenn Mandalas, Baird, Mandalas, Brockstedt, LLC (City attorney for contract negotiations), advised members that for more than a year, he had been negotiating the first labor agreement with the American Federal of State, County and Municipal Employees (AFSCME), representing approximately 40 employees of the City of Dover. On July 30, 2014, the Union ratified an initial version of the labor agreement, which was then presented to City Council and rejected during their Regular Meeting of September 8, 2014. Mr. Mandalas stated that, based on the comments made during that meeting, a subsequent meeting was jointly requested by the Union and the City with the Executive Director of the Public Employment Relations Board (PERB), Ms. Deborah Murray-Sheppard, in an effort to gain thoughts and ideas as to how to move forward in finalizing the agreement. As a result, Mr. Mandalas presented revisions to the labor contract and noted that AFSCME had not ratified the amendments; therefore, if approved by City Council, the amended agreement would still need to be presented to the Union for their approval.

Noting that Members of City Council were provided a summary of the major framework of the agreement during their Regular Meeting of September 8, 2014, Mr. Mandalas reviewed only those issues with which City Council had concerns. He reminded members that the contract provided a two (2) year-window for employees to decide if they wanted to retire with 100% health care, as had been provided before the City implemented the 15% cost-sharing in health care premiums, and that there were concerns regarding the length of that window. As a result, he stated that the agreement had been revised to provide for a 30-day period occurring at the end of the fiscal year (between June 1, 2015 and June 30, 2015).

Mr. Mandalas stated that Members of City Council had also relayed concern with base salary adjustments for three (3) job classifications to be implemented July 1, 2014 and a second adjustment on July 1, 2015. He stated that the agreement had been revised to eliminate the July 1, 2015 adjustment, resulting in only one (1) adjustment to be effective July 1, 2014. In addition, he stated that it had been agreed to have those three (3) job classifications reviewed through the City's standard review process to determine if those salaries were appropriate or if adjustments should be made.

Referring to the 30-day time period provided for individuals to decide to retire and remain eligible for 100% health care, Mr. Hare felt that it would make more sense for that period to run from the current date through June 30, 2015. As an example, he stated that if an employee wished to retire in March, they would not be required to wait until June in order to receive the 100% health care. Responding, Mr. Mandalas felt that the Union would support this proposal since it would provide more opportunity rather than less, noting that the period would run from the date the agreement was approved through June 30, 2015.

Mr. Hare moved for approval of the revised contract with an amendment that would provide a window of opportunity from the date the agreement is approved through June 30, 2015 for individuals to decide if they want to retire with 100% health care. The motion was seconded by Mr. Anderson.

Mr. Anderson stated that although he continued to have concerns regarding the April 1, 2014 retroactive salary increases, he felt that the revised contract was probably the best that could be agreed upon at this time; therefore, he stated that he would reluctantly vote yes.

Mr. Slavin stated that he, too, would vote yes, noting that often individuals are criticized for being "penny wise and pound foolish" by looking for early and easy savings while leaving debt for future generations. He felt that the contract had been negotiated by balancing costs and savings.

Mr. Perza reminded members that simply because the PERB had indicated their support of the revised contract it did not mean it was the best deal for the City of Dover.

The motion to approve the revised contract, with an amendment that would provide a window of opportunity for individuals to decide if they want to retire with 100% health care was carried by a roll call vote of five (5) yes (Anderson, Dixon, Slavin, Hare, and Bonar), one (1) no (Perza), one (1) abstention (Lynn), and two (2) absent (Williams and Hutchison).

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

The Robbins Hose Company election is scheduled for November 17, 2014. The following persons have been recommended to serve as judges for the election:

1. James Howlett 2. James Hurley, Jr. 3. William H. Hurley IV (alternate)

Mr. Hare moved for approval of the appointment of judges for the Robbins Hose Company election as recommended, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

APPOINTMENTS RECOMMENDED BY MAYOR ROBIN R. CHRISTIANSEN

Mayor Robin R. Christiansen requested approval of the following appointments:

Awards Committee

Ronald R. Gough (*to fill expired term of Mary Skelton)*

Election Board

Curtis E. Raymond (Third District) *(to fill unexpired term of John J. Davis - Term to Expire May 2016)*
M. Milford Caldwell (Fourth District) *(to fill unexpired term of Lillie Mae Johnson - Term to Expire May 2016)*

By consent agenda, Mr. Hare moved for approval of the appointments as recommended by Mayor Christiansen, seconded by Mr. Slavin and carried by a unanimous roll call vote (Williams and Hutchison absent).

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

A request was received to rezone properties 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. The property

is currently zoned M (Manufacturing), subject to the COZ-1 (Corridor Overlay Zone) and the proposed zoning is C-3 (Service Commercial), subject to the COZ-1. (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).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required. Staff recommended 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.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the petition to amend the zoning classification.

Mr. Hare moved for approval of staff's recommendation to refer the request to the Planning Commission on November 17, 2014 and set a public hearing for December 8, 2014, at 7:30 p.m., seconded by Mr. Dixon and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Zoning Ordinance Amendment as read by the City Clerk, by title only, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF TWO (2) PARCELS OF PROPERTY LOCATED AT 603 WEST DIVISION STREET

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

Members were provided Proposed Ordinance #2014-22 - Budget Amendment related to Capital Investment Plan for Fiscal Year 2014 carry forward balances. The First Reading of Proposed Ordinance #2014-22 was accomplished during the Council Meeting of October 13, 2014.

Mr. Slavin moved that the Final Reading of Proposed Ordinance #2014-22 be acknowledged by title only, seconded by Mr. Hare and unanimously carried.

Mrs. Donna Mitchell, Controller/Treasurer, reminded members that the purpose of Proposed Ordinance #2014-22 was to adjust the budgets for the projects that were not completed during FY2014. The budget balances had been calculated, and the ordinance would adjust the FY2015 budget to bring those budget balances forward so that the projects could be completed with the budget in place. In response to the concern mentioned during the Regular Council Meeting of October 13, 2014 regarding the $104,000 transfer from the Parkland Reserve Fund, she advised members that the transfer was to carry forward $65,000 for the John W. Pitts Recreation Center HVAC Project from FY2014 plus an additional $39,000 that was approved by Council in FY2014 after this project was re-bid to include both labor and equipment.

Mr. Hare moved for adoption of Proposed Ordinance #2014-22, seconded by Mr. Anderson and, by a unanimous roll call vote (Williams and Hutchison absent), Council adopted Ordinance #2014-22 *(Exhibit #2)*.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Bonar noted that next Tuesday, November 4, 2014, would be Election Day and encouraged everyone to exercise their right to vote.

By unanimous consent, the meeting adjourned at 8:27 p.m.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of October 27, 2014, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM/jg
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Exhibits

Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 1370 College Road
Exhibit #2 - Ordinance #2014-22 - Budget Amendment Related to Capital Investment Plan - Fiscal Year 2014 (FY14) Carry-Forward Balances

Violation of Dangerous Building Ordinance 1370 College Rd

Planning & Inspections Department

Dover, Delaware

October 27, 2014

EXHIBIT #1
Regular Council Meeting of 10/27/2014

1370 College Rd
Case History

- 11 code enforcement cases since 2008
  - Exterior code violations – trash & debris
  - Junked cars – failure to obtain building permits
  - Grass violations – parking on the grass
- The utilities were terminated on July 10, 2013
- Registered as vacant by the city on November 8, 2012
- Condemned by City Staff on August 18, 2014 due to no active utilities, open code violations
- Outstanding Charges
  - $200.00 in code enforcement citations
  - $7,163.85 in taxes (all properties owned by owner)


















05/08/2014 10:08


05/08/2014 10:09


05/08/2014 10:11


05/08/2014 10:11


05/08/2014 10:12


05/08/2014 10:12


05/08/2014 10:12


05/08/2014 10:13

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*

Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property repaired or demolished by **November 27, 2014** by the owner or equity owner at their own risk.
- Order 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**.
- Order 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.

CITY OF DOVER ORDINANCE # 2014 - 22
2014-2015 BUDGET ORDINANCES - FIRST AMENDMENT

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2014-2015

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Eight Million, Seven Hundred Fifty Four Thousand, Nine Hundred Dollars ($8,754,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1,2014 and ending June 30, 2015:

REVENUES

	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
BEGINNING BALANCE	$ 117,100	$ 2,323,100
BEGINNING BALANCE - LIBRARY PROJECT	-	330,500
REVENUES		
STATE GRANTS - OTHER	153,000	208,000
PROPOSED BOND/BANK PROCEEDS - Street	2,661,100	2,675,000
LEASE PURCHASE OF FIRE AND POLICE EQUIPMENT	918,300	918,300
TRANSFER FROM GENERAL FUND FOR PROJECTS	2,196,000	2,196,000
TRANSFER FROM PARKLAND RESERVE	-	104,000
TOTAL REVENUES	5,928,400	6,101,300
TOTAL BEGINNING BALANCE AND REVENUES	**$ 6,045,500**	**$ 8,754,900**

EXPENSE SUMMARY

DEPARTMENT EXPENSES	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
FIRE	$ 827,300	$ 827,300
GROUNDS MAINTENANCE	68,100	86,700
RECREATION	146,000	364,400
POLICE	499,100	499,100
STREETS	1,370,300	1,793,800
STREETS - GARRISON FARM INFRASTRUCTURE	2,600,000	4,226,700
SANITATION	256,500	256,500
CENTRAL SERVICES	-	55,000
BOND/LOAN ISSUANCE COST	61,100	61,100
DEPARTMENT SUBTOTAL	5,828,400	8,170,600
TRANSFERS & MISCELLANEOUS EXPENSES		
TRANSFER TO PARKLAND RESERVE	100,000	100,000
TRANSFER TO CAPITAL PROJECT RESERVE	-	330,500
TRANSFERS & MISCELLANEOUS SUBTOTAL	100,000	430,500
TOTAL EXPENSES AND TRANSFERS	5,928,400	8,601,100
CURRENT YEAR BALANCE	117,100	153,800
TOTALS	**$ 6,045,500**	**$ 8,754,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: OCTOBER 27, 2014

2014-2015 BUDGET ORDINANCES - FIRST AMENDMENT CONTINUED

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2014-2015

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Seventeen Million, Four Hundred Twenty Eight Thousand, One Hundred dollars ($17,428,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

CASH RECEIPTS

	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
PRIOR YEAR BALANCE - WATER	$ 1,021,200	$ 7,490,100
PRIOR YEAR BALANCE - WASTEWATER	1,060,000	5,597,400
TOTAL BEGINNING BALANCES	2,081,200	13,087,500
RECEIPTS		
TRANS FROM OPERATING FUND FOR WATER	1,200,000	1,200,000
TRANS FROM OPERATING FUND FOR WASTEWATER	1,800,000	1,800,000
TRANSFER FROM WASTEWATER IMPACT FEE RESERVE	1,315,600	1,315,600
INTEREST INCOME	25,000	25,000
TOTAL RECEIPTS	4,340,600	4,340,600
TOTALS	**$ 6,421,800**	**$ 17,428,100**

EXPENSE SUMMARY

EXPENSES	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
WATER	$ 1,336,900	$ 7,526,500
WASTEWATER	3,273,200	7,757,300
WATER TREATMENT PLANT	38,100	38,100
TOTAL EXPENSES	4,648,200	15,321,900
CURRENT YEAR BALANCE - WATER	858,700	1,138,000
CURRENT YEAR BALANCE - WASTEWATER	914,900	968,200
CURRENT YEAR BALANCE SUBTOTALS	1,773,600	2,106,200
TOTALS	**$ 6,421,800**	**$ 17,428,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: OCTOBER 27, 2014

2014-2015 BUDGET ORDINANCES - FIRST AMENDMENT CONTINUED

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2014-2015

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Ten Million, Nine Hundred Eighty Seven Thousand Nine Hundred Dollars ($10,987,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

CASH RECEIPTS

	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
BEGINNING BALANCE	$ 3,362,200	$ 5,963,100
RECEIPTS		
TRANSFER FROM ELECTRIC	4,750,000	4,750,000
GENERAL SERVICE BILLING	250,000	250,000
INTEREST EARNINGS	24,800	24,800
TOTAL RECEIPTS	5,024,800	5,024,800
TOTALS	**$ 8,387,000**	**$ 10,987,900**

EXPENSE SUMMARY

EXPENSES	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
ELECTRIC GENERATION	$ 2,240,000	$ 2,739,300
TRANSMISSION AND DISTRIBUTION	1,033,000	1,574,100
ELECTRICAL ENGINEERING	1,663,100	3,030,300
TOTAL EXPENSES	4,936,100	7,343,700
CURRENT YEAR BALANCE	3,450,900	3,644,200
TOTALS	**$ 8,387,000**	**$ 10,987,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: OCTOBER 27, 2014

2014-2015 BUDGET ORDINANCES - FIRST AMENDMENT CONTINUED

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2014-2015

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating One Million, Eight Hundred Twenty One Thousand Eight Hundred Dollars ($1,821,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2014 and ending June 30, 2015:

OPERATING REVENUES

	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
PRIOR YEAR BALANCE	$ 78,900	$ 143,500
GRANTS REVENUE - DELDOT	500,000	1,677,800
INTEREST INCOME	500	500
TOTAL REVENUES	500,500	1,678,300
TOTALS	**$ 579,400**	**$ 1,821,800**

OPERATING EXPENSES

	ORIGINAL 2014/15 BUDGET	REVISED 2014/15 BUDGET
PROGRAM EXPENSES - DELDOT	$ 500,000	$ 1,677,800
TOTAL EXPENDITURES	500,000	1,677,800
CURRENT YEAR BALANCE	79,400	144,000
TOTALS	**$ 579,400**	**$ 1,821,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: OCTOBER 27, 2014