REGULAR COUNCIL MEETING
A G E N D A

REVISED TO INCLUDE THE RECOMMENDATIONS FOR ITEM #6A. - #6A.I

MAY 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 REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN PERZA

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 - Annual Council Meeting of May 12, 2014**

2. Public Hearings - Violation of Dangerous Building Ordinance

A. Property located at 45 South New Street, Owned by House of Pride

(Staff recommends: 1. Declaring this building and all accessory structures on this property dangerous; 2. Ordering the property repaired or demolished by June 26, 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 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.)

2. Public Hearings - Violation of Dangerous Building Ordinance (Continued)

B. Property located at 110 South New Street, Owned by House of Pride

(Staff recommends: 1. Declaring this building and all accessory structures on this property dangerous; 2. Ordering the property repaired or demolished by June 26, 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 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.)

* **3. Special Safety Advisory and Transportation Committee Report - May 12, 2014**

A. Concerns Related to Permit Parking In Front of Wesley Pre-School and Education Building

(Committee recommended that the matter be remanded back to staff to meet with Wesley Church to consider the needs and assessments that need to be factored in regarding the Church, its school, and its mission and that staff be authorized to proceed with intermediate permit spot adjustments)

B. Discussion - Traffic Concerns on College Road (Request of Westminster Village)

(Committee action not required)

C. Update - Dover High School Construction

(Committee action not required)

* **4. Parks, Recreation, and Community Enhancement Committee Report - May 12, 2014**

A. Proposed Ordinance #2014-08 - Amending Appendix B - Zoning - Article 3 - District Regulations - Section 10 - Institutional and Office Zone (IO); Section 11 - Neighborhood Commercial Zone (C-1); Section 12 - Limited Commercial Zone (C-1A); Section 13 - Central Commercial Zone (C-2); Section 14 - Limited Central Commercial Zone (C-2A); Section 15 - Service Commercial Zone (C-3); Section 16 - Highway Commercial Zone (C-4); Section 26 - Commercial/Professional Office Development District (C-PO); Article 4 - Zoning Bulk and Parking Regulations; Article 10 - Planning Commission; and Article 12 - Definitions (See Item #12)

(On April 14, 2014, the Committee referred the ordinance back to staff to make recommended changes and to clarify language for the Committee's consideration during their meeting of May 12, 2014)(Committee recommended adoption of Proposed Ordinance #2014-08, as drafted by the Planning Department)

B. Updates

(Committee action not required)

* **5. Utility Committee Report - May 12, 2014**

A. Capital School District Request to Transfer Equivalent Dwelling Unit (EDU) Credits (Dover High School)

(Committee recommended approval of the transfer of Equivalent Dwelling Unit (EDU) credits for the Capital School District from 1 Pat Lynn Drive to 1 Dover High Drive)

B. Annual Review and Approval of Governing Policy For Energy Commodity Risk Management

(Committee recommended approval of the Governing Policy for Energy Commodity Risk Management)

C. Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater)

(Committee action not required)

D. TEA/NAES Report *(March)*

(Committee recommended acceptance of the report)

E. Updates

(Committee action not required)

6. Legislative, Finance, and Administration Committee Report - May 12, 2014

* **A. Downtown Dover Business Improvement District (BID) Budget and Assessment (Tax) Rates for Fiscal Year 2014/2015**

(Committee recommended approval of the proposed budget and assessment (tax) rates for Fiscal Year 2014/2015)

* **B. Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor**

(Committee to continue discussion of this item following the 2014 Special Mayoral Election)

* **C. Proposed Planning and Inspections Fee Increases**

(Committee deferred consideration of the proposed Planning and Inspections fee increases to allow staff to contact the chamber of commerce and schedule a public hearing)

* **D. Authorization for New Position - Assistant City Manager**

(Committee deferred)

* **E. 2015 Property Revaluation and Reassessment**

(Committee recommended approval to proceed with the 2015 Property Reassessment)

* **F. FY14 Edward Byrne Justice Assistance Grant Program - Police Vehicle Computer and Video Technology Upgrades**

(Committee recommended approval of the grant project)

* **G. Proposed Revenue Policy - Police Extra Duty/Voluntary Overtime**

(Committee recommended adoption of the Revenue Policy - Police Extra Duty/Voluntary Overtime)

6. Legislative, Finance, and Administration Committee Report - May 12, 2014 (Continued)

* **H. Proposed Ordinances**

h-1. #2014-09 Amending Chapter 50 - Floods; Chapter 22 - Buildings and Building Regulations, Article III - Building Code, Section 22-61 - Adopted, (a) International Building Code and International Residential Code Adopted; and Appendix F - Fees and Fines *(Sponsors: Perza and Townshend)***(See Item #13-A)**

(Committee recommended adoption of Proposed Ordinance #2014-09)

h-2. #2014-10 - FY 2014 Budget Amendment *(Sponsors: Hutchison and Mitchell)***(See Item #13-B)**

(Committee recommended adoption of Proposed Ordinance #2014-10)

h-3. #2014-14 Amending Appendix D - Downtown Dover Business Improvement District (DDBID), Article III - Establishment of DDBID, Section 3 - Geographic Boundaries, and Section 5 - Management Company *(Sponsors: Lynn and Townshend)***(See Item #13-C)**

(Committee recommended adoption of Proposed Ordinance #2014-14)

I. Proposed Reinstatement of the Fee Waiver Provision for Tax Exempt Properties

(Committee recommended that staff be requested to prepare an ordinance to reinstate the incentives for tax exempt properties)

7. Set Public Hearing - Electric Fund Budget *(Recommended that a Public Hearing be set for June 9, 2014 at 7:30 p.m.)*

8. Senate Bill No. 226 Amending Title 26 of the Delaware Code Relating to Public Utilities

* **9. Council President Appointments - 2014/2015 Committees (Annual Appointments Deferred During the Meeting of May 12, 2014)**

A. Legislative, Finance, and Administration Committee
B. Parks, Recreation, and Community Enhancement Committee
C. Safety Advisory and Transportation Committee
D. Utility Committee
E. Compensation Commission
F. Construction Code Appeals Committee
G. Other Post-Employment Benefits (OPEB) Trust Fund Board
H. Retirement Committee - General Employee Pension Plan
I. Retirement Committee - Police Pension Plan

* **10. 2014/15 Miscellaneous Appointments - Council President (Annual Appointments Deferred During the Meeting of May 12, 2014)**

A. Chamber of Commerce & Greater Dover Committee Liaison Members
B. City/County Committee (Liaison to Kent County)
C. Kent County Tourism
D. Central Delaware Economic Development Council (CDEDC) Liaison Member/Kent Economic Partnership

* **11. Appointments Recommended by Council President Bonar - City Chaplains (Annual Appointments to Expire May 2015)**

A. Reverend Theodore A. Henderson of Dover Christian Church
B. Bishop Thomas L. Holsey of Bibleway Temple Church of God in Christ

12. First Reading of Proposed Ordinance #2014-08

The First Reading is offered on the Proposed Ordinance. Amendments to Appendix B - Zoning require a Public Hearing. It is recommended for referral to the Planning Commission on June 16, 2014, and that a Public Hearing be set for July 14, 2014 at 7:30 p.m., at which time the Final Reading 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. Amending Appendix B - Zoning, Article 3 - District Regulations, Section 10 - Institutional and Office Zone (IO); Section 11 - Neighborhood Commercial Zone (C-1); Section 12 - Limited Commercial Zone (C-1A); Section 13 - Central Commercial Zone (C-2); Section 14 - Limited Central Commercial Zone (C-2A); Section 15 - Service Commercial Zone (C-3); Section 16 - Highway Commercial Zone (C-4); Section 26 - Commercial/Professional Office Development District (C-PO); Article 4 - Zoning Bulk and Parking Regulations; Article 10 - Planning Commission; and Article 12 - Definitions

(Parks, Recreation, and Community Enhancement Committee)

13. First Reading - Proposed Ordinances

The First Reading is offered on the following proposed ordinances. The Final Reading of the ordinances and action by Council will take place on June 9, 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. #2014-09 Amending Chapter 50 - Floods; Chapter 22 - Buildings and Building Regulations, Article III - Building Code, Section 22-61; and Appendix F - Fees and Fines
B. #2014-10 - FY 2014 Budget Amendment
C. #2014-14 Amending Appendix D - Downtown Dover Business Improvement District (DDBID), Article III - Establishment of DDBID, Section 3 - Geographic Boundaries, and Section 5 - Management Company

14. Proposed Ordinance #2014-05 With Planning Commission Amendment #1 (PC#1) and Council Amendment #1 (C#1)

The Public Hearing and Final Reading of the proposed ordinance were accomplished during the Council meeting of May 12, 2014, at which time it was tabled by Council. Copies are available at the entrance of the Council Chambers.

A. #2014-05 With Planning Commission Amendment #1 (PC#1) and Council Amendment #1 (C#1) Amending Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses

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.