REGULAR COUNCIL MEETING
A G E N D A

AUGUST 25, 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 REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCIL PRESIDENT BONAR

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 August 11, 2014**

2. **Presentation by Kent County Levy Court Commissioner Brad Eaby - Reciprocal Borrowing Fund Special Allocation**

3. **Presentation - Recognition of Service - Gary Patterson - Downtown Dover Partnership (May 1989 - July 2014)**

4. **Proclamation - National Preparedness Month**

5. Public Hearings - Violations of Dangerous Building Ordinance - Dangerous Structures

A. Property located at 231 Mifflin Road, Owned by Jesse and Nichole Evans (Pool)

(Staff recommends: 1. Declaring this in-ground pool and pool pump assembly on this property dangerous; 2. Ordering the property repaired or demolished by September 25, 2014 by the owner or equity owner at their own risk; 3. Ordering the Building Inspector to cause the repair or 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 repairs or demolition to be charged against the land on which the structure 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.)

B. Property located at 803 Westview Terrace, Owned by William R. Masten (Pool)

(Staff recommends: 1. Declaring the in-ground pool on this property dangerous; 2. Ordering the property repaired or demolished by September 25, 2014 by the owner or equity owner at their own risk; 3. Ordering the Building Inspector to cause the repair or demolition of the structure 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 repairs or demolition to be charged against the land on which the structure 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.)

* **6. Parks, Recreation, and Community Enhancement Committee Report - August 11, 2014**

A. Proposed Ordinance #2014-18 Amending Appendix B - Zoning, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option (PND), Subsection 24.62 - Buffers; Article 4 - Zoning Bulk and Parking Regulations, Subsections 4.10 and 4.11 *(Sponsors: Hutchison and Williams)*

*(Committee recommended adoption of the ordinance)***(See Item #14-A)**

B. Investigating AmeriCorps and Retired Senior Volunteer Program (RSVP) to Supplement Staffing (*Request of Councilman Anderson*)

(Committee recommended that staff be authorized to investigate volunteers to supplement staffing for the City and that a report be submitted within 90 days (if study is not completed, staff would provide report on its status)

C. Semi-Annual Review - Statistics Regarding Jobs and Businesses Gained and Lost in the City of Dover Since July 2013

(Committee action not required)

D. Community Development Block Grant (CDBG) Program Quarterly Update

(Committee action not required)

E. Recreation Needs Assessment Update

(Committee action not required)

F. Status Report - Dover Park Recreation Center

(Committee action not required)

* **7. Utility Committee Report - August 11, 2014**

A. Evaluation of Proposals and Proposed Budget Amendment - Unit 3 Cooling Tower

(Committee recommended the acceptance of the revised CIP and awarding the contract for the McKee Run Unit 3 Cooling Tower Repairs (Project # EG1402) to Evaptech in the amount of $951,000)

B. Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater) ***(April, May, and June)***

(Committee action not required)

C. TEA/NAES Reports ***(May and June)***

(Committee recommended acceptance of the reports)

D. Updates

(Committee action not required)

* **8. Legislative, Finance, and Administration Committee Report - August 11, 2014**

A. Proposed Financial Reforms - Compensation Policies

(Committee deferred the discussion regarding the Proposed Financial Reforms - Compensation Policies)

B. Automatic Escalator for Building-Related Permit Fees ***(Request of Councilman Anderson)***

(Committee recommended that an automatic escalator for building-related permit fees be referred to staff with their full ability to revise in its entirety to develop recommendations based upon its intent)

C. Proposed Ordinances

c-1. #2014-19 Amending Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I - In General, Section 98-5 - Duty of tenants or owners to maintain sidewalks and landscaped areas within the street right-of-way and Appendix F - Fees and Fines *(Sponsors: Bonar, Hare, Lynn, Koenig, and Townshend)(Committee recommended adoption of the ordinance)***(See Item #13-A)**

c-2. #2014-20 Amending Appendix B - Zoning, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval *(Sponsors: Hutchison and Townshend)(Committee recommended adoption of the ordinance)***(See Item #14-B)**

D. Updates

d-1. Economic Development

(Committee action not required)

d-2. Certified Local Government Application

(Committee recommended that staff be directed to have the application completed by December 31, 2014)

9. Tentative Labor Contract with American Federation of State, County and Municipal Employees (AFSCME)

(This item was deferred during the Council meeting of August 11, 2014)

10. Evaluation of Bids - White Oak Farms Basin #5 Inflow and Infiltration Replacement

(Staff recommends awarding a unit price contract, based upon Bid #14-0049PW for the White Oak Farms Basin #5 Inflow and Infiltration Replacement Project (Buck Drive) to Teal Construction, Inc.)

11. Acceptance of Proposal - Heating, Ventilation, and Air Conditioning (HVAC) Control Systems for Dover Public Library

(Staff recommends awarding the Planned Service Contract for the HVAC Control Systems for the Dover Public Library to the sole vendor, Johnson Controls, Inc., for a three (3) year amount of $32,763.50)

* **12. <u>Appointments Recommended by Council President Bonar - President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library and Other City Properties</u>**

A. James L. Hutchison
B. Beverly C. Williams (Chair)
C. Joseph McDaniel
D. Kevin D. Mitten

13. <u>First Reading - Proposed Ordinance</u>

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 September 8, 2014. 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. #2014-19 Amending Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I - In General, Section 98-5 - Duty of tenants or owners to maintain sidewalks and landscaped areas within the street right-of-way and Appendix F - Fees and Fines

(Legislative, Finance, and Administration Committee)

14. <u>First Reading of Proposed Ordinances Amending Appendix B - Zoning</u>

The First Reading is offered on the following Proposed Ordinances. Amendments to Appendix B - Zoning require a Public Hearing. They are recommended for referral to the Planning Commission on September 15, 2014, and that a Public Hearing be set for October 13, 2014 at 7:30 p.m., at which time the Final Readings and Council action will take place. 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. #2014-18 Amending Appendix B - Zoning, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option (PND), Subsection 24.62 - Buffers; Article 4 - Zoning Bulk and Parking Regulations, Subsections 4.10 and 4.11 *(Parks, Recreation, and Community Enhancement Committee)*

B. #2014-20 Amending Appendix B - Zoning, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval *(Legislative, Finance, and Administration Committee)*

15. Council Members' Announcements

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.