REGULAR COUNCIL MEETING
A G E N D A

FEBRUARY 11, 2013 - 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 COUNCILMAN DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

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**

- **A. Special Council Meeting - Financial Workshop of January 7, 2013**
- **B. Regular Council Meeting of January 28, 2013**

2. Public Hearing - Proposed Resolution No. 2013-03 Approving (Paper) Alley Abandonment - 971 and 975 Forest Street

* **3. Safety Advisory and Transportation Committee Report - January 30, 2013**

- **A. Safety Concerns - New Dover High School Pedestrian/Vehicular Traffic**

(Committee Recommended that Staff Gather Information from the Capital School District, Including the Number of People Going in and out of the School and the Total Number of Students Walking and Driving, as well as Information from the Police Chief Pertaining to Traffic Patterns, Accidents, and Safety Information, and That this Information Be Compiled, Perhaps Including Input from State Officials, and Presented to the Delaware Department of Transportation with a Request for Further Review and Consideration of a Traffic Signal at the East Entrance of the New Dover High School)

* **3. Safety Advisory and Transportation Committee Report - January 30, 2013 (Continued)**

B. Request for Waiver of Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section E - Lots (5) - Requirement for Lot Frontage on a Public Street - 1151-1155 Walker Road, LLC (SB-13-01)

(Committee Recommended Approval of the Request for a Waiver of the Lot Frontage Requirement on a Public Street for Minor Subdivision Plan SB-13-01, Lands of 1151-1155 Walker Road, LLC)

C. Briefing on Delaware Department of Transportation (DelDOT) Projects

(Committee Action Not Required)

D. Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects

(Committee Action Not Required)

E. Update on the Creation of Bicycle/Pedestrian Subcommittee

(Committee Action Not Required)

* **4. Monthly Reports - December 2012**

A. Budget
B. Chief of Police (*October, November, and December*)
C. City Assessor
D. City Manager
E. City Planner
F. Dover Fire Department
G. Economic Development Office

* **5. Quarterly Review of Capital Investment Plan (CIP) *(October, November, and December)***

6. Evaluation of Bids

A. Engineering Agreement - Horsepond Substation
B. Engineering Agreement - Horsepond Substation Transmission Line
C. 2013 Street and Alley Program

* **7. Amendment to Resolution No. 2009-03 Creation of Dover Library Foundation**

8. Annexation/Rezoning Request - First Reading of Proposed Ordinance #2013-05
(Recommended for Referral to the Utility Committee on February 25, 2013, the Planning Commission on March 18, 2013, and that a Public Hearing Be Set for April 22, 2013 at 7:30 p.m.)

A. Property located at 1174 South Governors Avenue, containing .17$^{+/-}$ acres (8,250 s. f.), owned by Sipple's Used Cars, Inc. The present zoning classification is BG - General Business (Kent County zoning classification) and the proposed zoning classification is C-2A - Limited Central Commercial (City of Dover zoning classification) (Tax Parcel: ED-00-086.05-01-12.00-000; Planning Reference: AX-13-01)

9. 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.

COUNCIL FINANCIAL WORKSHOP

A Council Financial Workshop was held on January 7, 2013 at 5:40 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mr. Dixon, Mr. Lynn (departed at 8:44 p.m.), Mr. Perza, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mr. Koenig, and Mrs. McDowell. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was accepted as presented.

REQUEST TO CHANGE DATE OF DEDICATION OF MARTIN LUTHER KING JR. BOULEVARD TO SATURDAY, JANUARY 19, 2013

Mr. Scott Koenig, City Manager, advised members that Reverend Michael Rogers and Reverend Rita Paige had recently approached him requesting that the date of the dedication ceremony for Martin Luther King Jr. Boulevard be changed from Monday, January 21, 2013 to Saturday, January 19, 2013 to coincide with the annual Martin Luther King Jr. Day Parade. He stated that arrangements had been made to change the parade route to include the Martin Luther King Jr. Boulevard location, arriving at 12:15 p.m., and that a brief ceremony had been scheduled there at 12:30 p.m. He indicated that Reverend Rogers and Reverend Paige were working on a program for the event to include speakers, etc., and would provide this information to the City once it was finalized. Mr. Koenig explained that there was some concern regarding the availability of dignitaries on the originally scheduled date (Monday), requested Council's consideration of the proposal to change the date, and advised members that he anticipated the program to be made available to members during their Regular Meeting of January 14, 2013.

In response to Mr. Hare, Mr. Koenig stated that although there were some logistical issues, Senator Bushweller had offered to pay for informational and ceremonial signs to be used for this event.

Mr. Anderson moved for approval of the request to change the official date of the dedication of Martin Luther King Jr. Boulevard to Saturday, January 19, 2013, seconded by Mr. Dixon and unanimously carried.

INTRODUCTION BY COUNCIL PRESIDENT LEARY

Council President Leary advised members that during the last few budget cycles, Council had discussed little besides the City's unfunded liabilities during the Annual Retreat due to the increasing importance of this issue and its effect on the budget. As a result, there had not been much opportunity to discuss other matters, such as sidewalks, playgrounds, etc., as was done in previous years. It was his hope that by conducting a separate workshop on the unfunded liabilities, members would have the opportunity to discuss other matters during the Retreat.

Council President Leary noted that there has been national debate regarding Social Security, Medicare, etc., which he felt paralleled the City's issues, explaining that the City made commitments many years ago to pay pension and medical benefits when employees typically retired at 65 and lived

to be 70 years of age or so. He noted that this was not an unsound system at the time, from an actuarial standpoint; however, this was no longer the case, since individuals often retire at a much younger age and live longer.

PENSION FUNDS - UPDATE ON FUNDING STATUS AND ACTUARIAL REQUIRED CONTRIBUTIONS AS OF JUNE 30, 2012

Mrs. Donna Mitchell, Controller/Treasurer, reviewed a Presentation entitled - Council Financial Workshop - January 7, 2013 ***(Exhibit #1 - Pages 2-17)***.

Police Pension Fund

In reviewing the Police Pension Fund (Pages 2-5 of Exhibit #1), Mrs. Mitchell noted that the amount of Benefit Payments reflected was greater than the contributions. She reminded members that this was a closed plan (City's old Police Pension Plan) and no active employees were enrolled. She stated that, according to the last actuarial study, there were 48 retirees or beneficiaries in the plan, with 50% in the 55-65 age bracket.

As noted on Page 4, Mrs. Mitchell explained that the Net Pension Asset at the beginning of the year was an accumulation of all prior year differences resulting from over-funding or under-funding of the plan by the City, and the overall difference accumulated to an asset. Since the City under-funded the plan this year, she stated that the Net Pension Asset had been reduced. She indicated that $668,274 listed in contributions included the State's contribution in the amount of $561,772 and the City's in the amount of $95,000. Mrs. Mitchell explained that the Net Pension Asset had continued to decrease and that it would be necessary for the City to fund approximately $200,000 next year and $400,000 thereafter, which would impact the budget.

General Pension Fund

In reviewing the General Pension Fund (Pages 6-10 of Exhibit #1), Mrs. Mitchell noted that there were 194 retirees or beneficiaries participating in the plan, 81 active employees who were fully vested, and 68 active employees who were non-vested. She indicated that there were 14 deferred vested individuals who terminated with 10 years of service and would be eligible for pensions when they attain 65 years of age. She stated that approximately 48% of the members of the General Pension Fund were in the 55-65 age bracket, according to the last actuarial study conducted.

Responding to Council President Leary, Mrs. Mitchell confirmed that the General Pension Plan was closed to new employees in 2009.

Other Post-Employment Benefits (OPEB) - Update on Funding Status and Actuarial Required Contributions as of June 30, 2012

Referring to the Other Post-Employment Benefits (OPEB) Fund (Pages 11-14 of Exhibit #1), Mrs. Mitchell noted that there were 252 retirees and beneficiaries currently receiving benefits, 14 terminated plan members who were entitled to benefits, and 331 active eligible plan members, for a total of 597 participants. She explained that this total would continue to grow as employees retire and begin receiving benefits, and their positions would be filled with new employees who would become active eligible plan members.

In reviewing the figures on Page 13, Mrs. Mitchell reminded members that amounts with brackets were assets and those without brackets were obligations. She explained that the Annual Required Contribution, the level the City should have funded at, with adjustments, was $7,528,602; however, the City funded (Employer Contributions) $5,645,311 and was, therefore, short $1,883,291. Referring to the Net OPEB Obligation (asset) at the beginning of the year, Mrs. Mitchell explained that this number reflects the accumulated differences from prior years which add to the liability.

Responding to Mr. Koenig, City Manager, Mrs. Mitchell clarified that the data provided was from the year ending June 30, 2012. She explained that the information was provided for each fund and noted that the Electric Fund had an asset at the end of the year because the City was able to contribute a large lump sum. She stated that, in comparison, the General Fund (Governmental Activities), which reflected an obligation of $11,179,542 at the end of the year, was more of a problem. She stated that these numbers were determined on a Generally Accepted Accounting Principles (GAAP) basis.

Referring to the Statement of Net Assets on Page 37 ***(Exhibit #2)*** of the 2012 Comprehensive Annual Financial Report (CAFR), Mrs. Mitchell explained that the General Fund (Governmental Activities) balance reflected a deficit of $6,759,433 because of the OPEB obligation. She further explained that this fund balance was determined on a GAAP basis, which requires the inclusion of all long-term assets and debt, as well as all obligations. Comparatively, Mrs. Mitchell referred to the Governmental Funds Balance Sheet on Page 39 ***(Exhibit #3)*** of the CAFR, and explained that the unassigned fund balance of $3,007,983 was determined on a non-GAAP basis, which members were accustomed to using during the budget process. She further explained that the Reconciliation of Governmental Fund Balances to Government-Wide Net Assets on Page 40 ***(Exhibit #4)*** of the CAFR accounted for the differences between the Governmental Fund Balance Sheet and the Statement of Net Assets.

In response to Mr. Leary, Mrs. Mitchell stated that Moody's and Fitch require the GAAP, so they will look at the deficit of $6,759,433.

Referring to the OPEB Trust Schedule of Funding Status and Progress on Page 14 of Exhibit #1, Mrs. Mitchell explained that the OPEB funding level difference was related to the implementation of the new standards in 2009. She stated that the standard was changed from a pay-as-you-go basis to force local governments to recognize the OPEB expense when an employee is working and earning it, so that when an employee retires, the funds are available to cover it. She noted that the change brought local governments in line with the private industry.

Mrs. Mitchell reviewed the Summary of Retirement Benefit Liabilities and Annual Required Contributions (Pages 15-17 of Exhibit #1). Referring to Page 16, she noted that if the City were fully funding the Annual Required Contribution (ARC) on a budgetary basis, $8,668,116 would need to be set aside in the General Fund, $733,242 in the Water/Wastewater Fund, and $2,361,175 in the Electric Fund. She stated that the total of the Actuarial Accrued Liability (AAL) is $156,664,000, the total Actuarial Value of Assets is $40,074,666, and the total ARC for all the plans is $11,762,533.

Referring to Page 17, Mrs. Mitchell reminded members that the City is in the fourth year of the 10-year phase in plan for OPEB.

Governmental Accounting Standards Board (GASB) Statement No. 67 - Financial Reporting for Pension Plans and Statement No. 68 - Accounting and Financial Reporting for Pensions
Mrs. Mitchell reviewed the Governmental Accounting Standards Board (GASB) Statements 67 & 68 (Pages 18-29 of Exhibit #1) and explained that the Board was changing the current standards (GASB 25 and 27). She stated that the GASB 67 would become effective in FY2014 and GASB 68 in FY2015.

Mrs. Mitchell noted that, as reported on the Statement of Activities included on Page 38 ***(Exhibit #5)*** of the CAFR, the expenses for OPEB were approximately $6,534,630. She explained that this statement was reconciled with the Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds, included on Page 41 ***(Exhibit #6)*** of the CAFR using the Reconciliation of the Statement of Revenue, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities on Page 42 of the CAFR ***(Exhibit #7)***. Referring to the Statement of Net Assets - Proprietary Funds on Page 43 of the CAFR ***(Exhibit #8)***, Mrs. Mitchell noted that the same reconciliation was performed for the Water/Wastewater and Electric Revenue Funds. She advised members that these were the areas of reporting that would be changing with the new GASB 67 and 68 requirements.

Responding to Mrs. Williams, Mrs. Mitchell reiterated that the new GASB 67 and 68 would result in a change in reporting; however, she assured members that the funding could remain the same.

In response to Mr. Hutchison regarding changes to the Police Pension Plan, Mrs. Mitchell confirmed that next year the City would have to include approximately $200,000; whereas, the City had been previously budgeting $95,000 per year. She noted that part of this was due to a reduction in grant money from the State. She indicated that the required amount would increase to approximately $400,000 in the following year. She recommended that the City dedicate any budget balances and carry forward toward the unfunded liability, as had been done in the past. She suggested that these funds be applied to the Police Pension Plan to allow it to become whole and run as it should, with the remainder of funds to be applied to the General Pension Plan.

Responding to Mr. Perza, Mrs. Mitchell stated that, to her knowledge, the City had funded the Pension Plans based on actuarial studies and followed the actuary's recommendations. The OPEB requirements became effective in 2009, so the City, along with everyone else, started these funding requirements from "ground zero." She explained that her argument to the rating agencies was that the City had a plan and took proactive measures. She reminded members that the City set aside $6M in reserve before implementing the OPEB trust standards. As a result, when the City started the trust, the City already had $6M, which reflected the City's proactive measures.

Responding to Mr. Leary regarding measures that could be taken to address the unfunded liability, Mrs. Mitchell explained the importance of being mindful of employee benefits, noting that this would affect employees who are concerned about possible changes to their benefits. She reiterated that the OPEB costs should not all be the responsibility of the City's citizens or its employees and

expressed the need to develop a balance in this regard to "share the pain." In addition, she explained the importance of establishing and adhering to a funding plan, although Council would have the flexibility to take action counter to this plan each year.

Mr. Koenig reminded members that the General Pension Plan was closed and that there were several employees who were members of the 457 and/or the Deferred Compensation Plan, which are "pay as you go" plans. He indicated that the only members of the Police Pension Plan were 48 retirees. Referring to the General Pension Plan, he explained that 194 people were receiving pensions in addition to active employees who are enrolled in the plan, resulting in growth of the liability. It was his feeling that the City should resolve Police Pension Plan liability issues first, followed by the General Pension Plan, and the City could then begin to work on OPEB liability issues. He indicated that it was very simple to calculate the liability for the Police and General Pension Plans; however, due to the new standards and the new health care law, it was difficult to determine the City's true liability for OPEB.

Elaborating, Mrs. Mitchell stated that the new health care law and contract negotiations would affect the OPEB liability. She stated that the actuary had agreed that there were too many unknowns to determine the liability at this time and that it could improve or become worse.

Mr. Koenig advised members that in discussions, employees expressed their feeling that the City was at fault for not budgeting the required amounts and that employees should not have to suffer as a result.

Responding to Mr. Anderson, Mrs. Mitchell stated that the City's contributions were based on actuarial studies. She did not anticipate any change in benefits in either Pension Plan that would have an impact and felt that any change would be due to actuarial results versus assumptions. She assured members that the City had taken and would continue to take appropriate action to address liability issues; however, it was her feeling that OPEB should be given more attention in this regard.

Mr. Bonar felt that staff should submit recommendations to City Council to begin the process of addressing the OPEB liability and that Council should take any action necessary. Responding, Mrs. Mitchell stated that, as previously indicated by Mr. Koenig, the City should first resolve the Pension Plans' liability issues and continue to follow the actuarial analysis for the OPEB, since the Pension Plans were closer to being resolved. Once the Pension Plans were resolved, focus could be given to the OPEB. She advised members that this was discussed with the actuary, who concurred with staff's recommendations. She reminded members that the City did not know what effects the federal legislation would have on health care or the results of employee contract negotiations.

Mrs. Williams requested that staff utilize laymen's terms when making presentations to City Council, noting the difficulties in understanding accounting terminology and the frequent need to request staff to provide further explanation.

Council President Leary reminded members that this was not just a City of Dover problem but a national problem and expressed his opinion that the City had been proactive in addressing the issues.

Mr. Hare noted that an $83M liability needed to be addressed and that Council, along with staff, would have to make difficult decisions.

By unanimous consent, members took a brief recess.

Meeting recessed at 6:45 p.m. and reconvened at 6:54 p.m.

City of Dover Facilities - Maintenance and Capital Improvements

Mr. Scott Koenig, City Manager, reviewed a Presentation - City of Dover Facilities Discussion, January 2013 ***(Exhibit #9)***, which included the 2006 Space Needs Study results.

In response to Mrs. Williams, referring to Page 7 of Exhibit #9 depicting Weyandt Hall, Mr. Koenig stated that the State of Delaware utilizes 1,295 sq. ft. of the facility and has a multi-year lease, renewable in five (5) year increments. He noted that the State was in its third year of a five (5) year lease.

Referring to the concept of a bond issue, as suggested by Council President Leary, Mr. Bonar stated that although he agreed that it would be a good idea, he had concern with the public's perception and obtaining their support.

Prior to moving forward with the Master Plan, Mr. Hutchison suggested that staff work with the State of Delaware to develop a long-term lease agreement for the Weyandt Building, as well as the old library. He noted that rather than purchasing several buildings, the State of Delaware preferred to lease. He felt that if staff were successful in obtaining long-term leases for those buildings, this would benefit the City in moving forward with the Master Plan.

Responding to Mrs. Mitchell, Controller/Treasurer, Mr. Bonar stated that although any required renovations could be negotiated with the State when developing the leases, the State would typically expect the City to make necessary repairs and/or renovations.

After much discussion, Council President Leary noted that this would be a good time to talk to the State and also a good time to examine this issue from a capital market perspective.

Mr. Anderson relayed concern regarding public support for this project, explaining that due to the economy, many City residents were having difficulty paying their utility bills, purchasing groceries, etc. As a result, he did not foresee supporting this idea for the next couple of years.

In response to Mrs. Williams' suggestion to utilize the old library, Mr. Koenig explained that the ultimate desire would be for all City staff to be located in the same facility.

Mr. Hare suggested that if the City were to move forward with the expansion of City Hall, it should be done without any cost to the citizens.

Council President Leary reminded members that the biggest mistake in building the new Library was that it did not go to referendum. He suggested that staff make a presentation to the public, explaining the situation and that a referendum vote be held.

Mr. Bonar felt that although staff's requests were very well grounded, he loathed the idea of spending money at this time for a new building. However, he noted that in five (5) years, there would be a dire need to take some action in this regard. As a result, he suggested that Council take staff's ideas under advisement at this time and that Mr. Koenig explore the matter to determine the options available. In doing so, he suggested that staff take into consideration the idea of renovating the old library. He also suggested that there be a thorough discussion of this matter and an examination of the true costs involved.

Mr. Hare suggested that this matter not be considered a priority of staff; however, he suggested that staff work on this project when time permitted.

By unanimous consent, the meeting adjourned at 7:33 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of January 14, 2013, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

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Exhibits

Exhibit #1 - Presentation - Council Financial Workshop - Update on Funding Status of Pension Plans and OPEB as of June 30, 2012
Exhibit #2 - Statement of Net Assets included as Page 37 of the CAFR
Exhibit #3 - Governmental Funds Balance Sheet included as Page 39 of the CAFR
Exhibit #4 - Reconciliation of Governmental Fund Balances to Government-Wide Net Assets, included as Page 40 of the CAFR
Exhibit #5 - Statement of Activities included as Page 38 of the CAFR
Exhibit #6 - Statement of Revenues, Expenditures, and Changes in Fund Balances of Governmental Funds, included as Page 41 of the CAFR
Exhibit #7 - Reconciliation of the Statement of Revenue, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities included as Page 42 of the CAFR
Exhibit #8 - Statement of Net Assets - Proprietary Funds included as Page 43 of the CAFR
Exhibit #9 - Presentation - City of Dover Facility Discussion, January 2013

City of Dover
Council Financial Workshop

January 7, 2013

- Update on Funding Status of Pension Plans and OPEB as of June 30, 2012
- GASB 67 & GASB 68 – Revised Pension Standards

EXHIBIT #1
Council Financial Workshop on 01/07/2013

City of Dover
Police Pension Plan

Police Pension Plan

The City of Dover, Delaware
Statement of Pension Trust Fund Net Assets
June 30, 2012

	Police Pension
ASSETS:	
Cash and cash equivalents	$ 601,329
Investments at fair value - Mutual Funds	10,086,398
Net assets held in trust for pension benefits	$ 10,687,727

The City of Dover, Delaware
Statement of Changes in Pension Trust Fund Net Assets
For the Year Ended June 30, 2012

	Police Pension
Additions	
Net investment income/loss	$ (34,831)
City's contribution - lump sum	95,000
State contributions	561,772
Other	11,502
Total Additions to Net Assets	633,443
Deductions	
Benefit payments	1,486,211
General administration	13,256
Total Deductions From Net Assets	1,499,467
Change in net assets	(866,024)
Net assets - beginning	11,553,751
Net assets - ending	$ 10,687,727

Closed Plan – 48 retirees and beneficiaries; Approximately 50% in 55 – 65 age bracket as of last full actuarial valuation

Police Pension Plan

	Governmental Activities
Annual required contribution	$979,132
Interest on net pension asset	(37,507)
Adjustment to annual required contribution	64,110
Annual pension cost	1,005,735
Contributions	(668,274)
(Increase)/decrease in net pension asset	337,461
Net pension obligation (asset) at beginning of year	(535,811)
Net pension obligation (asset) at end of year	($198,350)

	Annual Pension Cost	Percentage Contributed	NPO (Asset) End of Year
2010	$877,820	60%	($1,030,844)
2011	1,128,669	56%	(535,811)
2012	1,005,735	66%	(198,350)

Year Ended June 30	Annual Required Contribution	Percentage Contributed
2007	$485,055	154%
2008	358,807	201%
2009	520,505	139%
2010	786,436	63%
2011	1,082,956	44%
2012 *	979,132	68%

* Annual Required Contributions for fiscal year 2012 are assumed to equal approximately the same amount as the prior year

City contribution has remained at $95,000 for several years. State Grant made up the remainder of the required contribution. FY13 will need to increase City appropriation.

Police Pension Fund
Required Supplementary Information
Schedule of Funding Progress

Valuation Date	Plan Assets	Actuarial Accrued Liability	Unfunded Accrued Liability	Funded Ratio	Payroll	Unfunded as a Percent of Payroll
7/1/05	$ 11,944,213	$ 17,850,795	$ 5,906,582	66.9%	$ 65,745	8984.1%
7/1/06	12,471,057	17,532,104	5,061,047	71.1%		
7/1/07	13,950,322	17,589,169	3,638,847	79.3%		
7/1/08	12,500,417	17,615,785	5,115,368	71.0%		
7/1/09	10,188,899	17,651,507	7,462,608	57.7%		
7/1/10	10,378,602	19,849,553	9,470,951	52.3%		
7/1/12	10,687,727	19,867,849	9,180,122	53.8%		

City of Dover
General Pension Plan

General Pension Plan

The City of Dover, Delaware
Statement of Pension Trust Fund Net Assets
June 30, 2012

	General Pension
ASSETS:	
Cash and cash equivalents	$ 861,458
Investments at fair value - Mutual Funds	21,187,128
Net assets held in trust for pension benefits	$ 22,048,586

Retired & beneficiaries receiving benefits = 194
Active employees: Fully vested 81; Non-vested 68
Deferred vested: 14 (terminated w/10 yrs)
Approximately 48% in 55 – 65 age bracket as of last full actuary valuation
Payroll for this plan is approximately $8.0 million

The City of Dover, Delaware
Statement of Changes in Pension Trust Fund Net Assets
For the Year Ended June 30, 2012

	General Pension
Additions	
Net investment income/loss	$ (4,991)
City's contribution - payroll based	354,034
City's contribution - lump sum	2,788,900
Employee contribution	279,092
State contributions	-
Other	17
Total Additions to Net Assets	3,417,052
Deductions	
Benefit payments	3,249,878
General administration	18,149
Refund of pension contribution	109,354
Total Deductions From Net Assets	3,377,381
Change in net assets	39,671
Net assets - beginning	22,008,915
Net assets - ending	$ 22,048,586

General Pension Plan

	Total	Governmental Activities	Wastewater Fund Activities	Electric Fund Activities
Annual required contribution	$3,130,022	$1,686,462	$257,039	$1,186,521
Interest on net pension obligation	(24,036)	(6,017)	(13,232)	(4,787)
Adjustment to annual required contribution	29,938	7,495	16,481	5,962
Annual pension cost	3,135,924	1,687,940	260,288	1,187,696
Contributions made	(3,142,934)	(1,666,704)	(272,379)	(1,203,851)
(Increase)/decrease in net pension asset	(7,010)	21,236	(12,091)	(16,155)
Net pension obligation (asset) at beginning of year	(343,372)	(85,962)	(189,031)	(68,379)
Net pension obligation (asset) at end of year	($350,382)	($64,726)	($201,122)	($84,534)

General Pension Plan

	Annual Pension Cost	Percentage Contributed	NPO (Asset) End of Year
2010	$2,568,198	88%	($147,468)
2011	3,151,824	106%	(343,372)
2012	3,135,924	100.2%	(350,382)

Year Ended June 30	Annual Required Contribution	Percentage Contributed
2007	$2,231,594	124%
2008	2,269,802	128%
2009	2,356,529	106%
2010	2,564,767	89%
2011	3,149,493	106%
2012 *	3,130,022	109%

* Annual Required Contributions for fiscal year 2012 are assumed to equal approximately the same amount as the prior year

General Employee Pension Fund
Required Supplementary Information
Schedule of Funding Progress

Valuation Date	Plan Assets	Actuarial Accrued Liability	Unfunded Accrued Liability	Funded Ratio	Payroll	Unfunded as a Percent of Payroll
7/1/05	$16,277,640	$39,860,241	$23,582,601	40.8%	$7,380,629	319.5%
7/1/06	15,712,605	41,103,526	25,390,921	38.2%	7,612,121	333.6%
7/1/07	17,616,172	42,335,142	24,718,970	41.6%	8,006,103	308.8%
7/1/08	19,381,391	43,800,212	24,418,821	44.2%	8,716,361	280.1%
7/1/09	19,880,033	45,525,384	25,645,351	43.7%	8,786,981	291.9%
7/1/10	19,963,426	52,462,693	32,499,267	38.1%	8,256,751	393.6%
7/1/12	22,177,831	55,006,282	32,828,451	40.3%	7,076,322	463.9%

City of Dover
Other Postemployment Benefits

Other Postemployment Benefits

CITY OF DOVER
POST-RETIREMENT BENEFITS TRUST FUND
STATEMENT OF FIDUCIARY NET ASSETS

YEAR ENDED JUNE 30, 2012

ASSETS:		
Cash and cash equivalents	$	748,815
Investments at fair value		
Intermediate-term corporate bond open-end mutual funds	$	3,148,635
Domestic equity open-end mutual funds	$	4,396,249
International equity open-end mutual funds	$	2,620,723
TOTAL ASSETS	$	10,914,422
LIABILITIES AND FUND BALANCE:		
Vouchers Payable	$	1,250
RESERVED FUND BALANCE	$	10,913,172
TOTAL LIABILITIES AND FUND BALANCE	$	10,914,422

Retirees & beneficiaries receiving benefits	252
Terminated plan members entitled to benefits	14
Active eligible plan members	331
Total	597

CITY OF DOVER
COMBINED STATEMENT OF CHANGES IN NET PLAN ASSETS
OPEB TRUST FUND

YEAR ENDED JUNE 30, 2012

ADDITIONS:		
Contributions:		
Employer Contributions toward unfunded liability	$	1,727,249
Employer Contributions toward retiree benefits		
General Fund		1,374,709
Water/Wastewater Fund		190,830
Electric Fund		1,220,057
Employer Contributions payroll based		
General Fund		885,764
Water/Wastewater Fund		63,786
Electric Fund		119,345
Miscellaneous Receipts		63,571
Total Contributions	$	5,645,311
Investments:		
Interest and Dividends	$	196,573
Net Appreciation/(Depreciation) in Fair Value		45,363
Total Investment Income /Loss	$	241,936
Less: Investment Expenses	$	(5,000)
Net Investment Income/Loss		236,936
Total Additions/Reductions	$	5,882,247
DEDUCTIONS:		
Actuary expenses	$	42,192
Retiree Benefits		1,974,870
Total Deductions	$	2,017,062
Net Increase/Decrease	$	3,865,185
Net Assets held in Trust for OPEB Benefits - Beginning of Year	$	7,047,987
Net Assets held in Trust for OPEB Benefits - End of Year	$	10,913,172

Other Postemployment Benefits

	Total	Governmental Activities	Water/ Wastewater Fund Activities	Electric Fund Activities
Annual Required contribution	$7,653,379	$6,002,522	$476,203	$1,174,654
Interest on OPEB obligation	446,182	406,920	29,920	9,342
Adjustment to annual required contribution	(570,959)	(520,717)	(38,287)	(11,955)
Annual OPEB Cost	7,528,602	5,888,725	467,836	1,172,041
Employer Contributions	(5,645,311)	(2,534,572)	(635,227)	(2,475,512)
Increase/(decrease) in net OPEB obligation	1,883,291	3,354,153	(167,391)	(1,303,471)
Net OPEB obligation (asset) at beginning of year	8,580,431	7,825,389	575,388	179,654
Net OPEB obligation (asset) at end of year	$10,463,722	$11,179,542	$407,997	($1,123,817)

Fiscal Year Ended June 30	Annual OPEB Cost	Percentage of Annual OPEB Cost Contributed	Net OPEB Obligation
2010	$5,891,130	28.4%	$4,268,060
2011	7,625,628	43.5%	8,580,431
2012	7,528,602	75.0%	10,463,722

OPEB Trust
Schedule of Funding Status and Progress

Actuarial Valuation Date	(1) Actuarial Value of Assets	(2) Actuarial Accrued Liability (AAL)	(3) Unfunded Actuarial Accrued Liabilities (UAAL) (2) – (1)	(4) Funded Ratio (1)/(2)	(5) Covered Payroll	(6) UAAL as a % of Covered Payroll (3)/(5)
7/1/2008	$ -0-	$64,297,063	$64,297,063	0.0%	$18,162,177	354%
7/1/2009	4,761,141	64,812,543	60,051,402	7.3%	18,797,853	319%
7/1/2010	4,882,375	83,518,121	78,635,746	5.8%	18,292,104	430%

City of Dover
Summary of Retirement Benefit Liabilities and Annual Required Contributions

Interim Actuarial Report Dated 11/1/2011
With Full Funding Requirements (no-phase in period for OPEB)

City of Dover Interim Actuarial Valuation for Fiscal Year Ending June 30, 2012 Report Completed November 2011				
	General Pension	Police Pension	Full Funding OPEB	Total
General Fund				
Actuarial Accrued Liability (AAL)	$28,078,000	$19,737,000	$60,502,000	$108,317,000
Actuarial Value of Assets	$11,272,424	$11,553,751	$3,384,884	$26,211,059
Funded Ratio	40.1%	58.5%	5.6%	24.2%
Annual Required Contribution (ARC)	$1,686,462	$979,132	$6,002,522	$8,668,116
ARC as % of payroll (est.)	28.5%	n/a	31.1%	n/a
Water/Wastewater Fund				
Actuarial Accrued Liability (AAL)	$4,357,000		$5,389,000	$9,746,000
Actuarial Value of Assets	$1,749,197		$619,826	$2,369,023
Funded Ratio	40.1%		11.5%	24.3%
Annual Required Contribution (ARC)	$257,039		$476,203	$733,242
ARC as % of payroll	41.8%		31.7%	n/a
Electric Fund				
Actuarial Accrued Liability (AAL)	$21,051,000		$17,550,000	$38,601,000
Actuarial Value of Assets	$8,451,307		$3,043,277	$11,494,584
Funded Ratio	40.1%		17.3%	29.8%
Annual Required Contribution (ARC)	$1,186,521		$1,174,654	$2,361,175
ARC as % of payroll	60.8%		38.6%	n/a
Total				
Actuarial Accrued Liability (AAL)	$53,486,000	$19,737,000	$83,441,000	$156,664,000
Actuarial Value of Assets	$21,472,928	$11,553,751	$7,047,987	$40,074,666
Funded Ratio	40.1%	58.5%	8.4%	25.6%
Annual Required Contribution (ARC)	$3,130,022	$979,132	$7,653,379	$11,762,533
ARC as % of payroll	39.1%	n/a	32.3%	n/a

City of Dover
Actuarial Funding Differences for FY12
Report Completed November 2011

	General Pension	Police Pension	Full Funding OPEB	GAAP Total	Phase In OPEB
General Fund					
Annual Required Contribution (ARC)	$1,686,462	$979,132	$6,002,522	$8,668,116	$2,718,864
Employer Contributions FY12	(1,666,704)	(656,772)	(2,534,572)	(4,858,048)	(2,534,572)
Net (Asset)/Obligation	$19,758	$322,360	$3,467,950	$3,810,068	$184,292
Water/Wastewater Fund					
Annual Required Contribution (ARC)	$257,039		$476,203	$733,242	$260,378
Employer Contributions FY12	(272,379)		(635,227)	(907,606)	(635,227)
Net (Asset)/Obligation	($15,340)		($159,024)	($174,364)	($374,849)
Electric Fund					
Annual Required Contribution (ARC)	$1,186,521		$1,174,654	$2,361,175	$781,353
Employer Contributions FY12	(1,203,851)		(2,475,512)	(3,679,363)	(2,475,512)
Net (Asset)/Obligation	($17,330)		($1,300,858)	($1,318,188)	($1,694,159)
Total					
Annual Required Contribution (ARC)	$3,130,022	$979,132	$7,653,379	$11,762,533	$3,760,595
Employer Contributions FY12	(3,142,934)	(656,772)	(5,645,311)	(9,445,017)	(5,645,311)
Net (Asset)/Obligation	($12,912)	$322,360	$2,008,068	$2,317,516	($1,884,716)

Governmental Accounting Standards Board Statements 67 & 68

Council Financial Workshop - January 7, 2013

Effective Dates

- Effective dates
  - GASB 67
    - Effective for PLAN fiscal years beginning after June 15, 2013 (e.g., FYE June 30, 2014)
  - GASB 68
    - Effective for EMPLOYER'S fiscal years beginning after June 15, 2014 (e.g., FYE June 30, 2015)
- Replaces GASB 25 & 27 – Current standards

What Is Not Changing?

- Current Funding Policy contributions do not change
- GASB does not dictate funding requirements

What is Changing?

- New Terminology
  - Total Pension Liability (TPL)
    - Actuarial Accrued Liability
  - Fiduciary Net Position (FNP)
    - Market value of plan assets
  - Net Pension Liability (NPL)
    - TPL less FNP; aka the Unfunded Actuarial Accrued Liability
  - Actuarially Determined Contribution (ADC)
  - Annual Required Contribution (ARC) is gone
  - Net Pension Obligation (NPO) is gone

What is Changing?

- Recognition of Unfunded Actuarial Accrued Liability (UAL) on employer balance sheets
- Reporting no longer based on accounting; separate functions

  - Current Calculation:

    Annual Required Contribution (ARC)
    Less: Actual Contributions
    Net Pension Obligation (NPO)

  - New Calculation:

    Total Pension Liability (TPL)
    Less: Fiduciary Net Position (FNP)
    Net Pension Liability (NPL)

What is Changing?

- Illustration of employer balance sheet
  - Current Calculation:

Annual Required Contribution (ARC)	$3,200,000
Less: Actual Contributions	(3,200,000)
Net Pension Obligation (NPO)	$ 0

  - New Calculation:

Total Pension Liability (TPL)	$55,000,000
Less: Fiduciary Net Position (FNP)	(22,000,000)
Net Pension Liability (NPL)	$33,000,000

What is Changing?

- Measurement of Plan Obligations
  - One mandated actuarial valuation method for determining benefit obligations
  - Potential Interest Rate Changes
    - Ability to use expected long-term annual investment return is limited
    - Actuary to determine if/when plan assets will become "exhausted"
    - Use Bifurcated discount rates if assets become exhausted
    - Discounting of expected benefit payments from exhaustion date based on long-term, tax-free muni bonds
    - Recent estimate of muni bond rates in 3.5% - 4.0% range
- Plan Assets
  - No allowance for asset smoothing

What is Changing?

- Pension expense recognition accelerated
  - Employers recognize the change in their NPL (net pension liability) in current period
  - Unrecognized gains / losses are realized over a shorter time period
    - Expected remaining service
    - Investments gains/losses amortized over 5 years
- Expanded Disclosures
  - Detailed year to year changes of assets and liabilities
  - Sensitivity analysis
    - Impact of different discount rates on unfunded liability
  - 10-year schedules to required supplementary information

What is Changing?

- Police Plan Special Funding Situation
  - State Aid "Contributions" made by the State
  - GASB requires governments that are non-employer entities to recognize in their own financial statements a proportionate share of the NPL and pension expense
  - Potentially a portion of the police pension liability will be allocated to the State

What does it all mean?

- No impact on current funding policy contributions; Highly recommend development of a formal funding policy, separate from the financial reporting calculations; In the past, the ARC became the de facto funding policy

- Potential increase in plan's benefit obligation
  - Not expected to be significant for General Employee Plan
  - May be significant for Police Plan since contributions have been about 60% of required in past few years

- Immediate recognition of asset gains / losses on balance sheet
  - Currently smoothing gains/losses over 5 years
  - Can result in significant changes in NPL from year to year

- Volatility - Expense
    - Impact of Plan Changes recognized immediately
    - Gain/Loss recognized over expected remaining service
    - Investment gain/loss amortized over 5 years

Other Post Employment Benefits

- GASB 45 Issued June 2004
  - Aligned accounting / financial reporting similar to defined benefit under GASB 25/27
- GASB currently deliberating improving existing standard of accounting and financial reporting for postemployment benefits
  - "One objective of this project is to improve *accountability* and the transparency of financial reporting in regard to the financial effects of employers' commitments and actions related to OPEB."
  - Similar language used for GASB 67/68 project
- Conclusion: Similar financial reporting requirements / measurements are on the horizon for OPEB plan subject to GASB 45

"The new GASB standards will benefit users of these financial statements, as well as taxpayers, since state and local governments for the first time will have to report unfunded pension liabilities in their balance sheets, providing a clearer view of pension obligations."

AICPA President & CEO Barry Melancon

"…accounting changes do not alter the underlying fundamentals; $1,000 owed to a retired teacher in ten years under current standards will remain $1,000 owed in 10 years under the new standards. So policymakers should not let new numbers throw them off the path to sensible reform."

Alicia Munnell, director of the Center for Retirement Research at Boston Colllege

Overall, GASB's changes will likely make the new pension accounting measures more volatile than the funding measures.

The GASB's New Pension Accounting & Reporting Standards by Paul Zorn & James Rizzo

The City of Dover
Statement of Net Assets
June 30, 2012

	Governmental Activities	Business-Type Activities	Total
Assets:			
Cash and cash equivalents	$ 2,895,605	$ 8,010,528	$ 10,906,133
Investments	4,022,628	23,978,366	28,000,994
Receivables, net	2,785,509	7,492,888	10,278,397
Internal balances	463,832	(463,832)	-
Due from other governments	300,491	-	300,491
Inventory, at cost	146,562	3,931,323	4,077,885
Prepaid items	54,368	15,459	69,827
Restricted cash and cash equivalents	857,292	8,521,813	9,379,105
Restricted investments	18,136	26,746,829	26,764,965
Net pension/OPEB assets	263,076	1,409,473	1,672,549
Land and construction in progress	20,718,301	5,202,899	25,921,200
Capital assets, net of depreciation	31,009,638	130,528,414	161,538,052
Total assets	63,535,438	215,374,160	278,909,598
Liabilities:			
Accounts payable and accrued liabilities	3,701,738	6,232,357	9,934,095
Unearned revenue	801,533	285,867	1,087,400
Customer deposits	-	1,904,431	1,904,431
Other	121,215	748,397	869,612
Non-current liabilities			
Due within one year	1,429,065	3,059,437	4,488,503
Due in more than one year	2,936,874	36,648,343	39,585,216
Due in more than one year - OPEB	11,179,542	407,997	11,587,539
Total liabilities	20,169,967	49,286,829	69,456,796
Net Assets:			
Invested in capital assets net of related debt	49,642,124	98,303,263	147,945,387
Restricted for:			
Capital construction	38,479	33,836,315	33,874,794
Public Safety	190,520	-	190,520
Other purposes	253,781	-	253,781
Unrestricted	(6,759,433)	33,947,753	27,188,320
Total Net Assets	$ 43,365,471	$ 166,087,331	$ 209,452,802

See accompanying notes to financial statements

The City of Dover
Governmental Funds Balance Sheet
June 30, 2012

	General Fund	Other Governmental Funds	Total Governmental Funds
Assets:			
Cash and Cash Equivalents	$ 2,428,006	$ -	$ 2,428,006
Restricted Cash and Cash Equivalents	99,528	757,764	857,292
Investments	3,412,604	-	3,412,604
Restricted Investments	18,136	-	18,136
Receivables, net			
Accounts	2,380,970	114,476	2,495,446
Taxes	270,499	-	270,499
Due from Other Funds			
Charges	650,228	135,697	785,925
Due from Other Governments	-	300,491	300,491
Prepaid Items	30,019	13,099	43,118
Inventory, at cost	146,562	-	146,562
Total Assets	$ 9,436,552	$ 1,321,527	$ 10,758,079
Liabilities:			
Accounts Payable	$ 2,828,599	$ 398,858	$ 3,227,457
Deferred Revenue	1,473,133	162,503	1,635,636
Due to Other Funds			
Charges	144,726	176,262	320,988
Other	121,215	-	121,215
Total liabilities	4,567,673	737,623	5,305,296
Fund Balances:			
Non-spendable	198,175	13,099	211,274
Restricted	83,356	399,424	482,780
Committed	920,475	-	920,475
Assigned	658,890	171,381	830,271
Unassigned	3,007,983	-	3,007,983
Total fund balances	4,868,879	583,904	5,452,783
Total liabilities and fund balances	$ 9,436,552	$ 1,321,527	$ 10,758,079

See accompanying notes to financial statements

The City of Dover
Reconciliation of Governmental Fund Balances
To Government-Wide Net Assets
June 30, 2012

Total fund balances for governmental funds (Page 39)		$ 5,452,783
Total net assets reported for governmental activities in the statement of net assets is different because:		
Capital assets used in governmental activities are not current financial resources and, therefore, are not reported in the funds.		51,727,939
Other assets are not available to pay for current period expenditures and, therefore, are deferred in the funds.		834,103
The net pension asset resulting from contributions in excess of the annual required contribution (police and employee) is not a current financial resource, and, therefore, is not reported in the governmental funds.		
Police Pension Plan	$ 198,350	
General Pension Plan	64,726	263,076
An internal service fund (page 44) is used by the City to charge the cost of the workers' compensation fund. The net assets of the internal service fund are included in governmental activities in the statement of net assets.		633,051
Long-term liabilities applicable to the City's governmental activities are not due and payable in the current period and, accordingly, are not reported as fund liabilities. Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when due. All liabilities--both current and long-term--are reported in the statement of net assets.		
Compensated absences represent amounts accrued for sick leave for those employees who are vested and accrued vacation for all employees.		
The net OPEB obligation resulting from contributions less than the annual required contribution (general) is not a use of current financial resources, and therefore, is not reported in the governmental funds.		
Current-		
General Obligation Bonds	$ (420,000)	
Compensated Absences	(1,009,065)	
	(1,429,065)	
Long-Term-		
General Obligation Bonds, net of discount	$ (1,665,815)	
Compensated Absences	(1,271,059)	
Net OPEB Obligation	(11,179,542)	
	(14,116,416)	(15,545,481)
Total net assets of governmental activities (Page 37)		$ 43,365,471

See accompanying notes to financial statements

The City of Dover
Statement of Activities
For the Year Ended June 30, 2012

Functions/Programs	Expenses	Indirect Expenses Allocation	Program Revenue: Charges for Services	Program Revenue: Operating Grants and Contributions	Program Revenue: Capital Grants and Contributions	Net (Expenses) Revenue and Changes in Net Assets: Governmental Activities	Net (Expenses) Revenue and Changes in Net Assets: Business Type Activities	Total
Governmental activities								
General government	$ 2,002,538	$ (822,211)	$ 4,043,168	$ 66,576	$ -	$ 2,929,417	$ -	$ 2,929,417
Public safety	17,638,304	-	4,803,827	1,196,392	-	(11,638,085)	-	(11,638,085)
Public works	8,625,613	(490,441)	1,903,623	664,036	290,246	(5,277,267)	-	(5,277,267)
Library and recreation	2,377,363	-	632,824	283,927	6,002,057	4,541,445	-	4,541,445
Community and economic development	773,208	-	-	443,120	-	(330,088)	-	(330,088)
Central services	1,315,984	(846,599)	-	-	-	(469,385)	-	(469,385)
Financial administration	2,986,473	(1,839,949)	-	-	-	(1,146,524)	-	(1,146,524)
Other post-employment benefits	6,534,630	-	-	-	-	(6,534,630)		(6,534,630)
Interest charges	90,161	-	-	-	-	(90,161)	-	(90,161)
Total governmental activities	42,344,274	(3,999,200)	11,383,442	2,654,051	6,292,303	(18,015,278)	-	(18,015,278)
Business type activities								-
Water/wastewater	10,174,421	894,186	13,775,833	-	441,285	-	3,148,511	3,148,511
Electric	74,520,659	3,105,014	93,529,401	-	-	-	15,903,728	15,903,728
Total business type activities	84,695,080	3,999,200	107,305,234	-	441,285			
Total Primary Government	$ 127,039,354	$ -	$ 118,688,676	$ 2,654,051	$ 6,733,588	$ (18,015,278)	$ 19,052,239	$ 1,036,961
General revenues								
Taxes								
Property taxes						11,050,198	-	11,050,198
Transfer taxes						1,373,103	-	1,373,103
Earnings on investments						141,925	630,420	772,345
Total general revenues						12,565,226	630,420	13,195,646
Transfers						8,300,796	(8,300,796)	-
Total general revenues and transfers						20,866,022	(7,670,376)	13,195,646
Changes in net assets						2,850,744	11,381,863	14,232,607
Net assets beginning						40,514,727	154,705,468	195,220,195
Net assets ending						$ 43,365,471	$ 166,087,331	$ 209,452,802

See accompanying notes to financial statements

2

Council Financial Workshop on 01/07/2013
EXHIBIT #5

The City of Dover
Statement of Revenues, Expenditures and
Changes in Fund Balances of Governmental Funds
For the Year Ended June 30, 2012

	General Fund	Other Governmental Funds	Total Governmental Funds
Revenues			
Fines	$ 684,012	$ 518,603	$ 1,202,615
Library revenue- general	53,101	-	53,101
Library revenue county reimbursement	422,721	-	422,721
Licenses and permits	2,816,866	-	2,816,866
Sanitation fees and rebates	1,903,623	-	1,903,623
Recreation	-	44,522	44,522
Miscellaneous services	3,939,634	660	3,940,294
Property taxes	11,089,429	-	11,089,429
Transfer taxes	-	1,373,103	1,373,103
Grants received	6,865,165	2,044,593	8,909,758
Court of Chancery fees	863,220	-	863,220
Investment income	116,870	535	117,405
Total revenues	28,754,641	3,982,016	32,736,657
Expenditures			
Current:			
General government	1,093,772	-	1,093,772
Library services	13,219,138	299,431	13,518,569
Public safety and law enforcement	16,478,602	523,017	17,001,619
Public works	1,649,460	424,601	2,074,061
Recreational services	827,230	-	827,230
Streets and sanitation services	3,280,165	-	3,280,165
Financial administration	902,009	-	902,009
Garage and stores	503,036	-	503,036
Insurance	198,241	-	198,241
Retiree health care	1,614,241	-	1,614,241
Employee pension	1,545,000	-	1,545,000
Community and economic development	216,803	556,405	773,208
Street lights	986,430	-	986,430
Debt Service:			
Principal retirement	275,000	-	275,000
Interest and fiscal charges	52,734	-	52,734
Bond issuance costs	27,255	-	27,255
Total expenditures	42,869,116	1,803,454	44,672,570
Excess (deficiency) of revenues over (under) expenditures	(14,114,475)	2,178,562	(11,935,913)
Other financing sources and uses			
Proceeds from sale of bonds	851,500	-	851,500
Transfers in	10,956,297	2,907	10,959,204
Transfers out	(2,907)	(2,655,501)	(2,658,408)
Total other financing sources and uses	11,804,890	(2,652,594)	9,152,296
Net change in fund balances	(2,309,585)	(474,032)	(2,783,617)
Fund balances at beginning of year	7,760,608	1,057,936	8,818,544
Prior Period Adjustment - Deferred Revenue	(582,144)	-	(582,144)
Fund balances at beginning of year - Restated	7,178,464	1,057,936	8,236,400
Fund balances at end of year	$ 4,868,879	$ 583,904	$ 5,452,783

See accompanying notes to financial statements

The City of Dover
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities
For the Year Ended June 30, 2012

Net change in fund balances--total governmental funds (Page 41)		$ (2,783,617)
The change in net assets reported for governmental activities in the statement of activities is different because:		
Governmental fund reports capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period.		
Capitalization of net capital asset expenditures including CIP	$ 13,927,289	
Loss on assets transferred in and not fully depreciated	(45,880)	
Current Year depreciation and amortization	(2,492,608)	11,388,801
Governmental funds report the repayment of principal of general long-term debt as an expenditure but the repayment reduces the liability in the statement of net assets.		275,000
Changes in other assets are not available to pay for current period expenditures and therefore are deferred in the funds.		(457,816)
The issuance of long-term debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net assets. Also, governmental funds report the effect of issuance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.		
Amortization of 2003 Bond Issuance costs	$ (10,172)	
2012 Library Construction Loan Proceeds	(851,500)	(861,672)
Under the modified accrual basis of accounting used in the governmental funds, expenditures are not recognized for the transactions that are not normally paid with expendable available financial resources. In the statement of activities, however, which is presented on the accrual basis, expenses and liabilities are reported regardless of when financial resources are available. In addition, assets are not recognized in governmental funds unless they represent current financial resources but are recognized in the statement of activities as they accrue. The following differences, therefore, occur between the statement of activities and the governmental funds.		
Decrease in compensated absences	$ 306,544	
Increase in net pension asset - Police Plan	(337,461)	
Increase in net pension asset - General Pension Plan	(21,236)	
Increase in net OPEB obligation - General Fund	(3,354,153)	(3,406,306)
An internal service fund is used by the City to charge the costs of workers' compensation insurance to individual funds. The change in net assets of the internal service fund is transferred to the governmental funds and amounts attributable to internal charges are then allocated to functional expenditures. Net revenue is allocated back to respective functions and business type activities, as appropriate.		(1,303,646)
Change in net assets of governmental activities (Page 38)		$ 2,850,744

See accompanying notes to financial statements

The City of Dover
Statement of Net Assets - Proprietary Funds
June 30, 2012

	Enterprise Funds			Governmental Activities - Internal Service Fund
	Water/ Wastewater Fund	Electric Revenue Fund	Total	
Assets				
Current assets:				
Cash and cash equivalents	$ 1,571,836	$ 6,438,692	$ 8,010,528	$ 467,599
Investments	6,999,674	16,978,692	23,978,366	610,024
Receivables, net	855,506	6,637,382	7,492,888	19,564
Due from other funds-charges	72	24,590	24,662	-
Inventory	67,789	3,863,534	3,931,323	-
Prepaid items	477	14,982	15,459	11,250
Total current assets	9,495,354	33,957,872	43,453,226	1,108,437
Non-current assets:				
Restricted assets				
Cash	1,432,327	7,089,486	8,521,813	-
Investments	3,911,530	22,835,299	26,746,829	-
Net pension/OPEB asset	201,122	1,208,351	1,409,473	-
Land and construction in progress	2,955,819	2,247,080	5,202,899	-
Capital assets, net of depreciation	42,544,676	87,983,738	130,528,414	-
Total non-current assets	51,045,474	121,363,954	172,409,428	-
Total assets	60,540,828	155,321,826	215,862,654	1,108,437
Liabilities				
Current liabilities:				
Accounts payable and accrued expenses	470,654	5,761,703	6,232,357	475,386
Due to other funds - charges	128,396	360,098	488,494	-
Deferred revenue	-	285,867	285,867	-
Accrued interest payable	118,370	630,027	748,397	-
Customer deposits	-	1,904,431	1,904,431	-
Revenue bonds payable	687,230	2,110,000	2,797,230	-
Liability for compensated absences	81,961	180,247	262,207	-
Total current liabilities	1,486,611	11,232,373	12,718,983	475,386
Non-current liabilities:				
Net OPEB Obligation	407,997	-	407,997	-
Revenue bonds payable	10,178,124	25,885,025	36,063,149	-
Liability for compensated absences	102,374	482,819	585,194	-
Total non-current liabilities	10,688,495	26,367,844	37,056,340	-
Total liabilities	12,175,106	37,600,217	49,775,323	475,386
Net Assets				
Invested in capital assets, net of related debt	36,067,468	62,235,795	98,303,263	-
Restricted for capital construction	3,911,530	29,924,785	33,836,315	-
Unrestricted	8,386,724	25,561,029	33,947,753	633,051
Total net assets	$ 48,365,722	$ 117,721,609	$ 166,087,331	$ 633,051

See accompanying notes to financial statements

City of Dover Facility Discussion

January 2013

EXHIBIT #9
Council Financial Workshop on 01/07/2013

Goal

- In 2006, staff created a Ten Year Plan for City buildings. The intent of that plan was to create spaces and places for the City's elected officials and employees to provide quality services to the citizens.

2006 Space Needs Study Results

Department	Existing Sq. Ft.	1 – 2 Years	Public Accessibility	Highest Immediate Priority	Long Range	Future Sq. Ft.
City Clerk	597	not enough space – reception area, counter space	Important	Reception Area	Reception area, counter space, workstation, maybe Mayor's responsibilities will be closer to Council	700
City Manager/ Mayor	1,450		Important		One additional office	1,600
Finance	1,197	One additional office	Low	Office for Ray Cola	Additional office, audit room	1,500
Human Resources	560	Storage, interview room	Somewhat	Interview Room	Additional office, interview room	850
Planning/Inspections	2,464	Storage, more privacy, separation for inspectors	Important		Consolidation of department into one area/more inspectors	3,500
Customer Service – Budgets	248	Storage	None	Larger office for Director	Larger office area	400
Customer Service	3,502	Storage, document imaging area, conference room	Important	Meter Readers area	May actually reduce	4,400
Public Works – Admin./Eng.	1,230	Directors office to small, larger reception area, larger engineer's offices, small conference room	Somewhat	Office Space	Large offices with one additional office, move closer to supervisors & consolidate supervisors into one location	1,550

2006 Space Needs Study Results - Continued

Department	Existing Sq. Ft.	1 – 2 Years	Public Accessibility	Highest Immediate Priority	Long Range	Future Sq. Ft.
Tax Assessor	551		Somewhat		May need less space	500
Council Chambers	2,015	Restructure for better viewing and media presentations	Important	Restructure for better viewing & media presentations	One new office	700
Information Technology	1,618	One additional office	None	GIS person	Windows, less space for computers getting smaller	1,800
Police Department		No space for computer/radio equipment, interview room converted to offices	Important	Communication and IT equipment room	Move into 2nd floor	
Parks & Recreation	1,171		Important	Relieve overcrowding		
Caucus Room	447	Bigger room/better media presentation			Ability to divide into 2 rooms	1,800
Council Work/Meeting Room	247	No private space to meet public when other needs room	Important	APD	An internal office	400

Lack of Security

June 2005 Vulnerability Assessment

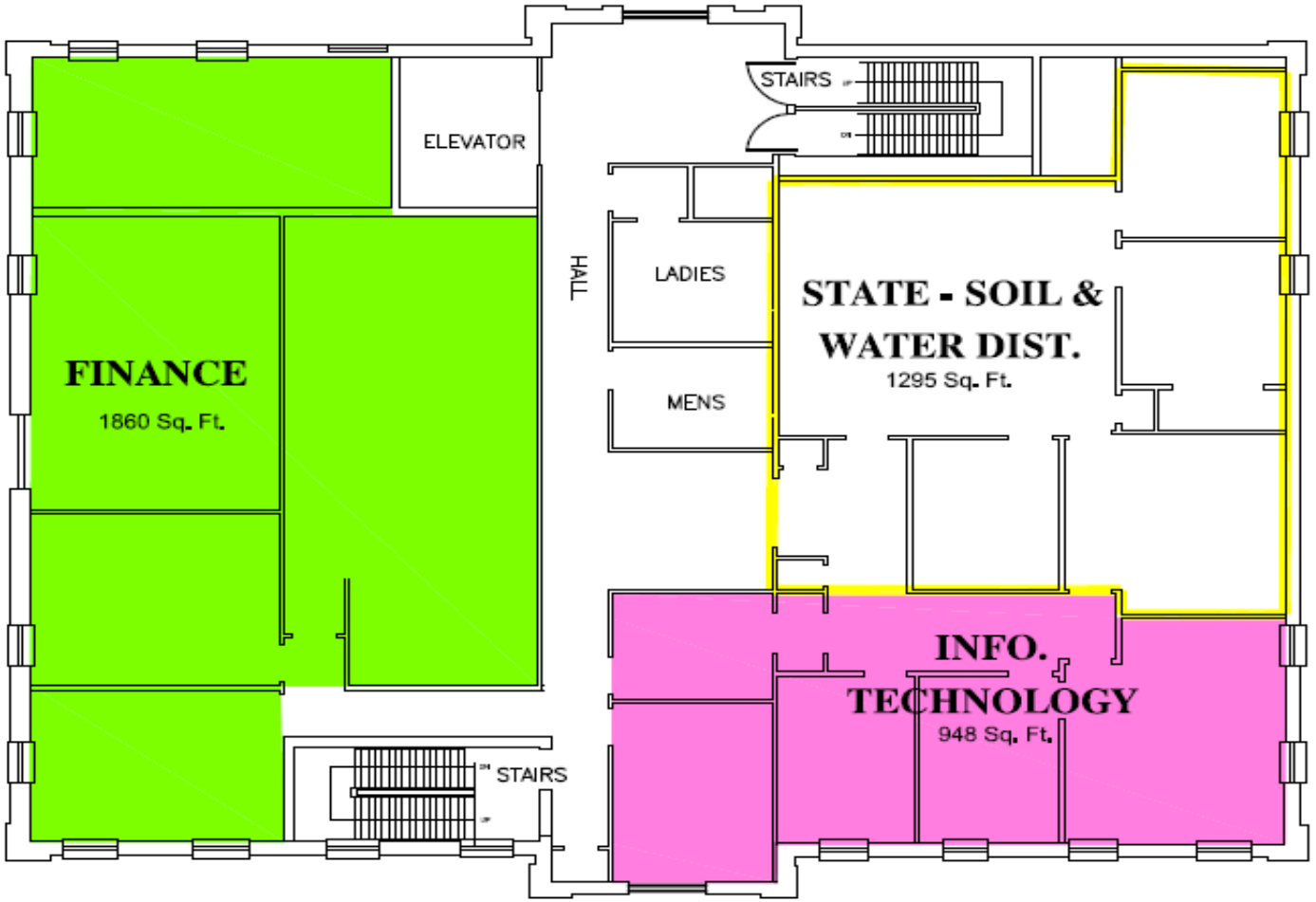
City Hall & Weyandt Hall

- Blast Resistant Windows Needed
- Install Fire Suppression System
- Install Alarm System
- Improve Surveillance with CCTV
- Restrict Access - key entry, visitor logs, etc.
- Relocate Mail Room – separate with blast hard walls
- HEPA filters to Air Handling System
- Add emergency back up power system

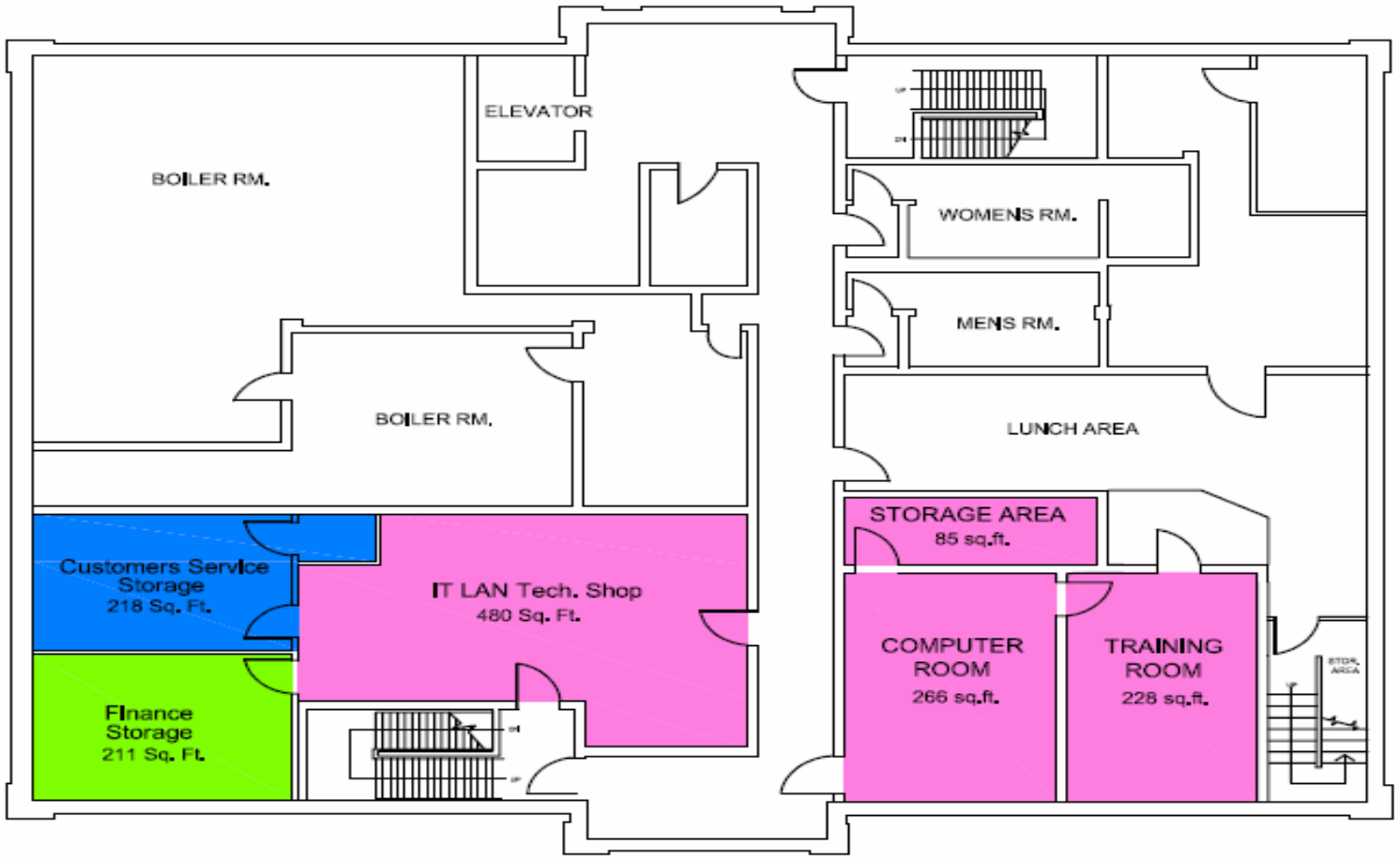
Weyandt Hall Square Footage

Finance	1,860
Info. Technology	950
Tax Assessor	500
Customer Service	3,500
C.S. & Fin. Storage	430
Info. Technology Shop	480
Training Room	580
Total Square Footage	8,300 S.F.

3rd Floor - Weyandt Hall



Basement at Weyandt Hall



Wyandt Hall Major Problems

- Needs new HVAC system.
- Significant problems with climate control
- Roof leaks
- Estimated cost to replace roof & HVAC
- $1,646,907 in December 2011.

City Hall Annex & Connector

- Annex - 9,600
- 2nd Floor of Annex - 1,200
- Connector - 900
- Total Area - 11,700 s.f.

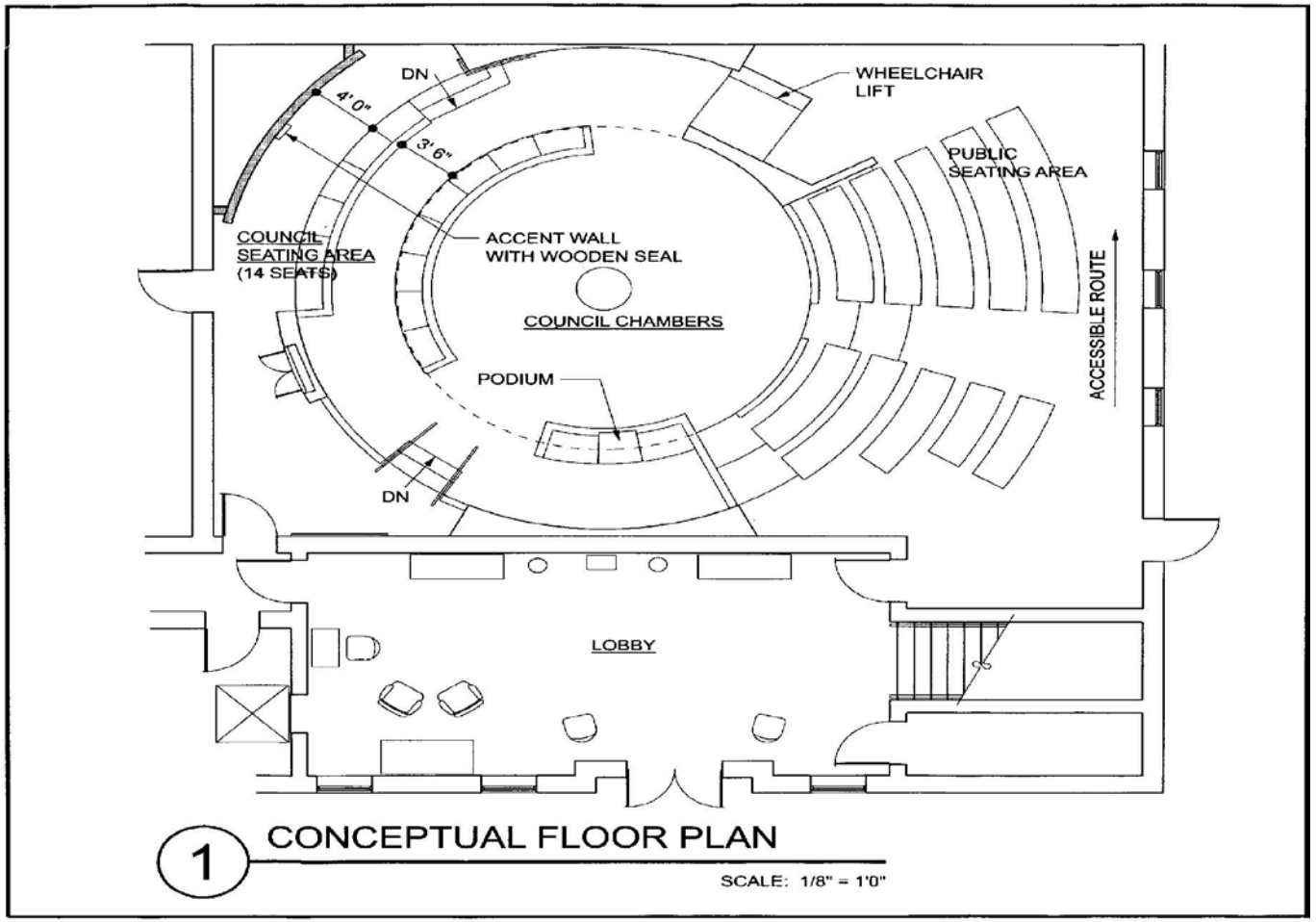
Existing City Hall

- Lacks Fire Suppression System - $288,000 Authorized
- Final Design of System has raised concerns and price - $75,000 to $100,000.
- City Council Chambers are not handicapped accessible - $20,000 minimum to install lift; however, the space will layout poorly.
- HVAC system has concerns about viable maintenance and efficiency.

The 2006 Council Chambers Plan

- Proposed permanent change to Chambers;
- Put all Council Members behind one dais;
- Created a presentation area easily seen by audience and City Council;
- Whole room to be ADA accessible;
- 59 existing public seats increased to 67.

New Council Chambers

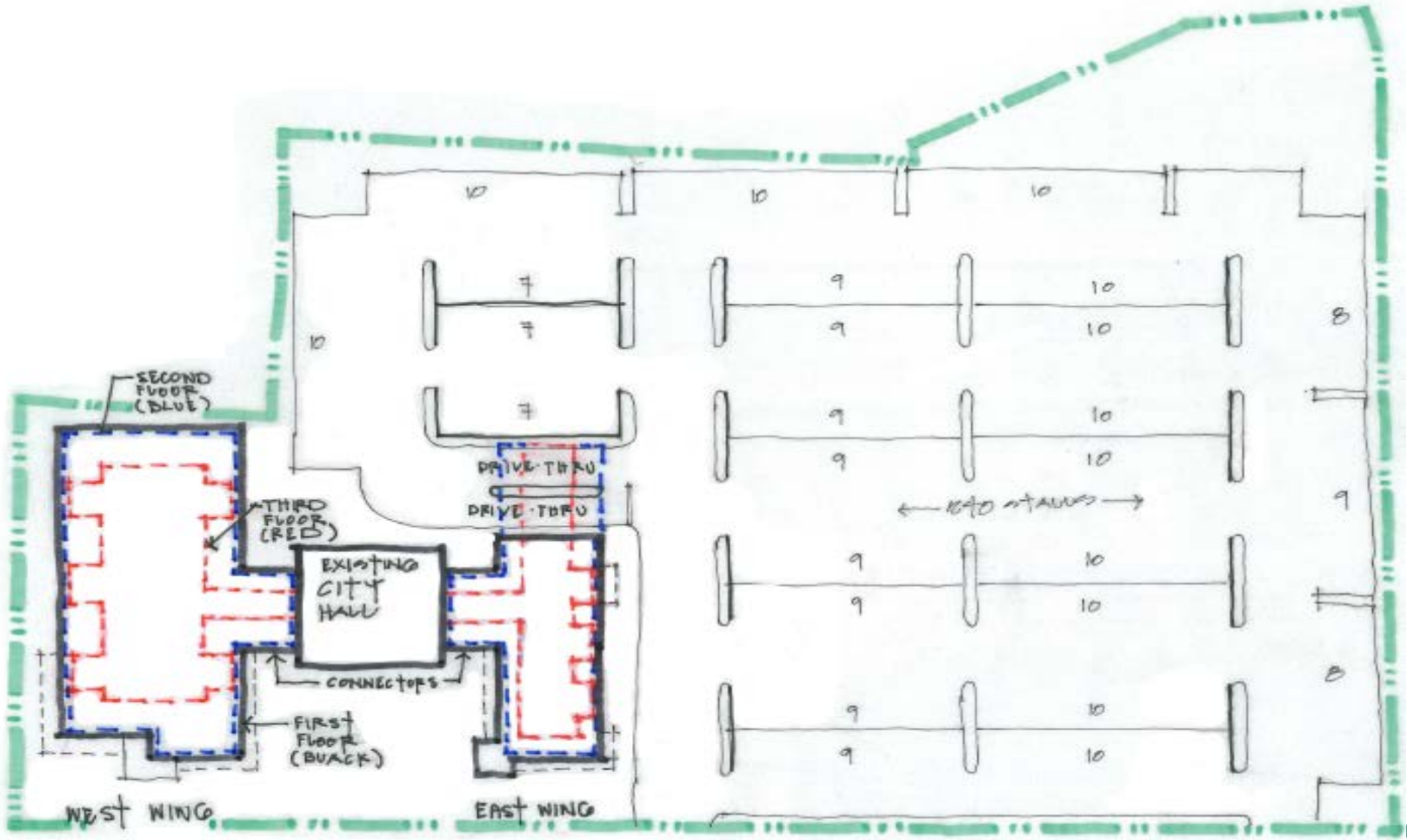


Total City Hall & Weyandt Hall Square Footage Needed

- Replace: City Hall Annex - 11,700
  Weyandt Hall - 8,300

Current Square Footage - 20,000

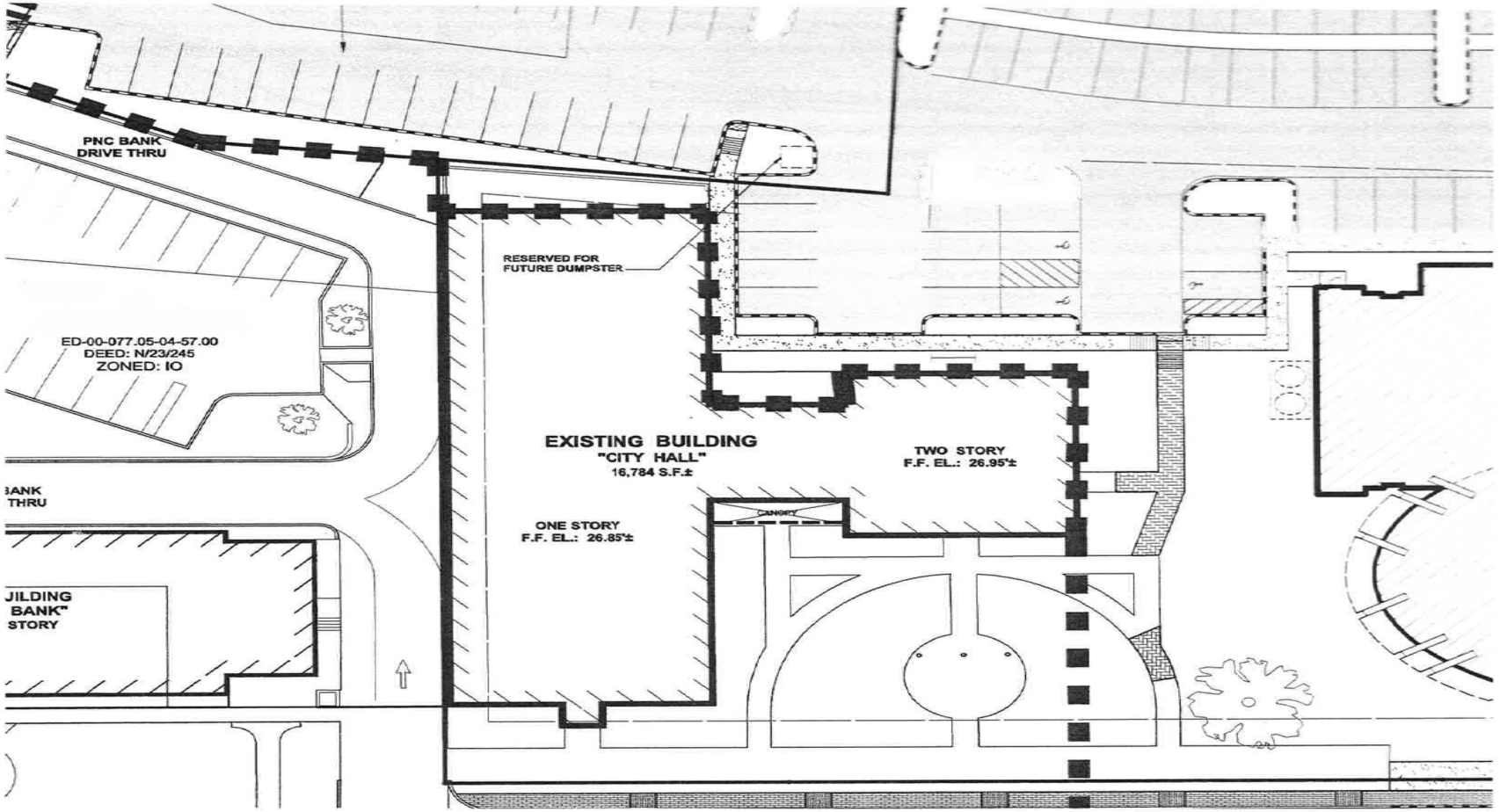
City Hall –Three Story Concept



City Hall – 2006 Concept



City Hall Site Layout



Concept Proposal

- Construct 3-story West Wing to City Hall – approx. 28,800 square feet
- Construct 2-story connector to old City Hall – approx. 1,800 square feet

- Total Area Constructed – 30,600 s.f.
- Increase of roughly 53%

How Much Would IT Cost?

- All In Costs – Design, Demolition, Construction & Furnishing.
- Low Range - $ 11.4 million
- Medium Range - $ 12.6 million
- High Range - $ 13.7 million

- Above costs are for 37,600 s.f.

Weyandt Hall , Library & Parking Lot

- Eventual sale will help off set cost of construction;
- Valuable downtown asset;
- State of Delaware is a possible buyer.

How do we pay for IT

- Long term building improvement
- 40 plus years

- Go to the Bond Market.
- Since the building would include Customer Service, the cost could be allocated between all funds: Electric, W/S and General

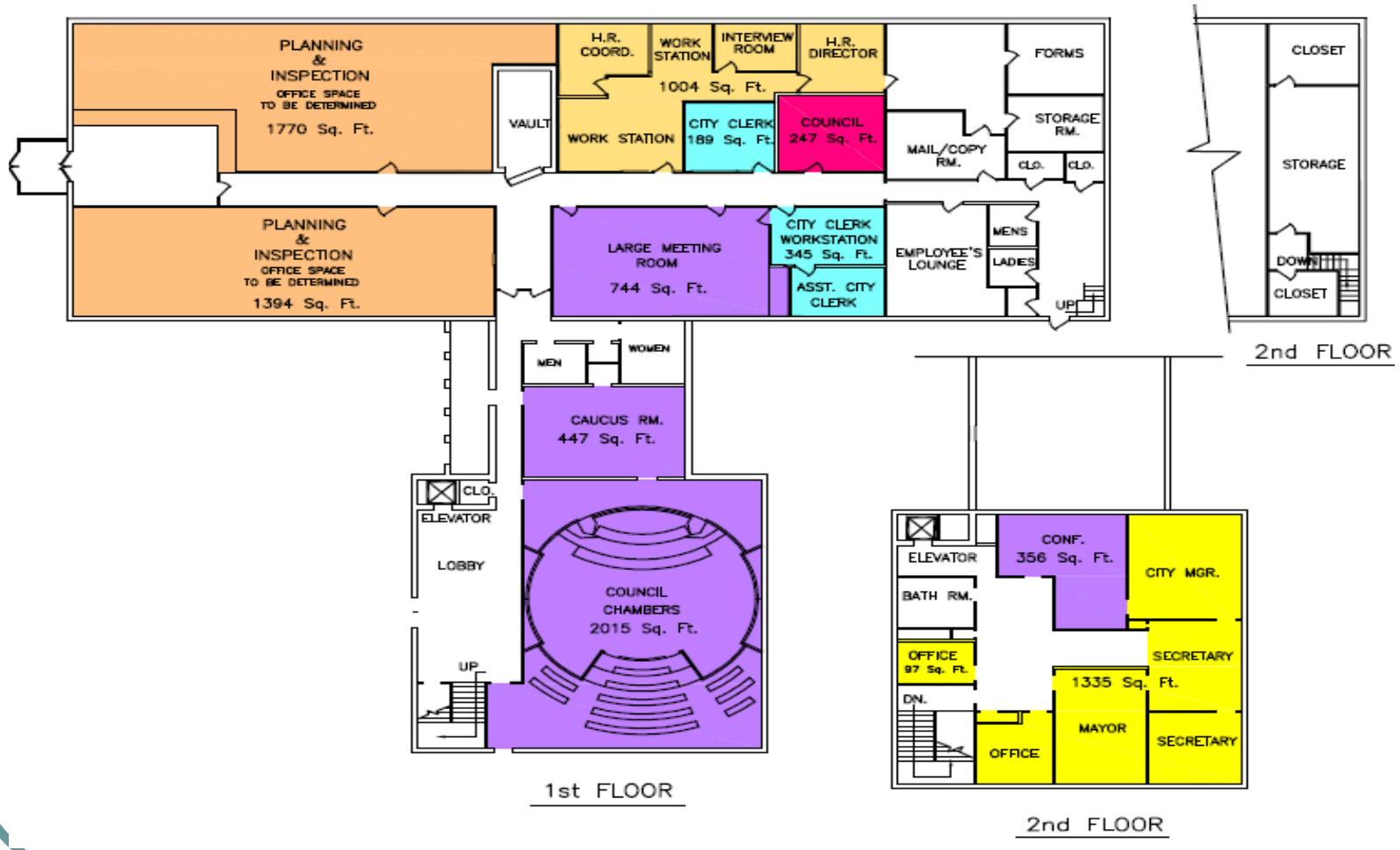
Questions



Phase III

- Move Grounds Department;
- Renovate City Council Chambers;
- Build a new 12,830 square foot East Wing to City Hall;
- Demolish annex and replace with 24,300 square foot West Wing to City Hall;
- Move I/T, Finance, and Customer Service back to new wing of City Hall;
- Sell Library and Weyandt Hall buildings.

City Hall – Proposed Floor Plan



Demolish Annex/ Replace West Wing

- Building new 24,300 square foot West Wing;
- Architecturally mirror East Wing;
- Move Finance, I/T, Tax Assessor, Customer Service to City Hall for most efficient and consolidated management;
- Provide enough space for 20 years of growth.

Build East Wing to City Hall

- Build 12,830 square foot two-story East Wing;
- Temporarily house City Clerk, Human Resources, Inspections & meeting rooms;
- Architecturally similar to current City Hall;
- Built to next generation standards for security, energy conservation, and computer technology;
- Drive thru Customer Service Window.

City Hall – Parking & Square Footage

City Hall - Parking and Sq.Ft. Ratios										
Building	1st Floor Sq.Ft.	2nd Floor Sq.Ft.	3rd Floor Sq.Ft.	Total Sq.Ft.	Parking Required			Parking Provided		Notes
					1/200	1/300				
City Hall - Existing										
Annex	9,600	800	NA	10,400			stalls		stalls	
City Hall	2,600	2,600	NA	5,200			stalls		stalls	
Connectors	961	NA	NA	961			stalls		stalls	
TOTAL(Existing)	12,200	3,400	0	**16,561**	**78**	**52**		**88**		**Note C**
City Hall - Proposed										
West Wing	10,000	10,000	4,300	24,300						**Note B**
East Wing	4,480	5,600	2,750	12,830						**Note B**
City Hall	2,600	2,600	NA	5,200						
Connectors	1,540	1,540	NA	3,080						**Note B**
TOTAL (Proposed)	18,620	19,740	7,050	**45,410**	**227**	**151**		**246**		**Note A & (C)**

Note A - Reconfiguring City lot will provide a minimum of 240 parking stalls.
Note B - Square Footage is estimated from sketch. Exact square footage will vary once survey and site plan is determined.

Note C - Parking Calculated as follows:

Rear Lot - Designated on Property	46	(reconfigured with new construction)
Rear Lot - Off City Property	26	(reconfigured with new construction)
Loockerman Street - In front of City Hall	6	(remains with new construction)
East Side of City Hall	10	(removed with east wing addition)
TOTAL	**88**	

Space Needs Study
Ten Year Phase Cost Matrix

Description	Current Estimate	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	Total - 10 Years
Move Finance to 2nd Floor	20,000	21,000								21,000
IT to 2nd Floor	18,000	18,900								18,900
Move HR to Clerk	10,000	10,500								10,500
Build Meeting Room	10,000	10,500								10,500
										-
Public Works Addition	180,000		198,450							198,450
Expand Planning	10,000			11,576						11,576
										-
Parks & Recreation	100,000			115,763						115,763
										-
Police 2nd Floor	123,000				149,507					149,507
										-
Council Chamber	338,000					431,383				431,383
A/V Communication	32,000					40,841				40,841
										-
Relocate Grounds Department	180,000						241,217			241,217
										-
City Hall East Wing	2,566,000							3,610,620		3,610,620
City Hall West Wing	4,860,000								7,180,433	
Connectors	616,000							433,387	462,444	895,830
City Hall	312,000								460,966	460,966
										-
Total	**9,375,000**	**60,900**	**198,450**	**127,339**	**149,507**	**472,224**	**241,217**	**4,044,007**	**8,103,843**	**13,397,487**

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on January 28, 2013 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mr. Dixon, Mr. Lynn (departed at 7:44 p.m.), Mr. Perza (arrived at 8:55 p.m.), Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Deputy City Solicitor Pepper, and Mrs. McDowell. Mayor Carey (departed at 9:36 p.m.) was also present.

OPEN FORUM

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

Mr. Edward Thomas Christian, Jr., 9 Pennwood Drive, Dover read the following statement into the record:

Good evening!

My name is Edward Thomas Christian Jr.; my address is 9 Pennwood Drive, Dover, DE 19901. All glory, honor, praises and thanksgiving to the creator of Heaven and Earth.

Mayor, City Council members, and Staff: kudos to you individually and collectively for your physical appearance, your demeanor, and your undertaking of serious and conflicting issues during City Council Meetings.

President, I compliment you on the manner in which you preside during the City Council meetings. City Council members and staff, from the few council meetings I have attended, more so than the newspaper coverage visually and audibly, I can bear witness to the thoughtfulness and civility you display to each other and the desire, the effort you put forth to complete those ideas, those ideals, those projects which benefit and serve the City of Dover and its citizens.

Councilman Perza, your solution to the renaming of a street to honor the Reverend Dr. Martin Luther King Jr. is a mark of brilliance.

The News Journal (and I quote)"but the street signs themselves served an effort at compromise." I entitle the signage the celebration of signs. I do not know who gets credit for the masterpieces - the design, the coloring, the coming together of all - those signs give testament to the historical past and the present of the City of Dover, Delaware.

All seated before, to the left, and to the right of me, I too say to you, in the words of the deceased R&B singer Eddie Kendricks, "Keep on Trucking."

Mr. Todd Stonesifer, 115 North State Street, member of the Kent County Association of Realtors, referred to Ordinance #2013-04 regarding rental dwellings and commended staff for listening to the concerns that were relayed and for considering amendments to the ordinance. Mr. Stonesifer expressed support for proposed Staff Amendments #1 and #2 to Ordinance #2013-04. *(Clerk's Office Note: Proposed Ordinance #2013-04 was scheduled for consideration later in the meeting.)*

The invocation was given by Minister Theodore A. Henderson of Dover Christian Church, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Bonar and unanimously carried.

Mr. Bonar moved for approval of the Consent Agenda, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent).

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF JANUARY 7, 2013

The Minutes of the Special Council Meeting of January 7, 2013 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hutchison and bore the written approval of Mayor Carey (Mr. Perza absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 14, 2013

The Minutes of the Regular Council Meeting of January 14, 2013 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hutchison and bore the written approval of Mayor Carey (Mr. Perza absent).

CERTIFICATE OF APPRECIATION AND CONGRATULATIONS - RICHARD L. GARDNER

The following Certificate of Recognition and Congratulations was read into the record by the City Clerk:

MAYOR AND COUNCIL

Be It Hereby Known To All That

The Mayor and Council Commend

RICHARD L. GARDNER

for Dedicated Service to the City of Dover

February 1985 to February 2013
28 Years of Service

The Mayor and Council Extend Sincere Appreciation and Congratulations

The following note received from Mr. Gardner's daughter, Jena Gardner, was read into the record by the City Clerk:

Dad,

I'm so sorry I can't be there; but my English Professor isn't very nice when it comes to skipping classes. Please know that I am thinking about you.

I know over the years that you have given your all to your work. I remember as a kid you having to leave me and mom during all the "scary" storms. It wasn't until I was older that I realized just how important your job was and all those people that relied on you and the others to get their electric back on.

I am so proud of you and all that you have accomplished! I love you!!

Jena

On behalf of the Mayor and Council, Mayor Carey presented the Certificate, City Plaque, and Dover Cup in appreciation of the years and service provided by Mr. Gardner.

Mr. Gardner stated that he was very blessed to be able to begin working for the City right out of high school as a tree trimmer, move up to line work and, eventually become a supervisor. He commended management and Council for rebuilding the electric system over the past 15 years. Mr. Gardner thanked Mr. Les Blakeman, former Electric Director, for having faith in him and moving him into management.

Mrs. Williams thanked Mr. Gardner for instilling in her a commitment to the Dover electric service.

Mr. Hutchison stated that he remembered when Mr. Gardner started working with the City and he commended him for his leadership.

Mr. Leary relayed best wishes on all of Mr. Gardner's future endeavors.

TRIBUTE NO. 2013-01 - GEORGE J. WEIS (MAY 12, 1926 - JANUARY 13, 2013)

The following Tribute was read into the record by the City Clerk:

A TRIBUTE EXPRESSING SYMPATHY AND CONDOLENCES UPON THE PASSING OF GEORGE J. WEIS.

WHEREAS, the Mayor and Council of the City of Dover recognize the passing of George J. Weis on January 13, 2013; and

WHEREAS, George J. Weis was an active member of his community, serving in many local social, service, and civic organizations, including the Benevolent and Protective Order of the Elks of Dover

and the White Oak Civic Association, and impacted the lives of many young people as a Dover Little League coach; and

WHEREAS, George J. Weis retired from his position as Warehouse Manager from General Foods after 39 years of dedicated service; was a faithful, longstanding, and committed member of Holy Cross Parish in Dover; and will be deeply missed by his friends, family, and all of those whose lives he has touched.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council extend their deepest sympathy and condolences to the family and friends of George J. Weis, and hope that they will be consoled by the memories of his life and achievements.

BE IT FURTHER RESOLVED that the Mayor and Council direct the City Clerk to place this Tribute in the permanent records of the City of Dover and that a copy of this Tribute be provided to the family of George J. Weis.

ADOPTED: JANUARY 28, 2013

Mr. Hare moved for adoption of Tribute No. 2013-01, seconded by Mrs. Williams and unanimously carried (Mr. Perza absent).

On behalf of the Mayor and Council, Mayor Carey presented the Tribute to Mr. Weis' children, Nancy, Lawrence, and Thomas Weis.

Ms. Nancy Weis, on behalf of her family, thanked members of Council for honoring their father.

PROCLAMATION - BLACK HISTORY MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, on January 1, 1863, President Abraham Lincoln issued the Emancipation Proclamation, which empowered slaves to fight for freedom and was a pivotal milestone toward the abolition of slavery in the United States; and

WHEREAS, a century later, segregation and other forms of discrimination persisted and black Americans were far from achieving the goals of justice and equality under the law; and

WHEREAS, on August 28, 1963, hundreds of thousands of Americans of all genders, races, and religions marched in solidarity to the Lincoln Memorial in Washington, D.C. to demonstrate their commitment to the cause of civil and economic rights; and

WHEREAS, on this same day, in front of those assembled at the Lincoln Memorial, Dr. Martin Luther King, Jr., delivered his landmark "I Have a Dream" speech, appealing to the conscience of all Americans with words of power that continue to resonate through American life and culture today; and

WHEREAS, this year marks two historic anniversaries: the 150th anniversary of the Emancipation Proclamation and the 50th anniversary of the March on Washington, and the Association for the Study of African American Life and History has selected "At the Crossroads of Freedom and Equality: The Emancipation Proclamation and the March on Washington" as the 2013 National Black History Month Theme.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE do hereby proclaim February 2013 as **BLACK HISTORY MONTH** in the City of Dover and urge all citizens to study and reflect on the importance of these historic events and to renew their commitment to the goal of racial reconciliation in our community and country.

PUBLIC HEARING - CONSIDERATION OF THE GREEN AS A NATIONAL MONUMENT

During the Parks, Recreation, and Community Enhancement Meeting held on January 14, 2013, members considered the designation of The Green as a portion of a national monument to be established in the State of Delaware. At that time, members referred the matter to Council with a recommendation that a public hearing be held and the surrounding property owners notified regarding Council's consideration of this issue.

Due to time constraints, this matter was considered by Council during their Regular Meeting of January 14, 2013. Council approved staff's recommendations for the designation of The Green as a national monument, as follows: 1) the historic preservation easement would only encompass the lawn area of The Green (area inside roads); 2) a public hearing would be set for Monday, January 28, 2013 to consider public testimony before final action is taken by City Council; 3) notice regarding the public hearing would be sent to all adjacent property owners within 200 feet of the easement area; 4) staff would be authorized to immediately begin work on a title search; 5) staff would be authorized to immediately begin work on the preparation of the historic preservation easement in conjunction with the State of Delaware and Attorney General's Office; and 6) staff would be authorized to immediately begin working with the City's consultant on the Phase 1 Environmental Assessment (estimated cost $2,500); and with the stipulation that the City of Dover reserves the right to terminate or withdraw the application by February 25, 2013 in the event that the City finds the terms of the easement and/or historic preservation document package objectionable; and that staff organize a community meeting in advance of January 28, 2013.

Mr. Lynn disqualified himself from any discussion or vote on this topic and requested permission to be excused from Council Chambers during Council's discussion, explaining his belief that he had a conflict precluding him from engaging in this topic (departed at 7:44 p.m.).

Mr. Scott Koenig, City Manager, reviewed the steps that would be necessary for the City to act on this matter. He indicated that Ms. Laura Haynes, Ms. Lori James, Mr. Josh McGarrett, and Mr. Larry the National Park Service (NPS), were present to answer questions. Mr. Koenig advised members that Senator Carper's Office had been working on establishing a national park in the State of Delaware and that this issue had been discussed in Delaware for a number of years. He explained that there were two (2) methods for creating a national park designation: 1) by a vote of Congress, whereby a park designation is created first and the related details are worked out over a period of

time afterward, and 2) through provisions of the Antiquities Act of 1906, which granted the President the authority to proclaim national monuments on federal lands or land interests that contain historic landmarks, historic and prehistoric structures, or other subjects of historic or scientific interest. He noted that late last fall, because of the "log jam" in Congress, Delaware's congressional delegation decided to pursue the second option and to propose that the President designate a national monument in Delaware. Mr. Koenig stated that the Mayor and Public Works Department staff attended a related meeting on approximately December 21, 2012 and were told that it would be necessary to "fast track" this matter if the City wished to participate. Mr. Koenig indicated that four (4) properties in the State were currently associated with the proposal (Woodlawn, the New Castle Courthouse and Green, the Old Sheriff's House in New Castle, and the lawn area of the Dover Green). He stated that three (3) things must be accomplished by the City in order to be included in the national monument proposal:

1) Demonstrate that the City has a clear title to the property. Mr. Koenig explained that this had been a challenge to accomplish; research performed by Mr. William Pepper indicated that the City had the necessary land interest. Mr. Koenig stated his belief, based on correspondence received from Deputy City Solicitor Pepper, ***(Exhibit #1)*** that the City could demonstrate ownership of the property.

2) Perform a Phase I Environmental Assessment of the property to ensure that there were no environmental issues that would prevent The Green from meeting NPS standards for consideration as a national monument. Mr. Koenig stated that staff engaged Compliance Environmental, Inc., to prepare the Phase I assessment, which was received on January 24, 2013, was being reviewed by staff, and would be submitted shortly to NPS for their review. The environmental assessment was prepared under NPS guidelines and contained no information that would prevent the lawn area of The Green from being considered a part of a national monument.

3) The execution of a Preservation and Conservation Easement for the lawn area of The Green, as depicted on the map displayed ***(Exhibit #2)***. Mr. Koenig noted that the easement was needed so that the City could grant the Federal Government the rights required under the Antiquities Act for the President to declare this area part of the national monument.

Mr. Koenig reminded members that this item was placed on the January 14, 2013 City Council agenda for consideration; however, at that point limited public information, other than a sample easement document, was available and a number of questions arose with respect to that document. On January 23, 2013, an informational meeting was held with staff from the City, Senator Carper's Office, the NPS, and property owners around The Green. A notice was mailed to approximately 24 property owners in the area and a number of these individuals attended the meeting to express their concerns.

Mr. Koenig noted that he had received correspondence from a property owner on The Green ***(Exhibit #3)*** *(John Garey)* expressing concerns about the proposal and that this individual felt that his reservations were shared by similarly situated property owners. Mr. Koenig reiterated that the proposed conservation and preservation easement included only the lawn area identified on the map and stated that this area would be identified in the proposed easement. He addressed the specific concerns mentioned in the letter, as follows:

1) Property Taxes - Mr. Koenig stated that he did not believe that property tax rates of properties surrounding the lawn area of The Green would be influenced because the preservation easement was intended to guarantee that the City of Dover would maintain The Green as it was being maintained today. He noted that the City was currently meeting the Secretary of Interior's standards for the maintenance of the lawn area and it was intended that this maintenance would be continued in perpetuity.

2) Insurance Rates - Mr. Koenig reminded those present that the proposal was related to the public property known as the Dover Green, not to property owned by private interests around The Green.

3) Parking on The Green - Mr. Koenig explained that parking considerations would involve parking within the City right-of-way on the street designated as The Green and that discussions indicated that the easement was not intended to cover any of this right-of-way and would not encumber any of the parking or the area within the street.

4) Maintenance and Upkeep - Mr. Koenig reminded those present that the easement was intended to guarantee the maintenance and upkeep of the lawn area and that maintenance and upkeep of the surrounding private property area was guaranteed by the Property Maintenance Code of Dover, as well as any rules and regulations associated with the Historic District; therefore, he felt that granting the easement would not impose any additional burdens related to maintenance or upkeep of the private properties in the area.

5) Restrictions on Use - Mr. Koenig stated that current uses of The Green for community events (such as Old Dover Days and Concerts on The Green) were encouraged by the City of Dover and the NPS, complied with the Secretary of Interior's standards, and that no conflict was anticipated in the future. He noted that if the City were to change the way The Green is used, it would be necessary to consult with and possibly obtain approval from the NPS and that the easement prescribed related conditions and procedures. He emphasized that use would be limited to the lawn area.

6) Restrictions on Exterior Appearance - Mr. Koenig noted that there were no structures associated with the easement document because there were no structures on the lawn area. He explained that restrictions on the exterior

> appearance of private property surrounding The Green are governed by the City's Historic District guidelines, property maintenance codes, code inspection procedures, as well as existing approvals required for changes to the picturesque buildings that exist as private or State property associated with The Green.

Mr. Koenig stated that staff had been working with Deputy City Solicitor Pepper as well as representatives of the NPS to fashion the easement and various members of staff and attorneys (including Mr. Pepper and NPS attorneys) had reviewed this document. Members were provided a copy of the draft Preservation and Conservation Easement Deed ***(Exhibit #4)***. Mr. Koenig indicated that the questions of property owners had been addressed and that the remaining question was whether the City of Dover, as a community, was interested in having the lawn area of The Green included as part of a national monument for the State of Delaware and having it marketed and promoted by the NPS. He explained that Ms. Molly Ross, Special Assistant to the Director, NPS, had indicated that studies have shown that the designation of a National Park Unit (whether it be a national park or a national monument) had yielded at least $1M of economic benefit to each of the other 49 states. Mr. Koenig noted that this project was an economic development, marketing, and storytelling issue for the City, since the NPS staff indicated they would like to tell the story of Dover and The Green. He reiterated that if the City wished to participate, the easement would have to be signed, the environmental documentation must be provided, and a method of titling the property must be demonstrated, and the City has made a valid attempt to address these concerns.

Referring to Page 4, Item #4 of the draft easement, which stated that "the grantee shall apply the following standards (hereinafter "the Secretary's Standards"), as they may be amended from time to time," Mr. Anderson questioned if unilateral amendment by the Federal Government caused staff any concerns. Responding, Mr. Pepper stated that since only "trees and grass" were involved in the proposal, he had no concerns with this provision.

Responding to Mr. Hutchison, Mr. Koenig confirmed that the City would retain ownership of The Green under the agreement and that the proposal would have no impact on parking. He noted that Item #19 of the easement provided for the placement of a plaque not to exceed 24 by 24 inches in size on The Green.

Responding to Mrs. Williams regarding his opinion as to whether there were any potential concerns with the proposal, Mr. Pepper stated that language applying to buildings was removed from the easement because only grass and trees were covered by the easement. He indicated his belief that nothing could happen to this area of grass and trees that could in any way impair or cause impediment to the citizens and property owners surrounding The Green. Mr. Pepper noted that Item #26 in the easement had been added at his suggestion to make it clear that nothing in the easement would affect surrounding property owners' ability to use and develop their properties in a manner they see fit in accordance with applicable local law. He noted that if there were an existing applicable federal law, little could be done; however, he stated that the granting of this easement would not affect owners' rights to use their property.

In response to Mrs. Williams' concerns regarding competition with tourists for parking along The Green, Mr. Pepper stated that parking had always been first come, first served in this area and felt that this was not something that should be changed at this point.

Mr. Larry Josefowski, 29 South State Street, President, Friends of Old Dover, stated that this organization supported the the efforts of the City, the State, and the National Park Service toward monument status for the lawn area of The Green. He felt that this would confirm the importance of The Green and the City of Dover in the history of the United States at a national level. Mr. Josefowski stated that the early government buildings, residences, and offices surrounding The Green and the military, social, and commercial gatherings held there would provide another chapter of America's story, in addition to marking The Green's importance as the site where Delaware became the first state to ratify the Constitution. Mr. Josefowski believed that the project would provide free national publicity and exposure for the City of Dover through the NPS. Additionally, he felt the proposal would provide more protection for the The Green as the primary focal point of historic Dover, noting that recent attempts to streamline the functions of the Dover Historic District Commission indicate that not everyone agrees on the value of preservation. He reminded those present that the City would retain control over The Green, allowing such events as the summer concert series to continue, which he felt was a great way to draw additional people downtown and was in keeping with some of the historical purposes of The Green. Mr. Josefowski stated that Board of the Friends of Old Dover believed that prudent conservation would provide many benefits to the City and attract visitors, who would take the time to see historical and cultural sites in the surrounding area. He noted that the City had done a good job of providing additional parking areas in the City and, while not adjacent to The Green, felt it was not uncommon for visitors to have to walk a few blocks to a park site. He felt that the few blocks separating The Green from parking could be an economic development opportunity.

Mr. Joseph McDaniel, 54 The Green, stated that he had lived on The Green from 1950-1954 and from 2004 to the present and enjoyed living there due to its history, its notoriety, the many events held there, and the tourists and guests who visit. He stated that he felt conflicted about the national monument, especially after reading the draft easement. He indicated concerns about the monument and stated that it had been difficult for residents to obtain information, noting that he read a related article in the local newspaper about a meeting on this matter, only to find out that the meeting had been held two (2) hours prior. He acknowledged being invited to a related meeting and receiving a draft easement upon entry; however, he had difficulty understanding the language in the document. Mr. McDaniel stated that representatives from the NPS made statements that "everything would probably be okay, to the best of my knowledge you will be able to do this, in my opinion you will be able to do this;" however, Mr. McDaniel had concerns. He questioned if having the Federal Government involved in holding events on The Green would "bog things down." He questioned the benefits of the proposal, stating that he was satisfied with the City's current management of The Green. Mr. McDaniel stated that he was unsure of what to think about the proposal and reminded those present that the future of the Historic District Commission would be considered by the City within the next month or two (2).

Mr. Thomas Smith, 126 Hampton Drive, and owner of Delaware Made General Store, 32 W. Loockerman Street, stated that, as a citizen of Dover and a business owner in Downtown

Dover for 23 years, he fully supported the designation of the Dover Green as a national monument. He felt that this action would recognize The Green as a place that was unique in history and worthy of national recognition. Mr. Smith indicated that the designation would help to ensure that The Green would stay as it is forever and could not be built on, destroyed by development, or suffer loss of protection if local zoning laws were changed. He expressed his hope that this designation would mean more business and an increase in tourism, reminding members that many downtown businesses were struggling and more tourists would help them to survive. Mr. Smith believed that increases in tourism would mean more money spent downtown and in hotels, gas stations, and restaurants, resulting in more jobs for citizens. He felt that a national monument would generate more tourists, but not "hordes of them" as others feared. He felt that approving the proposal would assist downtown Dover to grow and thrive and asked members to support the designation of the Dover Green as a national monument.

Ms. Mary Carroll, 36 The Green, advised members that she had lived at this address throughout her childhood and recently moved back to this location after residing in Washington, D. C. for 40 years. She stated her agreement with Mr. McDaniel's remarks and questioned the benefits of the designation, in particular the percentage of the estimated $1M in economic benefits that might be realized by the City of Dover. If received, she felt that these funds should be used for parking, since she felt that parking was already a problem for residents and felt that improvements in parking would make this proposal worthwhile. She also stated that there was a lack of available information regarding the proposal and questioned if this matter must be decided at this meeting or if an extension could be granted to allow for additional information and greater understanding.

Ms. Anne Hartnett Reigle, Wyoming, Delaware, stated that her family owns property at 4 The Green with one (1) commercial tenant (a law firm) and an apartment with a residential tenant. She stated her opposition to The Green becoming a unit of the NPS and objected to the City moving forward toward this action. She stated that she could not articulate her opposition as specifically as she would like to because she had not been provided with the specifics of the proposal. Ms. Reigle informed members that she had reviewed the draft easement but had not seen the results of the title search, no survey was attached, and that an attachment referencing a specific plan had not been included, and noted that the name of the grantee was not listed on the document; therefore, she stated her belief that the document was not nearly finished. She felt the process had been very rushed, noting that it did not go through the Planning Commission and was not vetted by the Historic District Commission or the Downtown Dover Partnership. She acknowledged that the matter was discussed at the Parks, Recreation, and Community Enhancement Committee meeting; however, stated that it was placed on an expedited schedule and all stakeholders had not been heard. Ms. Reigle felt that comments regarding tourism dollars, storytelling, more people coming to The Green, and listing of The Green on the NPS website were speculative. She stated that she had spoken to owners of many businesses on The Green who were opposed to the project, especially law firms, and, to her knowledge, Mr. Smith's comments were the first positive statements from the business community. She urged members to listen to affected individuals and hear their concerns about rising insurance costs, noting that her insurance agent indicated that her premiums would rise. Ms. Reigle was also concerned about loss of local control over activities on The Green, and the possible imposition of federal fees. She mentioned parking and traffic issues (which she stated had not been addressed in

the easement document) and general lack of information. She urged the City not to rush into the project and to provide more opportunity for discussion when more information was available.

Mr. Troy Windham, 8 The Green, stated that he was a property owner and felt the process was being rushed and that property owners and City Council members had not been educated on this issue enough to make a decision. He expressed his understanding that the easement would lay ground for a national monument but could also be a stepping stone toward a national park, which would have different guidelines, and he asked that this be taken into consideration.

Ms. Laura Haynes, Senator Carper's Senior Policy Advisor for Energy, Environment, and National Park Issues, thanked Council, City staff, and the Mayor for their work on this project and stated that she was present on behalf of Senator Carper's Office to voice support for the NPS Dover Green easement. She indicated that every year millions of Americans plan vacations around the National Park System and, as a result, every state except Delaware enjoys $1M or more in associated tourism revenue every year; therefore citizens from Delaware pay into the National Park System and receive no benefits. She reminded members that the idea of creating a national park in Delaware was not a new one and that Senator Carper and many people present in the room and throughout the State had been working on this project for over a decade and she had been involved for over five (5) years. Ms. Haynes stated that Delaware has a significant story to tell as the first state to ratify the Constitution (in Dover), the first state in which Swedes and Finns came ashore in America, the place where William Penn first landed in America, and the place from which Caesar Rodney set off to cast his tie-breaking vote for the nation's independence. She felt that important stories in the nation's history were not being told within the National Park System and this should be changed. The NPS proposed the Dover Green to be included in a Delaware national park in a 2009 resources study after numerous public meetings and discussions with local stakeholders. This idea spurred from a public hearing in Delaware, and was generated not "top down, but bottom up." Ms. Haynes explained that legislation introduced by Senator Carper, Senator Coons, and Congressman Carney in years past also included the Dover Green and the intent had always been to put the property under a historical easement to be preserved for generations to come; however, road blocks were encountered in the legislation. She emphasized that the easement would include only the lawn, not the homes surrounding The Green, and would ensure that there would be no changes in how The Green was being run. Ms. Haynes explained that Senator Carper and the delegation would continue to pursue legislative efforts, but national monument status was a new option that was now available. If included, The Green would be treated no differently under national monument status than it would be under national park status; however, the window of opportunity for monument designation was small. She noted that the actions that Council was being asked to approve today would have to be completed regardless of the path taken for the Dover Green; however, delay could mean that The Green would be left out of Delaware's national monument and the economic benefits that accompany that status. She stated that she could not promise that a positive vote today would guarantee inclusion, as this was a matter for the President to decide. She advised members that a vote in favor of the improved easement would allow Senator Carper and the rest of the delegation to fight for the New Castle sites and the Dover Green to be part Delaware's first national park unit.

In response to Mr. Hutchison's question regarding the possible effect of a 30-day delay in deciding on this matter, Ms. Haynes explained that there was an existing "time crunch" because the

Woodlawn property (part of the proposal) could not be retained by its current owner, the Conservation Fund, after February 15, 2013 for legal reasons. For this reason, the NPS was being "pushed" to encourage the President to designate a monument before that deadline. In addition, she noted that the Secretary of Interior, who had been a great advocate for a Delaware national park, would soon be retiring. He had visited Delaware personally and was doing everything he could to make that possible. She cautioned that there was no guarantee that the President would act within 30 days.

Noting that many property owners had questions and the NPS had concerns, Mr. Hutchison expressed his view that these issues should be resolved before acting.

Ms. Haynes reminded members of the deadline relating to the Woodlawn property and explained that the NPS would need time to "tie everything up" before sending the proposal to the President. She mentioned that there was an additional "political fight" that must be engaged in regarding this matter. She acknowledged that a positive vote during the meeting would not guarantee The Green's designation; however, a negative vote or a vote to delay could mean exclusion from the package due to the timeline involved. In addition, she noted the possibility of a shut-down of the Federal Government and fiscal debt concerns in March, and that, for political reasons, the designation must be accomplished before that time or a long delay would be probable. She acknowledged shared frustration due to the rushed timeline; however, she stated that the window of opportunity was a reality. She noted that the City and the NPS had been able to address all of the concerns that had been heard in the public venues in the last four (4) meetings, Senator Carper's Office was confident that the easement presented met those concerns, and moving forward would be the best hope for the Dover Green to become part of the national monument.

Mr. William L. Witham, Jr., resident of Dover, Judge of the Superior Court of Kent County, advised members that it was his job responsibility to maintain and operate the Courthouse at 38 The Green. Mr. Witham stated that he did not oppose or favor the project, but indicated that, from a personal standpoint, he felt it would be a good thing for Delaware to have a national park. He noted that several of his concerns had been addressed. As a former general partner of a partnership that formerly owned 24 The Green and 26 The Green, he shared the concerns of other homeowners. He noted that if the project were to go through and was successful in bringing tourists to Dover, it may be a good thing; however, felt that The Green contains businesses, residences, and court operations, and parking could be an issue that he felt that the City may have to address in the future. Acknowledging that another layer of government would be involved, he stated that he wished to hear others' comments and to protect the State's interests related to operation of the new Courthouse (scheduled to open in the Spring) and the old Courthouse (which, when fully renovated, would have the oldest continuing operational courtroom in the State).

Ms. Lynn Riley, Division of Historical and Cultural Affairs located at 21 The Green, stated that the DHCA is an owner on The Green and serves as a steward for Delaware citizens as well as an owner on the New Castle Green, which was also under consideration for easement with the NPS. She expressed the DHCA's full support of the national park/national monument concept due to the high profile that they would bring to the State's early history and the role that Delaware has played in the nation's early formation. Ms. Riley stated support for the easement as a means of long-term

protection for maintaining the historic character, while allowing the usual community uses to continue. She explained that the DHCA has had a 40-year partnership with the NPS through the State Historic Preservation Office (SHPO) and this has been a successful and trusting relationship due to the sharing of common goals and values in preserving historically significant properties, with the equally important goal of making them widely accessible to the public through interpretive programming, tours, web resources, and research. She reiterated that the DHCA's experience with easements on State properties indicated that they were effective tools for preservation of historic properties.

Ms. Cindy Small, Executive Director, Kent County Tourism, provided a copy of a letter from Kent County Tourism to Senator Thomas Carper supporting his efforts to have The Green named a national monument ***(Exhibit #5).*** She concurred with the comments of Ms. Lynn Riley, Mr. Tom Smith, and Mr. Larry Josefowski that the project would be very beneficial to residents and to businesses attempting to make a living in Dover and stated that it would be Kent County Tourism's pleasure to promote the monument. Noting that there were questions regarding the ownership of The Green, she invited those present to join her on April 28, 2013 at 2:00 p.m. when William Penn would be brought to the Old State House (for a historical re-enactment) and could be asked directly who owns The Green.

Mr. John Garey, owner of a business at 48 The Green, stated that many of his opinions had been expressed previously by Mr. McDaniel and Ms. Reigle. He felt that the process had been extremely rushed and that answers to questions had been slow in coming and were incomplete. He noted concerns regarding parking, noting that his building did not have a parking spot and there was no access behind his property. He informed members that if parking on The Green were limited or eliminated in the future, visitors to his building would have to walk down State Street and if weather were inclement, this could be a problem. Mr. Garey stated that other businesses in the area had similar parking concerns. He mentioned that he received a call earlier in the day from Deputy City Solicitor Pepper, who indicated that parking could be an issue in the future. Responding, Mr. Pepper stated that the roadway was not included within the easement and, therefore, would not be affected.

Mr. Garey stated his concern that the Federal Government could ask the City to make further changes in the future, which would then eliminate the road and parking. Referring to Ms. Haynes' comment that Senator Carper's Office had been working on this project for 10 years, he noted that he had been physically located on The Green since the Summer of 2004 and an owner since 2008 and had not heard anything from the City or other government proposing The Green as a park or national monument, yet those present were indicating that failure to act today would cause the City to be excluded. Mr. Garey felt that those advocating this project wanted the other properties involved (locations in New Castle County) to be included in the national monument and were using The Green as a tool to accomplish this. He requested that the process be slowed and the project be given additional consideration so that the true benefit to the City and State could be determined, as well as the reason that the government wanted it so badly.

Mr. Jack Richter, 733 Oak Drive (former Mayor of the City of Dover), expressed his belief in historic preservation. He felt that the proposal was a great thing for the City that would bring recognition and allow an opportunity to share the history of The Green, which was laid out in 1719,

with the rest of the world. He reminded those present that the proposal included only the center of The Green, not the surrounding properties, which would be left to be viable and productive. He felt that this project would make the area "a living Williamsburg" and urged members to approve the proposal.

Ms. Molly Ross, Special Assistant to the Director of the National Park Service, reminded those present that the boundary of the easement would be the lawn and that this proposal was not a stepping stone to other property for the Federal Government. She indicated that whether the area was designated as a national monument or a national park, it would take an act of Congress or an amendatory Presidential proclamation to change the boundary. Ms. Ross explained that the proclamation being contemplated was a major undertaking and such proclamations are not done often (128 similar proclamations since 1906). Ms. Ross noted that parking in the area would be under the jurisdiction of the City, not the NPS or Federal Government. She stated that NPS and the Department of Interior had the pleasure of working on the easement together, which she found a very constructive process involving lawyers from both the City and the Department of the Interior. She described the proposed easement as "minimal," and one of the "lightest on the land" that she was aware of, noting that everything related to buildings or structures was removed and it was limited to the lawn and grass of The Green. Ms. Ross indicated that the document made clear that property owners would not be affected through the incorporation of an express clause proposed by Mr. Pepper and NPS was very comfortable accepting this language because they were trying to be very forthright.

Ms. Ann Baker Horsey, 7 The Green, stated that she had lived at this location since 1979. She indicated her support for making The Green part of a national monument and felt that the potential benefits outweighed any concerns. She felt that residents' questions had been answered and that lingering concerns could be worked out. She firmly believed that The Green belonged to the people and making it a part of the monument system was a great opportunity and benefit.

Mr. Terry Jackson, 10 The Green, stated that he echoed the sentiments heard earlier tonight that that the City does a wonderful job of maintaining The Green and felt that the "carrot" of tourism dollars may or may not be realized. Aside from the reported benefits of being in the National Park System for tourism, his feeling was "if it ain't broke, don't fix it."

Members were provided correspondence from Mr. Henry Horsey, dated January 23, 2013, regarding this matter ***(Exhibit #6).***

Mr. Bonar moved to close the public hearing, seconded by Mr. Dixon and unanimously carried (Mr. Lynn and Mr. Perza absent).

Mr. Bonar moved to accept the designation and recommend to the National Park Service (NPS) that the lawn area of The Green be considered for designation as a national monument. The motion was seconded by Mrs. Williams.

Mr. Hare stated that after hearing the testimony, including the comments of residents of The Green, he felt that the process was moving very quickly. He felt that the City does a good job of taking care

of The Green and that it was up to those who live on The Green to decide whether or not they would be affected. He stated that he had heard only one (1) resident of The Green speak in favor of the proposal. He did not have a problem with the national park designation, but stated he was present to represent residents. He noted that The Green was a working area, unlike other national parks, and felt that the process was being rushed. He stated that he could not support the proposal without having all residents' questions answered.

Mr. Anderson acknowledged the challenges associated with the issue and that both sides had compelling arguments. He noted that this area had been the "heart of Dover" for almost 300 years and that the City would only have one (1) chance at this. Since the majority of his constituents that would be affected by this project were opposed to it, he indicated that he could not support it.

Mr. Bonar expressed his opinion that designating the lawn area of The Green as a national monument would cause only the installation of a plaque and would provide an opportunity for the City to receive advertising revenue. He felt that people would not be drawn to the site as if it were the Grand Canyon. Acknowledging that The Green was a working area, Mr. Bonar explained that the National Mall in Washington, D.C. was also a working area. He felt that Council had an opportunity to gain more recognition for the City of Dover through the NPS. He reminded those present that the Downtown Dover Partnership (DDP) recently expended $1.3M to expand parking along North Street and felt that there was not a parking problem in the City but that people did not wish to walk. He noted that insurance rates could increase; however, he felt that these fees would be passed on in the form of higher rent or higher fees to clients. He stated that the compelling argument was that the President would be making a decision in the next 30 days and if Council did not vote to support it, this chance would no longer be available.

Mrs. Williams stated that she was recently shocked and dismayed to hear about the possibility of the elimination of the Dover Historic District Commission. She indicated that she learned a great deal about Dover while formerly serving as a Commissioner. Mrs. Williams stated that if designation as a national monument would ensure the preservation of The Green, she would support it.

On a call for the question, the motion to accept the designation and recommend to the National Park Service (NPS) that the lawn area of The Green be considered for designation as a national monument was carried by a roll call vote of five (5) yes (Dixon, Bonar, Williams, Hutchison, and Leary), two (2) no (Anderson and Hare), and two (2) absent (Lynn and Perza).

Mr. Bonar reminded those present that discussions regarding the Historic District Commission would be taking place in the future; however, there was no intent to diminish the historic preservation status of the City of Dover, merely to streamline the process and allow this function to be handled by professional planners.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JANUARY 14, 2013

The Parks, Recreation, and Community Enhancement Committee met on January 14, 2013 with Councilman Anderson presiding in the absence of Chairman Bonar.

Update - CDBG Program

Mrs. Tracey Harvey, Planner I, reviewed the Status of FY-12 Community Development Block Grant (CDBG) Projects. In reference to the Homeownership Assistance Program, she advised members that three (3) closings were scheduled for January 31, 2013, two (2) through the Neighborhood Stabilization Program (NSP) and one (1) through CDBG and she expressed her thanks to the Committee for approving the reallocation of funds to the homeownership programs, noting that this funding had already been reallocated for future use.

By consent agenda, Mr. Bonar moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent).

UTILITY COMMITTEE REPORT - JANUARY 14, 2013

The Utility Committee met on January 14, 2013 with Councilwoman Williams presiding in the absence of Chairman Bonar.

Request for Alley Abandonment (paper) - 971 and 975 Forest Street

A request dated November 21, 2012 was received from Mr. Tolano D. Anderson for the abandonment of the unimproved alley located approximately 150 feet north of the intersection of Forest Street and Carver Road. He indicated that the alley condition, as well as an inability to safely utilize the space, creates a significant hardship. It was noted that Mr. Anderson owns all real property abutting the alley and he requested that the alley be conveyed to 971 and 975 Forest Street.

Staff confirmed that the alley is unimproved and is considered to be a "paper" alley. Committee members were provided a map of the area. It was also reported that no public utility easements would be required. Records indicate that all abutting parcels are owned by Faithwork LLC. In light of the information provided, staff had no objection to the abandonment of the subject alley and recommended conveyance of the same to the parcels represented by 971 and 975 Forest Street with conveyance in proportions complimentary to the existing lot widths of those parcels. It was noted that 983 Forest Street appears to utilize the unimproved alley for access. Since this parcel is also owned by Faithwork LLC, staff recommended that the owner establish cross access easements between 971, 975, and 983 Forest Street at the time of conveyance.

Staff recommended abandonment of the subject alley with conveyance to 971 and 975 Forest Street, currently owned by Faithwork LLC.

The Committee recommended approval of staff's recommendation.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and, by a unanimous roll call vote (Mr. Perza absent), Resolution No. 2013-03 was adopted, as follows:

A RESOLUTION VACATING AND ABANDONING A CERTAIN ALLEY SITUATED IN THE CITY OF DOVER.

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

Section 1. The Council of the City of Dover hereby vacates and abandons the following alley:

Adjacent to 971 Forest Street (ED-05-076.07-01-62.00)
Being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an unimproved public alley running east to west, lying on the northerly side of and running parallel to Forest Street, said portion of alley beginning at a point identified as the northeast corner of parcel No. ED-05-076.07-01-62.00; thence running North 85 degrees 00 minutes 00 seconds West 100 feet along the southerly line of a 15' wide alley to the northwest corner of parcel No. ED-05-076.07-01-62.00; thence running perpendicular across said 15' wide alley to a point in the northwest line of a 15' wide alley; thence running South 85 degrees 00 minutes 00 seconds East 100 feet along the northerly line of a 15' wide alley to a point at the corner of parcel No. ED-05-076.07-01-61.00; thence running 15 feet along the easterly boundary of the 15' wide alley to the point and place of beginning and containing 0.0344 acres (1,500 square feet) of land be the same more or less.

Adjacent to 975 Forest Street (ED-05-076.07-01-37.00)
Being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an unimproved public alley running east to west, lying on the northerly side of and running parallel to Forest Street, said portion of alley beginning at a point identified as the northwest corner of parcel No. ED-05-076.07-01-37.00; thence running South 85 degrees 00 minutes 00 seconds East 50 feet along the south line of a 15' wide alley to the northwest corner of parcel No. ED-05-076.07-01-62.00; thence running perpendicular across said 15’ wide alley to a point in the northeast line of a 15' wide alley; thence running North 85 degrees 00 minutes 00 seconds West 50 feet along the northerly line of a 15' wide alley to a point at the corner of parcel No. ED-05-076.07-01-36.00; thence running 15 feet along the western boundary of the 15' wide alley to the point and place of beginning and containing 0.0172 acres (750 square feet) of land be the same more or less.

Section 2. Since no person has been deprived of property by the vacating and abandoning of the aforesaid alley, no compensation is awarded.

Section 3. All costs of conveyance shall be borne by the property owner.

Section 4. This resolution shall be effective upon the filing of a revised plot plan of the aforesaid alley.

ADOPTED: FEBRUARY 11, 2013

TEA/NAES Report (October)
The TEA/NAES Monthly Report for October 2012 was 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.

The Committee recommended acceptance of the TEA/NAES Monthly Report for October 2012.

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

Update - Garrison Oak Technology Park Project

Mr. Scott Koenig, City Manager, stated that progress was being made on the Garrison Oak Technology Park Project. Since the last update, he stated that the City had authorized cleaning of the tax ditch that runs through the middle of the property, which is expected to be completed by the Kent Conservation District in advance of the full construction of the improvements associated with the Garrison Oak Technology Park. He stated that in recent weeks, staff had met several times with representatives of Calpine to discuss the status of each of the milestone issues related to the project.

Mr. Koenig stated that the City is near final submissions for the Kent Conservation District stormwater approval, as well as the final re-submissions of the subdivision plan for the Park. He advised members that Becker Morgan was working individually with Calpine to finish site plan applications, which are expected within the next few weeks for final review and approval. He stated that late last year, the City issued design contracts for the 1.5 million gallon water tower, as well as a new sanitary sewer pump station, both to be located at the Garrison Oak Technology Park. Both of the design periods were coming to an end; therefore, final drawings on the design packages were expected in the near future and the projects would then be let out to bid. Mr. Koenig advised members of a draft document from Calpine including milestones established for the project which indicated that Calpine would like to pull a building permit around March 1, 2013. Staff was attempting to assure that the City's construction schedule matches the milestones provided by Calpine.

Mr. Koenig anticipated that Calpine's air permit would be issued within the week. He noted that Calpine was working diligently with the Federal Energy Regulatory Commission (FERC) and the natural gas company to assure that the natural gas line would be extended from Cheswold. Calpine was also working with several independent property owners for the feeder line (referred to as the radial line) from the energy center to the 230kV tie since they were intending to cross private property. Mr. Koenig stated that to his knowledge, discussions between LS Power and Calpine are ongoing; however, Calpine was confident that they are nearing conclusion of those discussions. He noted that LS Power had filed a suit against the City of Dover Planning Commission related to construction dust and potential water plume coming off the energy center. He stated that, according to Calpine, these issues were being resolved and noted that LS Power had also indicated to him that there were ongoing discussions with Calpine to resolve the issues.

Responding to Mrs. Williams, Mr. Koenig stated that energy must be produced to the grid by June 2015 for the first unit (309 megawatts) and that there was a possibility of testing in January 2015. He stated that the City had not continued further discussions regarding a purchase power agreement. He anticipated those discussions to occur in the next 90-180 days.

Mr. Hutchison suggested that staff keep in mind what has happened between LS Power and Calpine in the future when the City begins negotiations with other vendors.

Mr. Koenig indicated that staff had been meeting with the Division of Natural Resources and Environmental Control (DNREC) regarding the City's water allocation permit and that a letter had been received from DNREC indicating that the City is no longer a part of the regional Delaware River Basin Commission (DRBC) docket and that the City's allocation permits were managed by DNREC rather than the DRBC. He advised members that this is a positive for the City, noting that the City had been working for the last two (2) to three (3) years with DNREC to get all water allocation permits in line with how the City's facilities are producing. Mr. Koenig stated that this would be important when discussions begin for managing water resources related to the Garrison Energy Center and all water utilities. He advised members that, based on engineering analysis, there was a need for the City to make improvements to the water system; however, he assured members that there was enough water to supply Unit 1, or Block 1, of the Garrison Energy Center. If Unit 2 becomes activated, he stated that the City would need to develop additional water resources to ensure safe operating factors necessary to run the system with two (2) units running full blast on the hottest day of the year if a four (4) hour fire was underway. Mr. Koenig indicated that there were several conditions to be met on the engineering side.

Responding to Mr. Hutchison, Mr. Koenig stated that upon issuance of the air permit, the next step for the City would be to conduct a final review of the site plan. He indicated that he would need to determine if the City could issue a building permit while there was an outstanding issue with LS Power, noting that he would prefer the LS Power issue to be resolved before any further action was taken in this regard.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 14, 2013

The Legislative, Finance, and Administration Committee met on January 14, 2013 with Chairman Lynn presiding.

Draft Comprehensive Annual Financial Report (CAFR) - Fiscal Year Ended June 30, 2012

In accordance with Section 46 of the City Charter, the City's financial books are audited by independent auditors each year. Mrs. Donna Mitchell, Controller/Treasurer, submitted the Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2012 and reviewed key points of the Report. It was noted that all financial transactions were audited by S.B. & Company, LLC. She introduced Mr. William Seymour, Auditor with S.B. & Company, whose opinion was included in the report. However, she noted that the auditor had not completed the management letter since they were continuing to work on the federal grant audit and report on internal control and that Mr. Seymour would provide a presentation in this regard upon completion.

Referring to Page 37 of the report, Mrs. Mitchell noted that the amount of unrestricted total net Assets was -$6,759,433, which was the result of the non-current liabilities due in more than one (1) year, including the liability for medical benefits totaling $11,179,542. She advised members that the Balance Sheet, as reflected on Page 39, depicted totals without the long-term liabilities and long-term assets and showed an unassigned fund balance of $3,007,963 (considered spendable sources). She

indicated that these were the reported amounts that members were familiar with from working through the budget process. On Page 41 of the Report, Mrs. Mitchell stated that the deferred revenue, in the amount of -$582,144, was the result of the City having to reclassify prior year revenues that had not yet been collected (aged receivables) and to reduce the fund balance for financial report presentation purposes, and explained that this would not be reported as such for budgetary purposes. She reminded members that ordinances were adopted recently that put "teeth" into some of the collections; therefore, she believed this amount would change in the future.

In response to Mr. Hutchison, Mrs. Mitchell confirmed that staff did not submit any mid-year review budget adjustments; therefore, everything was required to remain as originally budgeted until the end of the fiscal year. This was due to timing and staffing issues. She felt that when staff presents this year's budget review, any significant changes would be included.

The Committee recommended acceptance of the draft Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2012.

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

Proposed Ordinance #2013-01 - Amending Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that, in 2001, the City of Dover adopted the Airport Environs Overlay Zone (AEOZ) based upon the maps and text provided by the DAFB in their Air Installation Compatible Use Zone (AICUZ) study to ensure that development of lands surrounding the Dover Air Force Base (DAFB), specifically within the zones identified by the Air Force as the Noise Zones, Clear Zone, and Accident Potential Zones, proceeds in a manner that protects the public health, safety, and welfare, as well as the viability of the DAFB. She explained that the overlay zone works in conjunction with the underlying zoning district of each property to ensure that development in these areas is compatible with the noise and other aspects of DAFB flight paths.

Mrs. Townshend advised members that the DAFB released an updated AICUZ study in 2010 which included revised noise contours. She stated that staff used the updated information for the proposed amendments to the text of the Zoning Ordinance relating to the AEOZ. Mrs. Townshend noted that the proposed changes were primarily housekeeping changes and were directly related to the AICUZ study provided by the DAFB.

Members reviewed Proposed Ordinance #2013-01 amending Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ). Mrs. Townshend advised members that a recommendation for adoption would necessitate a Comprehensive Rezoning of the area, which would be presented at the conclusion of this item.

Staff recommended adoption of Proposed Ordinance #2013-01.

Responding to Mr. Shevock, Mrs. Townshend assured members that staff worked with the DAFB Community Planner in developing the proposed amendments and have received their approval.

The Committee recommended adoption of Proposed Ordinance #2013-01.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent.) *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

Proposed Ordinance #2013-02 - Amending the Zoning Ordinance and Zoning Map of the City of Dover by Changing the Boundary of the Airport Environs Overlay Zone (AEOZ) in Accordance with the 2010 Air Installation Compatible Use Zone (AICUZ) Study Published by the Dover Air Force Base

Mrs. Townshend explained that the recommendation for adoption of Proposed Ordinance #2013-01 would necessitate amendments to the Zoning Map and that adoption of Proposed Ordinance #2013-02 would incorporate the changes to the Air Installation Compatible Use Zone into the Zoning Map as the Airport Environs Overlay Zone (AEOZ). Members were provided Proposed Ordinance #2013-02 amending the Zoning Ordinance and Zoning Map of the City of Dover by changing the boundary of the Airport Environs Overlay Zone (AEOZ) in accordance with the 2010 Air Installation Compatible Use Zone (AICUZ) Study published by the DAFB.

Mrs. Townshend indicated that Proposed Ordinance #2013-02 amending the AEOZ was being processed as a Comprehensive Rezoning *(Appendix B – Zoning, Article 10 – Planning Commission, Section 5 – Amendments, Subsection 5.4)*, since the rezoning was the result of a formal study by the DAFB; therefore, staff sent 685 letters to affected property owners and held a public workshop on November 8, 2012 to answer questions. She advised members that some properties would be removed from the AEOZ Noise Zones as a result of the rezoning while others would remain in the AEOZ Noise Zones; however, the boundary locations on their properties would change. She noted that no changes to the Accident Potential Zones or Clear Zone were proposed. Mrs. Townshend referred to a map depicting those parcels that would be removed from the Noise Zones. She noted that the map indicates that the Noise Zones are shrinking and the Accident Potential Zone and Clear Zone remained the same.

Staff recommended adoption of Proposed Ordinance #2013-02.

The Committee recommended adoption of Proposed Ordinance #2013-02.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent). *(The First Reading of the proposed ordinance will take place during the latter part of the meeting.)*

Proposed Ordinance #2013-03 - Amending Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings

Being aware that vacant buildings detract from community appearance, provide locations for nuisance behaviors, and consume City staff time in responding to complaints or checking to ensure

that vacant buildings are kept secure, Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that in 2006, City Council adopted the Vacant Building Ordinance to reduce the community nuisance caused by vacant buildings. In addition to requiring the registration of vacant buildings and requiring that owners of vacant buildings pay a registration fee, the ordinance also tasked the City with inspecting vacant buildings to ensure that they are maintained and secured. Mrs. Townshend advised members that a number of vacant buildings in the City had become locations of arson due to owners not keeping them properly secured. In addition, she stated that the problems caused by vacant buildings had been exacerbated by the economic downturn.

Members reviewed Proposed Ordinance #2013-03 amending Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings. Mrs. Townshend advised members that the proposed amendments were primarily housekeeping amendments that would contribute to clarity and ease of administration. In addition to the proposed housekeeping provisions, she indicated that the amendments included increased registration fees for vacant non-residential buildings greater than or equal to 10,000 SF. Mrs. Townshend explained that the current fee schedule failed to provide a disincentive to vacancy, particularly for many of the large commercial box buildings. She advised members that the Planning and Inspections Department currently devotes one (1) full-time inspector to monitoring, inspecting, and working with property owners on vacant buildings. So far in Fiscal Year 2013, $27,500 had been collected in vacant building fees.

Staff recommended adoption of Proposed Ordinance #2013-03.

Responding to Mr. Anderson in reference to Line 52 of the proposed ordinance, which would shorten the time allowed before providing the City building inspector access to vacant buildings from 90 to 30 days, Mrs. Townshend explained that after waiting 90 days, particularly in foreclosure scenarios, the properties may already be a nuisance to the neighbors. As an example, she stated that on several occasions, although a property may have been vacant for 90 days, because utilities were not disconnected and payment was being made for several of those days, staff could only document that it had been vacant for 30 days. In these instances, although neighbors may have been submitting property complaints, staff could not require registration or take any action in this regard.

Concurring with Mr. Anderson, Mrs. Townshend stated that information regarding vacant buildings could be forwarded to the Economic Development Office, noting that the City has several incentives for vacant commercial buildings, such as tax abatement for buildings over 20,000 SF, permit and impact fee waivers, and tax abatement for buildings over 5,000 SF for the value of the renovations.

Mr. Hare relayed his concerns with subjecting responsible property owners (those who maintain their properties and list them for sale with a realtor) to the same increase in registration fees as those owners that do not take the necessary steps to maintain vacant properties. He questioned the possibility of penalizing only those property owners who create problems.

Responding to Mr. Hare's concerns, Mr. Lynn noted that when a property owner takes responsibility to maintain vacant property, is actively marketing it, and has it listed with a realtor, there is an exemption from the registration fee. Mrs. Townshend noted that the current ordinance allows for

such an exemption for three (3) years and suggested the possibility of extending this time limit due to the current economy. However, she cautioned members that even if a property is listed for sale, a property owner may have no intention of selling. Elaborating, Mr. Lynn stated that although there may be a for sale sign, the property may not be listed at a reasonable market price and the property owner may be claiming losses on income tax returns, leaving the City with buildings that are eyesores.

In response to Mr. Hutchison, Mrs. Townshend stated that there were approximately 350 vacant buildings in the City.

Mr. Lynn stated that the purpose of the proposed amendments was not to hurt those property owners who were actively trying to market properties for fair market value but rather address the large and growing problem of empty buildings that are not being marketed and are eyesores and safety concerns.

Referring to the concerns of Mr. Hare, as questioned by Mr. Shevock, Mrs. Townshend stated that she would rather extend the period of time for exemption than put staff in the position of having to determine which properties are well maintained. She suggested extending the time period for the exemption to five (5) years.

Mr. Philip McGinnis, 555 E. Loockerman Street, stated that he serves as the Chairman of Kent County Association of Realtors Public Policy Committee and read comments regarding the proposed ordinance.

Mr. Anderson moved to suspend the rules to allow Mr. McGinnis an additional two (2) minutes for remarks, seconded by Mr. Rushe and carried by a vote of four (4) yes (Anderson, Hare, Rushe, and Shevock) and one (1) no (Lynn).

Responding to Mr. Anderson, Mrs. Townshend stated that the inclusion of a commercial unit within a building in the definition of a vacant building was specified in Line 22 of the proposed ordinance. In talking with Mr. McGinnis, she stated that replacing "commercial unit within a building" with "structure" would resolve his concerns. It was her opinion that by making that change, a building such as Value City would continue to be viewed as a separate building, but a building where the upstairs is occupied and the downstairs is unoccupied (or vice versa) would not.

Based on the discussion, Mr. Lynn suggested that a workshop be held to allow staff the opportunity to work with the community regarding possible amendments to the proposed ordinance.

The Committee recommended that Proposed Ordinance #2013-03 be referred back to staff to allow them to hold a workshop to develop amendments for consideration and that staff be instructed to include residential properties.

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

Proposed Ordinance #2013-04 - Amending Chapter 22 -Buildings and Building Regulations, Article X - Rental Dwellings

Members were provided Proposed Ordinance #2013-04 amending Chapter 22 - Building and Building Regulations, Article X - Rental Dwellings to create a Crime Free Housing Program.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Department of Planning and Inspections had been working cooperatively with the Police Department to address problem rental properties. She explained that the Community Policing Unit works with apartment complexes to implement a crime free multi-housing program, which includes a seminar for complex managers and a lease addendum. The program has been successful in helping apartment complex managers address criminal/nuisance behavior of tenants and guests. In working with the Police Department, she stated that the Department of Planning and Inspections was looking to expand this program to all rental property owners and managers and require participation in the program as part of the Rental Dwelling code requirements.

Mrs. Townshend explained that the proposed ordinance would require landlords to participate in a crime-free housing program, including participation in a crime-free housing seminar offered by the Dover Police Department, and the use of a crime-free housing addendum to leases. In addition, she stated that the proposed ordinance would allow for prorating rental permit fees for permits purchased after the beginning of the permit year.

Staff recommended adoption of Proposed Ordinance #2013-04.

Mrs. Townshend advised members that, at the request of Mr. Anderson, staff drafted amendments for the Committee's consideration. She stated that Proposed Amendment #1 would allow landlords to opt out of the crime-free housing requirement by paying a per dwelling surcharge on rental permits; Proposed Amendment #2 would exempt licensed real estate agents from the requirement to attend the crime-free housing seminar, unless their rental permit was suspended for failure to enforce the crime-free housing lease provisions; and Proposed Amendment #3 would not include use or possession of illegal drugs as a violation of the crime-free housing lease addendum.

In response to Mr. Shevock regarding instances when a landlord would not be available to attend the required seminar, Mrs. Townshend suggested further discussion with the Police Department for possible solutions, such as the creation of an online class.

Mr. Hare relayed his concerns with creating requirements for excellent landlords who have never caused problems in order to address issues created by other landlords. He suggested developing requirements specifically for the problematic landlords instead of penalizing those that have done everything the City has required. Responding, Mrs. Townshend explained the difficulty in differentiating between "good" and "bad" landlords. She reminded members that it was only a two (2) hour seminar and not onerous. In addition, she reminded members that those who wish to drive a boat are required to take a boater safety course so as not to be a nuisance to others on the water.

Responding to Mr. Anderson, Mrs. Townshend confirmed that, currently, out-of-town (absentee) landlords are required to have a local agent. An out-of-town landlord would have the option of

hiring a real estate agent to take care of the property and set up the lease in accordance with the provisions, or could attend the seminar, or have a relative or local agent attend on their behalf. She also confirmed that if the tenant were a relative or someone who the landlord did not have to worry about with regard to crime-free housing, they could simply pay the extra $50.

In reviewing the proposed ordinance, Mr. Rushe stated that it did not include a good definition of criminal activity. He noted that Amendment #3 would not include use or possession of illegal drugs as a violation of the crime-free housing lease addendum and questioned why certain illegal activities would not be a violation and others would. Responding, Mrs. Townshend stated that the City Solicitor had reviewed the proposed ordinance only and not the amendments. In addition, she stated that the Police Department's Lease Addendum used with their Crime Free Multi-Housing Program was upheld in court; therefore, staff would utilize the template used by the Police Department.

Mr. Rushe questioned how oral leases would be handled since there is no requirement under Delaware Law that a lease be in writing. Responding, Mrs. Townshend stated that the City of Dover does not allow utility service to be established without a lease. Noting that there are landlords who keep utilities in their names, she stated that the City would require the Lease Addendum to be on file; therefore, in those instances where there is an oral lease, the City would need the Lease Addendum.

Council President Leary reminded members that the original intent of the proposed ordinance was not to address "nuisances" but rather activities that are dangerous, such as neighborhood terrorism, etc. He suggested that everyone keep focused on this original intent during their deliberations.

At the request of Mr. Anderson, Master Corporal Bernat assured members that the purpose of the Crime-Free Housing Ordinance was not to burden realtors or penalize owners of rental properties. He stated that the program would be kept short and made as convenient as possible, with the purpose of providing education. He explained that landlords of some of the problem houses were not familiar with the landlord/tenant law, which has been problematic when they want to deal with problems but do not know what to do. The seminar would educate landlords to allow them to be more responsible. In addition, he indicated that eviction is the last level of action to be taken; however, the possibility of eviction can be a motivator for both the owner and tenant. MCpl. Bernat stated that many times renters do not have an investment in the neighborhood so they continue with dangerous activities. Although it was not the intent to evict individuals, he stated that it was not desired that residents who were living lawfully and are credible citizens leave as a result of those causing problems.

In response to Mr. Anderson, MCpl. Bernat confirmed that the Multi Crime-Free Housing Program has been used for a decade and utilizes the same Lease Addendum that had been upheld in court and was legal. He advised members that this program had been a success for both the management of multi-housing and the community.

Mr. Lynn noted the receipt of correspondence from Ms. Maureen Bauer dated January 10, 2013.

Ms. Maureen Bauer, 22 Kent Circle, indicated that when she moved into The Hamlet over ten (10) years ago, it was a nice place to live. She enjoyed going outside, visiting neighbors, taking dogs for walks, etc. She indicated that this was not the case anymore due to a few nuisance rental properties

where, although the landlords are notified of certain activities, they do not take any action to resolve the issues. She stated that there was no recourse other than calling the police every time something occurs. She advised members that she lives in fear and that there have been good, upstanding residents that have moved due to these nuisance properties.

Mr. Phillip McGinnis, 555 E. Loockerman Street, stated that he serves as the Chairman of Kent County Association of Realtors Public Policy Committee and read comments regarding the proposed ordinance. He stated no objections to the proposed ordinance as long as licensed real estate agents and professional property managers were exempt, explaining that these individuals are educated to serve as professional property managers, are trained to include lease clauses that follow the statute regarding criminal activities, and are aware that the landlord/tenant code is required for residential dwelling units whether they are oral or written leases, etc. As licensed real estate agents and professional property managers, he stated that they are better trained since this is their business and he noted that the lease amendment that they currently use may be better than the one proposed.

Responding, Mr. Lynn suggested that Mr. McGinnis provide staff with a copy of the lease amendment utilized by the professional property managers for possible improvements to the proposed lease addendum.

In response to Mr. Shevock, Mrs. Townshend stated that the current proposed ordinance would require both the owner and agent to take the required seminar and suggested that staff be provided an opportunity to make amendments prior to the First Reading.

Mr. Hare stated that he would support the proposed amendments if those landlords or property owners that have not had any problems could take the seminar online and those handling properties where there have been complaints and/or violations be required to attend the seminar in person. Responding, Mrs. Townshend felt confident that an online seminar could be made available. She noted that there are over 3,000 rental permits; therefore, staff would need to roll out the startup of the program and she assured members that if there were any concerns, staff would report back to members for their review and consideration in resolving the issues.

Mr. Rushe reiterated his concerns that the proposed ordinance includes what is not criminal activity but not necessarily what criminal activity is. If it included just an arrest and eviction proceedings were begun, he questioned how the tenant could defend himself/herself without violating their 5th Amendment Right while awaiting trial. Responding, Mrs. Townshend stated that the City Solicitor indicated that the proposed ordinance should refer to convictions. She assured members that the proposed ordinance could be amended to clarify that criminal activity would apply to those who have been "convicted of any crime."

Council President Leary relayed concerns that members were losing track of the bigger issue, explaining that if there were multiple calls for disturbance of the peace, etc., at the same address, he felt this would be enough to start eviction proceedings. It was his opinion that the purpose of the proposed ordinance amendment was to address the peace and security of neighborhoods and that courtroom convictions were something completely different.

Concurring with Council President Leary, Chief James Hosfelt, Dover Police Department, advised members that it could be years before a courtroom conviction is issued, explaining that it is not uncommon for a drug case to drag on for one-and-a-half years, which would result in having an ordinance where no action could be taken for that period of time.

Mr. Anderson noted that 26 complaints were called in to the Police Department regarding a problem residence referred to previously.

Mr. Rushe moved to recommend that Proposed Ordinance #2013-04 be referred back to staff to allow them the opportunity to make amendments in accordance with the Committee's discussion, seconded by Mr. Shevock.

Mr. Anderson stated objections to delaying action, explaining that he had experienced such problems personally and observed what it does to a neighborhood when there is wide-scale illegal activities and nothing can be done to resolve the problems. Having had a problem property next to his residence, he advised members that it took two (2) years before any action was taken to rectify the problem and two (2) additional years for the neighborhood to restore itself to a point where the children could play outside safely, his wife could walk safely at night, etc. He observed this residence as a "crack house" with people going in and out during all hours, illegal weapons, etc. As a result, he stated that there were burglaries in the area and the home became a hub for theft and selling stolen property. Mr. Anderson felt that it was time for action to be taken and that staff could make additional amendments to be presented in a couple of weeks.

Concurring, Mr. Lynn reminded members that this proposed ordinance follows gang hearings, discussions about adding additional police officers, etc., and was a part of a comprehensive plan to get serious and tough on crime in Dover. He also felt that staff could make revisions to the proposed amendments and that further discussion could take place during the Council meeting.

Mr. Rushe moved to amend the motion to specify that the additional amendments made by staff be presented to Council for their consideration of Proposed Ordinance #2013-04.

The Committee recommended that Proposed Ordinance #2013-04 be forwarded to City Council for their review and consideration without a recommendation by the Committee.

During the Council meeting, Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Ordinance would create a "Crime Free Housing" program which would require landlords to participate in a crime free housing seminar and the use of a crime free lease addendum. If the provisions of the addendum were not enforced, the City could suspend the rental permit.

Mrs. Townshend noted that a number of concerns were raised during the Committee meeting and in a letter from local Realtors. As a result, she met with Deputy City Solicitor Pepper, Police Chief Hosfelt, MCpl. Bernat, and Councilman Lynn to develop two (2) staff amendments.

The first amendment, SA#1 to Ordinance #2013-04 ***(Exhibit #7)***, would create clearer criteria for when an eviction would be necessary, as follows: 1) a felony arrest, 2) three (3) or more arrests for Class A misdemeanors within 12 months, or 3) other arrests whereby the Chief of Police recommends eviction due to the frequency or nature of the arrest. Mrs. Townshend stated that the amendment would provide clear criteria for the landlords, tenants, and the City. It would also create a process where the Chief of Police would provide notification to the Planning and Inspections Department, who would in turn notify the landlord that it was time to proceed with an eviction. The landlord would have 30 days from the date of the certified notice to initiate the eviction. Mrs. Townshend noted that suspension of a rental permit could occur if the property owner or manager failed to initiate eviction or if they failed to participate in the seminar.

The second amendment, SA#2 to Ordinance #2013-04 ***(Exhibit #8)***, would replace the word "near" with "within 500 feet of" to specify the distance from a rental dwelling within which criminal activity would violate the crime free lease addendum.

Mr. Hare asked if there was a provision to allow landlords with no violations or misdemeanors to attend the seminar online. Responding, Mrs. Townshend stated that the seminar would be offered online to all landlords; however, that language was not included in the amendment. Mr. Hare requested that it be included to ensure that an online seminar is developed. Mrs. Townshend suggested adding a statement at the end of Line 123.

Mr. Bonar moved to add language regarding the availability of an online seminar to the appropriate Staff Amendment, seconded by Mr. Hare and unanimously carried.

Mr. Dixon expressed concern with proper notification to the tenants prior to eviction, in accordance with the landlord/tenant code. Mrs. Townshend stated that the landlord would be responsible for the eviction process. She also noted that the required seminar would help the landlords with the landlord/tenant code and the proper procedures for notification and eviction.

Responding to Mrs. Williams, Mrs. Townshend stated that the City would not ensure that the landlord followed the landlord/tenant code in their eviction process and stated that the Court would be responsible for determining if the landlord followed the process properly. Mrs. Townshend stated that the City would only step in if the landlord had been notified to begin the eviction process and failed to do so.

Mrs. Williams asked if the City would be liable if the landlords misrepresented themselves in court. Responding, Deputy City Solicitor Pepper stated that the Ordinance obligates landlords to initiate and prosecute with effect. If they have not followed the landlord/tenant code, the process would have to be re-started.

Mr. Bonar asked if eviction based on an arrest instead of a conviction would infringe upon the tenant's constitutional rights. Mr. Pepper stated that the language is similar to Federal Regulations included in public housing leases, which have been upheld in court.

Mr. Perza asked for clarification with regard to the distance referenced in Line 131. Mr. Pepper responded that he would interpreted it as being measured from the lot line. Mr. Perza, referencing Line 135, asked if "Shall not permit the dwelling unit to be used for or to facilitate any criminal activity" was strict liability, meaning that any criminal activity on the premises shall result in the City initiating the notice, or if there would be due process for the landlord to be able to say that he did not permit it, it just occurred. Mr. Pepper compared this language with "maintaining a dwelling" or "maintaining a vehicle" as associated with the drug laws.

Responding to Mr. Perza, Mr. Pepper stated that the landlord would no longer be able to rent that property if the landlord fails to act and the City revokes their rental permit. Mrs. Townshend stated that the tenant would be given 30 days notice to vacate the property. Mr. Perza questioned whether the General Assembly had been approached regarding amending the Delaware Code to include security deposits or summary possession deposits to establish an escrow account at the beginning of the lease, if the City is requiring landlords to initiate summary possession actions. Mr. Pepper felt that the cost could be recovered from the security deposit if the case were successful. Mr. Perza suggested researching the matter further since Delaware Code states specifically what the security deposit can be used for.

Mrs. Townshend advised members that once a rental permit is revoked, there is a $100 fee to reinstate the permit, and any and all code violations would have to be corrected before the permit is issued. She reminded members that there are a number of rental properties in the City that are literally tearing apart the neighborhoods. The goal is not to capture every arrest but to make these neighborhoods safer by shutting down the problem rentals.

Mr. Hare expressed concern with potentially evicting a resident who had been wrongly arrested and asked if there was any flexibility to postpone the eviction for 90 days or so to investigate the case. Mr. Pepper stated that a preliminary hearing would be held within 20 days. If the defendant waived that hearing, they would be conceding that there was sufficient probable cause to believe that they committed that crime.

Mr. Anderson stated that he would be proposing amendments that would change SA#1 (a)(1) from "Any arrest for a Felony" to "Any **conviction** for a Felony"; change SA#1 (a)(2) from "Three or more arrests for Class A Misdemeanors within a 12-month period" to "Three or more arrests for Class A Misdemeanors **or above** within a 12-month period." He stated that the heart of this ordinance would improve City life, along with dealing with the vacant buildings.

Mr. Perza suggested including other offenses, such as disorderly conduct and offensive touching, which do not rise to the felony level.

Mr. Bonar suggested that all of the amendments proposed during the discussion should be consolidated and presented as a whole.

Mr. Bonar moved to refer Ordinance #2013-04 - Amending Chapter 22 -Buildings and Building Regulations, Article X - Rental Dwellings back to the Legislative, Finance, and

Administration Committee for further review. The motion was seconded by Mr. Dixon and carried with Mr. Anderson voting no.

Discussion - Role and Scope of the Historic District Commission and the Historic District

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that, in recent months, there have been a number of discussions about the role of Dover's Historic District and, in particular, the Historic District Commission. She stated that some members of the community have faulted the Historic District Commission with adding roadblocks to projects that would support downtown redevelopment or creating impediments to economic development and growth, while others see the Historic District Commission as important caretakers of our City's rich history. Many of the discussions about the Historic District Commission's role had taken place in informal venues among property owners, business owners, elected officials, and other stakeholders in the community. She indicated that the discussions had not, in recent years, taken place as a public deliberation, bringing together stakeholders on all sides of the issue to develop a common ground solution that would support economic growth while preserving the City's historic character.

Given the various concerns that had been shared by a number of stakeholders, staff recommended that the Planning Office hold a public workshop (more than one (1) if necessary) by the end of February 2013 to discuss the role and scope of the Historic District and the Historic District Commission and that staff report back to the Legislative, Finance and Administration Committee in March 2013 with clear recommendations on whether and how the role and scope of the Historic District and/or the Historic District Commission should be modified.

In response to Mrs. Williams with regard to any effect the recommendation could have related to (preservation/conservation) grant monies, Mrs. Townshend stated that, to her knowledge, staff's recommendation would have no effect regarding grants; however, if the City were to eliminate the Historic District, she stated that there could be potential consequences. She assured members that definitives regarding this matter would be researched by staff. She reminded members that the City had been working toward becoming a certified local government and having the Historic District Commission was a part of that certification.

Mr. Larry Josefowski, 323 S. State Street, advised members that he serves as President of the Friends of Old Dover and he submitted and read portions of the letter into the record, as follows:

> *"It is interesting to hear some of the discussion regarding the role of the Historic District Commission, and by extension the Historic District, being discussed in economic terms. It is important to talk about the Commission, the district, and the guidelines that govern the Historic District because by weakening the process of one – the proposed elimination of the Historic District Commission-the importance of our Historic District Guidelines is decreased.*
>
> *It is a statement of convenience to place the perceived economic faults of Downtown Dover towards the Historic District Commission, and by extension, the Guidelines themselves. Historic structures that have been demolished or significantly altered promote the loss of character that enrich the lives of people today. Part of the story*

of Dover – a story stretching back 330 years- is missing. Have there been economic benefits of these actions?

A strong historic character is not an impediment to economic development...it can be just the opposite, a strong draw for tourism, and a perfect partner for businesses, museums, colleges, schools, and government. We are doing a better job of promoting our historic area, and keeping an aesthetically cohesive historic district, and the appropriate oversight, makes economic sense.

Having a separate Commission helps to guarantee the process is followed...and that helps to ensure better design. There is a greater sense of relatedness, more innovative use of materials, and greater public appeal within historic districts than in areas without historic designations.

Our historic districts provide a very real educational benefit. The preservation helps our current generations, as well as generations to come, the very story of Dover, as the architecture and structure provide the best possible record of ourselves and our communities.

And, perhaps most importantly, it is the main characteristic of the City of Dover. Try to visualize, if you will, Dover without The Green....or try to imagine a copy of the Real Estate newsletter Open Door or the weekly house listings in the Post or the State News without a single mention of homes being in or near "Historic Dover."

The Friends of Old Dover urges the city to not only continue the protection of the Historic District by retaining the Historic District Commission to oversee the Guidelines that have stood us well over the years, but to strengthen the process by recognizing the value that this process has brought the city. There may be problems with Dover, but removing the oversight in the interest of expediency is not the solution."

At the request of Mr. Josefowski, eight (8) individuals in attendance indicated their support of the statement read into the record.

Mr. Lynn urged those interested in this matter to attend and participate in the workshop.

Ms. Terry Graham, 211 Delaware Street in New Castle, stated that she serves as Executive Director of Preservation Delaware. She read a statement from *"Preservation Politics - Keeping Historic Districts Vital,"* by Bill Schmickle, as follows: *"A community that cares for its past by districting, is a community dedicated to being responsible for its future. A Historic District says - here is a place to invest a life, raise a family, grow a business, retire in security."* Ms. Graham stated that Preservation Delaware is committed to assisting the City of Dover by serving as a resource, participating in the workshop, etc. She stated that the members of Preservation Delaware take their charge to provide continuing education and outreach for Delaware's nine (9) Historic District Commissions very seriously.

Due to time constraints, Mr. Lynn indicated that no more public testimony could be made at this time and apologized to those who signed up to speak.

The Committee recommended approval of staff's recommendation that the Planning Office hold a public workshop (more than one (1) if necessary) by the end of February 2013 to discuss the role and scope of the Historic District and the Historic District Commission; and that staff report back to the Legislative, Finance and Administration Committee during their first meeting in March 2013 (March 11, 2013) with clear recommendations on whether and how the role and scope of the Historic District and/or the Historic District Commission should be modified.

By consent agenda, Mr. Bonar moved for acceptance of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent).

Mr. Bonar moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Dixon and unanimously carried.

QUARTERLY REVENUE REPORT

By consent agenda, Mr. Bonar moved for acceptance of the Quarterly Revenue Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Perza absent).

DOVER ORGANIZATION OF EMPLOYEES (DOE) LABOR CONTRACT TENTATIVE AGREEMENT

Mr. Glenn Mandalas of Bayard and Mandalas provided a brief overview of the tentative agreement ***(Exhibit #9)*** which was negotiated earlier this month through mediation. He noted that the contract balances the City's long-term fiscal needs while recognizing the need to compensate valued employees adequately. Mr. Mandalas advised members that this was a three (3) year contract and the major terms of the agreement are:

1. Moving from a pure cost of living scale to a progressive scale which aligns this union with the other City unions.

2. The employees will now be responsible for 9.5% of the total monthly individual coverage health care premium. Effective July 1, 2013, employees will be responsible for 15% of the total monthly individual coverage health care premium. Effective March 1, 2013, employees other than those electing individual coverage, will be responsible for 15% of the total monthly health insurance premium for their coverage and dependent coverage. Any employee retiring after May 31, 2013 will be responsible for 15% of the total monthly premium for the health plan the employee elects.

3. A two (2) year period with no increases to the base wages; however, three (3) $600 bonuses will be provided.

Mr. Mandalas noted that the City's cost of the contract would be a cumulative wage and benefit increase of approximately 1.5% over the three-year term of the agreement.

Mr. Mandalas stated that the management team that he worked with on the contract was one of the finest groups of individuals he has ever worked with in labor negotiations and were truly dedicated to finding an agreement that addresses the City's fiscal concerns while recognizing that the employees are valued and compensated.

Mr. Hare moved for approval of the contract, seconded by Mr. Anderson and carried by a unanimous roll call vote (Mr. Lynn absent).

EVALUATION OF BIDS - ENGINEERING SERVICE AGREEMENTS - DESIGN

In December 2012, City Council awarded three (3) year contracts for electrical engineering services to Pike Energy Solutions, LLC and Power Consulting Engineers (PCE). Based on a review of the project needs for the Frazier Substation, the Electric Department staff requested a project specific proposal from Pike Energy Solutions to perform the completion of the Frazier Substation project, as follows:

1. Provide relay settings for Frazier Transmission
2. Provide revised settings for College Road and Dover Downs Substation
3. Assist and report on final commissioning
4. Troubleshoot and resolve during final commissioning

Pike Energy Solutions performed the original design engineering services for this location. The cost of these services will be based on Time & Material not to exceed $54,000.

Staff recommended awarding the relay settings and commissioning to Pike Electric not to exceed $54,000.

Mrs. Williams moved for approval of Staff's recommendation, seconded by Mr. Bonar and carried by a unanimous roll call vote (Mr. Lynn absent).

ADJUSTMENT TO THE MINIMUM PAYMENT FOR PENSION

During their Regular Meeting of September 10, 2012 members of Council approved the Legislative, Finance, and Administration Committee's recommendation to retain the actuary to determine the cost of providing a minimum payment of $300, $400, and $500 to all retirees or their surviving spouses, and that staff determine how an adjustment would be funded.

Mrs. Donna Mitchell, Controller/Treasurer, reviewed the Minimum Benefit Study for the General Employee Pension Plan, as provided by Scott Porter, FSA of Milliman. She noted that a $300 minimum would have a $100,000 impact on accrued liability at a cost increase of $38,000; a $400 minimum would have a $294,000 impact on accrued liability at a cost increase of $112,000; and a $500 minimum would have a $615,000 impact on accrued liability at a cost increase of $236,000.

Mrs. Mitchell read for the record the following paragraph from the Study:

> *We have reservations about increasing benefits for a plan that is approximately 40% funded. The increase in the ARC* [Annual Required Contribution] *ranges from 1%*

to nearly 7% and would apply for the next 3 years before reverting back to a baseline level. We recommend consideration be given to paying down the current unfunded liability prior to implementing any benefit improvements.

Staff recommended that consideration be given to paying down the current unfunded liability prior to implementing any benefit improvements, as recommended by the actuary.

Responding to Mr. Anderson, Mrs. Mitchell stated that the costs would be amortized over three (3) years. In response to Mr. Perza, Mrs. Mitchell stated that implementing any of the options would take the City in the wrong direction in terms of the unfunded liability by adding to it.

Mr. Anderson moved to refer this item back to the Committee to review the Study. The motion failed for the lack of a second.

Mr. Perza moved for approval of Staff's recommendation, seconded by Mrs. Williams and carried by a roll call vote of seven (7) yes (Mr. Dixon, Mr. Perza, Mr. Bonar, Mrs. Williams, Mr. Hare, Mr. Hutchison, and Mr. Leary), one (1) no (Mr. Anderson), and one (1) absent (Mr. Lynn).

CONFIRMATION OF POLICE PENSION ELECTION - RETIRED SERGEANT JAY UNTERKOFLER - THREE (3) YEAR TERM TO EXPIRE JANUARY 31, 2016

The term of office of Retired Lt. William Knotts on the Police Pension Board expires on January 31, 2013. Pursuant to Section 18-47(2)(b) of the Pension Plan, notice of an election was given to all plan members. Only one nomination was received; therefore, no election was held. Chief Hosfelt nominated Retired Sgt. Jay Unterkofler to serve a three (3) year term, to expire on January 31, 2016.

By consent agenda, Mr. Bonar moved for approval of the nomination of Sgt. Jay Unterkofler to serve on the Police Pension Board, with a three (3) year term to expire on January 31, 2016. The motion was seconded by Mr. Hutchison and carried by unanimous roll call vote (Mr. Perza absent).

FIRST READING - PROPOSED ORDINANCES

Council President Leary reminded the public that copies of the proposed ordinances were available at the entrance of the Council Chambers or could be obtained from the City Clerk's Office. Since the ordinances propose amendments to the Zoning Code, a public hearing would be required. Staff recommended referral of the amendments to the Planning Commission for a Public Hearing on February 19, 2013 and that a Public Hearing before City Council be set for March 11, 2013 at 7:30 p.m., at which time the Second Reading and final action by Council would take place.

Mrs. Townshend, Director of Planning and Community Development, reviewed the amendments, noting that Proposed Ordinance #2013-01 would update the Airport Environs Overlay Zone in accordance with the 2010 Air Installation Compatible Use Zone Study published by the Dover Air

Force Base. She further noted that Proposed Ordinance #2013-02 was a Comprehensive Rezoning that would incorporate the changes to the Air Installation Compatible Use Zone into the Zoning Map as the Airport Environs Overlay Zone (AEOZ).

Mrs. Townshend stated that two (2) public workshops were held to answer property owners' questions regarding the amendments.

Responding to Mr. Hutchison, Mrs. Townshend stated that the Community Planner with Dover Air Force Base attended the workshops and the Base has reviewed the maps and the zoning text amendment.

Mr. Hare moved to refer Proposed Ordinances #2013-01 and #2013-02 to the Planning Commission for a Public Hearing on February 19, 2013 and to set a Public Hearing before City Council on March 11, 2013 at 7:30 p.m., as recommended by staff. The motion was seconded by Mr. Bonar and unanimously carried.

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

> ORDINANCE #2013-01 - AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 22 - AIRPORT ENVIRONS OVERLAY ZONE (AEOZ)
>
> ORDINANCE #2013-02 - AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE BOUNDARY OF THE AIRPORT ENVIRONS OVERLAY ZONE (AEOZ) IN ACCORDANCE WITH THE 2010 AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) STUDY PUBLISHED BY THE DOVER AIR FORCE BASE

FIRST READING - PROPOSED ORDINANCE #2013-04

During their review of Proposed Ordinance #2013-04 - Amending Chapter 22 -Buildings and Building Regulations, Article X - Rental Dwellings, along with several proposed amendments, Council moved to refer the Proposed Ordinance back to the Legislative, Finance, and Administration Committee for further review and the First Reading was not held.

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. Hare advised members that he attended the Volunteer Firemen's Annual Banquet last Saturday. He noted that the Number 1 volunteer responded to 345 calls and the Number 10 volunteer responded to 231 calls. Mr. Hare stated that the citizens and Council members should be very thankful for the very committed volunteer Fire Company.

Noting that the unfunded pension liabilities are a significant challenge for the City, Mr. Perza suggested that a comprehensive plan to address the expenses be developed.

Mr. Anderson announced that a local community meeting would be held regarding the Wells Fargo Grant on Thursday, January 31, 2013 at 7:00 p.m. at Bibleway Temple Church, 54 South Kirkwood

Street, Dover. He noted that this grant would affect anyone who owns property, lives, or has a business downtown, as well as the future of Dover.

By unanimous consent, the Meeting Adjourned at 9:45 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of January 28, 2013 are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM
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Exhibits
Exhibit #1 - Correspondence Received from Deputy City Solicitor Pepper (The Green)
Exhibit #2 - Map of the Lawn Area of The Green
Exhibit #3 - Correspondence from John Garey
Exhibit #4 - Copy of the Draft Preservation and Conservation Easement
Exhibit #5 - Correspondence from Kent County Tourism to Senator Thomas Carper
Exhibit #6 - Correspondence from Henry Horsey
Exhibit #7 - Staff Amendment (SA)#1 to Ordinance #2013-04
Exhibit #8 - Staff Amendment (SA)#2 to Ordinance #2013-04
Exhibit #9 - Dover Organization of Employees (DOE) Labor Contract Tentative Agreement

Nicholas H. Rodriguez
Douglas B. Catts
William D. Fletcher, Jr.
Craig T. Eliassen
William W. Pepper Sr.
Crystal L. Carey*
Scott E. Chambers*
Fred A. Townsend III
Noel E. Primos
Walt F. Schmittinger
R. Scott Kappes
Jeffrey J. Clark
Kyle Kemmer
Kathryn Garrison
Kristi N. Vitola
B. Brian Brittingham

*also admitted in Maryland

Law Offices
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Harold Schmittinger
(1928 – 2008)
John J. Schmittinger
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651 N. Broad Street, Ste 104
Middletown, Delaware 19709
Telephone (302) 378-1697
Fax (302) 378-1659

January 28, 2013

Scott Koenig, P.E.
City Manager
City of Dover
P.O. Box 475
Dover DE 19903

RE: Ownership of The Green

Dear Scott:

You asked me to determine who owns The Green.

As we all know, the English King acquired the mid-Atlantic region of the United States by conquest. To satisfy a debt, King Charles II granted a charter to William Penn for what became known as Pennsylvania. The three counties on the Delaware were part of the charter. In 1683, Penn directed that the town of Dover be laid out. An eight hundred acre tract known as “Brother’s Portion“ was warranted to John Walker and Richard Walker in 1680. The brothers also purchased the Indian title to the tract from Christian the Indian who claimed ownership of essentially what is now all of Kent County. In 1684, John Walker, the sole remaining owner, conveyed whole tract to William Southbee (Southby) of Philadelphia. Southbee sold 200 acres of the tract to Richard Wilson. A February 4, 1694 deed conveys "Brother's Portion" to the "inhabitants of Kent County." Kent County was in existence. In 1694, the State of Delaware did not exist; Delaware did not separate from Pennsylvania until June 15, 1776. The City of Dover did not yet exist. It was the grant to lay out Dover that led to the deeds

in the chain of title. Using the reasoning of the Supreme Court in City of Cincinnati v. White's Lessee, 31 U.S. 431 (1832), I conclude that title rests in the City of Dover.
Moreover, I believe that the doctrine of adverse possession would also vest title in the City. The City has used The Green for various activities, including Old Dover Days and the summer series of Concerts on The Green. The City has regulated the use of The Green.

Please contact me if you have any questions.

Very truly yours,

William W. Pepper Sr.

WILLIAM W. PEPPER SR.



EXHIBIT #2
Regular Council Meeting of 01/28/2013

City of Dover
RECEIVED
JAN 22 2013
CITY MANAGER/MAYOR

JOHN R. GAREY, P.A.
Attorney At Law

48 The Green
Dover, Delaware 19901

Bus.: (302) 744-9290
Fax: (302) 744-9410
www.johnrgarey.com

RECEIVED
JAN 22 2013
OFFICE OF THE CITY CLERK

HAND DELIVERED

January 22, 2013

The Honorable Carlton Carey
City of Dover
P.O. Box 475
Dover, DE 19903

Scott Koenig, City Manager
City of Dover
P.O. Box 475
Dover, DE 19903

RE: ***Proposal to grant an Historical Easement for The Green to the U.S. Park Service***

Dear Sirs:

On Monday, January 14th, I first became aware of a proposal for the City of Dover to grant an historical easement to the United States Park Service for the Dover Green . I have since become aware that this proposal to grant an historical easement to the Dover Green to the Federal Government has been planned for a significant period of time. The plan is to combine the Dover Green with the Woodlawn Property north of Wilmington and the New Castle Green to create a National Monument in Delaware. Although the U.S. Department of the Interior has indicated the City of Dover will benefit, there has been no specific benefit that the Federal Government can point to that the citizens of Dover do not enjoy at this time.

Notwithstanding the extensive and lengthy negotiations that have previously taken place between the City and the Federal Government, neither I nor a number of other residents and property owners on the Green received any notice the City was contemplating such a transfer.

As an adjacent property owner, I am concerned how the proposed easement will affect my property rights, either now or in the future. I believe I speak for a number of similarly situated property owners. I am fearful the proposed easement will affect my property with regard to the following issues:

1. Property Taxes
2. Insurance Rates
3. Parking on the Green
4. Maintenance and upkeep
5. Restrictions on Use
6. Restrictions on Exterior Appearance

At the announcement on January 14th and the City Council meeting later that night, the representative from the Interior Department, Molly Ross, indicated she would provide the documents for the proposed plan within a couple of days. It is now eight days later and no documents have yet been provided. With a public meeting scheduled for 5:00 P.M. on Wednesday, January 23rd, failure to provide the promised documents has left me with insufficient time for a thorough review prior to the meeting. I also point out the public meeting was only scheduled due to the outcry from the property owners and residents living on the Green.

Please accept this letter as a request for all documents, to include but not limited to, letters, emails, memos, minutes, proposals and responses, touching on the Federal Government's request for an Historical Easement over the downtown Dover Green to be provided forthwith. The failure to provide the requested documents in a timely fashion may result in further legal action. Moreover, legal action may be instituted notwithstanding, due to the City's failure to properly notify the adjacent owners, in conjunction with the time table currently scheduled for the property right transfer.

In closing, let me reiterate my desire to review all documents regarding the proposed transfer to make an informed decision regarding this change to the Dover Green. Please provide them forthwith. Thank you.

Very Truly Yours,

John R. Garey, Esquire

pc: The Honorable Anne H. Reigle
James E. Liguori, Esquire
Troy Windham
Joseph McDaniel
Terry Jackson
Constantine Malmburg, Esquire
Carolyn Forbes, Vice-President, GFWC-DSFWC
Nick Rodriquez, City Solicitor
File

PRESERVATION AND CONSERVATION EASEMENT DEED

THIS PRESERVATION AND CONSERVATION EASEMENT DEED, made as of the ____ day of _____, 20__, by and between the City of Dover ("Grantor") with offices at 15 Loockerman Plaza, Dover, Delaware 19901 and the United States of America, acting by and through the Secretary of the Interior and National Park Service ("Grantee"), with offices at 1849 C Street NW (2540), Washington, D.C. 20240.

WITNESSETH:

WHEREAS, Grantor is owner in fee simple of certain real property located in the City of Dover County of Kent, State of Delaware, comprising the open public lawn area known as The Green, dating from circa 1717, identified on Kent County maps as parcel identification #'s ED05-077.09-04-64.00 and ED05-077.09-05-27.00, and more particularly described in Exhibit A **[to be described as only within inside curb of surrounding road and NOT to include State Street right-of-way including adjacent sidewalks]** attached hereto and incorporated herein (hereinafter "the Property" or "The Green");

WHEREAS, the Secretary of the Interior is authorized to accept the relinquishment of tracts of land or so much thereof as may be necessary for the proper care and management of objects of historic or scientific interest in behalf of the Government of the United States;

WHEREAS, because of its historic and cultural significance, the Property was designated by the City of Dover as a local Historic District in 1961 and included in the Dover Green Historic District in the National Register of Historic Places on May 5, 1977 (77000383);

WHEREAS, Grantor and Grantee recognize the historic and cultural values (hereinafter "conservation and preservation values") and significance of the Property, and have the common purpose of conserving and preserving the aforesaid conservation and preservation values and significance of the Property;

WHEREAS, the Property's conservation and preservation values are documented in a set of reports, drawings, and photographs (hereinafter, Baseline Documentation) incorporated herein by reference, which Baseline Documentation the parties agree provides an accurate representation of the Property as of the effective date of this grant (in the event of any discrepancy between the two counterparts produced, the counterpart retained by Grantee shall control);

WHEREAS, the Baseline Documentation shall consist of the following: **[list documents and materials to be identified or prepared]**

WHEREAS, the grant of a preservation and conservation easement by Grantor to Grantee on the Property will assist in preserving and maintaining the Property and its historic and cultural features for the benefit of the people of the United States of America;

WHEREAS, the grant of a preservation and conservation easement by Grantor to Grantee on the Property is intended to provide the Grantee such control as may be necessary for the proper care and management of objects of historic or scientific interest located thereon;

WHEREAS, to that end, Grantor desires to grant to Grantee, and Grantee desires to accept, a preservation and conservation easement (hereinafter, the "Easement") in gross in perpetuity on the Property.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants, terms, conditions, and restrictions contained herein, and without monetary consideration, the receipt and sufficiency of such consideration being hereby acknowledged, Grantor does hereby voluntarily release, remise, relinquish, and grant unto the Grantee a preservation and conservation easement in gross in perpetuity over the Property described in Exhibit A.

1. **Purpose.** It is the Purpose of this Easement to assure that the historic, cultural and associated features of the Property will be retained and maintained forever substantially in their current or better condition for conservation and preservation purposes, to prevent any use or change of the Property that will significantly impair or interfere with the Property's conservation and preservation values, and to allow the Grantee to manage the Property for purposes consistent with the Act of August 25, 1916 (39 Stat. 535, codified at 16 U.S.C. §1 et seq.) (the "National Park Service Organic Act") as such Act may be amended or recodified, and section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. § 431) (the "Antiquities Act").

2.1 **Grantor's Covenants: Covenant to Maintain.**

(a) Grantor agrees at all times to maintain The Green in the same or better condition as that existing on the effective date of this Easement. Grantor's obligation to maintain shall require replacement, repair, and/or reconstruction by Grantor whenever necessary to preserve The Green in the same or better condition as that existing on the date of this Easement.

(b) Grantor's obligation to maintain shall also require that the Property's landscaping be maintained in good/better appearance with substantially similar plantings, vegetation, and natural screening to that existing on the effective date of this Easement. The existing lawn areas shall be maintained as lawns, regularly mowed.

2.2 **Grantor's Covenants: Prohibited Activities.** The following acts or uses are expressly forbidden on, over, or under the Property:

(a) No sidewalks or walkways shall be removed. Nothing shall be erected or allowed to grow on the Property which would impair the visibility of the Property from the street level or other public rights of way for more than 60 days.

(b) The Property shall not be divided or subdivided in law or in fact and the Property shall not be devised or conveyed except as a unit. For the purposes of this Easement the term "subdivision" shall include a long term lease or other use of any portion of the Property that creates the characteristics of a subdivision of the property, as determined in the sole discretion of the Grantee. The term "subdivision" shall also include division into condominium or cooperative interests or the partition of undivided interests in the property.

(c)The dumping of trash, rubbish, ashes, or any other unsightly or offensive materials is prohibited on the Property.

2.3 **Grantor's Covenants: Grantee's Rights.**

Notwithstanding the obligations of the Grantor hereunder, the Grantee is also authorized, but not obligated, to undertake such actions to maintain, repair, or restore the Property, without reimbursement, as Grantee deems necessary or appropriate for the proper care and management of objects of historic or scientific interest located thereon. Grantee shall provide reasonable notice and consult with Grantor prior to exercising this right.

Grantee is authorized to allow persons affiliated with educational organizations, professional associations, and historical societies to enter the Property to study the Property. In addition, Grantee may make photographs, drawings, or other representations documenting the significant historical and cultural character and features of the Property and may use or publish them (or authorize others to do so). Furthermore, Grantor agrees that Grantee may, but is not obligated to, provide programs for the public on the Property to interpret the conservation and preservation values of The Green.

3.1 **Conditional Rights Requiring Approval by Grantee.** The following acts are prohibited except with the prior express written approval of the Grantee, which approval may be withheld or conditioned in the sole discretion of Grantee:

(a) Grantor shall not erect or place on the Property for more than 60 days any buildings or structures, including but not limited to, sheds, barns, and similar ancillary structures, or any non-building structures such as utility transmission lines (subject to utility easements already recorded), satellite receiving dishes, antennas, cellular communications transmitters, or similar electronic frequency receiving or emitting devices, flagpoles, fences, walls, wind turbines, solar panels or other similar devices, tents, mobile homes or trailers, dumpsters, storage containers, camping accommodations, or other similar structures.

(b) Grantor shall not erect or allow to be erected any permanent external signs or external advertisements except: (i) such plaque permitted under Paragraph 19 of this Easement; or (ii) a sign stating solely the name and/or address of the Property and owner.

(c) Grantor shall not make substantial topographical changes, such as, by example, excavation for the construction of roads, swimming pools, and recreational facilities. Grantee, at its discretion, may as a condition of granting approval, require Grantor, at Grantor's cost, to perform an archaeological survey to identify and determine the significance of archaeological deposits. If archaeological deposits are identified, then Grantee may deny or conditional approval of topographical changes as appropriate. As applicable, additional archaeological protections may be included, such as that Grantor shall take all reasonable precautions to protect archaeological deposits, sites, or features on the Property, and that archaeologically significant deposits, sites, or features on the Property shall not be intentionally disturbed or excavated except by or under the supervision of a professionally qualified archaeologist retained by Grantor, and an archaeological plan approved by the Grantee.

(d) Grantor shall not cut down or remove any live tree located on the Property without prior written approval by Grantee unless it is diseased, damaged, or constitutes a public hazard.

(e) Grantor shall not change the use of the Property from current uses of the Property without approval by the Grantee. Grantee will not approve any new proposed use unless it can determine that

the new proposed use: (i) does not impair the significant conservation and preservation values of the Property; and (ii) does not conflict with the Purpose of this Easement.

3.2 **Review of Grantor's Requests for Approval.**

(a) Pursuant to Paragraph 3.1, Grantor shall submit in writing to Grantee for Grantee's approval information (including plans, specifications, and designs where appropriate) together with a specific request identifying the proposed activity. In addition, Grantor shall also submit to Grantee a timetable for the proposed activity which is sufficient to permit Grantee to monitor such activity. Grantor shall not make changes or take any action subject to the approval of Grantee unless expressly authorized in writing by an authorized representative of Grantee.

(b) Grantee reserves the right to consult with governmental agencies, nonprofit preservation and conservation organizations, and other advisors deemed appropriate by the Grantee, concerning the appropriateness of any activity proposed under this Easement.

(c) All approval rights of the Grantee shall be exercised in the reasonable discretion of Grantee. Grantee agrees to use its reasonable efforts to respond to any written request of Grantor not later than thirty (30) days following receipt by Grantee of Grantor's request. Failure of Grantee to respond to Grantor within the thirty (30) day period shall not, however, be deemed to constitute approval of Grantor's request. Nothing in this subparagraph is intended to avoid or override any requirements, substantive or procedural, that may apply to the Grantee under applicable federal law before such approval may be provided.

(d) In the event that the Grantor does not implement any approval granted pursuant to Paragraphs 3.1 and 3.2, for a period of one (1) year, such approval shall be void. Grantor may resubmit the request for approval; however, such approval may be given or denied in the sole discretion of the Grantee.

4. **Standards for Review.** In exercising any authority created by this Easement to inspect the Property; to review any alteration, repair, or maintenance; or to review casualty damage, Grantee shall apply the following standards (hereinafter "the Secretary's Standards"), as they may be amended from time to time: For walkways and sidewalks *The Secretary of the Interior's Standards for Rehabilitation* (36 C.F.R. § 67.7) and the guidelines referenced therein; and, for landscapes: *The Secretary of the Interior's Guidelines for Rehabilitating Cultural Landscapes*.

5. **Grantor's Reserved Rights Not Requiring Further Approval by Grantee.** Subject to the provisions of Paragraphs 2.1, 2.2, and 3.1, the following rights, uses, and activities of or by Grantor on, over, or under the Property are permitted by this Easement and by Grantee without further approval by Grantee:

(a) the right to engage in all those acts and uses that: (i) are permitted by governmental statute or regulation; (ii) do not substantially impair the conservation and preservation values of the Property; and (iii) are not inconsistent with the Purpose of this Easement and the Secretary's Standards.

(b) the right to continue all manners of existing use and enjoyment of the Property, including but not limited to the maintenance, repair, and restoration of paths with the use of same or similar sur-

face materials; the right to maintain existing utility lines, walkways and steps; the right to cut, remove, and clear grass or other vegetation and to perform routine maintenance, landscaping, horticultural activities, and upkeep, consistent with the Purpose of this Easement.

(c) Notwithstanding any other provision of this Easement, the right to conduct, permit and approve events to take place on the Property that would be consistent with the Purpose of this Easement. Grantor shall have the right and ability to conduct or allow events and activities on The Green without the necessity of obtaining any approvals from Grantee, including but not limited to the following: all activities associated with Dover Days; the City's program of Concerts on The Green; historical and cultural interpretation; private receptions; and other activities consistent with Chapter 74 – Parks and Recreation, and Chapter 98 – Streets, Sidewalks, Storm Sewers and Other Public Places, Section 98-9 – Use of Dover Green, of the Dover Code as such Code is now written and as it may be updated or revised.

6. **Public Access.** Grantor shall make the Property accessible to the public 365 days per year, provided that Grantor reserves the right to decrease the number of days based on the availability of funds appropriated by the City Council for the City of Dover for such purpose. Such access may be subject to reasonable time, place, and manner restrictions to ensure security of the Property and safety of the visitors.

7. **Casualty Damage or Destruction.** In the event that the Property or any part thereof shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement, or other casualty, Grantor shall notify Grantee in writing within fourteen (14) days of the damage or destruction, such notification including what, if any, emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the Property and to protect public safety, shall be undertaken by Grantor without Grantee's prior written approval.

8. **Review After Casualty Damage or Destruction.** If, after reviewing the notice provided in Paragraph 7, Grantor and Grantee agree that the Purpose of the Easement will be served by such restoration/reconstruction, Grantor and Grantee shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the Property in accordance with plans and specifications consented to by the parties.

9. **Insurance.** This section removed.

10. **Indemnification.** This section removed.

11. **Taxes.** This section removed.

12. **Written Notice.** Any notice which either Grantor or Grantee may desire or be required to give to the other party shall be in writing and shall be delivered by one of the following methods: by overnight courier postage prepaid, facsimile transmission, registered or certified mail with return receipt requested, or hand delivery:

if to Grantee, at Regional Director, Northeast Region, National Park Service
200 Chestnut Street, Philadelphia, Pennsylvania 19106

if to Grantor, at City Manager, City of Dover
P.O. Box 475, Dover, DE 19903

Each party may change its address set forth herein by a notice to such effect to the other party.

13. **Evidence of Compliance.** Upon request by Grantor, Grantee shall promptly furnish Grantor with a certification that, to the best of Grantee's knowledge, Grantor is in compliance with the obligations of this Easement, or that otherwise describes the status of this Easement to the extent of Grantee's knowledge.

14. **Inspection.** With appropriate prior notice to Grantor, Representatives of Grantee shall be permitted at all reasonable times to inspect the Property.

15. **Grantee's Remedies.** Grantee may, following reasonable written notice to Grantor, institute suit(s) to enjoin any violation of the terms of this easement by ex parte, temporary, preliminary, and/or permanent injunction, including prohibitory and/or mandatory injunctive relief, and to require the restoration of the Property to the condition and appearance that existed prior to the violation complained of in the suit. Grantee shall also have available all legal and other equitable remedies to enforce Grantor's obligations contained in this instrument.

Exercise by Grantee of one remedy hereunder shall not have the effect of waiving or limiting any other remedy, and the failure to exercise any remedy shall not have the effect of waiving or limiting the use of any other remedy or the use of such remedy at any other time.

Grantor agrees that if it does not maintain the Property and its landscaping as covenanted in section 2.1 above, Grantee shall have the right but not the obligation to perform such maintenance activities.

16. **Notice from Government Authorities.** Grantor shall deliver to Grantee copies of any notice of violation relating to the Property received by Grantor from any government authority within five (5) days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.

17. **Notice of Proposed Sale.** Grantor shall promptly notify Grantee in writing of any proposed offer to sell the Property or of any listing of the Property for sale and provide the opportunity for Grantee to explain the terms of the Easement to the real estate listing agent and potential new owners prior to sale closing.

18. **Liens.** This section removed.

19. **Plaque.** Grantor agrees that Grantee may provide and maintain a plaque on the Property, which plaque shall not exceed 24 by 24 inches in size, giving notice of the significance of the Property and the existence of this Easement.

20. **Runs with the Land.** Except as provided in Paragraphs 8 and 23.2, the obligations imposed by this Easement shall be effective in perpetuity and shall be deemed to run as a binding servitude with the Property. This Easement shall extend to and be binding upon Grantor and Grantee, their respective successors in interest and all such persons in the future claiming under or through Grantor

and Grantee; the words "Grantor" and "Grantee" when used in this instrument shall include all such persons. Any right, title, or interest granted in this instrument to Grantee also shall be deemed granted to each successor and assign of Grantee and each following successor and assign; the word "Grantee" shall include all such successors and assigns.

An owner of the Property shall have no obligation pursuant to this instrument when such owner shall cease to have any ownership interest in the Property by reason of a bona fide transfer. The restrictions, stipulations, and covenants contained in this Easement shall be inserted by Grantor, verbatim or by express reference, in any subsequent deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Property or any part thereof, including by way of example and not limitation, a lease of all or a portion of the Property.

21. **Assignment.** This section removed.

22. **Recording and Effective Date.** Grantor shall do and perform at its own cost all acts necessary for the prompt recording of this instrument in the records of the Kent County, Delaware, Recorder of Deeds. Grantor and Grantee intend that the restrictions arising under this Easement take effect on the day and year this instrument is so recorded.

23.1 **Percentage Interests.** This section removed.

23.2 **Extinguishment.** In making this grant, Grantor has considered the possibility that uses prohibited by the terms of this Easement may become more economically valuable than permitted uses and that neighboring properties may in the future be put entirely to such prohibited uses. It is the intent of the Grantor and Grantee that any such changes will not be deemed to be circumstances justifying the termination, extinguishment, or modification of this Easement. In addition, the inability of Grantor, or its successors or assigns to conduct or implement any or all of the uses permitted under the terms of this Easement, or the unprofitability of doing so, will not impair the validity of this Easement or be considered grounds for its termination, extinguishment, or modification.

23.3 **Condemnation.** This section removed.

24. **Interpretation.** The following provisions shall govern the effectiveness, interpretation, and duration of the Easement.

(a) Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of Property shall not apply in the construction or interpretation of this Easement, and this instrument shall be interpreted broadly to effect its Purpose and the transfer of rights and the restrictions on use contained in this instrument.

(b) This instrument may be executed in two counterparts, one of which may be retained by Grantor and the other, after recording, to be retained by Grantee. In the event of any disparity between the counterparts produced, the recorded counterpart shall in all cases govern.

(c) The invalidity or unenforceability of any provision of this instrument shall not affect the validity or enforceability of any other provision of this instrument or any ancillary or supplementary agreement relating to its subject matter.

25. **Amendment.** If circumstances arise under which an amendment to or modification of this Easement would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Easement. Any such amendment shall be consistent with the protection of the conservation and preservation values of the Property and the Purpose of this Easement; shall not affect its perpetual duration; shall not permit additional development on the Property other than the development permitted by this Easement on its effective date; shall not permit any private inurement to any person or entity; and shall not adversely impact the overall architectural, historic and cultural values protected by this Easement. Any such amendment shall be recorded in the records of the Kent County, Delaware, Recorder of Deeds . Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

26. **Effect on Surrounding Properties.** Nothing contained in this easement shall affect in any manner whatsoever the rights and abilities of owners of the properties surrounding the Property to use or develop their properties in any manner consistent with applicable local law.

THIS EASEMENT reflects the entire agreement of Grantor and Grantee. Any prior or simultaneous correspondence, understandings, agreements, and representations are null and void upon execution of this agreement, unless set out in this instrument. Grantor acknowledges that this Easement affects important legal rights and obligations of Grantor, including the rights and obligations of Grantor's successors and assigns, and that Grantor has had the opportunity to consult with knowledgeable legal counsel of Grantor's own choosing prior to execution of the Easement.

GRANTOR, for itself, its successors and assigns, does hereby covenant with the Grantee and its assigns that Grantor is lawfully seized and possessed of the herein described Property in fee simple; that the same is free and clear of all encumbrances (except for covenants, easements, and restrictions of record, if any); that Grantor has the right to convey this Easement.

GRANTOR, notwithstanding any provision to the contrary herein, shall not be required to expend any sum in excess of appropriations made by the City Council for the City of Dover or administratively allocated for the purpose of compliance with the conditions of this Easement; this Easement shall not bind Grantor under any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations; and nothing in this Easement may be considered as implying that the City Council for the City of Dover will at a later date appropriate funds sufficient to meet deficiencies.

GRANTEE, notwithstanding any provision to the contrary herein, shall not be required to expend any sum in excess of appropriations made by Congress or administratively allocated for the purpose of compliance with the conditions of this Easement; this Easement shall not bind Grantee under any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations; and nothing in this Easement may be considered as implying that Congress will at a later date appropriate funds sufficient to meet deficiencies.

TO HAVE AND TO HOLD, the said Preservation and Conservation Easement, unto the said Grantee and its successors and permitted assigns forever. This **PRESERVATION AND CONSERVATION EASEMENT DEED** may be executed in two counterparts and by each party on

a separate counterpart, each of which when so executed and delivered shall be an original, but both of which together shall constitute one instrument.

IN WITNESS WHEREOF, Grantor and Grantee have set their hands under seal on the days and year set forth below.

CITY OF DOVER

By: _____
Name: _____
(SEAL) Title: _____

ATTEST

By: _____
Name: _____
Title: _____

STATE OF DELAWARE)
) ss.
COUNTY OF KENT)

Signed and attested before me on _____, 2013, by _____ and
(Month and Day) (Signatory)
_____.
(Attestor)

Notary Public: _____
Print Name: _____
(SEAL) My commission expires: _____

GRANTEE ACCEPTANCE

The undersigned is duly authorized to and does hereby accept this Deed on behalf of the United States of America on this _____ day of _____, 2013.

UNITED STATES OF AMERICA

By: _____
Rachel McManus, Acting Realty Officer
Northeast Region Realty Division
National Park Service
United States Department of the Interior

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF MIDDLESEX)

On this _____ day of _____, 2013, before me, the undersigned notary public, personally appeared RACHEL McMANUS, proved to me through satisfactory evidence of identification, which was a driver's license or other state or federal governmental document bearing a photographic image, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily in her stated capacity for its stated purpose in Lowell, Massachusetts.

Notary Public: _____

Print Name: _____

(SEAL) My commission expires: _____

SCHEDULE OF EXHIBITS

A. Property Description **[to be described as only within inside curb of surrounding road and NOT to include State Street right-of-way including adjacent sidewalks]**
B. Baseline Documentation

Kent County & Greater Dover
DELAWARE
Convention and Visitors Bureau

January 24, 2012

The Hon. Thomas R. Carper, U.S. Congressman
The Office of Thomas R. Carper
500 West Loockerman Street, Suite 470
Dover, DE 19904

Dear Congressman Carper:

On behalf of the Board of Directors for Kent County Tourism, we are pleased to support your efforts to name The Green in Dover a national monument.

We support your efforts to obtain a historical easement to name The Green a national monument of the National Park System.

We believe this designation will call national attention to The Green, which been the site of history-in-the-making for 300 years. The Green is a special place for many including us, serving as a headquarters for the Dover Days Festival for the past 80 years – yes, we are celebrating our 80-year milestone in 2013!

Please know that we are behind your efforts and appreciate all that you do on behalf of Delaware, Dover, and for tourism in the First State. Please don't hesitate to call upon us should there be anything else we can do to support this effort.

Sincerely,

Cynthia S. Small

Cynthia S. Small
Executive Director

435 N. DuPont Highway Dover, DE 19901 | 302-734-1736 | 1-800-233-KENT | Fax 302-734-0167 | www.visitdover.com

Stein, Jody

From: Henry Horsey <horseyhenry8th@gmail.com>
Sent: Wednesday, January 16, 2013 4:22 PM
To: City Clerks Office
Subject: addendum to my letter of 1/15

I. I have now been informed that by consenting to a Federal "National Monument" designation the City will not be divesting itself of continuing and exclusive responsibility for the Dover Green- its management,care,upkeep, uses and protection, including its trees.
Assuming these assertions are the true facts, I will retract par 4 of my letter and the last sentence of par 2.

However I await timely receipt by Council and by the affected property owners on the Green of the written specifics of the consequences of the federal designation and the full terms of the proposed agreement from the appropriate federal agency- in advance of any final action by Council on the proposal and for our prior review and a timely right to be heard on the subject.

Sincerely,

Henry R. Horsey

January 16,2013

Rehoboth Beach,De. #5 StockleySt., 302-227-1145 and 314-991-3247 (after 1/18/13)

RECEIVED
JAN 16 2013
OFFICE OF THE CITY CLERK

Mayor and Council
City of Dover
City Hall, East Loockerman St.
Dover

January15,2013

Subject: Council's action on the Green's designation as a federal landmark

Sirs:

Having just read today's State News' article on the earlier proceedings to approve the action by the Federal government-subject to a public hearing in less than 30 days, I write to express my misgivings - both procedural and substantive.

1. Your action to approve was apparently based on nothing more than an oral presentation of a representative of one federal agency of her views of the proposal- the details of which have not been reduced to writing and made available to Council- and simply a representation that you should have the specifics in writing before the meeting.
2. That process is far too casual and not a "due process" for the residents affected. Not only you- but they- should be provided all the specifics of the consequences of your designating the Green a "National Monument"- and then time for both you and they to understand those consequences- all well before the holding of a public meeting. Question: Who will then become responsible for management of the Green, the care of its trees and permitted use of the Green ?
3. I am the owner of the building designated the site of the "Golden Fleece Tavern"- saved from destruction by my grandparents, Henry & Mabel Ridgely in 1926. My family is also the owner through an LLC of The Ridgely House & Gardens- the only remaining private properties on the east side of the Green. I think I have more concern for the consequences of the proposed action than you do.
4. You should also not consider that the City can, or should, divest itself of further responsibility for the care, upkeep and protection of the Dover Green by passing The Green off to the Federal Government.
5. On a related subject: your recent action of approving name changes of historic streets leading to The State House and the State Court Houses and the Green-by deleting "Court Street" and "Wm Penn"Street and replacing them with the name "Martin Luther King". That was surprisingly done by you in total ignorance of Dover's history and its founder, Wm Penn ! Your reported reasoning for doing so- "that fewer current businesses would be affected"- was simply ludicrous and irresponsible. How could you be so thoughtless of the consequences to Dover's history ? That action speaks louder than words for your disrespect for Dover's history. MLK played no role in either the founding of Dover or in its history- past or present.

Renaming the west Dover Elementary School(William Henry) for him would be far more appropriate. Did you ever think about that- and rethink the error of your ways on striking storied names from our city streets ? Just take the time to read the historic plaque opposite City Hall on Dover's founding and then right a wrong by way of an admission.

Sincerely,

Henry R. Horsey
#5 Stockley St.,
Rehoboth,De.,19971
302-227-1145

cc Delaware State News
Wilmington News/Journal

CITY OF DOVER
SA 1 TO
ORDINANCE #2013-04

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

That Ordinance #2013-04 be amended by deleting lines 145 through 149 and inserting the following in its place:

(a) The following crime free lease addendum violations shall require that the property owner or manager initiate immediate eviction:

1) Any arrest for a Felony;

2) Three or more arrests for Class A Misdemeanors within a 12-month period; or

3) Other arrests, where the Chief of Police recommends eviction due to the frequency or nature of the arrests.

(b) Upon notification by the Chief of Police that eviction is required in accordance with subsection (a), the Department of Planning and Inspections shall notify the property owner and property manager that he has 30 days to initiate the eviction. Such notice shall be sent by certified mail to the property owner and property manager if a property manager is on record with the Department of Planning and Inspection, prior to suspension of the rental permits.

(c) The following actions may be grounds for suspension of the rental permits in accordance with Section 22-352:

1) The failure of the property owner or property manager to initiate and prosecute with effect eviction proceedings following notification by the City that the terms of the crime free housing lease addendum have been violated, or

2) The failure of the property owner or property manager to attend the required crime free housing seminar.

SYNOPSIS

The proposed amendment would specify the process for required eviction and rental permit suspension for non-compliance.

CITY OF DOVER
PROPOSED SA #2
TO ORDINANCE #2013-04

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

That Ordinance #2013-04 be amended by deleting the word “near” on lines 129 and 131 and replacing it with “within 500 feet of”.

ADOPTED: *

SYNOPSIS

The proposed amendment would specify that criminal activity within 500 feet would be a violation of the crime free lease addendum.

Action History
January 28, 2013 – Introduced at City CounciL

City of Dover and DOE Tentative Agreement January 13, 2013

Term of Agreement:
3 years

Severe Weather:
Employees will not be advanced comp-time. Shall the employee have no accumulated vacation or comp-time leave; the employee will be placed on leave without pay.

The operating hours of the library on the weekend will be taken into consideration when determining if the City will close due to severe weather.

Overtime:
Sick leave will not be considered for overtime purposes.

Benefits for Part-time Employees:
Employees hired on or after July 1, 2012 will be eligible for benefits (sick and vacation leave, bereavement leave, health, vision and LID) if they are regularly scheduled for 30 or more hours per week.

Vacation Sell Back:
The amount of leave available for sell back has been coordinated with the actual accrual amounts.

Regular Full Time

# of vacation days earned per year	# of days eligible to sell
15	5
21	5
24	10
27	10

Regular Part Time

7.5	2.5
10.5	2.5
12	5
13.5	5

Sick Leave:
Leave will be recorded in 15 minute increments.

Vacation Leave:
Leave will be recorded in 15 minute increments.

Salaries:
A $600 taxable and non-pensionable bonus will be paid the first pay period following Union ratification and City Council approval, the first pay period in August 2013 and the first pay period in December 2013. The bonus will be paid to active employees on record at the time of contract signing and continue to be active at the time of payment. Employees on terminal leave will not be eligible for the bonus. Any employee hired after the signing of the contract will not be eligible for any of the bonuses.

Effective July 1, 2014, the salary/progression table as presented in Exhibit A will be implemented and employees will advance to the next step. Employees will automatically advance to the next step on July 1 of each year.

Library Pages:
All Library Pages hired following the ratification and City Council approval of the labor agreement will be classified as labor grade six (6). Labor grade six (6) is a new grade and is reflected on the proposed salary table.

Health Care:
Effective March 1, 2013, employees will be responsible for 9.5% of the total monthly individual coverage health care premium. Effective July 1, 2013, employees will be responsible for 15% of the total monthly individual coverage health care premium. Effective March 1, 2013, employees other than those electing individual coverage, will be responsible for 15% of the total monthly health insurance premium for their coverage and dependent coverage.

Retirement Health Care:
Any employee retiring after May 31, 2013 will be responsible for 15% of the total monthly premium for the health plan the employee elects.

Terminal Leave/Lump Sum:
Sick Leave Sell Back
Employees hired prior to 7/1/12, a maximum of 100 sick days can be added to the unused vacation time and converted to terminal leave. Employees hired on or after July 1, 2012, a maximum of 75 days of sick days can be added to the unused vacation time and converted to terminal leave. The same limits apply for employees electing to receive a lump-sum payment for accumulated sick leave.

Notice Requirement:
In order to qualify for terminal leave, an employee must request leave a minimum of 30 days prior to the employee's retirement. The same notice is required for retirements in which a cash payout is requested.

Terminal Leave as it Relates to Holidays:
Employees on terminal leave shall be required to use accumulated leave for holidays.

Safety Shoes:
An annual non-pensionable, taxable payment of $125 will be provided to all employees required to wear safety shoes. No receipts will be required nor will an account be established to provide assistance to employees.

Grievance Procedure:
The meetings required in Steps 1 and 2 of the grievance process shall be coordinated with the Human Resources Director, and the Human Resources Director shall be permitted to participate in the meetings.

Exhibit A

Hourly Pay Scale — **2% Increase Across the Board Starting at Step 14**

Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15	Step 16	Step 17	Step 18	Step 19	Step 20
6	$7.50	$7.65	$7.92	$8.20	$8.49	$8.74	$9.00	$9.27	$9.55	$9.84	$10.14	$10.44	$10.75	$10.97	$11.19	$11.41	$11.64	$11.87	$12.11	$12.35
7	$10.33	$10.54	$10.91	$11.29	$11.68	$12.03	$12.39	$12.77	$13.14	$13.54	$13.94	$14.36	$14.79	$15.09	$15.39	$15.70	$16.01	$16.33	$16.66	$16.99
8	$10.73	$10.95	$11.33	$11.73	$12.14	$12.51	$12.88	$13.27	$13.66	$14.07	$14.50	$14.93	$15.39	$15.70	$16.01	$16.33	$16.66	$16.99	$17.33	$17.68
9	$11.19	$11.41	$11.81	$12.22	$12.65	$13.02	$13.42	$13.81	$14.23	$14.67	$15.10	$15.55	$16.02	$16.34	$16.67	$17.00	$17.34	$17.69	$18.04	$18.40
10	$11.65	$11.88	$12.30	$12.73	$13.17	$13.57	$13.98	$14.40	$14.83	$15.27	$15.73	$16.20	$16.69	$17.02	$17.36	$17.71	$18.07	$18.43	$18.80	$19.17
11	$12.15	$12.40	$12.83	$13.28	$13.74	$14.16	$14.58	$15.03	$15.48	$15.93	$16.41	$16.91	$17.41	$17.76	$18.11	$18.48	$18.85	$19.22	$19.61	$20.00
12	$12.65	$12.90	$13.35	$13.82	$14.30	$14.73	$15.18	$15.63	$16.10	$16.59	$17.08	$17.59	$18.12	$18.48	$18.85	$19.23	$19.61	$20.01	$20.41	$20.81
13	$13.19	$13.46	$13.93	$14.42	$14.92	$15.38	$15.83	$16.31	$16.80	$17.30	$17.82	$18.36	$18.91	$19.29	$19.67	$20.07	$20.47	$20.88	$21.30	$21.72
14	$13.77	$14.05	$14.54	$15.05	$15.57	$16.04	$16.52	$17.02	$17.53	$18.05	$18.59	$19.15	$19.73	$20.12	$20.53	$20.94	$21.36	$21.78	$22.22	$22.66
15	$14.38	$14.67	$15.18	$15.72	$16.26	$16.75	$17.25	$17.78	$18.30	$18.85	$19.42	$20.00	$20.61	$21.02	$21.44	$21.87	$22.31	$22.76	$23.21	$23.67
16	$15.00	$15.30	$15.83	$16.39	$16.96	$17.47	$18.00	$18.53	$19.09	$19.66	$20.26	$20.86	$21.49	$21.92	$22.36	$22.81	$23.26	$23.73	$24.20	$24.69
17	$15.65	$15.96	$16.52	$17.10	$17.69	$18.23	$18.78	$19.34	$19.92	$20.51	$21.13	$21.76	$22.41	$22.86	$23.32	$23.78	$24.26	$24.74	$25.24	$25.74
18	$16.35	$16.67	$17.26	$17.86	$18.49	$19.04	$19.52	$20.20	$20.80	$21.03	$22.07	$22.74	$23.41	$23.88	$24.36	$24.84	$25.34	$25.85	$26.36	$26.89
19	$17.13	$17.47	$18.08	$18.72	$19.37	$19.95	$20.56	$21.18	$21.81	$22.46	$23.13	$23.83	$24.54	$25.03	$25.53	$26.04	$26.56	$27.09	$27.64	$28.19
20	$17.98	$18.34	$18.99	$19.65	$20.34	$20.94	$21.57	$22.21	$22.89	$23.58	$24.27	$25.01	$25.75	$26.27	$26.79	$27.33	$27.87	$28.43	$29.00	$29.58
21	$18.85	$19.23	$19.90	$20.60	$21.32	$21.96	$22.61	$23.28	$23.98	$24.71	$25.45	$26.21	$27.00	$27.54	$28.09	$28.65	$29.23	$29.81	$30.41	$31.01
22	$19.77	$20.16	$20.87	$21.60	$22.35	$23.02	$23.70	$24.41	$25.15	$25.91	$26.69	$27.49	$28.31	$28.88	$29.45	$30.04	$30.64	$31.26	$31.88	$32.52
23	$20.71	$21.13	$21.87	$22.63	$23.42	$24.14	$24.86	$25.60	$26.37	$27.16	$27.98	$28.82	$29.68	$30.27	$30.88	$31.50	$32.13	$32.77	$33.42	$34.09
24	$21.72	$22.16	$22.93	$23.74	$24.57	$25.30	$26.06	$26.84	$27.65	$28.48	$29.33	$30.22	$31.11	$31.73	$32.37	$33.01	$33.67	$34.35	$35.03	$35.74

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2013-03

A RESOLUTION VACATING AND ABANDONING A CERTAIN ALLEY SITUATED IN THE CITY OF DOVER.

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

Section 1. The Council of the City of Dover hereby vacates and abandons the following alley:

Adjacent to 971 Forest Street (ED-05-076.07-01-62.00)
Being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an unimproved public alley running east to west, lying on the northerly side of and running parallel to Forest Street, said portion of alley beginning at a point identified as the northeast corner of parcel No. ED-05-076.07-01-62.00; thence running North 85 degrees 00 minutes 00 seconds West 100 feet along the southerly line of a 15' wide alley to the northwest corner of parcel No. ED-05-076.07-01-62.00; thence running perpendicular across said 15' wide alley to a point in the northwest line of a 15' wide alley; thence running South 85 degrees 00 minutes 00 seconds East 100 feet along the northerly line of a 15' wide alley to a point at the corner of parcel No. ED-05-076.07-01-61.00; thence running 15 feet along the easterly boundary of the 15' wide alley to the point and place of beginning and containing 0.0344 acres (1,500 square feet) of land be the same more or less.

Adjacent to 975 Forest Street (ED-05-076.07-01-37.00)
Being all that certain piece or parcel of land situated in the City of Dover, Kent County, State of Delaware, being an unimproved public alley running east to west, lying on the northerly side of and running parallel to Forest Street, said portion of alley beginning at a point identified as the northwest corner of parcel No. ED-05-076.07-01-37.00; thence running South 85 degrees 00 minutes 00 seconds East 50 feet along the south line of a 15' wide alley to the northwest corner of parcel No. ED-05-076.07-01-62.00; thence running perpendicular across said 15’ wide alley to a point in the northeast line of a 15' wide alley; thence running North 85 degrees 00 minutes 00 seconds West 50 feet along the northerly line of a 15' wide alley to a point at the corner of parcel No. ED-05-076.07-01-36.00; thence running 15 feet along the western boundary of the 15' wide alley to the point and place of beginning and containing 0.0172 acres (750 square feet) of land be the same more or less.

Section 2. Since no person has been deprived of property by the vacating and abandoning of the aforesaid alley, no compensation is awarded.

Section 3. All costs of conveyance shall be borne by the property owner.

Draft

Section 4. This resolution shall be effective upon the filing of a revised plot plan of the aforesaid alley.

ADOPTED: *

S:\RESOLUTIONS & PROCLAMATIONS\2013\Draft\2013-03 Resolution - Abandonment of Alley - 971 and 975 Forest Street.wpd

CARLETON E. CAREY, SR.	THOMAS J. LEARY
MAYOR	COUNCIL PRESIDENT

Actions History:
February 11, 2013 - Introduced at City Council

Draft

Alley Adjacent to 971 & 975 Forest Street
Proposed Alley Abandonment



0 45 90 180 Feet

N

Date Printed: January 7, 2013
File: m:\gis_data\projects/tech_mxds
\st_abandonment_map
Department: Public Works GIS
City of Dover, Delaware

Legend

- Overhead Electric Pole
- Underground Electric Lines
- Overhead Electric Lines
- Water Main
- Hydrant Line
- Hydrants
- Manholes
- Sewer Line
- Right of Way to be Abandoned
- Dover Parcels

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on January 30, 2013 at 5:00 p.m. with Chairman Hutchison presiding. Members present were Mr. Perza (arrived at 5:14 p.m. and departed at 5:47 p.m.), Mr. Davis, and Mr. Keller.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved to amend the agenda to allow for consideration of Item #2 prior to Item #1, seconded by Mr. Keller and unanimously carried.

Safety Concerns - New Dover High School Pedestrian/Vehicular Traffic

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that staff had provided the Committee with regular updates regarding the progress of the construction of the new Dover High School, and during the last update staff stated that they believed strongly that a traffic signal was necessary at the east entrance of the school site. Mrs. Townshend explained that the east entrance was directly across the street from a number of residential developments where bus service will not be provided. She stated that without a traffic signal there is no safe way for students who walk to cross Route 8. Per Delaware Department of Transportation (DelDOT) requirements, a warrant analysis was performed; however, the results did not support a signal at that location, thus DelDOT would not allow installation. Mrs. Townshend stated that a traffic signal had been proposed and approved by DelDOT at the west entrance of the school; however, she felt it unlikely that students coming from the east would walk an extra quarter of a mile to cross at the signal on the west side. In addition, she added that the unsafe walking conditions would likely result in more parents driving students to school, which would create more traffic on an already heavily traveled road. Mrs. Townshend noted that the new Dover High School would be a heavily utilized community facility throughout the day; therefore, a crossing guard would not be an option.

Mrs. Townshend noted that these concerns had been discussed previously at the Committee and Council levels and the consensus was that not allowing for a signal at the east entrance of the school was unacceptable and unsafe; however, DelDOT refused to put up the signal based on their study. She reminded members that the Committee had also recommended that sidewalks be constructed along the north side of Route 8 to fill the gaps in the sidewalk network; however, DelDOT responded that this would have to be included in the Capital Transportation Plan, which involves other funding priorities. Noting that the new Dover High School was scheduled to open in the Fall of 2014, Mrs. Townshend reminded members that the Committee had requested representatives from the Capital School District to be present at the meeting to engage in dialogue regarding how the City could work together with the District to have a signal placed at the east entrance.

Responding to Mr. Davis regarding the posting of a 15 mph speed limit restriction near the school, Mr. Koenig was unsure if the speed limit in school zones was restricted to 15 or 20 mph; however, he felt that this may depend on the type of school.

In response to Mr. Davis, Mrs. Townshend explained that locating a signal at the entrance of the school was not a cost issue, since she believed that the Capital School District would construct it as part of the project; however, DelDOT would not permit this signal on the road.

Mr. Hutchison called upon Dr. Michael Thomas, Superintendent of the Capital School District, for his perspective on this issue. Dr. Thomas introduced Mr. Phil Martino, Vice-President of the Capital School District Board of Education; Mr. Carl Krienen, Architect, ABHA Architects; and Mr. Gregg Moore, Civil Architect, Becker Morgan Group. Dr. Thomas concurred with Mrs. Townshend's account of the issues at the new Dover High School, noting that the District shared the concerns regarding safety and reiterating that the traffic would not be limited to the opening and closing hours of the school due to the many activities surrounding the facility. Dr. Thomas stated that the traffic has concerned the architects since the planning process for the project began. He noted that these issues had been a focal point during discussions with DelDOT and that the traffic signal was needed at the east entrance for safety.

Responding to Mr. Hutchison regarding the necessity for two (2) signals, Dr. Thomas expressed his belief that both signals were needed. Since most of the walking traffic would be from the east side of the school, he felt that most students would cross at the closest point (the east entrance). In addition, Dr. Thomas advised members that the main baseball/softball complex was located behind the east entrance; therefore, beginning in the spring, traffic at the end of the school day until after dark would significantly increase annually.

Mr. Moore reviewed a map of the New Dover High School site ***(Attachment #1)***, noting that the road at the west entrance was paid for by the Capital School District and was designed and installed to meet DelDOT's standards for becoming a future thruway to Hazlettville Road. He explained that the majority of the buses from the City would be using the east entrance and that a light was needed there to protect buses entering the school due to their slower speeds, larger size, and the oncoming traffic from the west, as well as for the children crossing the road. Mr. Moore stated that the buses themselves were not enough traffic to dictate a traffic signal through the warrant analysis process; however, consultants to the district made it clear that a signal was warranted from a safety perspective.

Responding to Mr. Hutchison, Dr. Thomas stated that he could provide an informed estimate of the volume of foot traffic anticipated based on the number of students within the school's radius who are not eligible for transportation. Mr. Hutchison felt it was important that the City and School District join forces to develop data regarding foot and vehicle traffic patterns to reinforce the need for a traffic signal for submission to DelDOT.

Mr. Davis recalled that the original plan included the light at the east entrance with a plan to also request a light at the west entrance. Responding, Mrs. Townshend explained that the decision to signalize the east entrance (as opposed to the west entrance) was due to: 1) the fact that the west entrance is a public street that will serve the apartment complex planned for construction west of the school and will connect to Tribbett Street and possibly to Hazlettville Road; and 2) the safety concern presented by the curve of Dover High Drive (the primary vehicle access entrance) as it intersects with Route 8.

Concurring with Mrs. Townshend, Mr. Moore explained that the western intersection was designed jointly with Leander Lakes (a 240-unit apartment complex to be constructed west of the school site), which allowed the warrant analysis to be met easily due to the combination of expected traffic

between the complex and the entrance to the high school. He noted that the traffic pattern was designed to segregate bus traffic (at the east entrance) from the student, teacher, and public traffic at the west entrance. He expressed his opinion that it made sense for an additional traffic light to be installed at the east entrance to allow buses to make a left turn (from the east) into the school uninterrupted; because a striped crosswalk was needed at that location for walkers, which DelDOT would not permit without a signal; and because a "T" intersection with significant traffic would be created with Heatherfield Way.

Responding to Mr. Hutchison, Mr. Moore indicated that the property's designation as a school would not affect the warrant analysis. He noted that standards do not change based on the type of facility, even if that facility is a school.

In response to Mr. Martino, Mr. Moore indicated that the amount of through traffic on Route 8 was not sufficient to change the outcome of the analysis and that this problem had been anticipated prior to the traffic study.

Mr. Hutchison suggested that numbers provided by Dr. Thomas, including the volume of walkers, etc., coupled with the letters from the officials and school board members, district and the City of Dover may cause DelDOT to reconsider the traffic signal for safety reasons. He felt that the fact that the facility is a school should weigh into the analysis and that the entrance should not be treated as a typical intersection.

Responding to Mr. Davis, Mrs. Townshend stated that she was not aware of any appeal process available through DelDOT.

In response to Mr. Scott Koenig, City Manager, Mr. Moore stated that he was unaware of any factors that would change the warrant analysis in the future, other than collisions at the location.

Responding to Mr. Perza regarding access to the school for walkers, Mr. Moore explained that 7,000 feet of sidewalks and bike paths into all aspects of the school were included in the design. He felt that DelDOT would not put a crosswalk on Route 8 unless there were a traffic light; therefore, the only designated crossing areas would be intersection near WaWa and Mifflin Road and at the west entrance of the school.

Mrs. Townshend reminded members that there would not be a continuous sidewalk on the south side of Route 8.

Mr. Perza suggested that information be gathered regarding the number of students whose safety is at risk and the distance they must travel to cross safely to establish a need for a traffic signal.

Mr. Davis suggested that the representatives a the State legislature also become involved and suggested reintroducing the concept of a pedestrian bridge.

Mr. Hutchison suggested conducting open dialogue and gathering information, including the total number of people going in and out of the school, as well as the total number of students walking and

driving. He felt that the Police Chief could contribute additional information pertaining to traffic patterns, accidents, and safety information and that all of this information should be compiled, perhaps including input from State officials, and presented to DelDOT with a request for further review and consideration of the traffic signal at the east entrance of the facility.

Mrs. Townshend noted that assistance had not yet been requested from legislators; however, Senator Bushweller and Representative Scott had been advised that this was an ongoing issue and that she would keep them informed in the event that their involvement was needed.

Dr. Thomas said that he had also had discussions with Senator Bushwell and Representative Scott. He noted that the Capital School District was attempting to exhaust every avenue to resolve the matter with DelDOT through the proper channels and would continue these efforts.

In response to Mr. Koenig, Mr. Moore stated that he was uncertain if the design of the intersection would have to be modified if a traffic signal were installed. Mr. Koenig noted that the Capital School District must apply for a construction permit for the entrance very soon since the signal design takes many months, which would make it increasingly difficult to have a signal installed in time for the school opening. Mrs. Townshend stated her understanding that, from a geometric standpoint, the intersection was to be designed so that if a signal was needed in the future it would not require a new design. Mr. Moore shared Mrs. Townshend's opinion; however, he stated that he could not be certain because the traffic lights are designed by DelDOT.

Mr. Les Blakemen, 209 Falmouth Way, stated that he lives across the street from the school site and expressed his concern with traffic. He noted that Heatherfield and Heatherfield East have turn lanes off Route 8; however, there is no turn lane entering Cranberry Run. Due to the lack of a turn lane, vehicles are required to slow down in the line of traffic to make a turn into the development, which he felt complicates traffic patterns, stating that drivers tend to cross over the solid white line on the shoulder to go around traffic. Mr. Blakeman explained that he currently has to wait for four (4) to five (5) minutes on some mornings before he is able to get out into traffic and he sees people taking risks because they have been waiting for so long. In response to Mr. Keller, Mr. Blakemen stated that this dangerous situation exists going both east and west and that adding buses and traffic will compound the situation. He noted that an additional problem exists at the intersection of Kenton Road and Route 8, where drivers turning left onto Kenton Road stop in the intersection when the left turn lane is full.

Mr. Moore indicated that the traffic light at the west entrance of the school should help to alleviate some of the inbound traffic; however, an additional light at the east end would also help because it would stop traffic from both directions.

Mr. Rich Vetter, Executive Director, Dover/Kent County Metropolitan Planning Organization (MPO) inquired if a pedestrian-activated signal had been considered, which would be in use only when pedestrians are present. Responding, Mr. Hutchison requested Mrs. Dawn Melson-Williams to determine if this option had been considered.

Mr. Davis moved to request staff to gather information from the Capital School District, including the number of people going in and out of the school and the total number of students walking and driving, as well as information from the Police Chief pertaining to traffic patterns, accidents, and safety information, and that this information be compiled, perhaps including input from State officials, and presented to the Delaware Department of Transportation with a request for further review and consideration of a traffic signal at the east entrance of the New Dover High School. The motion was seconded by Mr. Keller and unanimously carried.

Request for Waiver of Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section E - Lots (5) - Requirement for Lot Frontage on a Public Street - 1151-1155 Walker Road, LLC (SB-13-01)

Ms. Dawn Melson-Williams, Principal Planner, reviewed a Petition to Waive Subdivision Standards to allow the creation of a lot without public street frontage for property located at 1151-1155 Walker Road, on the north side of Walker Road, west of Saulsbury Road, owned by 1151-1155 Walker Road, LLC. Mrs. Melson-Williams explained that the Minor Subdivision Plan proposed to create two (2) parcels consisting of 0.6594 acres (Lot 1) and 1.1196 acres (Lot 2) from the existing parcel of land consisting of 1.779 acres. The subject parcel is zoned IO (Institutional and Office Zone). The proposed subdivision of Lot 2 in the rear of the property would result in a lot without frontage on a public street.

Ms. Melson-Williams advised members that, in accordance with Appendix A - Subdivisions, Article VI - General Requirements and Design Standards, Section E - Lots, Item 5 requires that "All lots in a subdivision shall have frontage on a public street" and, per Appendix B - Zoning, Article 8 - Enforcement and Penalties, Section 1 - Building Permits, Section 1.1 states that a building permit cannot be issued for the construction or alteration of any building upon a lot without frontage upon, or legal permanent access to, a public street. She stated that the applicant had requested a waiver under the provisions of Appendix A - Subdivisions, Article VII - Special Provisions, A - Variance and Waiver and that a cross-access easement was proposed to provide permanent access to Lot 2 from Walker Road.

Staff recommended approval of the request to waive the requirement to provide lot frontage on a public street for Lot 2. Staff found that, due to the location of the existing buildings and the existing layout of the property, in order to achieve the required lot frontage on Walker Road (the public street) an irregular shaped lot would have to be created and would require variances for setbacks. This proposal would simplify the parcel shapes and present a series of proposed easements for access, utilities, parking and shared stormwater management facilities between the two (2) lots.

The Planning Commission recommended approval of the request for a waiver of lot frontage on a public street for Minor Subdivision Plan SB-13-01, Lands of 1151-1155 Walker Road, LLC.

Responding to Mr. Perza, Ms. Melson-Williams confirmed that a maintenance agreement pertaining to the easements had been established.

Mr. Terry Jaywork, representing the Dover Interfaith Mission for Housing, stated that there would

be a large reduction in the number of vehicles at the property when the rear building (currently designated for office space) becomes transitional housing.

Mr. Keller moved to recommend approval of the request for a waiver of the lot frontage requirement on a public street for Minor Subdivision Plan SB-13-01, Lands of 1151-1155 Walker Road, LLC, seconded by Mr. Dixon and unanimously carried.

Briefing on Delaware Department of Transportation (DelDOT) Projects

Mr. Scott Koenig, City Manager, provided on update on Delaware Department of Transportation (DelDOT) Projects, as follows:

DelDOT Repaving Project

Mr. Koenig indicated that the DelDOT repaving project, including the repaving of Loockerman Street and portions of Governors Avenue through the City, was delayed in the fall mainly because of the impact on the downtown merchants on Loockerman Street. The project was expected to resume in the March/April timeframe.

West Dover Connector

Mr. Koenig advised members that DelDOT indicated that their Right-of-Way Section was in the process of actively acquiring the necessary real estate to build the West Dover Connector, and it was believed that this would take until mid to late 2014. The design team was working on design and engineering documents, which they believed would be completed in late 2013, to facilitate the final review, and construction was scheduled to take place after this. According to DelDOT, the project had been fully funded for construction and it was hoped that construction would begin coming out of 2014.

Route 8/Hazlettville Road Connector

Mr. Koenig stated that DelDOT indicated that the preliminary engineering for the Route 8/Hazlettville Road Connector had been postponed until FY2017 and final engineering and construction would not take place for several years after that.

Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects - *Rich Vetter*

Mr. Rich Vetter, Executive Director, Dover/Kent County Metropolitan Planning Organization (MPO) reviewed a map entitled "City of Dover West Street Bike/Pedestrian Improvements" and advised members of the goal was to fill in some of the gaps in sidewalks and bike paths for pedestrians and bikers. He explained that interest was expressed in extending the bike trail that runs from Schutte Park past the Eden Hill Medical Center to run along West Street to the Dover Transit Center with a 10-foot wide shared use sidewalk (areas depicted in red). Mr. Vetter stated that this project was in the conceptual planning stage and Century Engineering was preparing a cost estimate.

In response to Mr. Hutchison, Mr. Vetter advised that the project was still in the planning stage; however, he felt that it could be accomplished through the Transportation Enhancements Program, which currently had some funding. He indicated there was no target date for the project at this time.

Mr. Vetter reviewed a map entitled "West StreetTraffic Study," noting that discussions were beginning regarding the conversion of West Street to a one-way, south-bound street, which was an idea that had been presented in connection with the 2008 Comprehensive Plan. Mr. Vetter indicated that a traffic analysis would be performed by a consultant to see if the concept made sense.

Responding to Mr. Hutchison's inquiry regarding subsequent steps in the process, Mr. Vetter advised that there would be many steps involved, including receiving input from DelDOT, the City, the public, and business owners and he noted that the West Dover Connector may also impact traffic in the area.

Update on the Creation of Bicycle/Pedestrian Subcommittee

Mr. Hutchison advised members that a Workshop was held on January 22, 2013 regarding the establishment of a Bicycle/Pedestrian Subcommittee and a tremendous amount of interest was expressed. Mr. Hutchison stated that, based on the large turnout, he felt that a committee of seven (7) would be appropriate, rather than five (5) members as initially proposed. He indicated that after all of the information is gathered from attendees at the meeting, a subcommittee would be selected for members to approve.

Ms. Greta Whittendale, Hartly, Delaware, indicated that she was in attendance at the Bicycle/Pedestrian Subcommittee meeting and was concerned that many of the attendees had a vested interest in spending the funds that would be made available for promoting their own private enterprises, such as bicycle shops. It was her understanding that less than 2% of the attendees were actual bicyclists. Ms. Whittendale expressed her hope that the subcommittee would be comprised of residents throughout Kent County, since County residents use City streets. In response, Mr. Hutchison noted that the Committee will be diverse and include walkers and cyclists, as well as those concerned with safety interests.

Mr. Davis moved for adjournment, seconded by Mr. Keller and unanimously carried.

Meeting Adjourned at 5:56 p.m.

James L. Hutchison
Chairman

JLH/JS/mk/dd/tm
S:\AGENDAS-MINUTES-PACKETS\Committee-Minutes\2013\01-30-2013 SA&T.wpd

Attachment
Attachment #1 - Map - New Dover High School Site



Capital School District

The New DOVER HIGH SCHOOL

Dover, Delaware | January, 2013

hord | coplan | macht

BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING

ABHA architects

ATTACHMENT #1
SA&T Committee Meeting of 01/30/2013

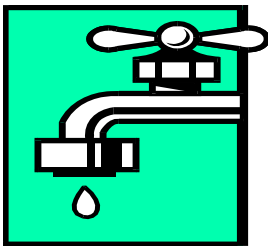
CITY OF DOVER

FINANCE & CENTRAL SERVICES DEPARTMENTS

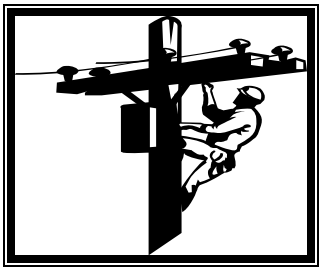
MONTHLY BUDGET REPORT

DECEMBER 2012









PREPARED BY: FINANCE DEPARTMENT

PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER
December 2012 Monthly Budget Reports

FINANCE DEPARTMENT ACTIVITY LEVELS

	FY12 YTD			FY13 YTD		
BANK TRENDS						
Number of Deposits Made	2,412			2,709		
Total Amount of All Deposits	$ 80,187,518			$ 77,893,373		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**487,095**	**100.0%**	**$ 11,479,459**	**432,556**	**100.0%**	**$ 10,404,304**
Wages and Hours Worked						
Regular	406,234	83.4%	$ 8,841,134	358,757	82.9%	$ 7,973,311
All over time	17,905	3.7%	$ 819,318	21,977	5.1%	$ 975,243
Other Paid or Unpaid Wages and Hours						
Vacation	38,703	7.9%	$ 1,036,100	25,124	5.8%	$ 652,792
Sick	12,607	2.6%	$ 320,145	10,050	2.3%	$ 253,659
Terminal Leave - Retiree Vacation/Sick Payout	4,379	0.9%	$ 178,239	10,581	2.4%	$ 298,507
Comp Time	5,399	1.1%	$ 159,101	4,652	1.1%	$ 131,455
Personal	462	0.1%	$ 12,886	506	0.1%	$ 13,721
Leave Without Pay	-	0.0%	$ -	-	0.0%	$ -
Other (description below)	1,408	0.3%	$ 112,536	909	0.2%	$ 105,615

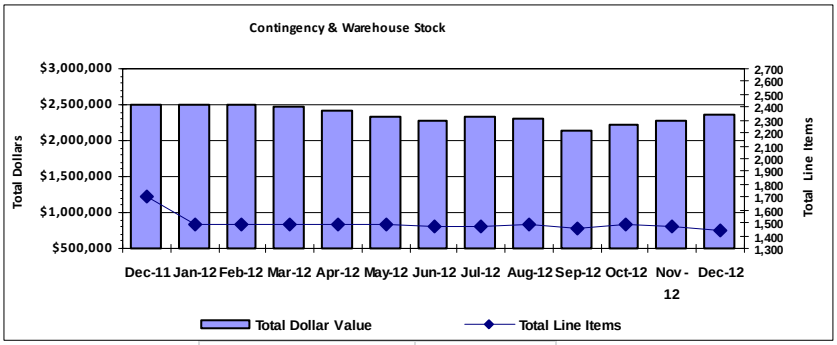
Other includes: pay adjustments, military differential pay, committee meetings, worker compensation tracking/adjustments, etc.

Other Activity		
Number of Pay Periods	14	13
Number of Payroll Checks & Direct Deposits Issued	5,408	4,731
Number of Pension Checks Issued	1,434	1,477
Total Pension Benefits Paid - Defined Benefit Plan	$ 2,323,012	$ 2,440,924

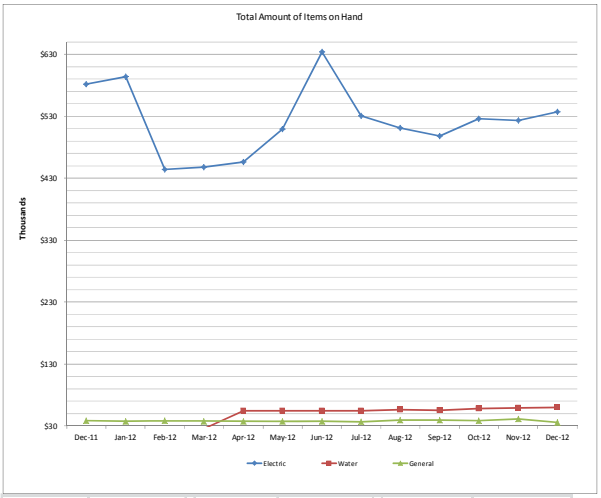
Payroll Checks & Direct Deposits issued: number of payroll checks issued for FY 2010 includes separate checks for shoe allowance & clothing allowance.

ACCOUNTS PAYABLE		
Number of Check Vouchers	3,134	3,144
Number of EFT Vouchers	1,095	1,035
Vouchers Dollar Amount Disbursed	$ 44,692,403	$ 44,432,249

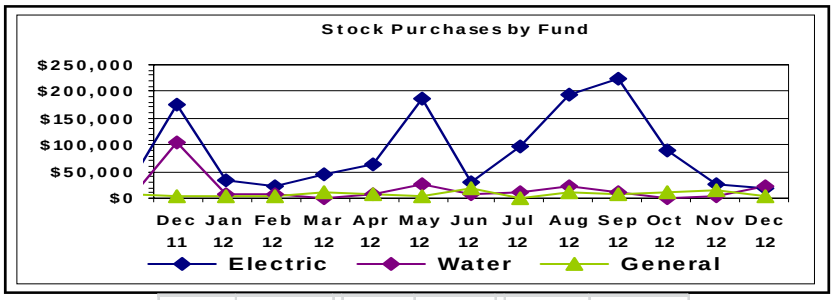
CENTRAL SERVICES ACTIVITY LEVELS



Total Dollar Value:	$2,369,543
Total Line Items:	1,447



Electric:	$537,612	Water:	$59,913	General:	$35,390



Electric:	$19,594	Water:	$23,935	General:	$4,936

Fuel Use		
Unleaded:	9,163.6	gallons
Diesel:	5,925.3	gallons
Total:	$ 45,581	

City of Dover
Finance Department
Monthly Report –December 2012
General Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - unaudited	$ 2,666,600	$ 2,734,400	$ -	$ 2,734,400	0.0%
Revenues					
Court of Chancery Fees	753,800	753,800	274,140	479,660	36.4%
Fines & Police Revenues	1,162,400	1,162,400	595,321	567,079	51.2%
Franchise Fees	550,000	550,000	156,444	393,556	28.4%
Grants	708,500	708,500	363,055	345,445	51.2%
Intrafund Services	4,329,100	4,329,100	2,010,482	2,318,618	46.4%
Library & Recreation Revenues	602,100	602,100	270,529	331,571	44.9%
Licenses & Permits	2,508,300	2,508,300	1,859,903	648,397	74.1%
Property Taxes (Includes BID Revenue) (1)	11,049,000	11,115,000	11,060,217	54,783	99.5%
Sanitation Revenues	2,690,200	2,690,200	1,313,879	1,376,321	48.8%
Other Miscellaneous Revenues	130,500	130,500	93,203	37,297	71.4%
Garrison Farm Rent Revenue	62,000	62,000	88,338	(26,338)	142.5%
Civil Traffic Penalties	750,000	750,000	67,020	682,980	8.9%
Municipal Street Aid Fund	527,400	527,400	265,434	261,966	50.3%
Transfer Taxes	1,370,000	1,370,000	279,646	1,090,354	20.4%
Verizon and CI Reserves	11,000	11,000	-	11,000	0.0%
Water/Wastewater Fund	500,000	500,000	500,000	-	100.0%
Electric Fund	8,000,000	8,000,000	6,000,000	2,000,000	75.0%
Total Revenues	35,704,300	35,770,300	25,197,611	10,572,689	70.4%
Total Beginning Balance & Revenues	**$ 38,370,900**	**$ 38,504,700**	**$ 25,197,611**	**$ 13,307,089**	65.4%
Expenditures					
City Clerk & Council	$ 441,100	$ 441,100	$ 204,038	$ 237,062	46.3%
Mayor, City Manager & Human Resources	822,100	822,100	389,871	432,229	47.4%
Police & Police Extra Duty	13,774,600	13,774,600	6,962,716	6,811,884	50.5%
Public Services	4,359,300	4,406,850	1,990,050	2,416,800	45.2%
Central Services	1,968,400	1,978,350	913,628	1,064,722	46.2%
Planning & Inspections	1,996,600	2,014,500	930,388	1,084,112	46.2%
Finance, Info Tech & Customer Services	2,423,400	2,423,400	1,174,391	1,249,009	48.5%
Library & Recreation	1,963,600	1,976,600	867,600	1,109,000	43.9%
Fire Department	688,300	688,300	322,105	366,195	46.8%
Assessor	187,500	187,500	94,908	92,592	50.6%
Contribution to DDP	180,000	180,000	180,000	-	100.0%
Miscellaneous Grant Expense	25,000	25,000	-	25,000	0.0%
Other Employment Expenses	463,400	442,800	-	442,800	0.0%
Insurance	600,000	600,000	172,722	427,278	28.8%
OPEB - Retiree's Health Care Contribution	1,620,600	1,620,600	810,300	810,300	50.0%
Police Pension Trust Contribution - State Grant	500,000	500,000	100,000	400,000	20.0%
Appropriation to Emp Pension Fund - Unfunded Liability	1,310,500	1,310,500	1,310,500	-	100.0%
Appropriation to Police Pension Fund	95,000	95,000	95,000	-	100.0%
Street Lights	869,700	869,700	442,245	427,455	50.9%
Debt Service	624,200	624,200	319,324	304,876	51.2%
Provision for Uncollectible	10,000	10,000	10,000	-	100.0%
Transfers Out					0.0%
Capital Projects Fund	613,400	613,400	306,700	306,700	50.0%
Total Expenditures	35,536,700	35,604,500	17,596,486	18,008,014	49.4%
Budget Balance - Working Capital	2,834,200	2,900,200	-	2,900,200	0.0%
Total Budget Balance & Expenditures	**$ 38,370,900**	**$ 38,504,700**	**$ 17,596,486**	**$ 20,908,214**	45.7%
Reserve Balances					
Contingency	$ 731,100	$ 731,100	$ 728,054		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 12/31/12 is $491,188.57 as compared to $823,245.51 in December 2011.

City of Dover
Finance Department
Monthly Report –December 2012
Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - Water - unaudited	$ 865,100	$ 884,600	$ -	$ 884,600	0.0%
Beginning Balance - Wastewater - unaudited	$ 853,000	$ 867,800	$ -	$ 867,800	0.0%
Beginning Balance - Kent County Treatment - unaudited	$ (553,500)	$ (553,500)	$ -	$ (553,500)	0.0%
	1,164,600	1,198,900	-	1,198,900	0.0%
Revenues					
Water Fees	4,730,700	4,730,700	2,495,918	2,234,782	52.8%
Wastewater Fees	3,834,600	3,834,600	1,870,867	1,963,733	48.8%
Kent County Treatment Fees	3,090,800	3,090,800	1,539,504	1,551,296	49.8%
Ground Water Adjustment Fees	1,257,600	1,257,600	690,913	566,687	54.9%
Water Tank Leases	313,500	313,500	141,881	171,619	45.3%
Interest Earnings - Water	8,700	8,700	1,697	7,003	19.5%
Interest Earnings - Water/Wastewater	17,100	17,100	2,255	14,845	13.2%
Miscellaneous	77,000	77,000	46,194	30,806	60.0%
Impact Fees - Water	317,000	317,000	212,136	104,864	66.9%
Impact Fees - Wastewater	350,000	350,000	127,123	222,877	36.3%
Total Revenues	13,997,000	13,997,000	7,128,488	6,868,512	50.9%
Total Beginning Balance & Revenues	**$ 15,161,600**	**$ 15,195,900**	**$ 7,128,488**	**$ 8,067,412**	46.9%
Expenses					
Water/Wastewater Operating Divisions					
Engineering & Inspection	$ 597,900	$ 601,900	$ 228,612	$ 373,288	38.0%
Water	408,200	415,000	188,275	226,725	45.4%
Water Treatment Plant	1,522,600	1,535,400	681,515	853,885	44.4%
Wastewater	993,000	997,000	349,556	647,444	35.1%
Construction & Inspection	345,700	353,200	165,552	187,648	46.9%
Kent County Treatment Fees	3,600,000	3,600,000	1,684,291	1,915,709	46.8%
Intrafund Services	1,235,400	1,235,400	552,422	682,978	44.7%
Pension Unfunded Liability	309,800	309,800	309,800	-	100.0%
OPEB - Retiree's Health Care Contributions	220,000	220,000	110,000	110,000	50.0%
Debt Service	1,263,600	1,263,600	357,230	906,370	28.3%
Inventory/Fixed Asset Write-offs	5,000	5,000	5,000	-	100.0%
Other Employment Expenses	16,200	15,400	-	15,400	0.0%
Transfers Out					
General Fund	500,000	500,000	500,000	-	100.0%
Uncollectible Reserve	5,000	5,000	5,000	-	100.0%
Water I & E Fund	1,700,000	1,700,000	425,000	1,275,000	25.0%
Wastewater I & E Fund	1,200,000	1,200,000	300,000	900,000	25.0%
Capital Asset Reserve - Water	70,000	70,000	70,000	-	100.0%
Capital Asset Reserve - Wastewater	22,000	22,000	22,000	-	100.0%
Total Expenses	14,014,400	14,048,700	5,954,253	8,060,147	42.4%
Budget Balances					
Budget Balance - Working Capital - Water	482,700	482,700	-	482,700	0.0%
Budget Balance - Working Capital - WW	664,500	664,500	-	664,500	0.0%
Total Budget Balances	1,147,200	1,147,200	-	1,147,200	0.0%
Total Budget Balances & Expenses	**$ 15,161,600**	**$ 15,195,900**	**$ 5,954,253**	**$ 9,207,347**	39.2%
Reserve Balances					
Contingency-Water	$ 103,724	$ 103,724	$ 103,259		
Contingency-Wastewater	$ 189,176	$ 189,176	$ 186,745		
Impact Fee Reserve - Sewer	NO BUDGET	NO BUDGET	$ 3,512,158		
Impact Fee Reserve - Water	NO BUDGET	NO BUDGET	$ 442,922		
Bond Coverage Ratio (Covenant 1.20)	3.73	3.33	4.60		

City of Dover
Finance Department
Monthly Report –December 2012
Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - unaudited	$ 7,184,000	$ 7,201,500	$ -	$ 7,201,500	0.0%
Revenues					
Sales to Customers	85,071,400	85,071,400	46,064,025	39,007,375	54.1%
Purchase Power Adjustment	-	-	389	(389)	0.0%
Utility Tax	1,595,200	1,595,200	764,117	831,083	47.9%
Weyandt Hall Rents	225,000	225,000	104,253	120,747	46.3%
Miscellaneous Revenues	979,700	979,700	711,355	268,345	72.6%
Interest Earned	107,800	107,800	54,074	53,726	50.2%
Transfer from Rate Stabilization	5,400,000	5,400,000	2,700,000	2,700,000	50.0%
Intrafund Service Receipts Water/Wastewater	130,800	130,800	67,852	62,948	51.9%
Total Revenues	93,509,900	93,509,900	50,466,065	43,043,835	54.0%
Total Beginning Balance & Revenues	**$ 100,693,900**	**$ 100,711,400**	**$ 50,466,065**	**$ 50,245,335**	50.1%
Expenses					
Power Supply & Generation					
Hedged Energy	$ 39,468,900	$ 39,468,900	$ 19,870,953	$ 19,597,947	50.3%
Power Supply Management/Incentive	996,000	996,000	498,000	498,000	50.0%
Capacity Charges	12,564,800	12,564,800	5,640,725	6,924,075	44.9%
Dover Sun Park Energy	1,414,500	1,414,500	728,272	686,228	51.5%
Solar Renewal Energy Credits	-	351,600	157,894	193,706	44.9%
PJM Charges - Energy	17,508,300	13,752,300	3,020,601	10,731,699	22.0%
PJM Charges - Transmission & Fees	-	3,756,000	3,855,208	(99,208)	102.6%
Total Power Supply	71,952,500	72,304,100	33,771,653	38,532,447	46.7%
Plant Operations	5,914,900	5,914,900	2,725,288	3,189,612	46.1%
Generation Fuels	586,000	586,000	946,292	(360,292)	161.5%
Capacity Credits	(14,318,600)	(14,318,600)	(7,158,060)	(7,160,540)	50.0%
PJM Spot Market Energy	(772,700)	(1,124,300)	(1,865,604)	741,304	165.9%
PJM Credits	(427,000)	(427,000)	(310,512)	(116,488)	72.7%
Total Generation	(9,017,400)	(9,369,000)	(5,662,596)	(3,706,404)	60.4%
Total Power Supply & Plant	62,935,100	62,935,100	28,109,057	34,826,043	44.7%
Electric Operating Divisions:					
Transmission/Distribution	3,223,600	3,233,700	1,655,430	1,578,270	51.2%
Electrical Engineering	1,163,900	1,171,300	510,237	661,063	43.6%
Administration	501,200	501,200	156,047	345,153	31.1%
Meter Reading	212,500	212,500	109,228	103,272	51.4%
Systems Operations	517,600	526,300	270,300	256,000	51.4%
Intrafund Services	3,224,500	3,224,500	1,525,912	1,698,588	47.3%
Utility Tax	1,595,200	1,595,200	764,118	831,082	47.9%
OPEB - Retirees Health Care Contribution	696,500	696,500	348,250	348,250	50.0%
Pension Trust Contribution - Unfunded liability	1,074,200	1,074,200	1,074,200	-	100.0%
Interest on Deposits	35,000	35,000	14,741	20,259	42.1%
Green Energy Payment to DEMEC	129,000	129,000	75,684	53,316	58.7%
Accounts Receivable Write-Offs	150,000	150,000	150,000	-	100.0%
Inventory Write-Offs	175,000	175,000	175,000	-	100.0%
Other Employee Expenses	157,900	149,200	-	149,200	0.0%
Contractual Services Power Supply	190,000	190,000	19,775	170,225	10.4%
Debt Service	3,323,600	3,323,600	1,688,282	1,635,318	50.8%
Transfers Out:					
General Fund	8,000,000	8,000,000	6,000,000	2,000,000	75.0%
Electric Improvement & Extension Fund	3,500,000	3,500,000	1,750,000	1,750,000	50.0%
Total Expenses	90,804,800	90,822,300	44,396,261	46,408,539	48.9%
Budget Balance - Working Capital	9,889,100	9,889,100	-	9,889,100	0.0%
Total Budget Balance & Expenses	**$ 100,693,900**	**$ 100,711,400**	**$ 44,396,261**	**$ 56,297,639**	44.1%
Reserve Balances					
Contingency Reserve	$ 816,200	$ 816,200	$ 807,658		
Insurance Reserve	$ 750,000	$ 750,000	$ 727,120		
Rate Stabilization Reserve	$ 4,947,600	$ 4,947,600	$ 7,623,275		
Bond Coverage Ratio (Covenant 1.25)	2.74	2.87	5.74		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Light MWh)	709,972	709,972	388,377		54.7%
Sales per MWh	$ 119.824	$ 119.824	$ 118.607		99.0%
Purchased/Generated MWh	750,296	750,297	386,627		51.5%

Finance Department
Monthly Report –December 2012
General Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - Projects - unaudited	$ 294,400	$ 241,100	$ -	$ 241,100	0.0%
Beginning Balance - Library - unaudited	$ -	$ (95,500)	$ -	$ (95,500)	0.0%
Revenues					
State Grant - Other	108,000	158,000	93,210	64,790	59.0%
Interest Earnings	-	-	6,850	(6,850)	0.0%
Income from Sale of Assets	-	-	38,871	(38,871)	0.0%
Loan Proceeds - Streets, City Hall	2,000,000	2,000,000	-	2,000,000	0.0%
Loan Proceeds - Garrison Farm	2,000,000	-	-	-	0.0%
Transfer from General Fund for Projects	613,400	613,400	306,700	306,700	50.0%
Police Grant	33,800	33,800	-	33,800	0.0%
Transfer from Future Capacity Reserve	-	2,000,000	-	2,000,000	0.0%
MSA Capital Contribution	-	132,200	-	132,200	0.0%
DEMEC Grant	-	166,700	-	166,700	0.0%
Subtotal Project Receipts	4,755,200	5,104,100	445,631	4,658,469	
State Grant - Library	884,200	1,746,000	876,953	869,047	50.2%
Loan Proceeds - Library Green Energy Project	-	648,500	648,500	-	100.0%
Kent County Library Contribution	250,000	250,000	250,000	-	100.0%
Transfer from Library Foundation	67,500	-	-	-	0.0%
Library Donations	-	173,400	-	173,400	0.0%
Income from Sale of Library/Bridge Loan	1,200,000	1,200,000	1,200,000	-	100.0%
Subtotal Library Project Receipts	2,401,700	4,017,900	2,975,453	1,042,447	74.1%
Total Revenues	7,156,900	9,122,000	3,421,084	5,700,916	37.5%
Total Beginning Balance & Revenue	**$ 7,451,300**	**$ 9,267,600**	**$ 3,421,084**	**$ 5,846,516**	36.9%
Expenditures					
Fire	$ 238,500	$ 238,500	$ 238,515	$ (15)	100.0%
Grounds Maintenance	112,000	112,000	-	112,000	0.0%
Library	2,535,000	4,089,100	3,101,784	987,316	75.9%
Recreation	30,000	30,000	-	30,000	0.0%
Police	197,000	197,000	137,504	59,496	69.8%
Streets (1)	1,974,000	2,144,200	20,799	2,123,401	1.0%
Sanitation	150,000	150,000	-	150,000	0.0%
Information Technology	57,000	107,000	50,198	56,802	46.9%
Facilities Management	381,000	381,000	96,275	284,725	25.3%
Mayor	33,000	33,000	-	33,000	0.0%
Loan Issuance Costs	56,000	-	1,029	(1,029)	0.0%
Transfer to Community Transportation Fund	1,606,700	1,606,700	-	1,606,700	0.0%
Total Expenditures	7,370,200	9,088,500	3,646,104	5,442,396	40.1%
Budget Balance - Projects	81,100	179,100	-	179,100	0.0%
Total Budget Balance & Expenditures	**$ 7,451,300**	**$ 9,267,600**	**$ 3,646,104**	**$ 5,621,496**	39.3%
Reserve Balances					
Capital Asset Replacement Reserve	$ 503,000	$ 503,000	$ 503,209		
Parkland/Recreation	$ 202,600	$ 202,600	$ 201,176		

(1) Street program - Budget includes $2 million for street repaving and City Hall improvements to be completed over two years (Fiscal Years 2012 and 2013). Will be funded by bond issue or commercial bank loan.

City of Dover
Finance Department
Monthly Report –December 2012
Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - Water - unaudited	$ 3,071,800	$ 3,811,200	$ -	$ 3,811,200	0.0%
Beginning Balance - Wastewater - unaudited	$ 1,013,600	$ 2,641,000	$ -	$ 2,641,000	0.0%
Revenues					
Bond Proceeds - Water	2,000,000	2,000,000	-	2,000,000	0.0%
Bond Proceeds - Wastewater	2,000,000	2,000,000	-	2,000,000	0.0%
State Loan-Wastewater 2011	-	-	297,239	(297,239)	0.0%
Income from Sale of Assets	-	-	4,171	(4,171)	0.0%
Interest Earned	25,000	25,000	48,390	(23,390)	193.6%
Transfer from Water Operating Fund for Water	1,700,000	1,700,000	425,000	1,275,000	25.0%
Transfer from Wastewater Operating Fund for Wastewater	1,200,000	1,200,000	300,000	900,000	25.0%
Transfer from Impact Fee Reserve - Water	300,000	300,000	-	300,000	0.0%
Transfer from Impact Fee Reserve - Wastewater	250,000	250,000	-	250,000	0.0%
Total Revenues	7,475,000	7,475,000	1,074,800	6,400,200	14.4%
Total Beginning Balance & Revenues	**$ 11,560,400**	**$ 13,927,200**	**$ 1,074,800**	**$ 12,852,400**	7.7%
Expenses					
Bond Issue Costs	$ 344,000	$ 344,000	$ -	$ 344,000	0.0%
Engineering & Inspection	23,400	23,400	-	23,400	0.0%
Water	5,140,000	5,762,600	332,540	5,430,060	5.8%
Wastewater	3,817,300	5,798,400	704,780	5,093,620	12.2%
Water Treatment Plant	24,100	24,100	-	24,100	0.0%
Water Construction	31,000	31,000	-	31,000	0.0%
Total Expenses	9,379,800	11,983,500	1,037,320	10,946,180	8.7%
Budget Balance - Working Capital - Water	1,675,500	1,772,300	-	1,772,300	0.0%
Budget Balance - Working Capital - Wastewater	505,100	171,400	-	171,400	0.0%
Total Budget Balances	2,180,600	1,943,700	-	1,943,700	0.0%
Total Budget Balances & Expenses	**$ 11,560,400**	**$ 13,927,200**	**$ 1,037,320**	**$ 12,889,880**	7.4%
Reserve Balances					
Capital Asset Replacement - Water	$ 501,100	$ 501,100	$ 501,357		
Capital Asset Replacement - Wastewater	$ 501,100	$ 501,100	$ 500,210		

City of Dover
Finance Department
Monthly Report –December 2012
Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - unaudited	$ 2,714,600	$ 3,534,600	$ -	$ 3,534,600	0.0%
Revenues					
Interest Earnings	40,700	40,700	23,388	17,312	57.5%
Income from Sale of Assets	-	-	4,904	(4,904)	0.0%
Transfer from Electric Revenue Fund	3,500,000	3,500,000	1,750,000	1,750,000	50.0%
Transfer from Future Capacity Reserve	550,000	550,000	550,000	-	100.0%
Total Revenues	4,090,700	4,090,700	2,328,292	1,762,408	56.9%
Total Beginning Balance & Revenues	**$ 6,805,300**	**$ 7,625,300**	**$ 2,328,292**	**$ 5,297,008**	30.5%
Expenses					
Power Plant	$ 1,441,300	$ 1,786,600	$ 215,154	$ 1,571,446	12.0%
Transmission/Distribution	596,000	896,000	500,289	395,711	55.8%
Electrical Engineering	1,932,700	1,942,800	462,096	1,480,704	23.8%
Total Expenses	3,970,000	4,625,400	1,177,539	3,447,861	25.5%
Budget Balance - Working Capital	2,835,300	2,999,900	-	2,999,900	0.0%
Total Budget Balance & Expenses	**$ 6,805,300**	**$ 7,625,300**	**$ 1,177,539**	**$ 6,447,761**	15.4%
Reserve Balances					
Depreciation Reserve	$ 9,864,800	$ 9,864,800	$ 9,776,066		

City of Dover
Finance Department
Monthly Report –December 2012
Community Transportation Improvement Fund

	Budget	Revised Budget	YTD	Balance	50% of Budget
Beginning Balance - unaudited	$ 435,700	$ 435,700	$ -	$ 435,700	0.0%
Revenues					
Grants Revenue	300,000	300,000	4,497	295,503	1.5%
Transfer from General Capital Project Fund	1,606,700	1,606,700	-	1,606,700	0.0%
Interest Earned	500	500	-	500	0.0%
Total Revenues	1,907,200	1,907,200	4,497	1,902,703	0.2%
Total Beginning Balance & Revenues	**$ 2,342,900**	**$ 2,342,900**	**$ 4,497**	**$ 2,338,403**	0.2%
Expenses					
Program Expenses	$ 700,000	$ 700,000	$ 14,437	$ 685,563	2.1%
Program Expenses - City appropriated	1,546,700	1,546,700	-	1,546,700	0.0%
Program Expenses- Concrete Program	60,000	60,000	6,148	53,852	10.2%
Total Expenses	2,306,700	2,306,700	20,585	2,286,115	0.9%
Budget Balance - Working Capital	36,200	36,200	-	36,200	0.0%
Total Budget Balances & Expenses	**$ 2,342,900**	**$ 2,342,900**	**$ 20,585**	**$ 2,322,315**	0.9%

CITY OF DOVER
SPECIAL REVENUE FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN UNRESERVED FUND
PERIOD ENDED DECEMBER 31, 2012

	POLICE GRANTS	LIBRARY GRANTS	CDBG/NSP HOUSING GRANTS	SUBSTANCE ABUSE PREV. GRANT	TOTALS
REVENUES:					
State Grants received	$ 200,185	$ -	$ -	$ 21,023	$ 221,208
Federal Grants received	17,292	1,275	321,352	-	339,919
Recreation revenue	-	-	-	3,971	3,971
Investment income (loss)	-	-	-	-	-
TOTAL REVENUES	$ 217,477	$ 1,275	$ 321,352	$ 24,994	$ 565,098
EXPENDITURES:					
Program expenditures	$ 146,523	$ 72,329	$ -	$ 41,557	$ 260,409
Program expenditures - NSP	-	-	58,002	-	58,002
Program expenditures - CDBG	-	-	92,719	-	92,719
TOTAL EXPENDITURES	$ 146,523	$ 72,329	$ 150,721	$ 41,557	$ 411,130
Excess (deficiency) of revenues over expenditures	$ 70,954	$ (71,054)	$ 170,631	$ (16,563)	$ 153,968
Other financing sources (uses):					
Operating transfers-out	(82,834)	-	-	-	(82,834)
Excess (deficiency) of revenues and other financing sources over expenditures & other uses	$ (11,880)	$ (71,054)	$ 170,631	$ (16,563)	$ 71,134
FUND BALANCE AT BEGINNING OF YEAR	$ 178,432	$ 30,008	$ 16,197	$ 21,620	$ 246,257
FUND BALANCE AT END OF PERIOD	$ 166,552	$ (41,046)	$ 186,828	$ 5,057	$ 317,391

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

October 2012

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

January 17, 2013

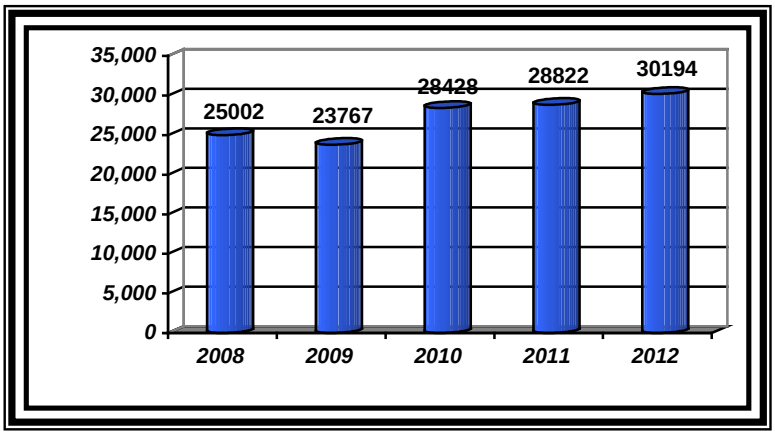
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

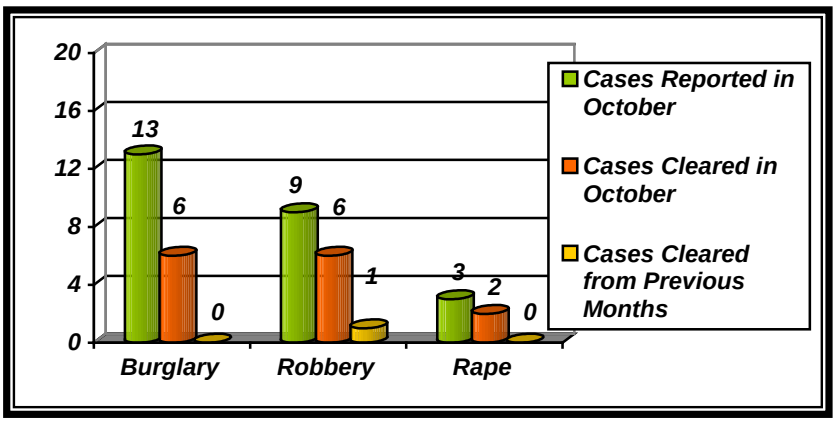
The following is the monthly report for Dover Police Department activities for the month of October 2012:

COMPLAINTS

Total complaints received through October 31st numbered 30,194. This is an increase of 1,372 complaints over the same time period last year.



CRIMINAL INVESTIGATIONS

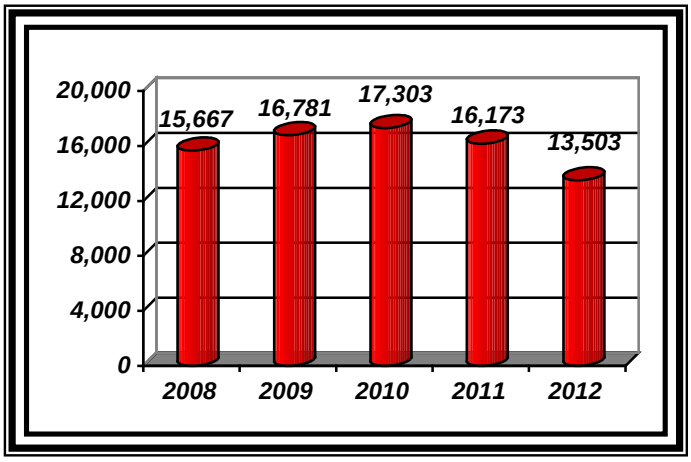


COMMUNITY POLICE SECTION

ENFORCEMENT ACTION	Contacts
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	7
ASSIST OTHER	0
WARRANTS ON FILE	0
BIKE ON SIDEWALK	1
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	21
DRUG RELATED ARRESTS	2
LOUD MUSIC	5
MISCELLANEOUS VIOLATIONS	5
PARKING VIOLATIONS	25
PEDDLER	0
MEETINGS	0
PROSTITUTION	0
COLLECTION OF DELINQUENT DCO'S	0
WANTED CHECKS/CPC'S	15
TRAFFIC ARRESTS	37
WARNINGS	11
FUGITIVE	12
TOTAL CONTACTS	**141**

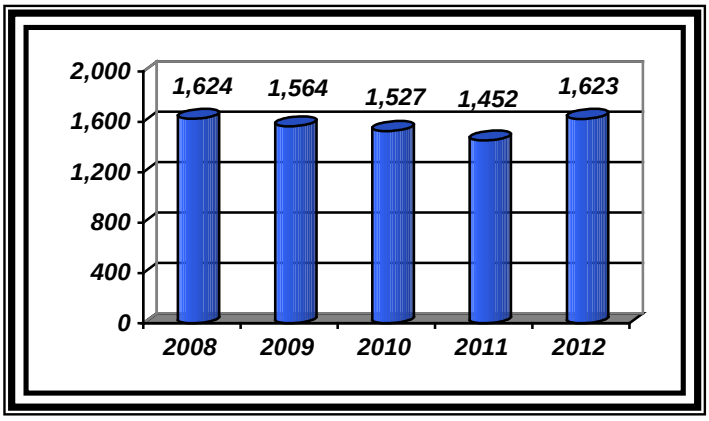
TRAFFIC ARRESTS

The department issued 13,503 traffic citations through this reporting period. This is a decrease of 2,670 citations over the number issued during the same period last year.

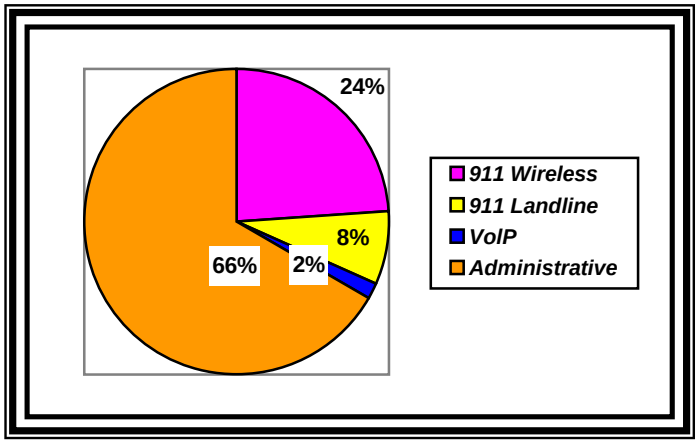


TRAFFIC CRASHES

Through October 31st, Dover Police investigated 1,623 traffic crashes. This is an increase of 171 crashes investigated during the same period last year.



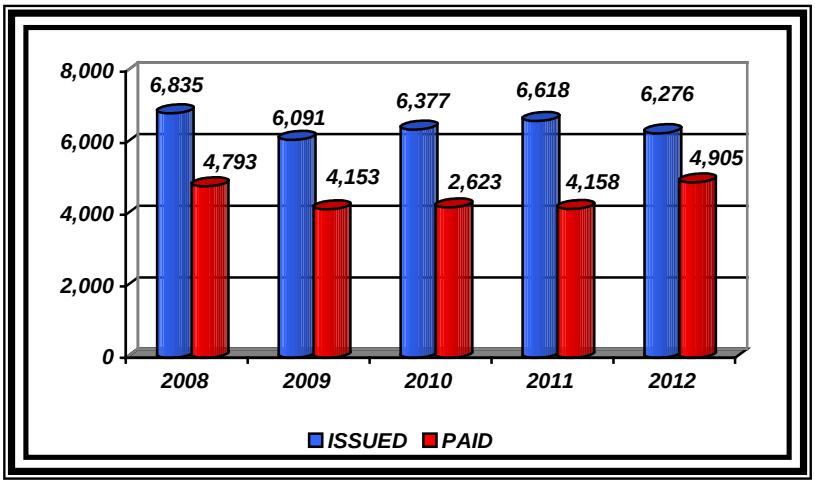
911 CENTER



During the month of October, our 911 Center handled a total of 10,662 calls averaging 344 calls per day. Dispatchers handled 2,539 calls on the 911 wireless lines, an average of 82 calls per day, 839 calls on the 911 landlines, an average of 27 calls per day, and 168 calls on the Voice Over Internet Protocol lines with an average of 5 calls per day.

CITY ORDINANCE SUMMONS

*Through October 31st, we issued 6,276 City ordinance summons, a decrease 962 summons over the same period last year. *Note: Of those summonses issued in October, 57 DCO's were issued for handicapped parking violations, 2 for fire lane parking violations, 66 for false alarms (41 for 3-5 alarms, 20 for 6-9 alarms, 3 for 10-15 alarms, and 2 for 16 or more alarms) and 19 for noise violations (10 for vehicle violations and 9 for residence violations).*

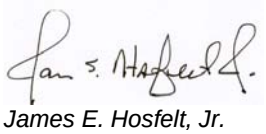


Listed below are the major crimes and activities that occurred during the month of October:

- On October 1st, officers from Dover Police's Operation Safe Streets and Dover Patrol Officers were searching for a wanted subject and were led to a house in the unit block of S. New Street. A search of the residence for the subject was unsuccessful, however, drugs were observed by the officers. A search warrant was obtained for the residence and 52 grams of crack cocaine, .6 grams of heroin and $3850.00 were seized. Investigation revealed that the drugs belonged to another subject in the home who was subsequently arrested.
- On October 13th at approximately 0100 hours, the Dover Police responded to St. Andrews Lutheran Church located at 425 N. DuPont Hwy for a report of a large fight in progress. Upon arrival officers encountered over 200 people exiting the St. Michaels Hall which was rented out by Delaware State University students for a Homecoming party. As officers began to disperse the crowd, several shots were fired in the parking lot. The crowd began running in different directions and additional officers had to be called in to assist in clearing the parking lot. Officers eventually were able to clear the scene and fortunately there were apparently no injuries from the gunshots.
- The Dover Police Criminal Investigations Unit is currently investigating a burglary to a residence in the 200 block of Pine Street. The burglary occurred on October 16th at approximately 2300 hours. The suspect entered the residence by prying open the rear door and removed miscellaneous items before fleeing.
- The Dover Police Criminal Investigations Unit is currently investigating a burglary to a residence in the 400 block of Barrister Place. The burglary occurred on October 16th between the hours of 0815-1505 hours. The suspect entered the residence by breaking the rear patio doors and removed electronics and related items before fleeing.

- The Dover Police Criminal Investigations Unit responded to an armed robbery that occurred on October 16th at 1015 hours in the Safeway parking lot at 190 John Hunn Brown Blvd. A black female suspect approached the 55 year old female victim and attempted to remove her purse from the shopping cart. The victim struggled to retain the purse at which time the suspect displayed a handgun, threatened to shoot the victim and demanded the purse. She then fled on foot with the purse to the rear of Safeway. No injuries were reported. The victim contacted police and alerted her bank as her credit cards were in the purse. Within hours Dover Police Detectives were alerted by the victim's bank that a black female had used the card to pay her City of Dover electric bill. Detectives responded to the home of the electric customer and identified the suspect. Her residence was searched, and her clothing, some of the victim's property, and what was determined to be a black BB gun, modeled after a semi-automatic handgun, were located and seized. The female suspect was arrested for the robbery.
- The Dover Police Criminal Investigations Unit is investigating an armed robbery that occurred on October 15th at 2045 hours at Capitol Inn, 1426 N. DuPont Highway. A black male suspect entered the business, displayed a handgun and demanded money. He received an undisclosed amount of money from the clerk and fled to an awaiting dark colored SUV. No injuries were reported.
- On October 20th at approximately 1909 hours, officers responded to an accident where a pedestrian was struck by a vehicle in the north bound lanes of US13 at the entrance to Delaware State University. The pedestrian was walking west bound on Rt13 outside of the crosswalk on the north side of the intersection. While walking he attempted to avoid being struck by a vehicle that was traveling in the center lane on north bound 13 and jumped into the far left thru lane on Rt13 and was struck by a different vehicle. The pedestrian suffered a head injury, broken leg, ribs and bruised lungs. The pedestrian is currently at Christiana Hospital listed in critical but stable condition.
- On October 22nd at approximately 1300 hours, a 73 year old victim was walking northbound on Independence Blvd in the area of Greenblade Drive when he was approached from behind by two black males. One suspect put the victim in a choke hold while the other took his keys and cell phone. The unknown suspects then threw the victim to the ground and fled on foot in a southwest direction. The victim was not injured.
- On October 27th at approximately 0315 hours, a subject kicked open the rear door to a residence in the 400 block of Sussex Avenue. Once inside the subject attacked two female victims. The subject is known to the victims and an arrest warrant has been issued.

Respectfully Submitted,



James E. Hosfelt, Jr.
Chief of Police

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

November 2012

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

January 14, 2013

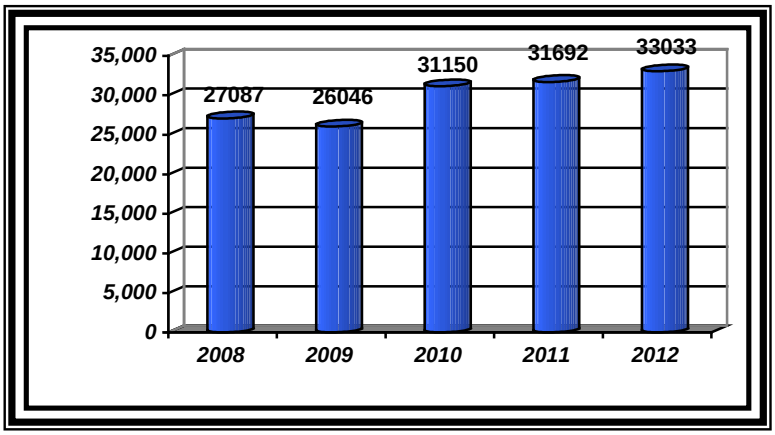
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

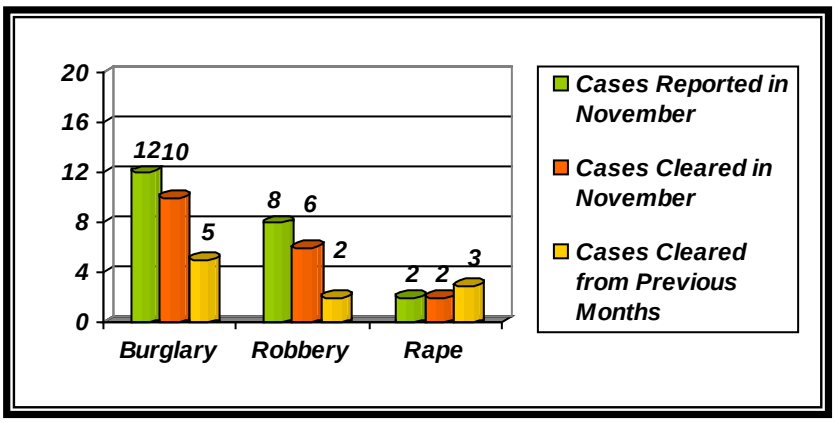
The following is the monthly report for Dover Police Department activities for the month of November 2012:

COMPLAINTS

Total complaints received through November 30th numbered 33,033. This is an increase of 1,341 complaints over the same time period last year.



CRIMINAL INVESTIGATIONS

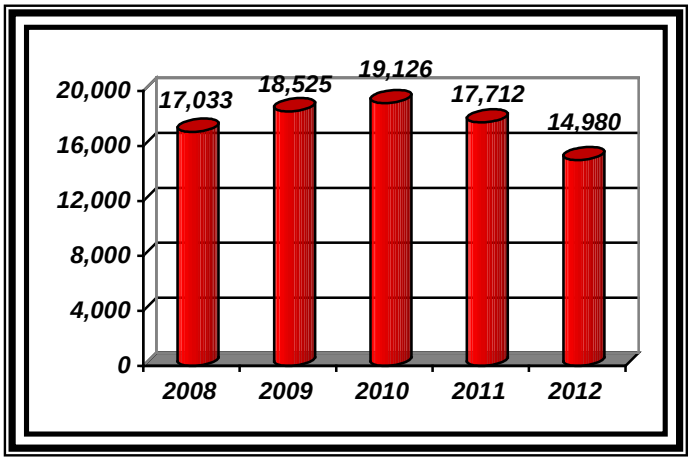


COMMUNITY POLICE SECTION

ENFORCEMENT ACTION	Contacts
ABANDONED VEHICLES	3
ALCOHOL VIOLATIONS/DUI'S	4
ASSIST OTHER	0
WARRANTS ON FILE	0
BIKE ON SIDEWALK	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	12
DRUG RELATED ARRESTS	2
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	1
PARKING VIOLATIONS	7
PEDDLER	0
MEETINGS	2
PROSTITUTION	0
COLLECTION OF DELINQUENT DCO'S	0
WANTED CHECKS/CPC'S	4
TRAFFIC ARRESTS	60
WARNINGS	6
FUGITIVE	7
TOTAL CONTACTS	**108**

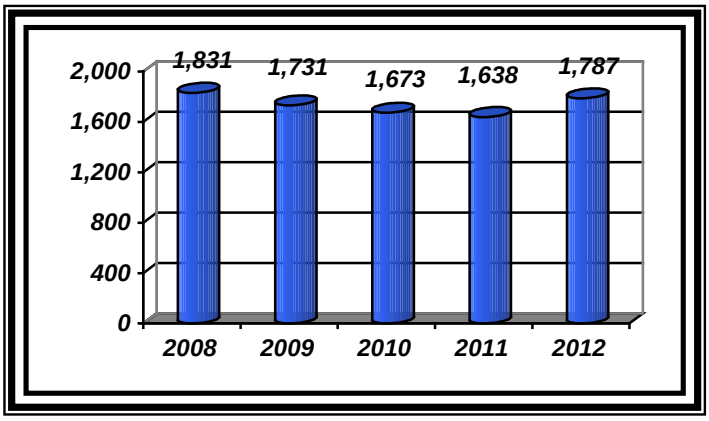
TRAFFIC ARRESTS

The department issued 14,980 traffic citations through this reporting period. This is a decrease of 2,732 citations over the number issued during the same period last year.

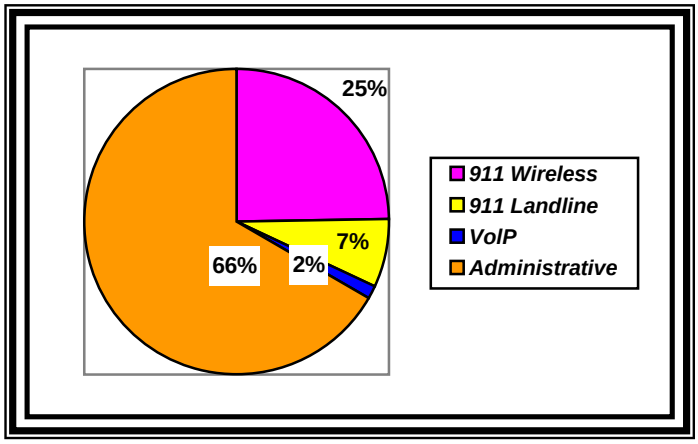


TRAFFIC CRASHES

Through November 30th, Dover Police investigated 1,787 traffic crashes. This is an increase of 149 crashes investigated during the same period last year.



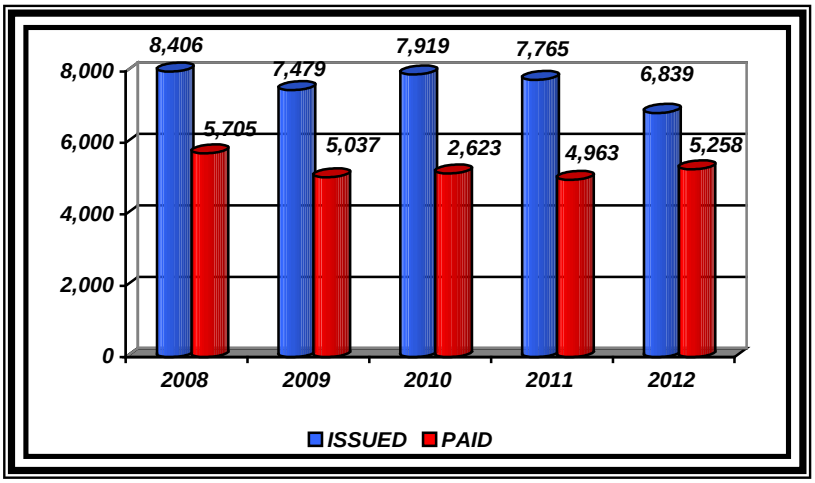
911 CENTER



During the month of November, our 911 Center handled a total of 9,118 calls averaging 304 calls per day. Dispatchers handled 2,247 calls on the 911 wireless lines, an average of 75 calls per day, 656 calls on the 911 landlines, an average of 22 calls per day, and 148 calls on the Voice Over Internet Protocol lines with an average of 5 calls per day.

CITY ORDINANCE SUMMONS

*Through November 30th, we issued 6,839 City ordinance summons, a decrease 926 summons over the same period last year. *Note: Of those summonses issued in November, 31 DCO's were issued for handicapped parking violations, 16 for fire lane parking violations, 43 for false alarms (30 for 3-5 alarms, 9 for 6-9 alarms, 2 for 10-15 alarms, and 2 for 16 or more alarms) and 11 for noise violations (3 for vehicle violations and 8 for residence violations).*



Listed below are the major crimes and activities that occurred during the month of November:

- On November 2, 2012 the Dover Police responded to a report of an unresponsive body, believed to be a victim of suicide. The victim was found in a wooded area behind Lowes off of W. Rustic Lane. The Dover Police Criminal Investigation Unit is investigating the incident and found no identification on the body. It appears that the victim has been deceased at that location for an extended period of time and at this point he has not been identified. The victim appears to be a W/M, with short hair, red facial hair and was wearing a white t-shirt, blue jeans and Nike shoes. The victim is believed to be homeless.

- On November 17, 2012 at approximately 0058 hours the Dover Police Department received a report of gunshots fired into a residence at 521 River Rd. Three victims, one adult and two children, were inside of the residence at the time the shots were fired. The rounds entered the residence damaging the window and an interior wall. No victims were injured during the incident.

- On Tuesday November 20, 2012 at approximately 1815 hours the Dover Police responded to the 100 block of Carnoustie Rd in Fox Hall for a report of a homeowner who had confronted a black male suspect inside his residence committing burglary. The victim and suspect became involved in a physical altercation during which the suspect threatened to stab the victim. The suspect then fled the residence with two laptop

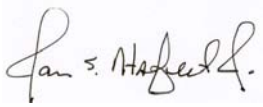
computers and money. Responding officers set up a perimeter and Dover Police K9 was able to track the Defendant to an area near the rear of Liberty Court where officers saw him running through the woods. Defendant was apprehended by the officers however continued to resist arrest. Defendant was charged with Home Invasion, Robbery 1st, Theft, and Resisting Arrest With Force or Violence. He was also charged with another burglary that occurred on November 15, of 2011 in the 400 block of Troon Rd.

- On Thursday November 22, 2012 at approximately 0300 hours the Dover Police investigated a shooting where a 25 year old male received a single gunshot wound to his upper left shoulder. Officers responding to the victim's hotel room at the Dover Inn, smelled the strong odor of marijuana. The officers located 142 grams inside the room. The victim of the gunshot wound was transported to BayHealth where he was treated for his gunshot wound. Two bundles of Heroin, 19 doses of Ecstasy, and $1560.00 was located in his pants. He was treated and released from the ER and arrested for numerous drug related charges. He failed to cooperate with the shooting investigation.

- On November 28, 2012 at 1030 hours the Dover Police responded to a bank robbery at M&T Bank, located at 1001 Walker Road.. The suspect entered the bank acting as if he had a handgun and handed the teller a note demanding money. He fled after obtaining cash. The description of a black male suspect wearing a camouflage jacket was put out to the responding officers. A Dover PD patrol officer was checking the wood line in the area of the Square Club on College Rd. when he confronted the Defendant and took him into custody at gunpoint. Investigation led to the recovery of $4000.00.

- On Wednesday November 28, 2012 at approximately 2100 hours, the 69 year old victim was sitting in his room at the Kent Budget Inn, located at 383 N. DuPont Hwy, when three unknown black males forced open the door. The suspects demanded money then grabbed the victim and removed cash from his pockets. They also took his cell phone during the incident. There were 3 additional black male suspects outside of the room and did not make entry. All were wearing scarves covering their faces. The suspect all fled on foot toward Towne Point. On 11/29/12 the Dover Police arrested the Defendant for the below home invasion style robbery: A Dover officer observed the Defendant and 4 to 5 other black males peering into a business and when he approached, they all fled. The officer apprehended the Defendant after a brief foot chase. Further investigations also led to the Defendant being charged with two additional burglaries that occurred at Sally's Beauty Supply and US Gas in Dover earlier in the morning.

Respectfully Submitted,



James E. Hosfelt, Jr.
Chief of Police

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

December 2012

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

January 31, 2013

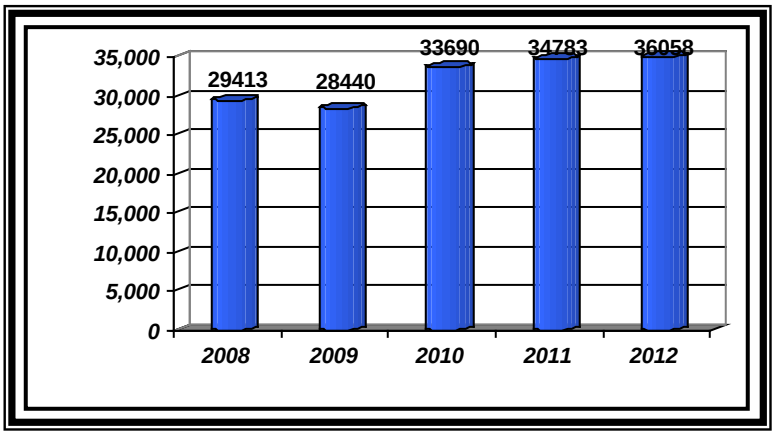
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Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

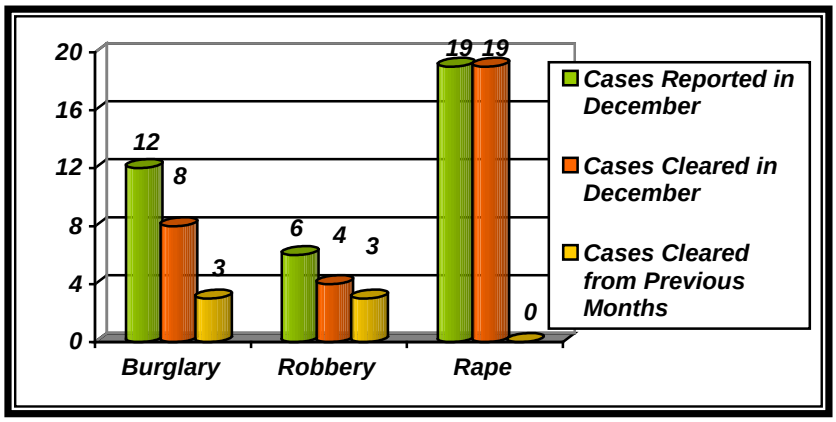
The following is the monthly report for Dover Police Department activities for the month of December 2012:

COMPLAINTS

Total complaints received through December 31st numbered 36,058. This is an increase of 1,275 complaints over the same time period last year.



CRIMINAL INVESTIGATIONS

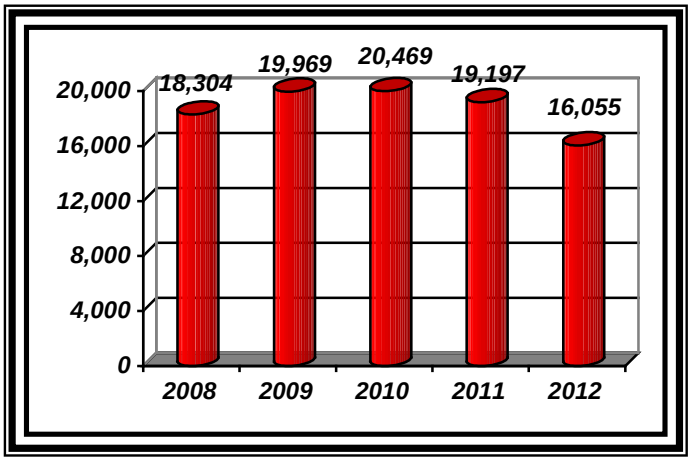


COMMUNITY POLICE SECTION

ENFORCEMENT ACTION	Contacts
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	2
ASSIST OTHER	0
WARRANTS ON FILE	0
BIKE ON SIDEWALK	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	22
DRUG RELATED ARRESTS	0
LOUD MUSIC	1
MISCELLANEOUS VIOLATIONS	0
PARKING VIOLATIONS	4
PEDDLER	0
MEETINGS	10
PROSTITUTION	0
COLLECTION OF DELINQUENT DCO'S	0
WANTED CHECKS/CPC'S	5
TRAFFIC ARRESTS	4
WARNINGS	2
FUGITIVE	1
TOTAL CONTACTS	**51**

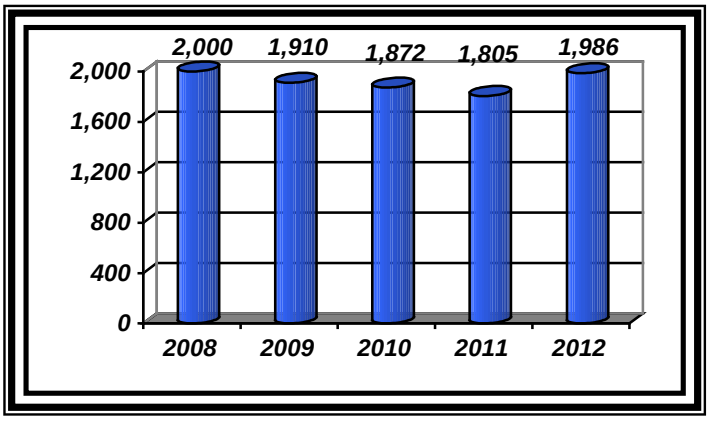
TRAFFIC ARRESTS

The department issued 16,055 traffic citations through this reporting period. This is a decrease of 3,142 citations over the number issued during the same period last year.

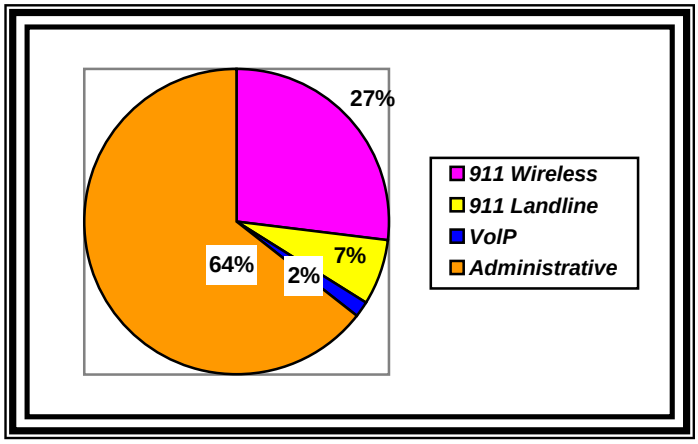


TRAFFIC CRASHES

Through December 31st, Dover Police investigated 1,986 traffic crashes. This is an increase of 181 crashes investigated during the same period last year.



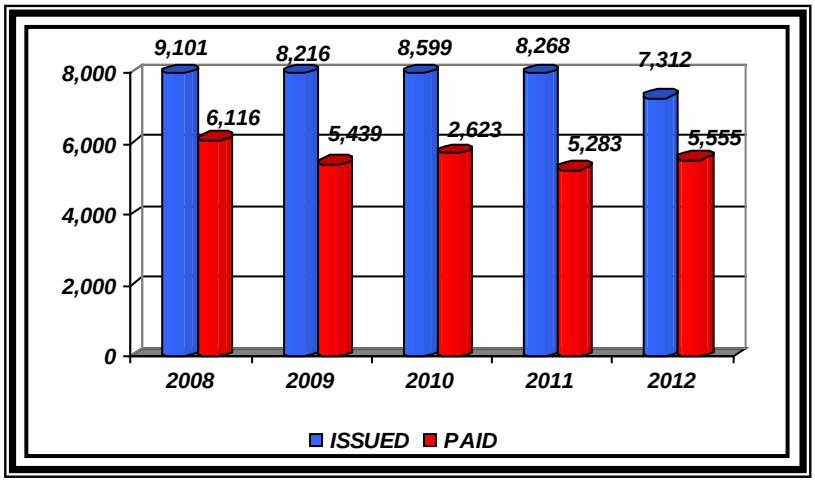
911 CENTER



During the month of December, our 911 Center handled a total of 9,346 calls averaging 301 calls per day. Dispatchers handled 2,512 calls on the 911 wireless lines, an average of 81 calls per day, 646 calls on the 911 landlines, an average of 21 calls per day, and 169 calls on the Voice Over Internet Protocol lines with an average of 5 calls per day.

CITY ORDINANCE SUMMONS

*Through December 31st, we issued 7,312 City ordinance summons, a decrease 956 summons over the same period last year. *Note: Of those summonses issued in December, 27 DCO's were issued for handicapped parking violations, 9 for fire lane parking violations, 41 for false alarms (19 for 3-5 alarms, 13 for 6-9 alarms, 8 for 10-15 alarms, and 1 for 16 or more alarms) and 10 for noise violations (2 for vehicle violations and 8 for residence violations).*



Listed below are the major crimes and activities that occurred during the month of December:

- On December 10, 2012 between 1730-2000 hours an unknown suspect used a fallen tree branch to break a ground floor window and gain entry into a residence located in the 700 block of Bacon Ave. Once inside the suspect removed electronic equipment including: a 36" flat screen television, Xbox 360, a Dell laptop, and clothing. On December 12, 2012 at approximately 1820 hours, Dover Police detectives conducted a search warrant at 820 Carvel Dr. in connection with the ongoing investigation of numerous burglary and robbery complaints in the Towne Point and N. DuPont Hwy area. During the search, detectives collected numerous stolen items linking the Defendant, 17, of Dover, to several recent burglaries, including St. Andrews Church, US Gas (twice), Sally's Beauty Supply, an apartment on Bacon Ave, and a residence on Anchor Ln. Investigation also revealed his involvement in the recent burglary and robbery of the Kent Budget Inn occurring on November 28th and 29th of this year.

- The Dover Police Criminal Investigations Unit is investigating an armed robbery that occurred on Tuesday, December 11, 2012 at 2130 hours at The Grocery Basket, 301 N. Bradford Street, Dover. Three black male suspects entered the business, all brandishing handguns. They demanded cash, ordered the employees to lie on the floor and fled on foot with an undetermined

amount of cash in an unknown direction. Neither of the two employees was injured. The suspects are all described as black males in their early twenties, one wearing something over his face and one wearing a black hoodie and red sneakers.

- On December 12, 2012 at approximately 1020 hours, members of the Dover Police Drug Unit and Operation Safe Streets Unit executed a search warrant on a kiosk located in the Dover Mall. It had been determined that this kiosk was selling counterfeit NFL and MLB items. The owner was arrested for two counts of Trademark Counterfeiting.

- On December 17, 2012 at approximately 2000 hours, two unknown black male teenagers entered the Dollar General, located at 1059 Walker Rd in the Hamlet, with a shotgun and demanded money. They fled with the entire cash drawer which contained an undetermined amount of cash toward the residential area of the Hamlet. No one was injured during the incident.

- The Dover Police Criminal Investigations Unit is investigating an armed robbery that occurred on Wednesday, December 19, 2012 at 0110 hours at Walgreen's Pharmacy, 1001 Forrest Avenue, Dover. A white female suspect entered the business and threatened the clerk with mace. She demanded cash from the register and fled on foot with an undetermined amount of cash in a northbound direction. No employees were injured. The suspect is described a white female 5'1"-5'3" tall wearing a disguise over part of her face. She has what appeared to be a teardrop tattoo beneath one of her eyes.

- On December 20, 2012, investigation led to the arrest of Defendant Alexander Acevedo-Felix, of Dover, for numerous Rape and related charges involving a 9 year old child.

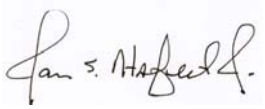
- On Sunday December 23 at approximately 1300 hours a 73 year old female and her 33 year old son unlawfully entered a residence in the 400 section of Barrister Place. Once inside they confronted the resident and demanded rent money which was overdue. The son then displayed a handgun and again demanded the money. It was at this point that the resident dialed 911 and the two intruders fled in a vehicle. Responding Dover Police officers located and stopped the suspected vehicle on South Little Creek Road. Both Defendant's were detained and a subsequent search of the vehicle by the officers revealed a loaded small caliber handgun and a small amount of marijuana. Both subjects were arrested for Trespassing and the son was additionally charged with CCDW, aggravated Menacing and Possession of Marijuana.

- On Saturday December 22 at approximately 1800 hours four suspect's forced entry into a home on the unit block of Ann Ave. Three of the suspects were armed, one with a handgun, one with a machete, and one with a taser. The suspects confronted a resident and asked for a different subject, who is a relative of the resident. One suspect then pushed a second person in the residence against a wall and took his cell phone. When the suspects realized that the person they were looking for was not in the residence they fled with the stolen cell phone.

- On Sunday December 23 at approximately 1800 a pizza delivery driver was making a delivery in E Building of Towne Point Apartments off of Buckson Drive. As he entered inside of the building the suspect approached and began to assault the driver. The suspect stated he had a gun, but the victim never observed a weapon. The victim was able to escape and dial 911, but not before the suspect removed money from his pockets. The suspect is described as black male in his 20s, with facial hair, wearing blue jeans, a brown vest or coat.

- On Sunday December 23 at approximately 2230 an unknown suspect entered the victim's residence in the 300 block of W. Division St. The suspect apparently entered through a window and removed the victim's child's Christmas presents then exited by the same location. A friend of the resident observed the suspect on the porch and yelled at him, this caused the suspect to flee on foot. The victim was awoken and discovered that the suspect had stolen clothes, a child's DVD movie, a remote controlled car and an Atari game system. A search of the area by police was negative for the suspect. The suspect is described as wearing a black hooded jacket with the word ECHO written on it in white, white knit cap, white gloves and black pants.

Respectfully Submitted,

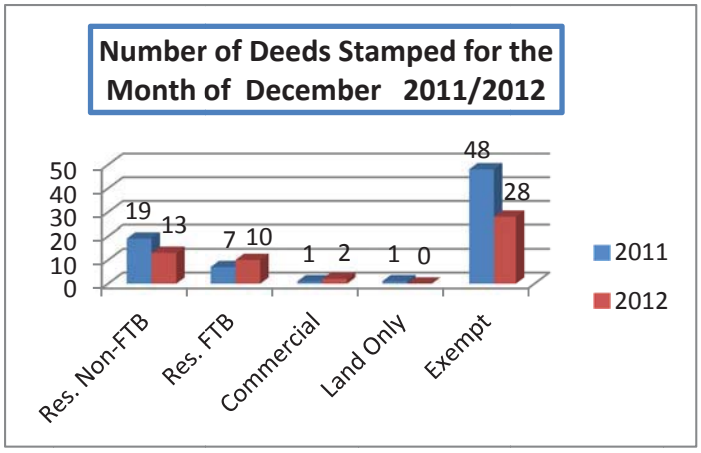


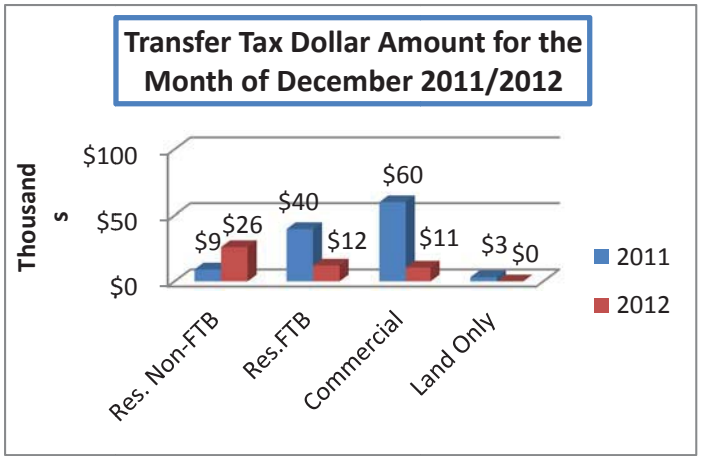
James E. Hosfelt, Jr.
Chief of Police

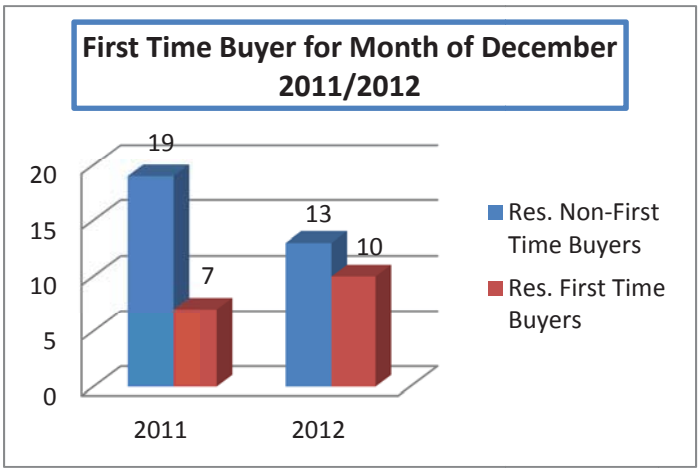
Monthly Report
December 2012



Office of City Assessor









Major Updates

	October - 12	November - 12	December - 12
Assessment Change	**-$449,700**	**$1,056,900**	**-$1,011,900**

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
8	**$1,461,000**	**$1,390,000**	**1.05**	**1.16**

Ratio – Assessed Value divided by Sale Price.
PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

-All old property record cards are being scanned and indexed into Fortis.

2015 Revaluation

- The Assessor's Office has started the 2015 Revaluation process by visiting various neighborhoods and collecting data, if necessary.

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-076.06-03-10.00	17A	R10	276 GREEN BLADE DR	1	13	1983	2	1280	C	AV	137,800	18-DEC-12	69,000	2.00
ED05-076.06-04-15.00	17A	R10	7 LAMPLIGHTER LN	1	13	1983	2	1280	C	AV	134,900	14-DEC-12	95,000	1.42
ED05-077.05-04-44.00	8	R10	2 KINGS HWY	1	5	1912	2	5057	A	GD	373,300	16-DEC-12	500,000	.75
ED05-077.17-01-39.00	5	R10	838 MONROE TER	1	16	1959	1	1626	C+	AV	172,900	18-DEC-12	144,000	1.20
ED05-077.17-01-62.00	32	R10	914 S BRADFORD ST	1	2	1939	1.5	2428	C+	GD	132,200	05-DEC-12	135,000	.98
ED05-077.17-06-05.00	32	R10	1128 MONROE TER	1	3	1939	1	1540	C+	AV	152,700	11-DEC-12	135,000	1.13
ED05-085.08-01-12.00	12	R10	1178 OAK LN	1	14	1962	1	1716	C	AV	179,500	05-DEC-12	140,000	1.28
ED05-085.08-02-26.00	12	R10	128 SHADOW CT	1	5	1964	2	1854	C+	AV	177,700	26-DEC-12	172,000	1.03

CITY MANAGER'S MONTHLY REPORT



DECEMBER 2012

Monthly Highlights

Customer Services

- In the month of December, we processed 1,917 payments as of December 31, 2012.
- City of Dover property taxes were due July 31, 2012. As of December 31, 2012, the delinquent property taxes total $493,379.58for all tax years. Our collection efforts include sending a delinquent statement, making phone calls, and enforcing the Clean Hands Act. The Planning and Inspections Department has been providing assistance in collecting these outstanding debts. In December, the properties over one (1) year delinquent will be selected to be processed for the monition sale.

Human Resources

- Continued contract negotiations with DOE bargaining unit

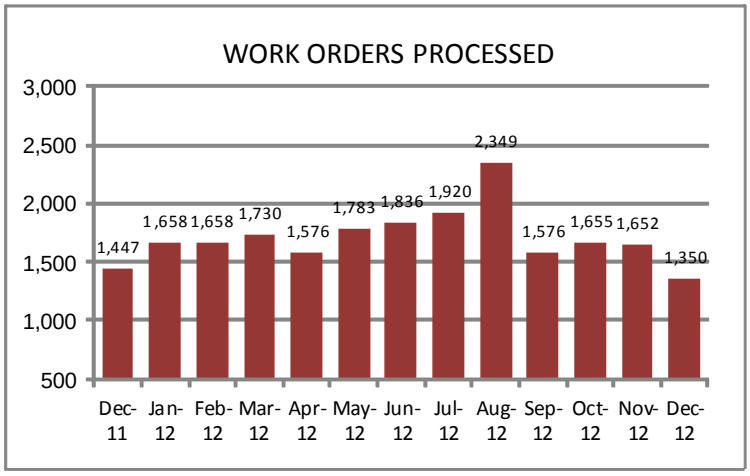
Library

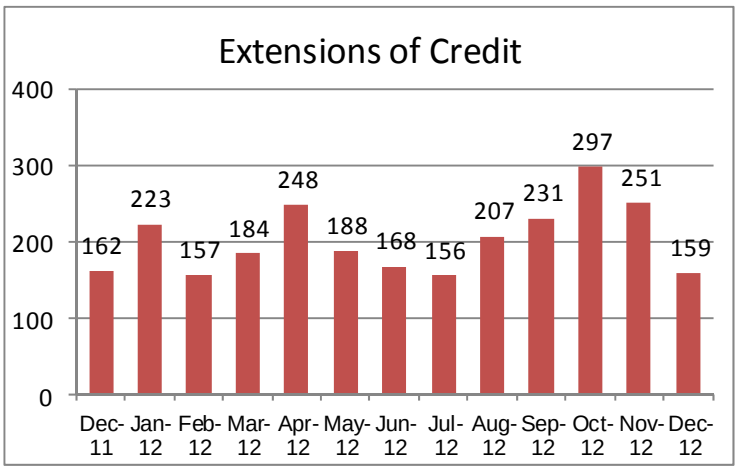
- ◊ 1,194 children attended 43 children's programs.
- ◊ 66 teens attended 10 programs for teens.
- ◊ 275 adults attended 8 adult programs.
- ◊ 128 attended 26 programs/classes coordinated through the Job Center.

Public Works

- Working on CIP and additional funding for future street program and other projects.

CUSTOMER SERVICES





Write-Offs / Electric & Trash Bills

The electric write-off for outstanding electric bills with dates ranging mainly from October 2010 until December 2010. The proposed write-off of $85,059.60 includes $28,758.30 from accounts that filed for bankruptcy. The $85,059.60 is the second write-off for Fiscal 2013 and is .34 percent of the revenue ($24,964,900) for the write-off period. In other words, the City collected 99.66% of all bills for the write-off period. For every $100 dollars of revenue the City billed in the write-off period, $0.34 was not collected.

The trash write-off for outstanding trash bills with dates ranging mainly from October 2010 until December 2010. The proposed write-off of $2,410.59 includes $79.17 from accounts that filed bankruptcy. The $2,410.59 is the second write-off for Fiscal 2013 and is .47 percent of the revenue ($507,757) for the write-off period. In other words, the City collected 99.53% of all bills for the write-off period. For every $100 of revenue the City billed in the write-off period, $0.47 was not collected.

According to the APPA, the industry standard for collections among publicly held utilities of similar size is 99.74% of total electric revenue. The accounts are currently assigned to our collection agency and will remain there even when they have been written off. A complete list of accounts is available upon request.

Major Program Updates	Dec 2012	Dec 2011	Difference	FY 2013 Year-to-Date	FY 2012 Year-to-Date
Number of Customers Served	22,715	22,704	11	146,242	146,052
Final Bills	499	659	(160)	3,884	4,102
Estimated Bills	163	156	7	926	936
Penalties Posted	$ 17,443	$ 17,165	277	$ 120,186	$ 113,301
Extensions of Credit - Amount Extended	$ 65,795	$ 88,902	(23,107)	$ 526,591	$ 1,213,999
Balance Transfers	$ 17	$ 2,237	(2,220)	$ 13,467	$ 11,305
Utility Collections	$ 22,932	$ 20,867	2,064	$ 142,733	$ 180,194
Special Assessments	$ 110	$ -	110	$ 659	$ 110
Miscellaneous Billings	$ 169,331	$ 158,332	10,999	$ 725,743	$ 869,930
CNP through Disconnect Collars	$ 47	$ 17	30	201	61
Court Cases	-	-	-	-	-
Tamperings	4	4	-	18	26
Taxes Levied (includes carry forward)	$ 10,901,726	$ 952,768	9,948,958	$ 10,901,726	$ 18,356,479
Billing Adjustments	$ 1,468	$ 104	1,364	$ 1,468	$ 20,170
Total Taxes Collected	$ 10,417,715	$ 119,009	10,298,706	$ 10,417,715	$ 10,085,672
Taxes Outstanding	$ 493,380	$ 833,863	(340,484)	$ 493,380	$ 833,866
Payments in Lieu	$ 10,000	$ -	10,000	$ 28,450	$ -
Billing Accuracy (on schedule billings)	99.0%	99.0%	-	99.0%	99.0%
Bills Published on Schedule	99.0%	99.0%	-	99.9%	99.9%
Meters Read on Schedule	99.9%	99.9%	-	99.9%	99.9%
Customer Satisfaction Rating	99.9%	99.9%	-	99.7%	99.7%
Delinquent Accounts Collected	99.7%	99.7%	-	99.8%	99.8%

HUMAN RESOURCES

Category	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	June 12	July 2012**	Aug 2012	Sept 12	Oct 12	Nov 12	Dec 12	Total
Caucasian*	299	295	294*	291	289	290	285	286	282	286	285	283	287	N/A
Minorities*	59	59	59*	57	56	57	58	59	58	58	58	57	57	N/A
Hired	0	0	2	0	0	2	6	0	1	5	0	1	6	21
Terminated/Resigned/ Retired/Other	2	4	3	5	3	2	5	0	5	1	0	4	2	36
Transferred/Promoted	0	0	0	0	0	1	1	0	0	0	2	2	1	7
Jobs Posted	0	0	0	3	4	2	2	0	4	1	2	4	0	22
Workers Comp. Injuries	4	3	3	6	2	2	1	4	2	2	5	0	4	38
Workers Comp. Hours	418	315	222	55	195	112	139	164	192	160	66	138	341	2517
Insurance Claims	2	1	2	4	3	6	2	3	1	3	3	4	2	36

Full-time Employees: 329 Part-time Employees: 15 (3 Pitts Center, 1 Recreation, 11 Library)

-Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.

***** Correction to February 2012; **Correction to July 2012

Position Resigned: Building Superintendent Pitts Center (Part-time), Librarian I

Position Promoted: Billing Supervisor to Customer Service Supervisor

Position Transferred: Inspector II (Fire Marshall) to Inspector I (Inspections)

Hired: MEO I, Fire Dispatcher (2), Administrative Assistant (Police), Communication Operator, Utility Maintenance Mechanic

Unfilled/Open Positions by Department*

Unfilled/Open Positions By Department	Dec 11	Jan 12**	Feb 12	Mar 12	Apr 12	May 12	June 12	July 12[2]	Aug 12	Sept 12	Oct 12	Nov 12	Dec 12
Electric	5	5	5	5	5	3	3	1	2	2	3	3	3
Public Works	5	9	11	13	13	15	16	9	12	13	12	12	12
Police	3	3	1	2	3	2	4	3	4	5	5	5	4
All Other Departments	12.5	11.5	12	13	15	14	15	8	9	6	6	7	7
Totals	**25.5**	**28.5**	**29**	**33**	**36**	**34**	**38**	**21**	**27**	**26**	**26**	**27**	**26**

**Not used for Budgeting Purposes* ***Organization Change*

[2] **The following has been updated to reflected the Fiscal 2012-13 Budget**

Electric: Electric Director, Electrical Engineer, Senior Lineman

Public Works: (2) Utility Maintenance Mechanic I/ Wastewater, (2) Motor Equipment Operator I and II/Sanitation, Vehicle Maintenance -Mechanic I, Water Treatment Plant Operator I, Operations -Construction Manager, Buildings Craftsperson II, Custodian, Water/Wastewater Manager, Motor Equipment Operator I/Streets, Motor Equipment Operation I (water)

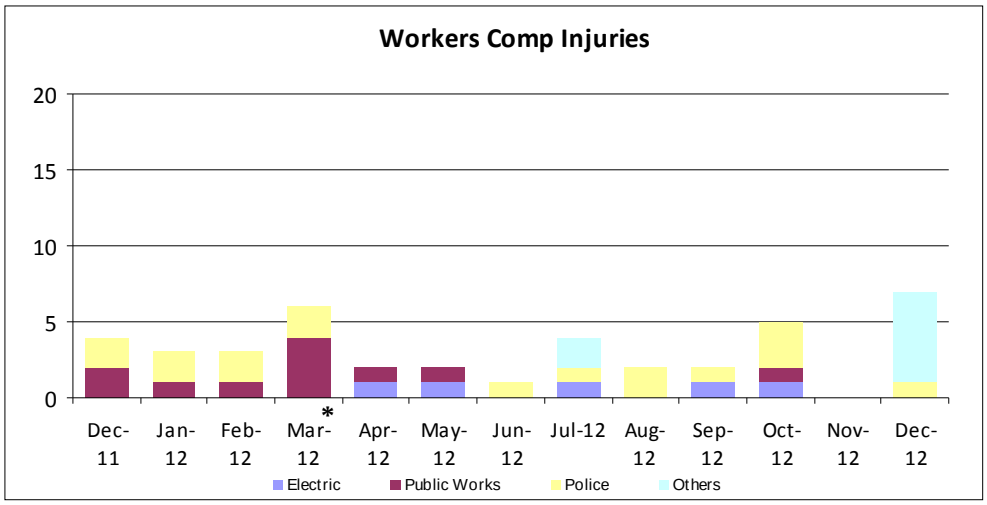
Police: Police Officer, Records Unit Supervisor, Building Craftsperson, Communication Operator

All Other Departments: Administrative Assistant - IT, Library Clerk II, Library Assistant, Account Clerk III, Librarian, Building Supervisor (part-time), Inspector II (Fire Marshall's Office)

HUMAN RESOURCES
continued

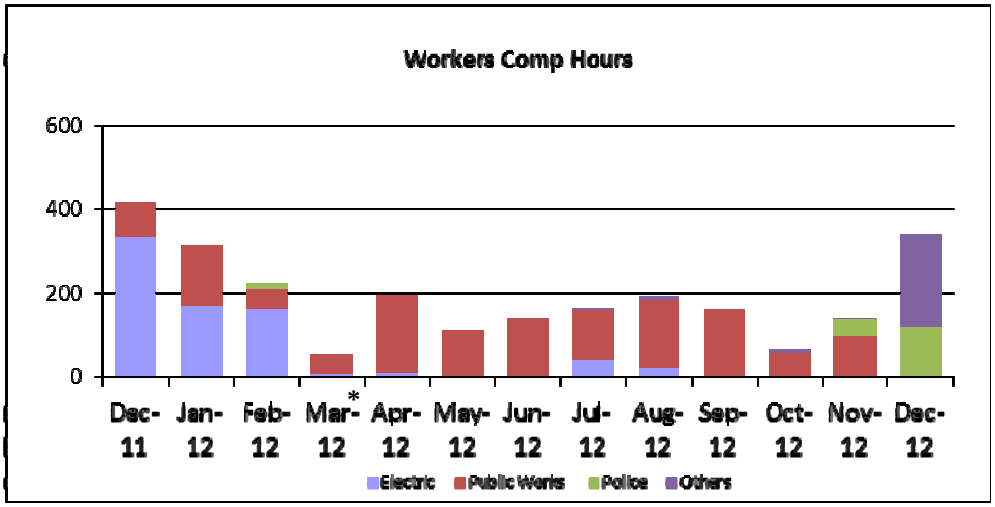
Bonus Programs by Month

Bonus Program Category	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	June 12	July 12	Aug 12	Sept 12	Oct 12	Nov 12	Dec 12	Total
Stop Program-*Sensibly Taking Off Pounds(weigh -ins)*	8	0	13	4	8	24	23	9	18	15	21	0	22	165
Caught Doing it Right-*Promotes employees productivity & creativity (submissions)*	0	0	2	0	0	0	0	0	0	2	0	2	0	6
Breathe Program-*Rewards for ending tobacco use (submissions)*	0	1	0	0	0	0	0	0	0	0	1	0	0	2
Ducs in a Row-*Doing Useful Community Service (submissions)*	0	0	0	0	0	0	0	0	0	0	0	0	0	0



*** Organization Change**

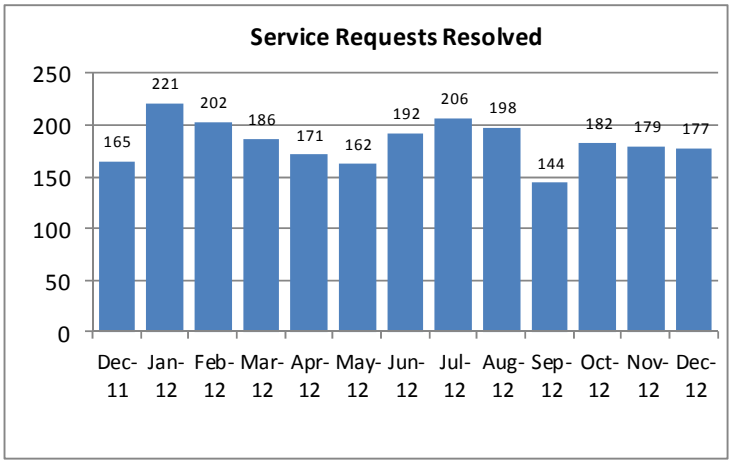
Electric: 1 Public Works: 0 Police: 0 All Other Depts.: 3

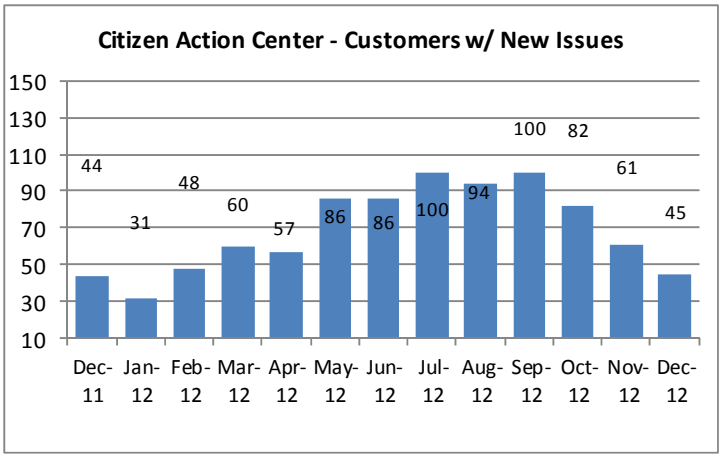


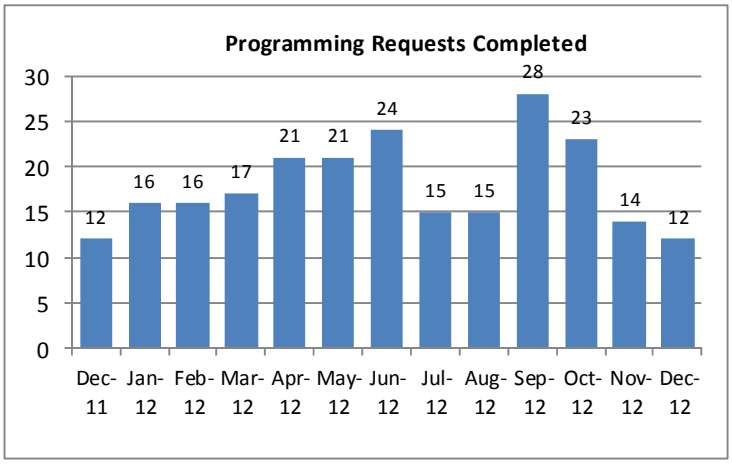
*** Organization Change**

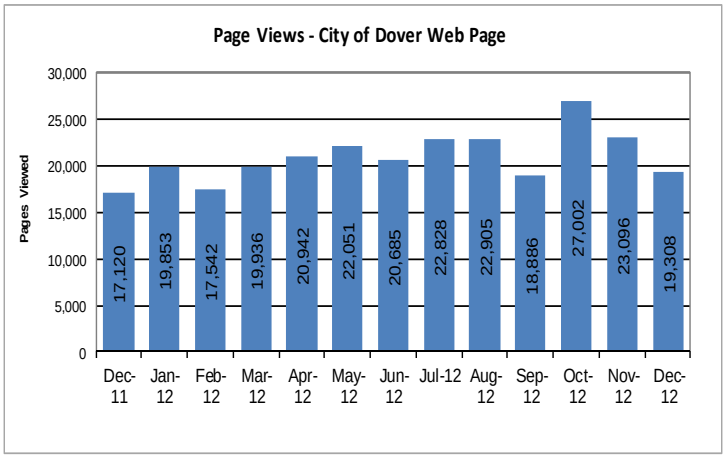
Electric: 0 Public Works: 216 Police: 120 All Other Depts.: 5

INFORMATION TECHNOLOGY





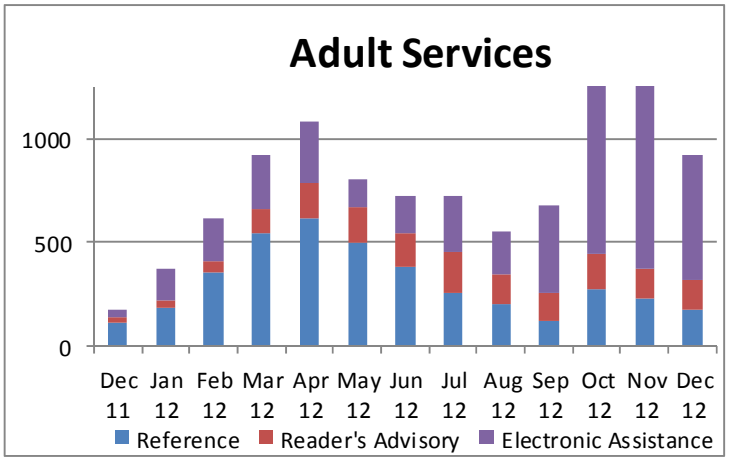


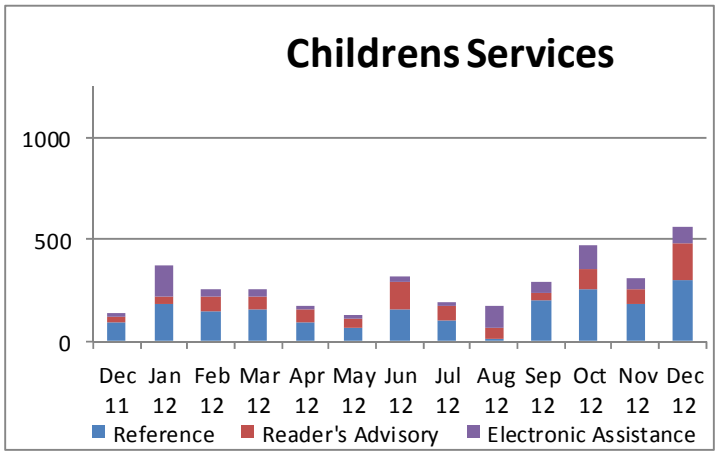


Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	100%	100%	100%
AS/400 Connections *(concurrent/authorized users)*	N/A	N/A	N/A
PCs Supported	358	356	341
Scheduled PCs Replaced	-	-	-
Servers Supported	14	14	16
People Trained	19	8	9

Availability Statistics based on 7:00 AM until 5:00 PM Monday—Friday

LIBRARY





Reference – 175; Reader's Advisory – 140; Electronic Assistance – 610

Reference - 301; Reader's Advisory – 182; Electronic Assistance – 76

****We have amended our Electronic Assistance, Reader's Advisory & Reference transactions to more accurately represent the actual statistics.***

Circulation	Dec 12		FYTD 13		Dec 11		FYTD 12
Dover residents	19,668		106,787		14,781		98,659
Ebooks	1,030		5,061		287		287
Kent residents*	14,509		82,472		13,193		86,444
Non-county residents	2,234		11,933		1,458		10,060
Registrations							
Dover residents	291		2,124		161		1,168
Kent residents*	124		584		56		474
Non-county residents	15		65		11		61
Other							
Visiting Patrons	22,855		154,235		31,014		187,790
Meeting Room Usage	1,482		4,485		60		360
Photocopier Usage	1,344		6,617		1,054		7,849
Dial-A-Story	N/A		1,911		745		6,051
Holds (Total)	5,360		31,793		6,516		42,358

***Breakout of Kent County Residential Statistics**

Circulation	Registrations
Harrington: 302	Harrington: 1
Smyrna: 1,244	Smyrna: 16
Milford: 168	Milford: 1
Outside City Limits: 12,795	Outside City Limits: 106

Total Registered Users: (Card Holders)

City: 19,605 Kent County: 13,061 Outside Kent County: 1,102

Other Points of Interest:

Inter/Interlibrary***: 55 items loaned out
50 items borrowed

Technical services: 1,432 items added
1,358 items deleted

Volunteers: 312 hours of service completed

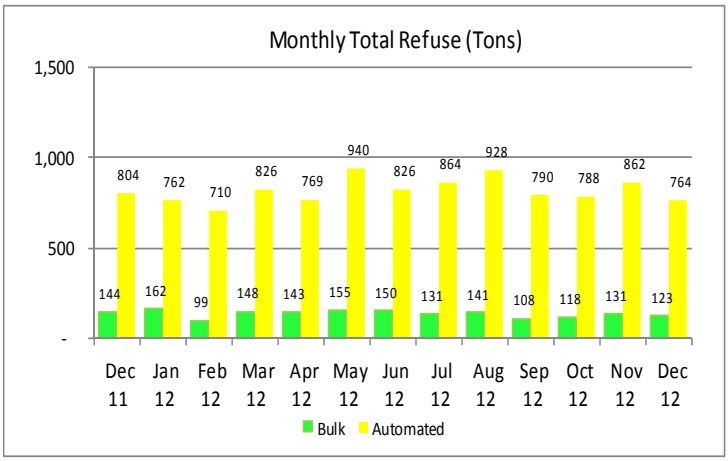
PUBLIC WORKS

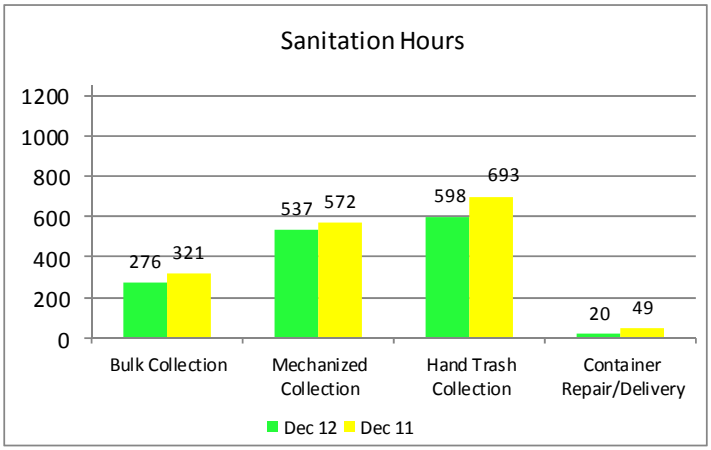
Administration

Administrative review and inspection services continued on all residential and commercial developments. The following residential subdivisions are in various phases of construction:

Oak Shadows	Emerald Pointe	Lexington Glenn
Village of Westover (Phase VI)	Farthing Woods	Eden Hill (Residential)
Patriot Village	Clearview Meadows	Village of Cannon Mill

Sanitation





	DECEMBER 2012	FYTD 13	DECEMBER 2011	FYTD 12
Trips to DSWA Sandtown Landfill	161	1,022	169	1,086
Total Tonnage to DSWA	876.23	5,738.69	948.06	6,304.47
90-Gallon Containers Delivered	8	155	19	118
300-Gallon Containers Delivered	2	16	4	18
Total Man Hours-containers Delivered	20	253	48.5	84

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVE. LBS.
December 2012	18,203	8,673	300,180	16.49

Streets	DECEMBER 12	FYTD 13	DECEMBER 11	FYTD 12
Signed Installed	5	155	2	81
Signs Repaired	5	64	8	99
Curbs Painted Yellow (feet)	5	5,515	0	942
New Post Installed	0	29	0	39
Storm Catch Basins Repaired	0	1	0	26
Storm Catch Basin Repairing (Hrs.)	0	1	0	10
Storm Catch Basins Cleaned	83	444	39	204
Storm Catch Basins Cleaning (Hrs.)	108	310	32	249
Hot Mix Patching (Tons)	0	236	0	63
Hot Mix Patching (Hrs.)	0	283	0	420
Cold Mix Patching Hrs.)	38	281	16	229
Concrete Work (Hrs)	0	435	0	544
Concrete Patching (Cubic Yards)	0	4	0	1
Street and Alley Maintenance (Hrs)	152	1,016	168	1,016
Ditch Work (Hrs).	0	102	0	64
Street Sweeping (Miles)	131	4,223	126	4,321
Street Sweeping (Cubic Yards)	60	1,090	48	1,010
Leaves Collected (Cubic Yards)	4,712	14,087	6,087	14,199
Leaf Collection (Miles)	1,304	4,768	1,612	4,206

Grounds

Arborist Crew	DECEMBER 2012	DECEMBER 2011
Trees Trimmed	29	41
Trees Removed	6	3
Stumps Removed	14*	15

* All the stumps were removed in the Kirkwood Street substation and the grindings were hauled out and topsoil was hauled in and graded.

- Most of the tree work was done in the alleys in Sherwood.
- Assisted Beautification Crew finish tilling, raking and planting the last of the spring flowering bulbs.

Beautification Crew

- Finished planting spring flowering bulbs in all the beds and containers.
- Assisted with leaves in the parks.
- Weeded all mulched area at city Hall, The Plaza and the new Library.

Mowing Crew

- Continued working on leaves in the parks.
- Continued assisting the streets and sanitation divisions with leaf and trash collection.
- Began picking up and chipping Christmas trees on December 31, 2012.

Geographic Information Systems (GIS)

- Modify recycling zones to match trash layer more identically.
- Prepared maps for grass contractor proposal.
- Created street paving maps.
- Created alley abandonment map.
- Created proposed City Hall Parking signage map.
- Printed multiple posters for Economic Development.
- Printed multiple maps for Dover PD.

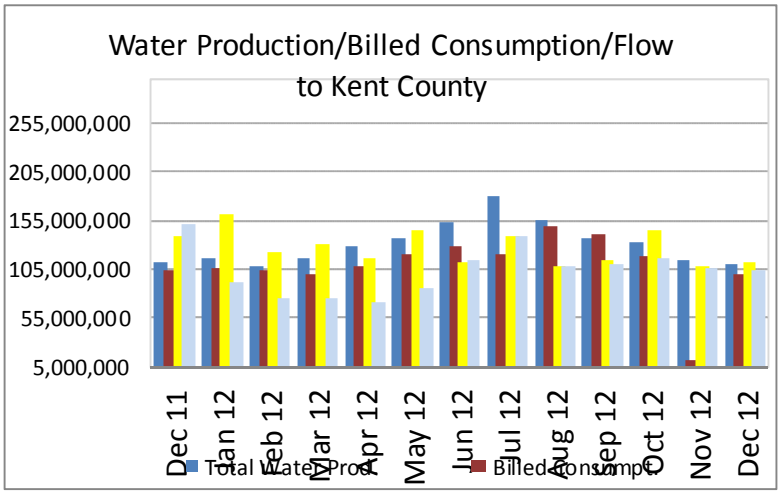
Fleet and Facilities Management

Fleet Maintenance
Work Orders: 53

Major Program Updates

Measure	DECEMBER 2012	DECEMBER 2011	DIFFERENCE
Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	* 9 out of 19 47.37% 5 Unscheduled PM's 15 Vehicles No-Show or No room in shop for PM Short staff-Vacation/ Sick	21 out of 36 58.33 %	- 10.96 %
Facilities Management			
Routine work orders completed within 5 days *(Quantity and Percentage)*	21 out of 22 95.45%	31 out of 31 100%	- 4.55%
Emergency work orders completed within 2 days *(Quantity and Percentage)*	3 out of 3 100 %	6 out of 6 100 %	0 %

Water/Wastewater



ENGINEERING SUMMARY

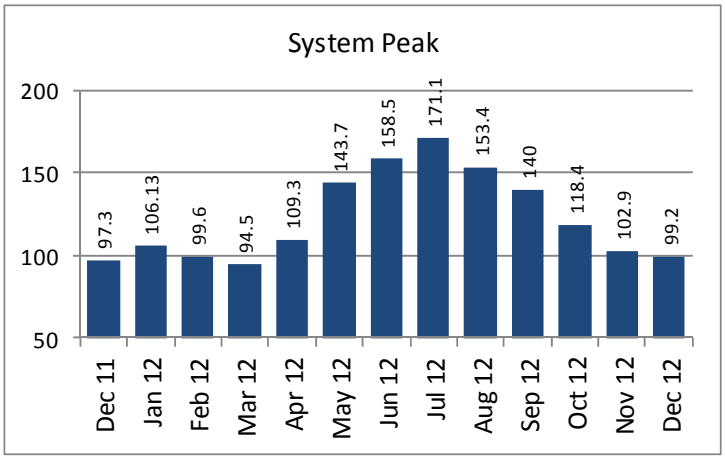
Major Program Updates	DECEMBER 12	DECEMBER 11	DIFF	FY13 YTD	FY12
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	1	1	0	38	64
Plan Review Completed Within 30 days of Submission	5 plan 100%	3 plan 100%	+2	38	41
Field Inspection Response within 48 hours of Request	16	30	-14	176	157

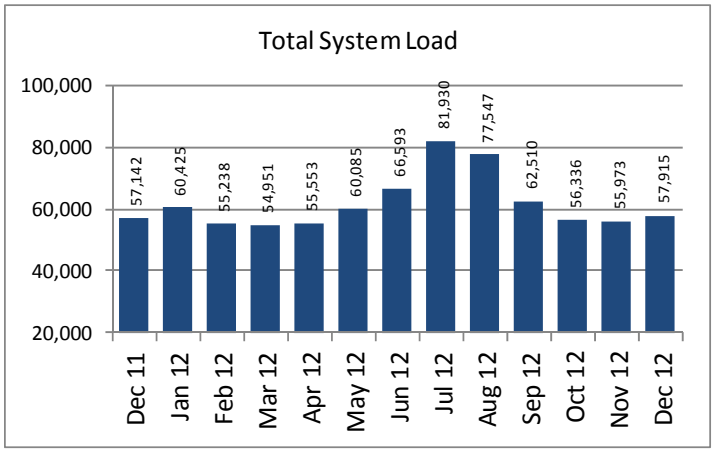
OPERATIONAL SUMMARY

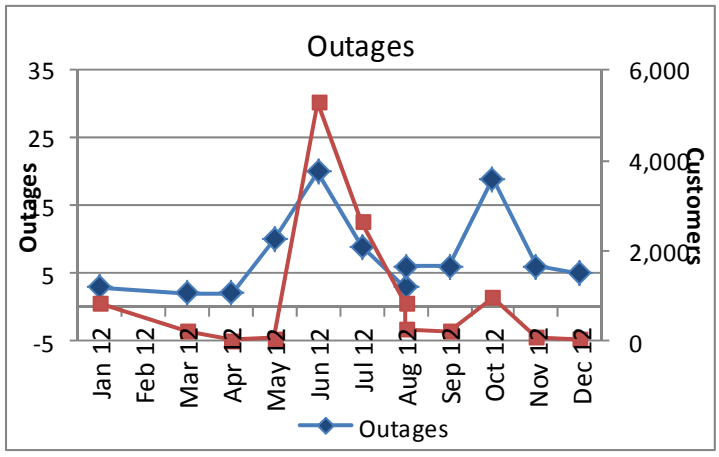
Task	DECEMBER 12	DECEMBER 11	CURRENT FY
Water Production - Daily Average	3,565,710	3,645,323	832,557,000
Average Field Response Time (goal is <30 minutes)	17.21	15.50	17.90
Water Mains Repaired	1	1	22
Water Service Lines Repaired	0	1	13
Wastewater Mains Repaired	0	1	3
Wastewater Service Lines Repaired	0	0	3
Sewer Lines Flushed - linear feet	92,659	41,656	469,114
Sewer Mains Videoed -linear feet	15,946	3,386	32,673
Total Fire Hydrants in Service	1,802	1,779	1,802
Total Water Meters in City Distribution System	14,084	13,989	14,084

PUBLIC UTILITIES

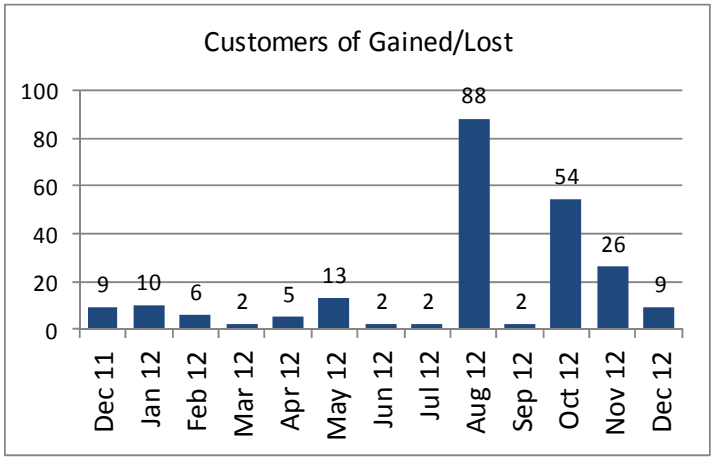
Electric







Outages: 5 Customers: 52



Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 13 YTD	FY 12	FY 11
52.24	39.44	63.78

Controllable Outages *Annual goal is less than 40*		**Average Response Time** *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
3	20	21.4 Minutes	27.50 Minutes

PROGRAM UPDATES	DEC 12	DEC 11	FY13 YTD
Tree Trimming	256	125	1589
Number of Oil Releases	0	0	1
Lost Time Accidents – All Electric Utility Divisions	0	0	2
New Services	9	9	181
Major Goals Completed in the Past Two Months			
N/A			

CITY PLANNER'S MONTHLY REPORT

15 Loockerman Plaza
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

December 2012

PERSONNEL

On December 5, 2012 Ann Marie Townshend, Dawn Melson-Williams, and Janelle Cornwell attended the Delaware Chapter of the American Planning Association Annual Meeting held at the Smyrna Opera House. Janelle Cornwell was elected as the Secretary of the Delaware Chapter of "APA" and Ann Marie Townshend was elected as the Vice President. Dawn just completed serving four years as the Chapter Secretary.

On December 14, 2012 Tracey Harvey attended the NAHRO Annual Meeting held at the Dover Downs Hotel in Dover, Delaware.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits. More detailed information on these permits and licenses is reported later in this document. For December 2012, Planning Staff was involved with review of 54 Permits and 10 Certificates of Occupancy permits (2012 Year to Date total of 923 Permits and COs compared to 901 year-to-date in 2011).

EDEN HILL FARM TND

- Phase 1: Residential District of Eden Hill Farm TND – 77 dwelling units constructed. Infrastructure for Phase 1 is not yet dedicated.
- Phase 2: Residential District of Eden Hill Farm TND – No additional units are under construction at this time.
- Prior to continuing with additional development in Phase 2, the site developer/property owner needs to address infrastructure dedication, bonding, street lighting payments for installation, tree planting requirements, and other infrastructure items.
- There was no activity associated with the Professional Office, Medical & Financial District.
- There was no activity associated with the Neighborhood Commercial District.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended. Staff is preparing a text amendment and Zoning Map amendment to update the Airport Environs Overlay Zone (AEOZ) as a result of the recent AICUZ Study for Dover Air Force Base. The formal review process for the amendments will begin in January 2013. Other on-going efforts include participating in planning for the Capital City Trail, establishment of a Bicycle & Pedestrian Committee, participating in the planning and development design of Garrison Oak Technical Park, and research for future ordinance amendments related to housing and the commercial zoning classifications.

NEW DOVER HIGH SCHOOL PROJECT (C-10-05/S-11-18)

Construction activities related to site improvements and the building construction activities continue at the site. The applicant continues to work on the design for the east entrance. The construction continues on the signalized west entrance (Dover High Drive) and Route 8 improvements.

NPDES – MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT
No new activities to report for the month of December.

BOARDS AND COMMISSIONS REPORTS

BOARD OF ADJUSTMENT:
The Board of Adjustment did not meet on December 19, 2012. The next regular scheduled meeting of the Board of Adjustment is scheduled for January 16, 2013.

HISTORIC DISTRICT COMMISSION:
The Historic District Commission met on December 13, 2012. The next Historic District Commission meeting is scheduled for January 17, 2013.

1. **HI-12-06 Demolition of Building at 509 South State Street –** Action on this application was deferred at the September 20, 2012 meeting, as the Commission requested additional information.

2. **HI-12-07 Rear Plaza Improvements at 22-24 West Loockerman Street –** Recommended approval of the Architectural Review Certification for the revised submission and approval of the concept of the fence height and fencing on adjacent properties, screening for dumpster if necessary, and staff recommendations as modified by a presentation.

PLANNING COMMISSION
The Planning Commission met on December 17, 2012 and took the actions summarized listed below. The next Planning Commission meeting is scheduled for January 22, 2013.

1. **S-12-15 DelTech Office of the President Building Addition: Revision** – Information on revision to size of building addition (increase to 6,049 S.F.) that was previously granted Conditional Approval for a Site Development Plan on September 17, 2012 by the Planning Commission. The project involves the construction of building additions to the existing Office of the President/Administration Building and associated site improvements on the campus of Delaware Technical Community College: Terry Campus. This was an informational item, with no specific action by the Planning Commission was required.

2. **S-12-20 Rear Plaza Improvements at 22-24 West Loockerman Street -** Site Plan application was approved with the Architectural Review Certification portion of the project. The approval is conditioned upon acceptance of all of the DAC recommendations and includes approval of the waiver as requested for the Tree Mitigation Plan. The plan approval includes acceptance of the concept for the fence to the adjoining building with the height that it would be sufficient to hide the dumpster.

CODE ENFORCEMENT

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid rental permit	10	143	100%	97%
No valid building permit	3	50	100%	88%
Tall grass and weeds	1	578	100%	68%
Unregistered vehicle	1	26	100%	73%
Abandoned vehicle	1	120	100%	68%
Annual Housing Inspection	7	541	71%	77%
Property Maintenance – Exterior	57	540	68%	58%

Electric Termination	12	311	42%	96%
Dover Code of Ordinances	24	403	67%	70%
Zoning	5	76	80%	54%
Total Cases	**121**	**2789**		
Total # of Inspections	**231**			

DANGEROUS BUILDINGS/DEMOLITION STATUS

The following buildings were declared dangerous by City Council:

- *123 Blue Beach Drive* – Monthly inspections continue, pool is in compliance.
- *488 North East Avenue* – The exterior overgrowth of weeds and grass has been removed by the bank. No interior repairs have been made. On November 13, 2012, Council ordered the owner to repair or demolish the structure within 30 days or the City would proceed with the demolition of the structure.
- *39 Primrose Drive* – No repairs have been made. The asbestos survey was conducted on November 15th with no asbestos located. Bids for demolition are ready but have been delayed due to a buyer of the property. Intentions are to renovate the mobile home and make it owner occupied.
- *126 N. Ann Avenue* – Property is in the process of being sold. The new owner has gutted the interior and removed all overgrowth from the exterior. Permits have been submitted for the renovation work. The new owner has been giving till January 31, 2013 to finish the renovation work or the demolition process would proceed.
- *212 N. Governors Avenue* – Council declared this structure dangerous and ordered the owners to make repairs by October 24, 2012 or the City would begin the demolition process within 10 days of that date. The asbestos survey and abatement was completed on the 29th of November. Sunnyfield has been issued the bid for demolition and the work will begin the first week of January.
- *209 N New Street* – Council approved Staff's recommendation for demolition at the council meeting on October 8, 2012 and ordered the owner to repair or demolish the home and garage within 10 days of that date. Since that date, the Mortgage Company has requested time to make exterior repairs to avoid the demolition. No inspections occurred in October but the home has been secured & boarded. Pictures were taking of the exterior of the home and sent to the mortgage company.
- *628 N West Street* – Staff declared this building as dangerous in October and was scheduled for Council review on November 13, 2012. Council agreed with the home-owner and granted a 90 day extension to make repairs to the home. Since that date, the homeowners have cleaned the trash and debris from the interior of the home and have ordered an electrical inspection of the property and meter so that they can obtain a new meter.
- *312/314 W Division St* – Staff declared this duplex as dangerous in October and was scheduled for Council review on November 13, 2012. Council granted the homeowner a 90 day extension to make repairs to the home or have it demolished by February 13, 2013.
- *316 & 320 W Division St* – Staff declared these homes as dangerous buildings in October and were scheduled for Council review on November 13, 2012. Council gave the homeowner 30 days to make repairs or have the properties demolished. Since that date, the homeowner has paid all outstanding fees owed to the City. 320 W Division Street has been removed from the dangerous building list after an inspection found only minor code violations remaining. The owner is still working on 316 W Division Street but progress is being made.
- *814 Maple Pkwy* – Staff declared the home, pool and detached garage as unfit for human occupancy and as dangerous buildings. The home was secured, along with both gates to the in-ground pool. A lien search has been ordered.
- *416 W Division Street, 1080 Bay Rd and 1106 Bay Rd* – Staff has ordered lien searches for these properties.

During the month of December staff registered an additional 33 structures as vacant buildings; total number of active vacant buildings within the City is 366. Staff also collected in November $500.00 in new registration fees for a total of $26,750 for 2012.

COMMUNITY DEVELOPMENT

CDBG FY12 PROJECTS

Homeownership Assistance Program

Three (3) families were provided settlement assistance to purchase properties in the City of Dover.

MHDC Homeowner Rehabilitation Program

CDBG funds will be used to rehabilitate owner occupied homes in the City of Dover found in violation of the City's housing code.

Dover Interfaith Mission to the Homeless

CDBG funds will be used for operations cost for the shelter.

MHDC Emergency Home Repair Project

CDBG funds will be used to assist very low income homeowners with emergency home repairs to eliminate severe housing conditions that constitute health and safety hazards.

NCALL Research

CDBG funds will be used for foreclosure prevention and pre-purchase homeownership counseling services to Dover residents.

Serenity Place

CDBG funds will be used for the reconstruction of a treatment facility for persons who suffer from substance abuse that was destroyed in a fire. This project is completed.

Elizabeth W. Murphey School

CDBG funds will be used to install a geothermal heating system in one of the facilities that services children that are at risk for homelessness.

Neighborhood Stabilization Program (NSP)

The City was awarded $1,426,740 for the acquisition and rehab of foreclosed properties to be sold to qualifying families. A total of $1,311,895 has been expended on the acquisition and renovations for 10 properties. The remaining balance of $114,844 will be utilized for renovations and acquisition. Eight properties have been sold, one is a lease purchase and one is a rental that serves persons with disabilities.

218 Ann Avenue (sold)
343 Mimosa Avenue (sold)
907 Woodcrest Avenue (sold)
1430 S. Hancock (group home rental)
1415 S. Hancock (sold)
337 N. Governors Avenue (sold)
254 Green Blade Drive (sold)
302 Stonebrook Place (Lease Purchase)
11 Westover Drive (sold)
110 Thames Drive (sold)

FIRE MARSHAL'S OFFICE
BUILDING INSPECTIONS AND LICENSING

LIFE SAFETY

Inspections	DEC 12	FYTD 13	DEC 11	FYTD 12
Fire Protection Inspections (new & existing)	19	190	9	336
Fire Code Inspections	104	998	74	275
Inspection Deficiencies	3	199	0	363
Certificate of Occupancy	7	31	7	14
Accidental	$6000.00	$450.00	$0	$125,010.00
Incendiary	$0	$11,100.00	$0	$59,500.00
Undetermined	$0	$1,150.00	$0	$20,000.00

PERMITTING AND LICENSING

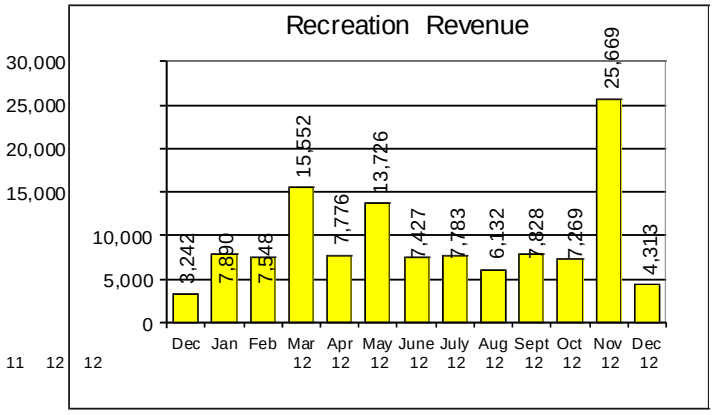
Permits Issued	DEC 12	FYTD 13	DEC 11	FYTD 12
Administrative Permit	1	14	1	12
Building Addition/Renovation Permits	36	149	31	187
Building Permits	7	78	13	94
Demolition Permits	1	23	3	9
Fence Permits	6	45	7	53
Fire Prevention Permits	17	50	7	37
Mechanical Permits	13	170	32	150
Plumbing Permits	30	178	36	216
Sign Permits	21	123	16	134
Swimming Pool Permits	0	10	0	6
Business Licenses	19	929	33	1,340
Merchant Licenses	4	247	3	265
Contractor Licenses	39	618	30	705
Lodging House Licenses	30	31	0	5
Mobile Homes	39	200	24	297
Public Occupancy	155	185	1	44
Rental Dwelling	811	908	4	98

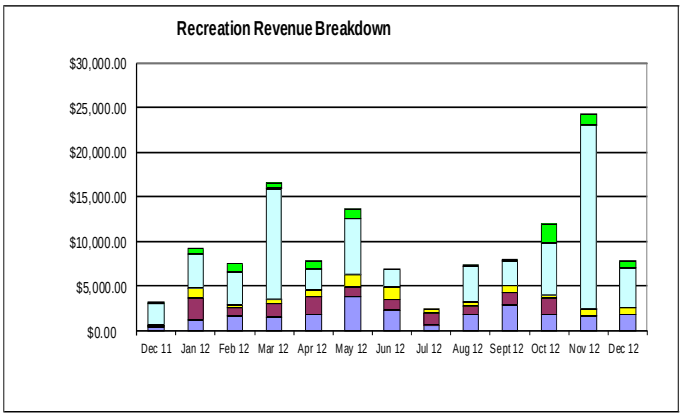
BUILDING INSPECTIONS

	DEC 12	FYTD 13	DEC 11	FYTD 12
Building	244	1,536	324	1,829
Plumbing/Mechanical	456	1,785	354	2,130
Certificate of Occupancy	10	56	11	63

PARKS and RECREATION

Parks and Recreation





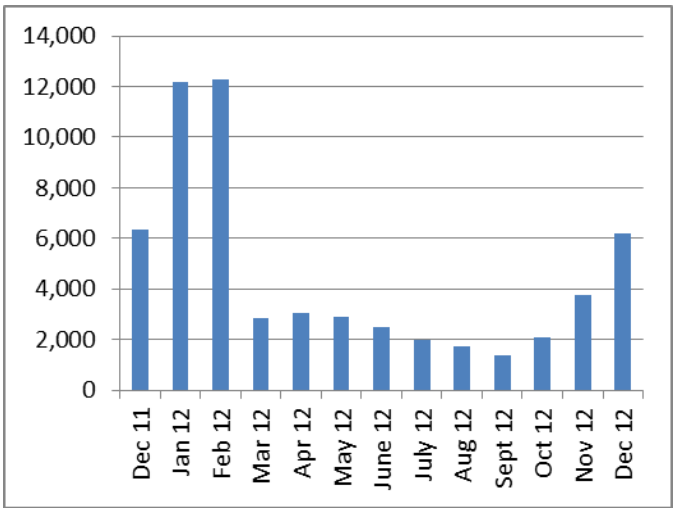
Year To Date Revenue Comparison
FY12 $51,233 vs FY13: $63,132

General – $1m843 Rental Payments – $0
Sports – $735 Leagues – $4,415 Trips – $833

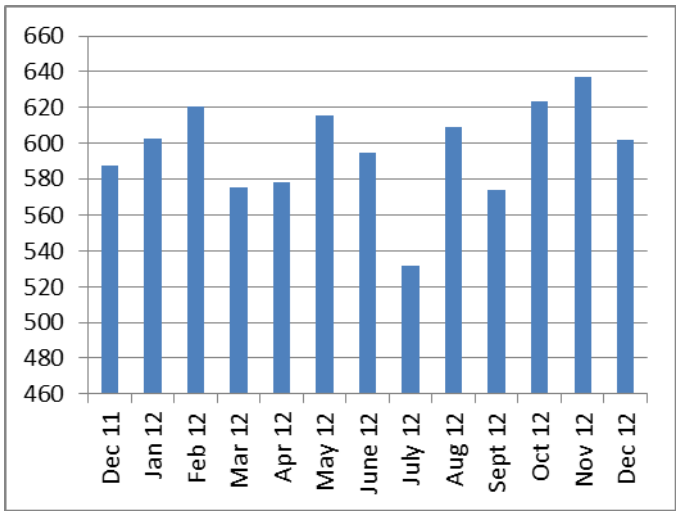
Rentals	DECEMBER12		FYTD 13		DECEMBER11		FYTD 12
Baseball/Softball Field Rentals*	0		41		0		98
Dover Park Pavilions (2)	0		27		0		48
Multipurpose/Field Hockey Field Rentals*	0		11		0		22
Recreation Center – Dover Park	3		42		6		80
Silver Lake Pavilions (2) / Schutte (1)	0		24		1		19
Soccer Field Rentals*	1		4		0		6
Stage – Mobile Platform	0		13		0		15
These numbers reflect **groups that utilized our facilities during December.*							

John W. Pitts Recreation Center

Total Program Attendance



Facility Usage By The Hour



Program Attendance**	DECEMBER 12		FYTD 13		DECEMBER 11		FYTD 12
Total	6,189		17,207		6,360		16,974
Open Gym	937		4,420		802		3,708
Fitness Classes	199		1,775		165		1,826
Leagues	3920		7,175		4,235		7,445
Camps	0		254		0		348
Sports Classes	91		707		84		760
Meetings & Rentals	1,000		2,793		1,057		2,764
Enrichment Classes	42		82		17		123

** Program Attendance figures includes participants, parents and spectators in the facility.

Facility Usage By The Hour	DECEMBER 12		FYTD 13		DECEMBER 11		FYTD 12
Open Gym	414.5		2,784.25		406.25		2,733.75
Fitness Classes	38		252		32		256
Leagues	91		217		106		216
Camps	0		49		0		44
Sports Classes	11		90		10.5		115.5
Meetings & Rentals	22		153.5		28.5		153
Enrichment Classes	25.5		41.5		4		54
Total Facility Usage Hours	602		3,587.25		587.25		3,572.25

Since our opening in late April 2008, we have had 236,955 guests at the John W. Pitts Recreation Center.

We are issuing FREE Recreation Center ID Cards to track facility usage during Public Open Gym Periods.
The statistics listed below reflect those that have completed the registration.

Open Gym Registrations:
Total ID cards issued: 5,391
City Residents: 2,377 (44%)
Non-City Residents: 3,014 (56%) Kent County Residents: 2,495 (46%)
Sussex County Residents: 184 (3%)
New Castle County Residents: 110 (2%) Out of State Residents: 225 (4%)

HIGHLIGHTS

Recreation

- Our youth basketball league grew to our largest league size in recent years! With so many youth on the waiting list, Steve Pickering our sports coordinator was able to increase the number of teams in each division by working to secure additional volunteer coaches for the three divisions. Our PeeWee (6 & 7 year olds) division has 60 youth on 6 teams, Bantam (8 & 9 year olds) division also has 60 youth on 6 teams and our intermediate (10 – 12 years olds) league hosted 80 youth on 8 teams. In total, 200 youth from 6 – 12 year olds are playing basketball this season.

- Breakfast with Santa was another successful event held at Dover Park on December 8. Offering two seatings, both were sold out!

Submitted by:

Ann Marie Townshend

Ann Marie Townshend, AICP
Planning & Community Development Director

DOVER
FIRE DEPARTMENT



DECEMBER
2012

Incident Type Report (Summary)

Dover Fire Department

Date Range: From 12/01/2012 to 12/31/2012

Incident Type		Count	Pct of Incidents	Total Est Loss	Total Est Loss
1 Fire					
100 Fire, other		3	3.66%	$0	0.00%
113 Cooking fire, confined to container		7	8.54%	$0	0.00%
131 Passenger vehicle fire		1	1.22%	$0	0.00%
150 Outside rubbish fire, other		1	1.22%	$0	0.00%
154 Dumpster or other outside trash receptacle fire		1	1.22%	$0	0.00%
	Totals	**13**	**15.85%**	**$0**	**0.00%**
2 Overpressure Rupture, Explosion, Overheat(no fire)					
	Totals	**0**	**0.00%**	**$0**	**0.00%**
3 Rescue & Emergency Medical Service Incident					
300 Rescue, EMS incident, other		1	1.22%	$0	0.00%
311 Medical assist, assist EMS crew		2	2.44%	$0	0.00%
322 Motor vehicle accident with injuries		2	2.44%	$0	0.00%
352 Extrication of victim(s) from vehicle		1	1.22%	$0	0.00%
	Totals	**6**	**7.32%**	**$0**	**0.00%**
4 Hazardous Condition (No Fire)					
400 Hazardous condition, other		1	1.22%	$0	0.00%
411 Gasoline or other flammable liquid spill		1	1.22%	$0	0.00%
412 Gas leak (natural gas or LPG)		1	1.22%	$0	0.00%
422 Chemical spill or leak		1	1.22%	$0	0.00%
440 Electrical wiring/equipment problem, other		1	1.22%	$0	0.00%
441 Heat from short circuit (wiring), defective/worn		1	1.22%	$0	0.00%
445 Arcing, shorted electrical equipment		3	3.66%	$0	0.00%
	Totals	**9**	**10.98%**	**$0**	**0.00%**
5 Service Call					
500 Service Call, other		1	1.22%	$0	0.00%
531 Smoke or odor removal		1	1.22%	$0	0.00%
551 Assist police or other governmental agency		1	1.22%	$0	0.00%
552 Police matter		1	1.22%	$0	0.00%
561 Unauthorized burning		1	1.22%	$0	0.00%
571 Cover assignment, standby, moveup		3	3.66%	$0	0.00%
	Totals	**8**	**9.76%**	**$0**	**0.00%**
6 Good Intent Call					
600 Good intent call, other		6	7.32%	$0	0.00%
622 No incident found on arrival at dispatch address		1	1.22%	$0	0.00%
650 Steam, other gas mistaken for smoke, other		1	1.22%	$0	0.00%
651 Smoke scare, odor of smoke		2	2.44%	$0	0.00%
	Totals	**10**	**12.20%**	**$0**	**0.00%**
7 False Alarm & False Call					
700 False alarm or false call, other		21	25.61%	$0	0.00%
710 Malicious, mischievous false call, other		1	1.22%	$0	0.00%
715 Local alarm system, malicious false alarm		1	1.22%	$0	0.00%
730 System malfunction, other		1	1.22%	$0	0.00%
731 Sprinkler activation due to malfunction		1	1.22%	$0	0.00%
733 Smoke detector activation due to malfunction		2	2.44%	$0	0.00%
735 Alarm system sounded due to malfunction		1	1.22%	$0	0.00%

Incident Type Report (Summary)

Dover Fire Department

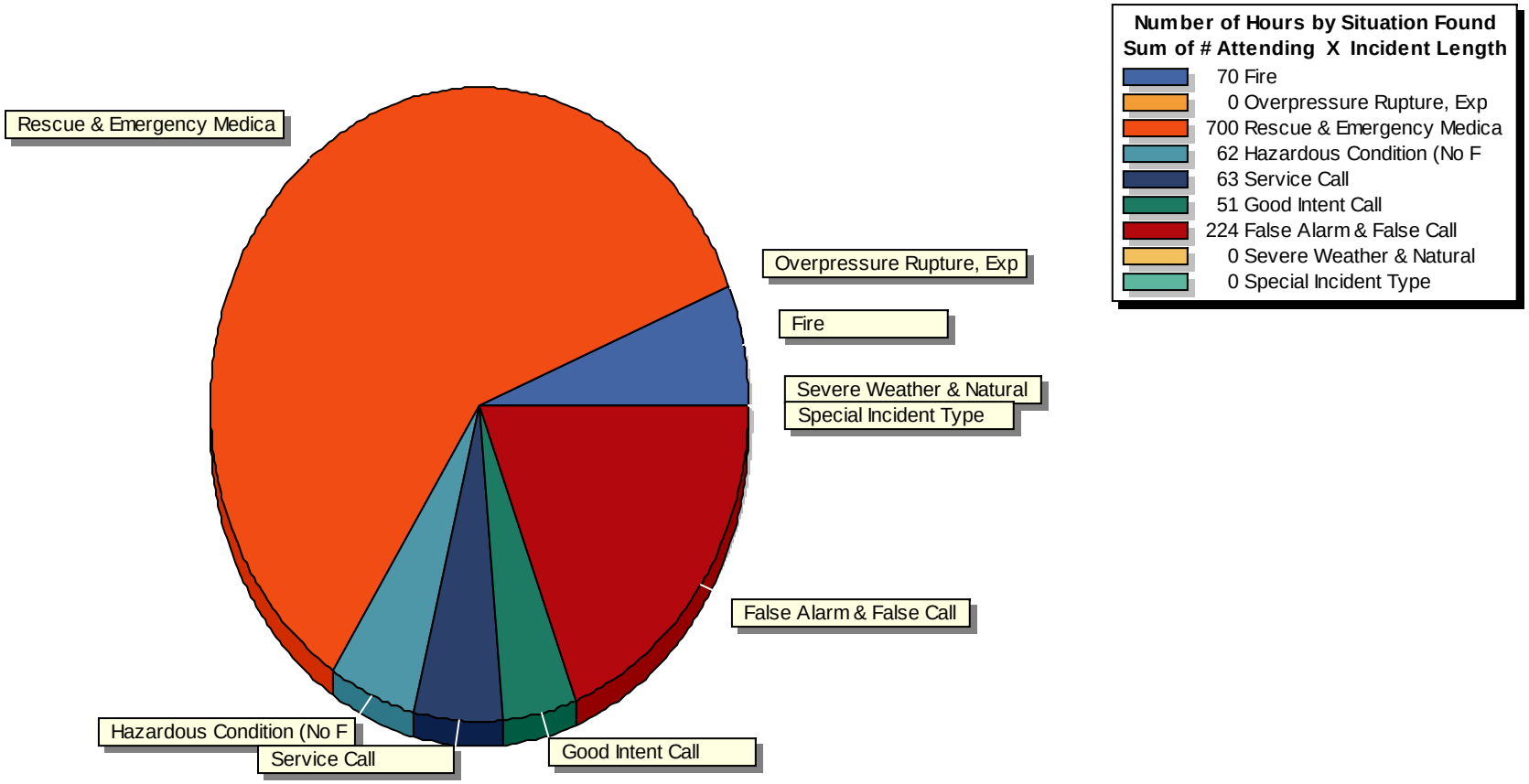
Date Range: From 12/01/2012 to 12/31/2012

Incident Type		Count	Pct of Incidents	Total Est Loss	Total Est Loss
740 Unintentional transmission of alarm, other		1	1.22%	$0	0.00%
743 Smoke detector activation, no fire - unintentional		5	6.10%	$0	0.00%
744 Detector activation, no fire - unintentional		2	2.44%	$0	0.00%
	Totals	**36**	**43.90%**	**$0**	**0.00%**
8 Severe Weather & Natural Disaster					
	Totals	**0**	**0.00%**	**$0**	**0.00%**
9 Special Incident Type					
	Totals	**0**	**0.00%**	**$0**	**0.00%**
	Totals	**82**		**$0**	

Manpower Hours by Sitation Found

Date Range: From 12/01/2012 to 12/31/2012

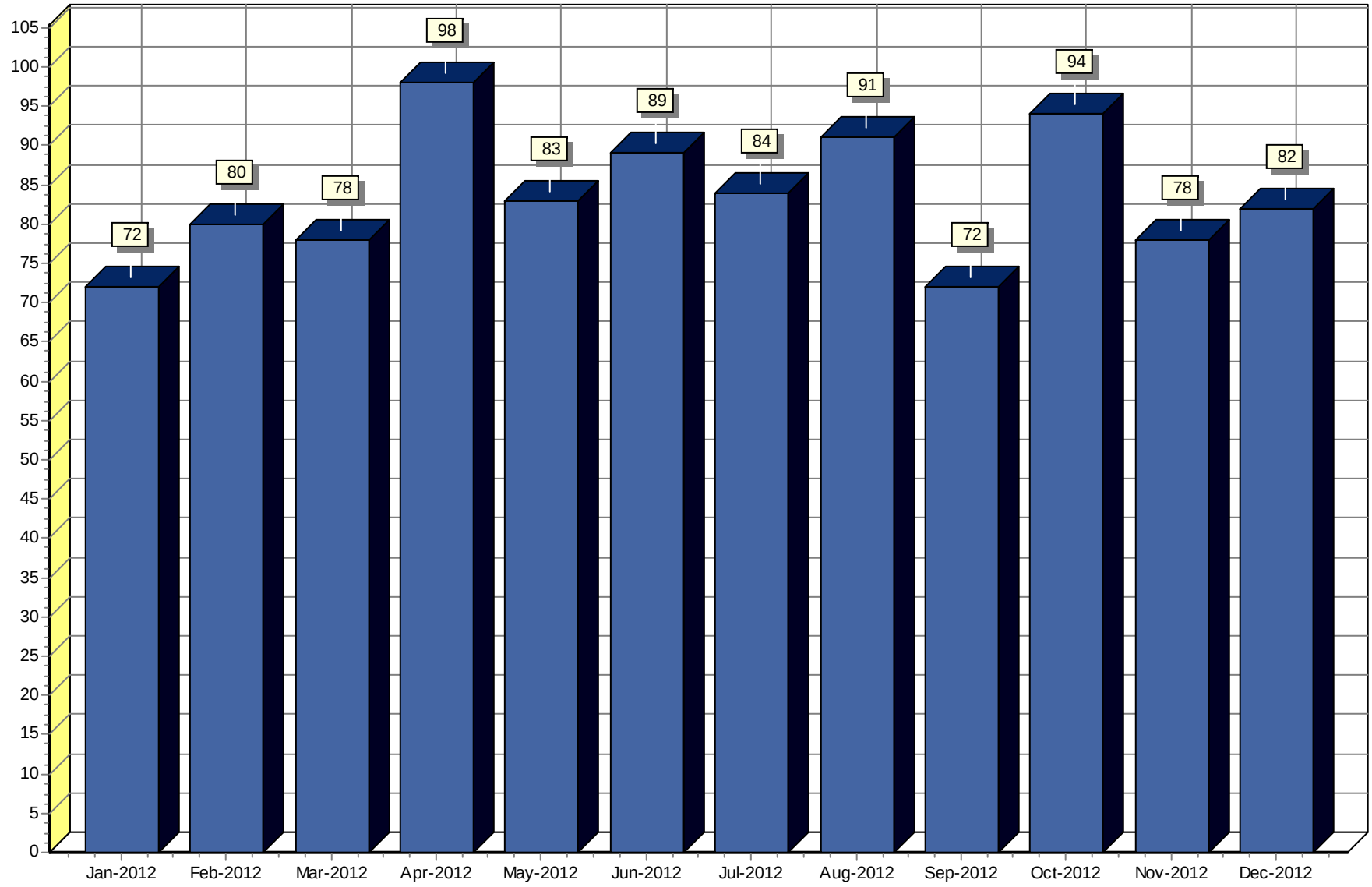
Dover Fire Department



Alarms by Month of Year

Dover Fire Department

Date Range: From 01/01/2012 to 12/31/2012



Incident Run Log

Dover Fire Department

Date Range: From 12/01/2012 to 12/31/2012
Company: All Companies
Sorted by: Incident Number

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
12/01/2012	30046	2012-000921	00:53	114	SWEETGUM DR		Outside rubbish fire, other
		WRITER FOUND A SMALL PILE OF LEAVES ON FIRE BELIEVED TO BE SET BY JUVENILES IN FRONT OF THE ABOVE ADDRESS. PRIOR TO WRITERS ARRIVAL, DOVER POLICE PUT OUT THE FIRE WITH THE HOMEOWNERS GARDEN HOSE.					
12/01/2012	30046	2012-000922	01:41	10	KENTWOOD DR		Arcing, shorted electrical equipment
		CREWS FOUND AN ELECTRICAL SOCKET THE WAS ON FIRE PRIOR TO OUR ARRIVAL. CREWS SECURED THE POWER TO THE TRAILER AND CHECKED FOR EXTENSION WITH NEGATIVE RESULTS. OWNER WAS ADVISED TO CALL AN ELECTRICIAN AND UNITS CLEARED.					
12/01/2012	30046	2012-000923	07:33	1481	N DUPONT HWY		Service Call, other
		Writer responded tot he above location in reference to employees reporting a flash fire on the grill that had been extinguished. Writer arrived and contacted the employees and proceeded to the kitchen area. Apparently the employee turned the burner on and no grease was in same which caused same to ignite. An unknown employye extinguished same with a fire extinguisher. No damage.					
12/01/2012	30046	2012-000924	08:22	1200	N DUPONT HWY		False alarm or false call, other
		DSU POLICE ADVISED WORKERS IN THE BUILDING SET OFF SYSTEM. WRITER CANCELED HIS RESPONSE.					
12/03/2012	30046	2012-000925	01:40	55	THE GREEN		False alarm or false call, other
		DFD responded tot he above address in reference to an alarm activation. Crews checked the building and met with negative results.					
12/03/2012	30046	2012-000926	08:38		NORTH AND SAULSBURY		Motor vehicle accident with injuries
		E2 arrived on scene to find a dart bus de cl18257, head on with a passenger vehicle De 542573. Crews secured the vehicle and assisted with patient care. A63 transported 1, B63 transported 2, and B41 transported 1. all patients went to Kent General Hospital.					
12/03/2012	30046	2012-000927	10:21	301	BILLY MITCHELL LANE		Smoke detector activation, no fire - unintentional
		On arrival found unattended cooking in a first floor apartment. Crews checked the apartment with negative results. Engine 4 provided positive pressure ventilation. All units cleared.					
12/04/2012	30046	2012-000928	01:30	1788	N DUPONT HWY		False alarm or false call, other
		DFD responded to the above address in reference to an alarm activation. Crews checked the building and met with negative results.					
12/04/2012	30046	2012-000929	11:40	26	OLD RUDNICK LA		Hazardous condition, other
		Dover units dispatched to a report of a hazmat incident. Upon arrival decon and hazmat units were notified. Upon further investigation it was detirmined that the substance in reported hazordous envelope was dried white out on a letter.					
12/04/2012	30046	2012-000930	16:52	520	S QUEEN ST		Police matter
		Brush 9 responded to the above address in reference to a washdown.					
12/04/2012	30046	2012-000931	21:42	1300	S FARMVIEW DR	D	Cooking fire, confined to container
		Units responded to above for report of fire alarm sounding at above. Crews investigated and found unattended cooking in unk apartment.					
12/05/2012	30046	2012-000932	11:45	2020	SHARON HILL RD		Detector activation, no fire - unintentional
		On arrival Occupant advised they were cleaning and accidently activated the fire alarm. Ladder 1 checked the building and cleared.					
12/05/2012	30046	2012-000933	18:05	1404	FORREST AVE	8	Smoke scare, odor of smoke
		CREWS CHECKED THE ABOVE ADDRESS FOR AN ELECTRICAL BURNING ODOR INSIDE THE BUILDING. CREWS CHECKED THE ENTIRE BUILDING AS WELL AS THE ROOF WITH NEGATIVE RESULTS. CREWS ALSO CHECKED THE BRAVO AND DELTA EXPOSURES WITH NEGATIVE RESULTS.					
12/05/2012	30046	2012-000934	18:46		FORREST AVE		Motor vehicle accident with injuries
		WRITER ARRIVED ON SCENE TO FIND A 3 CAR MVC WITH NO SUBJECTS TRAPPED. ONE FEMALE WAS TREATED FOR A HEAD INJURY BY 63. ALL DOVER FIRE UNITS WERE RETURNED AND THE SCENE WAS TURNED OVER TO DOVER POLICE.					
12/06/2012	30046	2012-000935	06:48	141	S.W. KINGS HIGHWAY		False alarm or false call, other
		Units responded for report of alarm sounding at above. Crews met respondant on second floor and it was found to be a faulty heat detector.					
12/06/2012	30046	2012-000936	14:36	1200	N DUPONT HWY		Medical assist, assist EMS crew
		cancelled as unit arrived on scene.					
12/07/2012	30046	2012-000937	07:48	631	RIDGELY ST	7	Alarm system sounded due to malfunction
		On arrival Maintenance advised they had a fire alarma activation for the front door area. Crews checked the building with negative results. Building turned over to Maintenance and FM 4 notified.					
12/07/2012	30046	2012-000938	11:23	414	FEDERAL ST		Smoke detector activation, no fire - unintentional
		Smoke detector activation. System malfunction					
12/07/2012	30046	2012-000939	20:52	650	BAY RD		Good intent call, other
		DFD responded to the above address in reference to a sign for the Dollar General smoking. On arrival, crews checked the sign and met with negative results. No further action taken.					
12/08/2012	30046	2012-000940	18:58		COLLEGE RD		Passenger vehicle fire
		DFD responded to the area of Rt 13 and College Rd in reference to a vehicle fire. Engine 3 arrived and found a small red Dodge Neon with a small fire in the engine compartment. Crews quickly extinguished same and the scene was turned over to Dover PD.					
12/08/2012	30046	2012-000941	21:26	81	QUAIL HOLLOW DR		False alarm or false call, other
		DFD responded to the above address in reference to an alarm activation. Crews located a hallway detector activated as a result of unattended cooking. No action taken.					
12/08/2012	30046	2012-000942	22:18	1001	WHITEOAK RD BLDG D		Cooking fire, confined to container

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
					E4 responded to above for report of unattended cooking fire in first floor apartment. Crews found same and scene was turned over to building maintenance.		
12/09/2012	30046	2012-000943	05:34	640	S STATE ST		Arcing, shorted electrical equipment
					E4 L2 responded for report of xray machine on fire that had been extinguished. Crews found same and the machine was removed from the building and the power was secure to same. Scene was turned over to secuirty and hospital staff.		
12/10/2012	30046	2012-000944	12:02	151	ROOSEVELT AVE		Assist police or other governmental agency
					Assist A63 with a cable wire that was tangled in thier emergency lights. Removed the cable and cleared.		
12/10/2012	30046	2012-000945	12:32	500	PERSIMMON TREE LA	4	Cooking fire, confined to container
					Dispatched to above address for a bldg fire. Upon arrival E4 crew went to upper floor to investigate. E4 crew found an unattended cooking that was out. They called for PPF to the front door to remove the smoke and went under control.		
12/10/2012	30046	2012-000946	18:02	195	WILLIS RD		Heat from short circuit (wiring), defective/worn
					Dispatched to above address for smoke in the bldg. Upon arrival E4 crew investigated and found a faulty light switch. Cut the power to switch and removed same. Notified director of school to get a new one installed prior to tuening electric back on . Cleared.		
12/11/2012	30046	2012-000947	07:43	67	MER WAY		Detector activation, no fire - unintentional
					Dispatched to above address for a AFA. Before response made FD ws cancelled. Alarm went off due to steam from the shower. Cleared.		
12/11/2012	30046	2012-000948	10:20	430	COLLEGE RD	500	Sprinkler activation due to malfunction
					Dispatched to a water flow alarm at the above location. Upon arrival, was met by security who advised the system had pressurized and was leaking at the sprinkler room. Inspected the rooms above and found no water conditions. Was informed by management that the system is having pressure problems and maint. was coming out to repair it. Placed the building on fire watch and cleared the scene.		
					User: O'Connor, Jr., Michael 12/13/2012 18:41:56		
12/11/2012	30046	2012-000949	11:37		SR1 & MAIN TOLL PLAZA		No incident found on arrival at dispatch address
					Dispatched to above address for smoke coming out of a tractor trailer. Upon arrival in the area nothing was found.cleared.		
12/11/2012	30046	2012-000950	12:08	561	N DUPONT HWY		Smoke detector activation due to malfunction
					Dispatched to the above location for a 4th floor smoke detector activation. Upon arrival, crews investigated and found the detector was accidentally set off by staff who had inadvertently activated a pull station. Cleared the scene.		
					User: O'Connor, Jr., Michael 12/13/2012 18:33:36		
12/11/2012	30046	2012-000951	17:50	453	COUNTRY DR		False alarm or false call, other
					DFD responded to the above address in reference to an alarm activation. Crews checked the building and met with negative results.		
12/11/2012	30046	2012-000952	22:45	310	BILLY MITCHELL LA	F	Cooking fire, confined to container
					On arrival found unattended cooking in apartment 304. Fire was contained to the pot. No extension. Scene turned over to maintenance.		
12/12/2012	30046	2012-000953	03:50	155	COMMERCE WAY		System malfunction, other
					AFA CANCELLED BY ALARM COMPANY. CONTACT PERSON HAD PROPER PASS CODE. DOVER 15 AUTHORIZED CANCELLATION.		
12/13/2012	30046	2012-000954	05:58	29	MCDANIEL DR		False alarm or false call, other
					DFD responded to the above location in reference to an alarm activation. Crews checked the residence and met with negative results.		
12/13/2012	30046	2012-000955	10:09		DELAWARE TECH DR		Good intent call, other
					Car was not on fire. The vehicle over heated and everything was under control.		
12/13/2012	30046	2012-000956	18:09	868	S STATE ST		Malicious, mischievous false call, other
					E4 L2 L1 RESPONDED FOR A PULL STATION ACTIVATION AT ABOVE. CREWS ARRIVED AND FOUND A FAULTY PULL STATION. BUILDING WAS PLACED ON FIRE WATCH .		
12/13/2012	30046	2012-000957	20:56	1061	S LITTLE CREEK RD		Arcing, shorted electrical equipment
					E4 E6 R1 E3 E2 RESPONDED TO ABOVE FOR REPORT OF A FIRE IN THE DRYER VENT ON THE OUTSIDE OF THE MOBILE HOME. CREWS ARRIVED AND WRITER ASSUMED COMMAND. CREWS SECURED THE DRYER AND FOUND A SMALL FIRE IN THE OUTSIDE WALL. CREWS EXTIGUISHED SAME USING THE WATER CAN. THE SCENE WAS PLACED UNDER CONTROL AND TURNED OVER TO FM-1.		
12/13/2012	30046	2012-000958	23:00	864	S STATE ST		False alarm or false call, other
					E4 L2 AND L1 RESPONDED TO ABOVE FOR REPORT OF BASEMENT SMOKE DETECTOR. CREWS MADE ACCESS USING THE KNOX BOX ON THE FRONT OF THE BUILDING. CREWS FOUND NO PROBLEM INSIDE THE BUSINESS. A SILVER HONDA CIVIC WAS SEEN LEAVING AT A HIGH RATE OF SPEED FROM REAR OF BUILDING. WRITER INVESTIGATED SAME AND NOTICED A OPEN SHED ON THE SIDE OF THE BUILDING WITH DAMAGE TO SAME. DOVER PD WAS NOTIFIED. RESPONDANT ARRIVED AND STATED IT WAS SUPPOSED TO BE LOCKED. SCENE WAS TURNED OVER TO DOVER PD FOR INVESTIGATION INTO CRIME.		
12/14/2012	30046	2012-000959	00:56	228	GREENWICH DR		Good intent call, other
					E4 RESPONDED TO ABOVE FOR REPORT OF SMOKE DETECTORS SOUNDING. CREWS INVESTIGATED AND FOUND BAD BATTERIES WERE THE CAUSE.		
12/14/2012	30046	2012-000960	09:25	55	MER WAY		Unintentional transmission of alarm, other
					RESPONDED TO THE ABOVE ADDRESS FOR A REPORT OF AN AUTOMATIC FIRE ALARM ACTIVATION. AN INVESTIGATION FOUND THE RESIDENT ACCIDENTALLY ACTIVATED THEIR FIRE ALARM AT THE KEYPAD.		
12/14/2012	30046	2012-000961	19:34	140	HAMAN DR		False alarm or false call, other
					DFD responded to the above address in reference to an alarm activation. Crews checked the interior of the building and met with negative results. No cause to the alarm activation could be located.		
12/14/2012	30046	2012-000962	20:30	864	S STATE ST		False alarm or false call, other

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
					Writer completed a walk through of the building with negative results.		
12/14/2012	30046	2012-000963	21:26	255	WEBBS LN	C	False alarm or false call, other
					DFD responded to the above address in reference to an alarm activation. Crews checked the building and located unattended cooking in apartment 34, which activated the alarm system. No damage.		
12/15/2012	30046	2012-000964	03:21	451	ARNOLD CT		False alarm or false call, other
					DFD responded to the above address in reference to C.O.detectors activated in the residence. Crews checked the interior of the residence with the meter and met with negative results. The home owner was advised to checke the batteries and replace same. No further action taken.		
12/15/2012	30046	2012-000965	20:27	8	STUART DR		Cover assignment, standby, moveup
					DFD responded to the above location for a truck company assist. Crews arrived and assisted with ventilation and after this returned to quarters.		
12/15/2012	30046	2012-000966	22:25	3000	PINE CABIN RD BLDG G		Cooking fire, confined to container
					UNATTENDED COOKING IN APT 109		
12/16/2012	30046	2012-000967	10:08	57	WIMBLEDON DR		Good intent call, other
					Heater started up for the first time this fall. E-4 crew checked with thermal camera to found nothing in the walls. Smoke had already cleared the residence prior to our arrival.		
12/16/2012	30046	2012-000968	22:12		W NORTH ST		Rescue, EMS incident, other
					DFD responded to the area of Saulsbury Rd and North St in reference to an MVC with ejection. Crews arrived and assisted EMS as well as securing the vehicles.		
12/17/2012	30046	2012-000969	04:03	195	LYNNHAVEN DR		Fire, other
					DFD responded to the above address in reference to smoke in the residence. On arrival, crews noticed light smoke conditions inside the residence. Further investigation revealed the home owner was at his computer and while smoking, he discarded his hot cigarette ashes in a wicker trash can. This inturn, ignited the wicker trash can and burned a 20 inch circle in the carpet floor and a pile of papers next to the trash can. The home owner extinguished the small fire with a fire extinguisher. DFD placed a positive pressure fan at the front door to remove the smoke. No further action taken.		
12/17/2012	30046	2012-000970	12:35	835	BAY RD		Cooking fire, confined to container
					WRITER RESPONDED FOR AN AUTOMATIC FIRE ALARM ACTIVATION. WRITER ARRIVED AND FOUND KITCHEN STAFF CLEANING THE FRYER AND HE FORGOT TO TURN TO THE EXHAUST FAN ON.		
12/18/2012	30046	2012-000971	12:28	1200	N DUPONT HWY		Smoke detector activation, no fire - unintentional
					Burnt hair Warren Franklin.		
12/18/2012	30046	2012-000972	14:17	600	JEFFERIC BLVD		Smoke detector activation, no fire - unintentional
					Burnt breadsticks in the microwave.		
12/19/2012	30046	2012-000973	11:25	1450	S DUPONT HWY		Gas leak (natural gas or LPG)
					Reported gas leak by passerby. Unfounded.		
12/19/2012	30046	2012-000974	11:34	41	S GOVERNORS AVE		Chemical spill or leak
					Fuel leaking from a vehicle. Cleaned up by residents prior to arrival		
12/19/2012	30046	2012-000975	18:20	148	SWEETGUM DR		False alarm or false call, other
					DFD was alerted for an alarm activation. The home owner contacted dommunication and advised there was no need for fire department. The incident was cancelled by writer.		
12/19/2012	30046	2012-000976	19:40	580	LAFFERTY LA		False alarm or false call, other
					E4, L1, L2 responded to above for report of a automatic fire alarm sounding in the small warehouse. Crews arrived on scene and used the knox box key to gain access to both buildings. Crews found no problem inside of either building. Doors were resecured.		
12/20/2012	30046	2012-000977	00:10	43	CORNER CT		Smoke scare, odor of smoke
12/20/2012	30046	2012-000978	09:53		GREENTREE DR		Fire, other
					DFD responded to the Hallmark store in the Greentree shopping center. On arrival, crew located that the sign in front of the store had apparently shorted out and caused a small fire to the wooden wall behind same. Crews made sure the power was secured and than extinguished the small fire immediately. Crews had to remove a portion of the wall to assure the small fire did not spread.		
12/21/2012	30046	2012-000979	07:43	26	OLD RUDNICK LA		Dumpster or other outside trash receptacle fire
					Writer arrived on scene to find a smoldering dumpster in front of 28 old rundic ln. Writer provided 10 gallons of water to extinguish the fire. The fire Marshall was requested and writer cleared.		
12/21/2012	30046	2012-000980	10:01	487	S QUEEN ST		Electrical wiring/equipment problem, other
					E4's crew checked the building and located a appliance plug that was soaked in water and then placed into an electrical socket. Crews secured the socket and the scene was turned over to FM4.		
12/22/2012	30046	2012-000981	20:37	130	HAMAN DR		Local alarm system, malicious false alarm
					DFD responded to the above address in reference to an alarm activation. Crews located a pull station pulled on the 3rd floor. Maintenance responded and reset the alarm system.		
12/22/2012	30046	2012-000982	22:04	1225	WALKER RD		False alarm or false call, other
					Alarm activation but no fire department response.		
12/24/2012	30046	2012-000983	03:48	652	N. DUPONT HWY		False alarm or false call, other
					Car 2 responded to the above address in reference to an alarm activation. Dover 17 checked the building and met with negative results.		
12/24/2012	30046	2012-000984	10:51	111	S NEW ST		False alarm or false call, other
					Engine 4 responded to the above address in reference to an alarm activation. Crews checked the building. The occupant burned an		

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
					unknown item on the stove but refused to give information to the OIC. No damage to the property but had light odor of smoke.		
12/25/2012	30046	2012-000985	02:29	3908	PEACHTREE RUN		Cover assignment, standby, moveup
					DFD responded to the above location and provided a two piece engine assist for station 41. Crews assisted with overhaul and departed.		
12/25/2012	30046	2012-000986	16:11	820	CARVEL DR	G	Smoke detector activation, no fire - unintentional
					JUVENILES SMOKING IN BASEMENT SET OFF DETECTOR		
12/25/2012	30046	2012-000987	21:20		S DUPONT HWY & S STATE ST		Extrication of victim(s) from vehicle
					DFD responded to the area of Rt 13 and S. State St in reference to an MVC with entrapment. Dover 15 responded to the scene and on arrival observed a two vehicle crash, one vehicle with heavy front end damage in the grass median and the other with heavy rear end damage in the middle of the roadway. Dover PD officers advised that the vehicle in the roadway had two subjects inside the vehicle and unable to remove same. Engine 4 arrived and immediately began to stabalize the vehicle and prepared to extricate the patients. Engine 2 arrived and assited Engine 4's crew. Rescue 1 arrived and the light tower was utilized. Engine 3 arrived and staged for manpower pull. Crews removed the driver's side door and "B" post of the vehicle in the roadway which allowed medics access to the patient. At 2138, the patient was removed from the vehicle and the scene was placed under control. The scene was subsequently turned over to Dover PD.		
12/26/2012	30046	2012-000988	15:47	1420	MCKEE RD	FRONT	Smoke detector activation due to malfunction
					ALARM MALFUNCTION, SMOKE DETECTOR # 8		
12/26/2012	30046	2012-000989	16:01	102	W WATER ST		Good intent call, other
					REPORTED POLE ON FIRE, UNFOUNDED.		
12/27/2012	30046	2012-000990	00:53	898	WOODCREST DR		False alarm or false call, other
					DFD responded to the above address in reference to an alarm activation. Crews determined the system was activated as a result of unattended cooking. No further action taken.		
12/27/2012	30046	2012-000991	08:40	500	PERSIMMON TREE LA	3	Fire, other
					DFD responded to building 3 Persimmon Tree Apts apartment 11 in reference to a small fire that had been extinguished. Engine 4 arrived and contacted maintenance. Investigation revealed, a small fire ignited in the outside closet to apartment 11 and maitenance extinguished same with a dry chem extinguisher. Engine 4 utilized the booster line and wet the clothes and other material that were still smoldering. Ladder 2 arrived and conducted a walk through of the apartment to assure no extension inside. FM 4 was contacted and responded to the scene. DFD units cleared and the scene was turned over to FM 4. No furtrher action taken.		
12/27/2012	30046	2012-000992	08:44	700	WALKER RD		Cooking fire, confined to container
					Ladder 1 responded to Fairview Elementary school in referenced to an alarm activation. Crews determined the cause for the system being activated was unattended cooking. No damage.		
12/27/2012	30046	2012-000993	14:51	1506	COLLEGE RD		Medical assist, assist EMS crew
					Rescue 1 responded to the above address and assisted EMS loading a large patient into the ambulance. No further action taken.		
12/27/2012	30046	2012-000994	22:27	300	David Hall rd		Cover assignment, standby, moveup
					DFD were dispatched to assist station 41 with a house fire but were cancelled prior to arriving.		
12/28/2012	30046	2012-000995	18:22	151	ROOSEVELT AVE		Smoke or odor removal
					Dover 16 responded to the above area in reference to an odor of smoke in the area. Dover 16 checked the area and met with negative results.		
12/28/2012	30046	2012-000996	18:49	414	S STATE ST		False alarm or false call, other
					Dover 16 responded to the above location in reference to an alarm activation. On arrival, investigation revealed the janitor accidentally struck the detector in the basement which caused the system to activate. No further action taken.		
12/29/2012	30046	2012-000997	05:16	110	SUSAN PL		Good intent call, other
					GOOD INTENT CALL.		
12/29/2012	30046	2012-000998	15:43		MCKEE RD		Gasoline or other flammable liquid spill
					Arrival on scenen found a spill fluid spill from an MVC. Applied oil dry and cleared. Scene turned voer to DPD.		
12/29/2012	30046	2012-000999	17:28	102	N CAROLINE PL		Steam, other gas mistaken for smoke, other
					RECEIVED A CALL REPORTING SMOKE FROM THE STRUCTURE AT THE ABOVE ADDRESS. THE RP CALLED BACK TO REPORT IT WAS NOT SMOKE AND THAT IT WAS STEAM FROM A DRYER VENT. ALARM WAS CANCELLED PER DOVER 15		
12/30/2012	30046	2012-001000	02:57	1275	S STATE ST		False alarm or false call, other
					DFD responded to the above address in reference to a possible building fire. On arrival, crews conducted a walk through and met with negative results.		
12/30/2012	30046	2012-001001	20:13	35	BEECHWOOD AVE		Unauthorized burning
					Responded to the above address for a report of a debris pile on fire with exposures to a house. E 7 arrived on location first with E 3 arriving second. There was no debris pile on fire it was the front part of the house down by the steps. After investigating it appeared a accellerant was used and requested the FM. Scene was placed under control and turned over to FM 13. Any questions regarding this incident contact FM 13 for report.		
12/31/2012	30046	2012-001002	11:13	1153	Horsepond Rd		False alarm or false call, other
					Child pulled alarm panel off the wall.		

Total Incidents: 82

FY 12-13 City Funded Account Balance Sheet

ACCOUNT	BUDGET	SPENT	BALANCE
Apparatus Repairs & Maintenance	$ 67,000.00	$ 37,156.85	$ 29,843.15
Building Maintenace Supplies	$ 1,650.00	$ 9.69	$ 1,640.31
Contractual Services	$ 16,587.00	$ -	$ 16,587.00
Electricity	$ 51,820.00	$ 25,405.29	$ 26,414.71
Gasoline	$ 19,050.00	$ 7,923.03	$ 11,126.97
Heating Expenses- Gas	$ 20,000.00	$ 2,756.39	$ 17,243.61
Medical Supplies	$ 700.00	$ -	$ 700.00
Office Supplies	$ 2,500.00	$ 627.63	$ 1,872.37
Other Equipment Repairs	$ 4,000.00	$ -	$ 4,000.00
Program Expenses	$ 36,630.00	$ 12,751.86	$ 23,878.14
Radio Repairs	$ 2,000.00	$ 1,085.07	$ 914.93
Safety & Security	$ 2,150.00	$ -	$ 2,150.00
Small Tools	$ 4,800.00	$ 1,265.00	$ 3,535.00
Telephone	$ 13,340.00	$ 2,608.52	$ 10,731.48
Training & Travel	$ 8,815.00	$ 2,292.50	$ 6,522.50
Uniforms & Firefighting Gear	$ 27,100.00	$ 3,306.47	$ 23,793.53
Water/ Sewer	$ 3,150.00	$ 641.25	$ 2,508.75

Balance as of: 12/31/12

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
December 2012

	Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Ordinary Income/Expense									
Expense									
Apparatus Repairs & Maintenance									
	Check	12/02/2012	767	Atlantic Emergency Solutions	Invoice MOR2769MOP		City Fund Account	1,961.41	1,961.41
	Check	12/02/2012	767	Atlantic Emergency Solutions	Invoice MOR2775MOP		City Fund Account	130.90	2,092.31
	Check	12/02/2012	768	Delaware Tire	Invoice # 216242- Oil Change		City Fund Account	44.95	2,137.26
	Check	12/02/2012	768	Delaware Tire	Invoice # 216205-Tire Car 16		City Fund Account	25.00	2,162.26
	Check	12/02/2012	770	Dover Automotive	Invoice # 538586		City Fund Account	6.59	2,168.85
	Check	12/02/2012	771	Municipal Emergency Services	Invoice-00359665_SNV		City Fund Account	233.62	2,402.47
	Check	12/08/2012	772	Atlantic Emergency Solutions	MOS1413P		City Fund Account	179.74	2,582.21
	Check	12/08/2012	772	Atlantic Emergency Solutions	MOR2862MOP		City Fund Account	2,114.86	4,697.07
	Check	12/08/2012	772	Atlantic Emergency Solutions	MOR2841MOP		City Fund Account	187.00	4,884.07
	Check	12/08/2012	772	Atlantic Emergency Solutions	MOR2846MOP		City Fund Account	580.03	5,464.10
	Check	12/08/2012	779	Rommel's ACE	Acct # 718379		City Fund Account	34.78	5,498.88
	Check	12/27/2012	786	M&T Bank	Flood Light Bulbs		City Fund Account	38.40	5,537.28
Total Apparatus Repairs & Maintenance								5,537.28	5,537.28
Electricity									
	Check	12/08/2012	774	City of Dover Utility	Acct # 44343-32052		City Fund Account	2,980.18	2,980.18
	Check	12/16/2012	781	City of Dover Utility	Acct # 44255-31966		City Fund Account	592.98	3,573.16
Total Electricity								3,573.16	3,573.16
Heating Expenses- Gas									
	Check	12/08/2012	773	Chesapeake Utilities	Station2 from 10/26 to 11/27		City Fund Account	231.54	231.54
	Check	12/16/2012	780	Chesapeake Utilities	Station 1 from 11/5 to 12/5		City Fund Account	1,372.11	1,603.65
Total Heating Expenses- Gas								1,603.65	1,603.65
Office Supplies									
	Check	12/27/2012	785	Staples	Acct # 6035 5178 2028 2647		City Fund Account	158.23	158.23
Total Office Supplies								158.23	158.23
Program Expenses									
	Check	12/27/2012	784	DP Fire	Invoice # 155451- Air Cylinder Repair		City Fund Account	25.00	25.00
Total Program Expenses								25.00	25.00
Radio Repairs									
	Check	12/02/2012	769	Delaware Division of Communications	Portable repaired- Serial # 326ABY2029		City Fund Account	423.00	423.00
	Check	12/08/2012	776	Delaware Division of Communications	Invoice # 127364		City Fund Account	423.00	846.00
Total Radio Repairs								846.00	846.00
Telephone									
	Check	12/08/2012	778	Verizon Wireless	From 10/21 to 11/20		City Fund Account	83.76	83.76
Total Telephone								83.76	83.76
Training & Travel Expenses									
	Check	12/08/2012	775	Delaware State Fire School	Invoice 13-1653		City Fund Account	1,623.50	1,623.50
Total Training & Travel Expenses								1,623.50	1,623.50
Uniforms									
	Check	12/08/2012	777	Dover Army-Navy Store	Invoice # 19727		City Fund Account	1,052.15	1,052.15
	Check	12/27/2012	782	Charles Boyer	Invoice # 219125		City Fund Account	75.00	1,127.15
	Check	12/27/2012	782	Charles Boyer	Invoice # 219126		City Fund Account	192.00	1,319.15
	Check	12/27/2012	783	Dover Army-Navy Store	Invoice # 19785- Dispatcher Uniforms		City Fund Account	194.75	1,513.90
	Check	12/27/2012	784	DP Fire	Invoice # 155429- Gloves		City Fund Account	1,346.00	2,859.90
Total Uniforms								2,859.90	2,859.90
Water/Sewer									
	Check	12/08/2012	774	City of Dover Utility	Acct # 44345-32054		City Fund Account	55.25	55.25

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
December 2012

	Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
	Check	12/08/2012	774	City of Dover Utility	Acct # 44341-32050		City Fund Account	11.54	66.79
	Check	12/16/2012	781	City of Dover Utility	Acct # 44253-31964		City Fund Account	29.62	96.41
Total Water/Sewer								96.41	96.41
Total Expense								16,406.89	16,406.89
Net Ordinary Income								-16,406.89	-16,406.89
Net Income								**-16,406.89**	**-16,406.89**

Monthly Report

December 2012

Economic Development Office

2012-12 Economic Development

- Supported Home for the Holidays festivities (including announcing the parade)
- Provided access to the Cartanza substation for Calpine to do their surveying
- Attended Kent County is Open for Business and worked on improving the program for the upcoming year
- Approved DNREC package for Chesapeake Supply
- Prepared power point presentation for Economic Roundtable
- Attended the Economic Roundtable and gave presentation on the Garrison Oak Tract
- Met with Bill Winters to discuss method to regain 501c3 status for the Downtown Dover Partnership
- Subsequent meeting with Gary Patterson to discuss 501c3 status, Gary Patterson met with Secretary Bullock to discuss the issue and Secretary Bullock's office provided information and documents on the process for reinstatement, prepared the documents for approval by the DDP Board at the January meeting
- Attended Parks, Recreation and Community Enhancement Commitee meeting in support of Dr. Michael Casson and assisted in his presentation on economic development issues in the Dover area
- Provided City Council with a copy of the Economic and Market Feasibility Analysis of the Garrison Tract prepared by Dr. Casson
- Provided Delaware State News with contact information for recent new businesses that have opened in Dover
- Several teleconferences with Calpine to discuss the timelines for city infrastructure construction so that Calpine can start site work in March, 2013
- Reviewed Calpine's timeline letter with the City Manager
- Attended the Delaware State University Convocation Center RFP Meeting as a member of their Convocation Center Planning Committee
- Prepared and distributed the RFP for Architectural and Engineering plans for the DDP Building (22-24 W Loockerman)

Measures:

1. Maintain an unemployment rate for the City of Dover that is lower than national and state averages.

	2010-2011 Actual	**2011-2012 Actual**	**2012 - 2013 Projected**
Results	<10% unemployment rate in July 2011 9.2 % - U.S. Rate 8.0 % - DE Rate 9.9% - City of Dover Rate June 2011 – Actual	<10% unemployment rate in July 2012 8.2% - U.S. Rate 6.8 % - DE Rate 8.6% - City of Dover Rate June 2012 – Actual	<10% unemployment rate in July 2013 7.8% - U.S. Rate 6.9% - DE Rate 8.4% - City of Dover Rate December 2012 – Actual

2. Monitor number of contacts with small businesses and with out-of-town companies interested in locating in Dover.

	2010-2011 Actual	2011-2012 Actual	2012 - 2013 Projected
Results	≥20 contacts with potential small businesses; **12 contacts YTD** ≥15 contacts with out-of-town companies interested in locating in Dover. **10 contacts YTD**	≥20 contacts with potential small businesses; **10 Contacts YTD** 11 contacts with out-of-town companies interested in locating in Dover **9 Contacts YTD**	≥20 contacts with potential small businesses; **11 Contacts YTD** 11 contacts with out-of-town companies interested in locating in Dover **5 Contacts YTD**

2012-12 Downtown Dover Partnership

- Provided technical assistance to nine (9) prospective small business individuals on overall business development within the Downtown Dover Business District
- Provided technical assistance (orientation) to two (2) existing small business owners in preparing and submitting small business loan application for loan consideration.
- Continued providing technical assistance to eight (8) prospective small business individuals on locating available space within the downtown district to lease. Of these eight (8) inquiries; three (3) have signed leases to occupy current vacant spaces within downtown.
- Provided technical assistance to three (3) existing small business owners on relocating businesses within district boundaries.
- Coordinated and implemented with the Promotion and Marketing Committee the quarterly series of Holidays Events (Capital Celebration, Home for the Holidays, Parade, Winder Wonderland, etc.) in downtown Dover.
- Coordinated media (newspaper announcement), website and social media press releases of series of Holidays Events which occurred during November and December'12 in downtown Dover.
- Facilitated Grand Opening for the new business "A Touch of Glass" located at 147 S. Governors Avenue. One (1) FTE was created.
- Conducted small business development training on Social Media for fifteen (15) participants.
- Coordinated in collaboration with the Delaware SCORE Group the scheduling of a series of seventeen (17) small business development workshops to occur during the second and third quarter of the year.

City of Dover

Capital Investment Plan

Project Tracking Report

December 31, 2012

Points to Remember -

* Original Project Budget = Original Total Project Budget initially included in approved annual budget.
* Latest Project Budget = Revised Total Project Budget included in most recent approved annual budget or one of the following: bond resolution, revolving fund loan agreement, Council approved budget amendment, or City Manager approved amendment as per the Budget Amendment Procedure.
* Current Fiscal Year - Revised Fiscal Year Budget = Current Year approved project budgets plus carry forward balances of unspent budgets in the prior fiscal year. Project Carry Forward balances will be submitted to City Council for amendment in January 2010. Can also be amended with City Manager approval per the Budget Amendment Procedure.
* Water Quality, Inflow/Infiltration, Distribution Upgrades and New Development projects are budgeted as a blanket project and once individual projects are identified and estimated they are created using an allocation of the overall budgeted amount.
* Status and Comments provided by City Manager.
* For Finance purposes projects are considered completed when placed in service and **all** charges have been processed.

Current Year Budget Funding Sources	General	Community Transportation	Water & Wastewater	Electric	Total CIP
Budget Balance	$ 62,000	$ 171,400	$ 4,508,500	$ 534,700	$ 5,276,600
Restricted MSA (non Public Safety)	132,200	-	-	-	132,200
Library Funding - FY11 Budget Balance	(95,500)	-	-	-	(95,500)
Federal and/or State Grants	1,746,000	-	-	-	1,746,000
Transfer from Library Foundation	71,000	-	-	-	71,000
Friends of the Library Donation	102,400	-	-	-	102,400
Kent County Library Contribution	250,000	-	-	-	250,000
Sale of Assets - Library	1,200,000	-	-	-	1,200,000
Debt Financing - Green Energy Components	648,500	-	-	-	648,500
Community Transportation Fund - FY11 Balances	-	1,630,050	-	-	1,630,050
Debt Financing	2,000,000	-	4,000,000	-	6,000,000
Other State/Federal Grants	324,700	-	-	-	324,700
Police Grants	33,800	-	-	-	33,800
Transfer from Capital Reserves	-	-	-	550,000	550,000
Impact Fee Reserves	-	-	550,000	-	550,000
State Community Transportation Funds	-	700,000	-	-	700,000
Transfer Loan Proceeds to CT Fund - Street Program	-	1,606,700	-	-	1,606,700
Transfer from Operating Funds	613,400	-	2,900,000	3,500,000	7,013,400
Transfer from Future Capacity Reserve	2,000,000	-	-	-	2,000,000
Interest Income	-	-	25,000	40,700	65,700
Total Funding Sources (Unaudited)	$ 9,088,500	$ 4,108,150	$ 11,983,500	$ 4,625,400	$ 29,805,550

City of Dover
General Fund - Major CIP Projects
December, 2012

			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
		FY2009											
LB0901	M/G/L	New Library Project	$ 18,200,000	$ 20,469,080	$ 19,390,564	$ 1,078,516	94.7%	$ 2,535,000	$ 4,089,100	$ 3,101,784	75.9%	In Process	Overall project 80% Complete on 7/31/12
ST1203		Dump Truck Refurbishment	30,000	24,000	28,687	(4,687)	119.5%	-	12,000	16,666	138.9%	In Process	
		FY12 MSA - Capital non-safety	-	132,200	-	132,200	200.0%	-	132,200	-	0.0%		Restricted MSA Funding
		Totals - FY09	$ 18,230,000	$ 20,625,280	$ 19,419,251	$ 1,206,029	94.2%	$ 2,535,000	$ 4,233,300	$ 3,118,450	73.7%		
		FY2013											
---		Vehicles & Equipment	$ 399,900	$ 399,900	$ 187,702	$ 212,198	46.9%	$ 399,900	$ 399,900	$ 187,702	46.9%		
---		Annual Fire Truck Payments	238,500	238,500	96,275	142,225	40.4%	238,500	238,500	96,275	40.4%		
Mayor		Security Cameras	33,000	33,000	-	33,000	0.0%	33,000	33,000	-	0.0%		
FC1302	B/L	City Hall Fire Suppression	288,000	288,000	-	288,000	0.0%	288,000	288,000	-	0.0%		Financed by PNC Loan - FY12
FC1303	G	City Hall Emergency Generator	93,000	93,000	-	93,000	0.0%	93,000	93,000	-	0.0%		DEMA Grant funded
IT1301	G	Server & Backup Solution	57,000	57,000	-	57,000	0.0%	57,000	107,000	-	0.0%		$15K is DEMA grant funded
PR1301		Dover Park- Roof Replacement	30,000	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%		
ST1303	B/L	Salt Storage Facility-Schutte Park	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	0.0%		Financed by PNC Loan - FY12
ST1304	B/L	Garrison Farm Improvements	1,924,000	1,924,000	4,043	1,919,957	0.2%	1,924,000	1,950,000	4,043	0.2%		Financing to be determined
PD1301	G	Police Elec Breaker Replacement	33,800	33,800	-	33,800	0.0%	33,800	33,800	-	0.0%		Police Grant funded
PD1302	B/L	Police Micro Seal Parking Lots	25,300	25,300	-	25,300	0.0%	25,300	25,300	-	0.0%		Financed by PNC Loan - FY12
		Totals - FY12	$ 2,501,100	$ 2,501,100	$ 4,043	$ 2,497,057	0.2%	$ 3,172,500	$ 3,248,500	$ 288,020	8.9%		
		Debt issuance cost - PNC/Other	56,000	56,000	-	56,000	0.0%	56,000	-	-	0.0%		
		Transfer to CT Fund - Streets	1,606,700	1,606,700	-	1,606,700	0.0%	1,606,700	1,606,700	-	0.0%		PNC Loan for FY12/FY13 Street Program
		Grand Totals	$ 22,393,800	$ 24,789,080	$ 19,423,294	$ 5,365,786	78.4%	$ 7,370,200	$ 9,088,500	$ 3,406,470	37.5%	37.5%	

Legend

M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
G = Grant funded project
B/L = To be financed through bonds or commercial loan; Projects will be completed through CT Fund, therefore the loan proceeds will be transferred from Capital Fund into the Community Transportation Fund;

City of Dover
Community Transportation & General Fund Street Funds - Major CIP Projects
December, 2012

Hide

Project Code	Type	Description	TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS: Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	CURRENT FISCAL YEAR: Current Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
		FY 2002											
CT0212		North Street sidewalk	$ 80,400	$ 80,400	$ -	$ 80,400	0.0%	$ -	$ 80,400	$ -	0.0%		Waiting on DDP improvements
		Totals	$ 80,400	$ 80,400	$ -	$ 80,400	0.0%	$ -	$ 80,400	$ -	0.0%		
		FY 2009											
CT0555		Little League Park paving	$ 11,600	$ 11,600	$ -	$ 11,600	0.0%	$ -	$ 11,600	$ -	0.0%		Re-program for signage
		Totals	$ 11,600	$ 11,600	$ -	$ 11,600	0.0%	$ -	$ 11,600	$ -	0.0%		
		FY 2007											
CT0708		E. Water Street Brick	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ -	$ 65,000	$ -	0.0%		Specialty contract needed
		Totals	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ -	$ 65,000	$ -	0.0%		
		FY 2009											
CT0977	M	Schutte Parking Lot	$ 21,950	$ 21,950	$ -	$ 21,950	0.0%	$ -	$ 21,950	$ -	0.0%		Deferred
		Totals	$ 21,950	$ 21,950	$ -	$ 21,950	0.0%	$ -	$ 21,950	$ -	0.0%		
		FY2012											
CT1201	M	North Street Roundabout	$ -	$ 500,000	$ -	$ 500,000	0.0%	$ -	$ 500,000	$ -	0.0%	35%	Site work initiated
CT1212		Stoney Creek Lighting	-	40,000	8,696	31,304	21.7%	-	40,000	8,696	21.7%		
TE0601	M	Lincoln Park Center	900,000	1,423,500	518,069	905,431	36.4%	-	911,100	5,741	0.6%	Started	
		Totals	$ 900,000	$ 1,963,500	$ 526,765	$ 1,436,735	26.8%	$ -	$ 1,451,100	$ 14,437	0.0%		
		FY2013											
CTxxxx		Unapplied CT Projects (placeholder)	$ 700,000	$ 378,415	$ -	$ 378,415	0.0%	$ 700,000	$ 378,415	$ -	0.0%		Future CT Agreements
CT1295		Hazel Road	-	61,056	-	61,056	0.0%	-	61,056	-	0.0%		
CT1316		Robbins Hose Station 2	-	111,925	-	111,925	0.0%	-	111,925	-	0.0%		
CT1317		Wesley College Phase I	-	148,604	-	148,604	0.0%	-	148,604	-	0.0%		
ST1301		FY13 Concrete Program	60,000	60,000	6,148	53,852	10.2%	60,000	60,000	6,148	10.2%		Financed by PNC Loan - FY12
STxxxx		Street & Alley Program	300,000	56,400		56,400	0.0%	-	56,400	-	0.0%		
ST1305		White Oak Tax Ditch	-	12,600	-	12,600	0.0%		12,600	-	0.0%		
MR1301		Security Cameras	-	102,400	-	102,400	0.0%	-	102,400	-	0.0%		General Fund Appropriations
ST1302		FY12/FY13 Street & Alley Program	1,546,700	1,546,700	-	1,546,700	0.0%	1,546,700	1,546,700	-	0.0%		Financed by PNC Loan - FY12
			$ 2,606,700	$ 2,478,100	$ 6,148	$ 2,471,952	0.2%	$ 2,306,700	$ 2,478,100	$ 6,148	0.3%		
		Grand Totals	$ 3,593,650	$ 4,528,550	$ 532,913	$ 3,995,637	11.8%	$ 2,306,700	$ 4,108,150	$ 20,585	0.9%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
C = Project funded by combination of CT Funds and General Fund
B/L = To be financed through bonds or commercial loan;Projects will be completed through CT Fund, therefore the loan proceeds will be transferred from Capital Fund into the Community Transportation Fun

City of Dover
Water/Wastewater Improvement & Extension Fund - Major CIP Projects
December, 2012

Project Code	Type	Description	TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS: Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	CURRENT FISCAL YEAR: Approved Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	% Budget Spent	Status / % Complete	Comments
		FY 2008											
WD0804	M	1.0 MG Elevated Water Storage	$ 4,196,600	$ 2,590,000	$ 24,540	$ 2,565,460	0.9%	$ 2,000,000	$ 2,166,000	$ 11,615	0.5%	Started	Staff reviewing agreement docs
WD0805	M	Piney Point Well	398,800	665,000	47,840	617,160	7.2%	450,000	505,600	41,112	8.1%	Started	Staff reviewing RFP
		Totals - FY08	$ 4,595,400	$ 3,255,000	$ 72,381	$ 3,182,619	2.2%	$ 2,450,000	$ 2,671,600	$ 52,728	2.0%		
		FY2009											
WQ0907	SL/C	Rt. 13 Water Main	1,023,700	2,214,600	2,173,195	41,405	98.1%	-	192,600	114,868	59.6%	100.0%	Complete; Awaiting final charges
		FY2010											
WW1007	M/SL	Fox Hall Pump Station	427,900	358,900	273,226	85,674	76.1%	-	144,800	59,139	40.8%	98.0%	Final punch list items outstanding
WW1010	I	Tar Ditch Interceptor Upgrade	518,230	495,400	5,143	490,257	1.0%	-	490,300		0.0%	Started	Easement request sent to residents
		Totals - FY10	$ 427,900	$ 358,900	$ 273,226	$ 85,674	76.1%	$ -	$ 635,100	$ 59,139	9.3%		
		FY2011											
WW1104	SL	Lepore Road P/S Replacement	350,000	402,000	28,650	373,350	7.1%	-	384,200	10,800	2.8%	Started	Contractor ordered Station
		Totals - FY11	$ 350,000	$ 402,000	$ 28,650	$ 373,350	7.1%	$ -	$ 384,200	$ 10,800	2.8%		
		FY2012											
WD1201		Pay-As-You-Go Water Station	30,200	30,200	-	30,200	0.0%	-	30,200	-	0.0%	Started	Specs being developed
WQ1202		WQI - New Street	-	113,960	26,600	87,360	23.3%	-	87,400	-	0.0%	Started	Project on hold - Design complete
WQ1203		WQI - Silver Lake	-	279,840	238,576	41,264	85.3%	-	87,752	49,578	56.5%	100.0%	Complete; Awaiting final charges
WW1201	M/SL	Inflow/Infiltration Removal **(1)**	1,000,000	971,900	55,075	916,825	5.7%	-	-	-	0.0%		See FY13 I & I Program; $916.800
WW1202	M	SCADA Equipment Upgrade	84,900	84,900	76,389	8,511	90.0%	29,300	29,300	-	0.0%	Started	Awaiting delivery of materials
WW1204	M	Baltray Pump Station Replacement	125,000	125,000	20,874	104,126	16.7%	100,000	100,000	293	0.3%	Started	Project on hold - Bid specs ready
WW1205	M	Dover Brook Gardens Pump Station	65,000	65,000	12,194	52,806	18.8%	50,000	50,000	2,342	4.7%	Started	Project on hold - Bid specs ready
WW1206	M	Brandywine Pump Station Rplcmnt	402,000	402,000	33,875	368,125	8.4%	350,000	350,000	293	0.1%	Started	Project on hold - Bid specs ready
WW1207	M	McKee Pump Station Comm Rplcmt	55,000	55,000	7,724	47,276	14.0%	45,000	45,000	293	0.7%	Started	Project on hold - Bid specs ready
		Totals - FY12	$ 1,762,100	$ 2,127,800	$ 471,306	$ 1,656,494	88.8%	$ 574,300	$ 779,652	$ 52,798	6.8%		
		FY2013											
---		Vehicles & Equipment	$ 524,500	$ 524,500	$ -	$ 524,500	0.0%	$ 524,500	$ 527,548	$ -	0.0%	Started	All ordered or bid
WW1301	M	Hazlettville Road Interceptor	770,000	770,000	-	770,000	0.0%	30,000	30,000	-	0.0%	Not started	Project on hold
WW1302	M	Lakeview Drive PS Replacement	502,000	502,000	23,048.00	478,952	4.6%	52,000	52,000	23,048	44.3%	Not started	Project on hold
WW1303	M	Westover Pump Station	768,800	768,800	-	768,800	0.0%	65,000	65,000	-	0.0%	Not started	Project on hold
WW1304	M	Garrison Farm Improvements	1,828,000	1,828,000	670.90	1,827,329	0.0%	1,828,000	1,828,000	671	0.0%	Started	Pending Council approval 9/24
WD1302	M	Garrison Farm Storage Tank	1,828,000	1,828,000	-	1,828,000	0.0%	1,828,000	1,828,000	-	0.0%	Started	Pending Council approval 9/24
WD1304		Future Columbia Well Design	55,000	55,000	-	55,000	0.0%	55,000	55,000	-	0.0%	Not started	Project on hold
WD1301	R	Wellhead Redevelopment	70,000	70,000	67,675	2,325	96.7%	70,000	70,000	67,675	0.0%	15.0%	Contractor finishing Well 10 & 14
WQ1301		North Street WMR	45,000	45,000	47,691.41	(2,691)	106.0%	-	45,000	47,691	0.0%		
N/A		Water Quality Improvements	479,000	479,000	-	479,000	0.0%	479,000	479,000	-	0.0%		Locations to be determined
N/A		I & I Improvements **(1)**	1,000,000	(14,500)	-	(14,500)	0.0%	1,000,000	902,300	-	0.0%		Locations to be determined
II1301		New/Reed Street	-	330,000	310,493			-	330,000	310,493	0.0%	65.0%	Contractor finishing New Street
II1302		Fox Hall	-	142,000	77,384			-	142,000	77,384	54.5%	Scheduled	
II1303		Morris Estates	-	276,000	190,733			-	276,000	190,733	69.1%	Scheduled	
II1304		Wesley College	-	10,000	7,200			-	10,000	7,200	72.0%	Scheduled	
II1305		NRG sanitary sewer upgrade	-	175,000	69			-	175,000	69	0.0%	Not started	Bids due 10/4/12
II1306		I & I Design	-	40,000	18,524			-	40,000	18,524	46.3%	In progress	Staff reviewing consultant report
II1307		Mifflin Road Sewer Rehab		3,500	3,500			-	3,500	3,500			
II1308		Dunkin Donuts SSR	-	38,000	-			-	38,000	-			
WD1306	R	Emergency Generators	80,000	80,000	-	80,000	0.0%	80,000	80,000	-	0.0%	85.0%	Start on bid docs 10/1/12
			$ 7,950,300	$ 7,950,300	$ 746,987	$ 6,796,715	0.0%	$ 6,011,500	$ 6,976,348	$ 746,987	10.7%		
N/A		Debt issuance cost-Garrison Farm	344,000	344,000	-	344,000	0.0%	344,000	344,000	-	0.0%		
		Grand Totals	$ 16,453,400	$ 16,652,600	$ 3,765,745	$ 12,480,257	22.6%	$ 9,379,800	$ 11,983,500	$ 1,037,320	8.7%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
SL = State Loan Project - construction phase is financed
I = Impact Fee (partially) financed project

(1) Transferred remaining project balance from FY12 to the FY13 I & I Project $916,800
Adjusted Project Budget for FY13 will be $1,916,800 for I & I; Locations to be determined;

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
December, 2012

			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Year Budget	Revised Fiscal Year Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
		FY2012											
EE1205	M	Frazier Substation Upgrade	$ 765,200	$ 765,200	$ 391,175	$ 374,025	51.1%	$ 610,200	$ 611,800	$ 237,816	38.9%	In process	Materials ordered
EG1202	M	Unit 3 Boiler Systems	390,000	250,000	104,758	145,242	41.9%	129,000	167,300	22,106	13.2%	In process	Will complete Spring outage
EG1212	M	Unit 3 Turbine Inspection/Repair	1,494,000	1,494,000	403,190	1,090,810	27.0%	115,000	115,000	6,367	5.5%	In process	Will complete Spring outage
EG1214	M	Industrial WW Discharge System	272,000	272,000	36,845	235,155	13.5%	-	242,000	6,500	2.7%	In process	
EU1202	M	Persimmon Tree Lane Feeder Rplcmt	113,500	113,500	116,191	(2,691)	102.4%	-	8,500	12,642	148.7%	In process	
EG1204		Unit 3DCS Comp & Software	-	-	3,075	(3,075)	0.0%	-	-	3,075	0.0%	Complete	
		Total	$ 3,034,700	$ 2,894,700	$ 1,052,159	$ 1,842,541	36.3%	$ 854,200	$ 1,144,600	$ 288,506	25.2%		
		FY2013											
N/A	R	Vehicles & Equipment	$ 146,000	$ 146,000	$ 22,118	$ 123,882	15.1%	$ 146,000	$ 146,000	$ 22,118	15.1%		All vehicles received
N/A	R	FY13 New Dvlpmnts - UG Transformers	50,000	68,800	2,394	66,406	3.5%	50,000	68,800	2,394	3.5%		Over Budget; Revenue offset
EE1313	R	FY13 New Dvlpmnts - UG Conductors	350,000	(26,300)	6,266	(32,566)	-23.8%	350,000	(26,300)	6,266	-23.8%		
EE1313	R	FY13 New Dvlpmnts - 1 Phase Meters	50,000	25,340	353	24,987	1.4%	50,000	25,340	353	1.4%		
EE1301		Willow Tree Park	-	9,800	13,077	(3,277)	133.4%	-	9,800	13,077	133.4%		
EE1302		Bayard Plaza	-	39,400	31,514	7,886	80.0%	-	39,400	31,514	80.0%		
EE1303		Frazier Sub Upgrade	-	-	3,500	(3,500)	0.0%	-	-	3,500	0.0%		
EE1310		YMCA	-	22,000	20,916	1,084	95.1%	-	22,000	20,916	95.1%		
EE1311		Super 8 Motel	-	6,200	5,802	398	93.6%	-	6,200	5,802	93.6%		
EE1315		State Street Plaza	-	8,700	1,408	7,292	16.2%	-	8,700	1,408	16.2%		
EE1317		The Grand Apartments	-	79,560	77,378	2,182	97.3%	-	79,560	77,378	97.3%		
EE1318		M & L Ventures Warehouses	-	28,800	29,984	(1,184)	104.1%	-	28,800	29,984	104.1%		
EE1319		Proctor & Gamble	-	30,000	19,225	10,775	64.1%	-	30,000	19,225	64.1%		
EE1320		Generals Green Lights	-	7,200	-	7,200	0.0%	-	7,200	-	0.0%		
EE1322		Grottos Pizza	-	45,400	3,124	42,276	6.9%	-	45,400	3,124	6.9%		
EE1323		Dover High Lighting	-	264,200	224,679	39,521	85.0%	-	264,200	224,679	85.0%		
EE1324		Bayhealth Fiber Wood	-	50,000	40,657	9,343	81.3%	-	50,000	40,657	81.3%		
EE1325		Redner's Grocery Store	-	16,600	-	16,600	0.0%	-	16,600	-	0.0%		
EE1327		George & Lynch Asphalt	-	25,000	-	25,000	0.0%	-	25,000	-	0.0%		
EE1328		Fiber Blue Hen Project	-	49,300	-	49,300	0.0%	-	49,300	-	0.0%		
EE1304	R	FY13 Lighting Project & Rehab	100,000	100,000	-	100,000	0.0%	100,000	100,000	-	0.0%		Route 13 LED Lighting
EE1309	R	Distribution Capacitors	125,000	125,000	103,493	21,507	82.8%	125,000	125,000	103,493	82.8%		
EE1307		Division Sub Fence	70,000	55,000	39,345	15,655	71.5%	70,000	55,000	39,345	71.5%		
EE1308	M	Horsepond Substation Upgrade	761,800	761,800	-	761,800	0.0%	170,000	170,000	-	0.0%		
EE1305	M	FY13 69kv Switch Rplmnt Program	135,000	135,000	-	135,000	0.0%	55,000	70,000	-	0.0%		
EE1306	R	Trans Line Maint Program	75,000	75,000	-	75,000	0.0%	75,000	75,000	-	0.0%		
EE1312	M	General Scott Switchgear	1,155,000	1,150,000	-	1,150,000	0.0%	50,000	50,000	-	0.0%		
N/A	R	FY13 Distribution Upgrades	400,000	12,000	-	12,000	0.0%	400,000	12,000	-	0.0%		
EE1314		Capitol Park Upgrade	-	308,000	761	307,239	0.2%	-	308,000	761	0.2%		
EE1321		Pleasanton Acres	-	80,000	-	80,000	0.0%	-	80,000	32,876	41.1%		
N/A	R	FY13 Distribution Feeder Replacements	277,500	213,500	-	213,500	0.0%	277,500	213,500	-	0.0%		
EE1316		Wyoming Avenue Feeder Replacement	-	64,000	-	64,000	0.0%	-	64,000	31,662	49.5%		
EG1301		Units 1 Repair - Gasket leak	-	65,000	88,086	(23,086)	135.5%	-	65,000	88,086	135.5%		New Project; Not budgeted
EG1304	R	Units 1 & 2 Component Repairs	52,000	52,000	14,564	37,436	28.0%	52,000	52,000	14,564	28.0%		
EG1305	R	Units 1 & 2 Cooling Tower Life Ext.	37,300	37,300	-	37,300	0.0%	37,300	37,300	-	0.0%		
EG1306		Turbine Level Window Modifications	85,000	85,000	-	85,000	0.0%	85,000	85,000	-	0.0%		
EG1307		Unit 3 Air Heater Expansion Joint	80,000	80,000	43,629	36,371	54.5%	80,000	80,000	43,629	54.5%		
EG1309		Unit 3 Stack Repairs	27,000	27,000	-	27,000	0.0%	27,000	27,000	-	0.0%		
EG1310		Units 1 & 2 Stack Repairs	75,000	75,000	-	75,000	0.0%	75,000	75,000	-	0.0%		
EG1311		Van Sant Capacity Increase	550,000	550,000	-	550,000	0.0%	550,000	550,000	-	0.0%		
EG1312		Unit 3 Generator Repairs	236,000	236,000	794	235,206	0.3%	236,000	236,000	794	0.3%		
EG1313	R	Unit 3 Aux Sys Components	55,000	55,000	20,072	34,928	36.5%	55,000	55,000	20,072	36.5%		
			$ 4,892,600	$ 5,237,600	$ 793,068	$ 4,389,532	15.1%	$ 3,115,800	$ 3,480,800	$ 877,678	25.2%		
		Grand Totals	$ 7,927,300	$ 8,132,300	$ 1,845,227	$ 6,232,073	41.6%	$ 3,970,000	$ 4,625,400	$ 1,166,184	25.2%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
B = Bonded Project
S = State fully or partially reimbursed project

ACTION FORM

PROCEEDING: Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric	**DATE SUBMITTED**: 02/01/2013
PREPARED BY: Stephen Enss, Engineering Services & System Operations Superintendent	
SUBJECT: Horsepond Substation	
REFERENCE: Project # EE1308	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Controller	
EXHIBITS: Request for Service	
EXPENDITURE REQUIRED: $50,000. **AMOUNT BUDGETED**: $170,000. **PROJECT TO DATE EXPENSES**: $0.00 **FUNDING SOURCE (Dept/Page in CIP & Budget)**: Electric Engineering / Page 143	
TIMETABLE: Work to begin immediately following City Council approval	
RECOMMENDED ACTION: Staff recommends awarding the work to Pike Energy Solutions, LLC in an amount not to exceed $50,000 based on Time & Materials.	

BACKGROUND AND ANALYSIS

In December 2012, City Council awarded three (3) year contracts for electrical engineering services to Pike Energy Solutions, LLC and Power Consulting Engineers (PCE). Based on a review of the project needs for the Horsepond Substation, the Electric Department staff requested a project specific proposal from Pike Energy Solutions, LLC to perform the following services for the Horsepond Substation Project:

1) Review the City's final construction drawings associated with the Horespond Substation.
2) Provide relay settings for the Horsepond transmission settings.
3) Provide revised relay settings for Dover Air Base and Cartanza Substations.

The cost of these services will be based on Time & Materials not to exceed $50,000.

REQUEST FOR SERVICES

Date: January 7, 2013

This REQUEST FOR SERVICES is issued pursuant to the Agreement for Professional Services as approved January 2013 between Pike Energy Solutions, LLC ("Pike") and the City of Dover ("Client") which is hereby incorporated in this Request for Services by reference.

I. Scope of Work:

Pike shall perform the following Services for Client:

- Review Dover's final construction drawings associated with Horse Pond SS.
- Provide relay settings for Horse Pond transmission.
- Provide revised relay settings for Dover AFB and Cartanza.

II. Information to be furnished by Client:

Client (designated Representative is Steve Enss) shall provide the following information to Pike in connection with the Services:

Information and drawings as required.

III. Information to be furnished to Client by Pike:

Pike (designated representative is Danny Ewing) shall provide the following information to Client in connection with the Services:

- Support as defined in Section I above.

IV. Compensation: Project is to be billed on a time and expense basis in accordance with the 2013 rates specified in the Pike Proposal for Electrical Engineering Services as submitted in response to Dover Contract RFQ #13-0005EL.

Estimated charges: **Total $50,000**

V. Assumptions:

- One three day site visit (each) during design phase is included for a Consultant Engineer and an Engineer II. (Travel expenses to be billed at cost.)

Pike Energy Solutions, LLC

By: _____

Danny L. Ewing, PE
Project Manager
Pike Energy Solutions

City of Dover

By: _____

Steve Enss,
Eng'g Svcs & System Ops Superintendent
The City of Dover, Delaware

ACTION FORM

PROCEEDING: Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric	**DATE SUBMITTED**: 02/01/2013
PREPARED BY: Stephen Enss, Engineering Services & System Operations Superintendent	
SUBJECT: Horsepond Substation Transmission Line	
REFERENCE: Project # EE1308	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Controller	
EXHIBITS: Request for Service	
EXPENDITURE REQUIRED: $75,000	**AMOUNT BUDGETED**: $170,000
PROJECT TO DATE EXPENSES: $0.00	
FUNDING SOURCE (Dept/Page in CIP & Budget): Electric Engineering / Page 143	
TIMETABLE: Work to begin immediately following City Council approval	
RECOMMENDED ACTION: Staff recommends awarding the work to Pike Energy Solutions, LLC in an amount not to exceed $75,000 based on Time & Materials.	

BACKGROUND AND ANALYSIS

In December 2012, City Council awarded three (3) year contracts for electrical engineering service to Pike Energy Solutions, LLC and Power Consulting Engineers (PCE). Based on a review of the project needs for the Horsepond Substation Transmission Line, the Electric Department staff requested a project specific proposal from Pike Energy Solutions, LLC to perform the following services for the Horsepond Substation Transmission Line Project:

1) Design a new double circuit 69KV steel pole transmission line from Horsepond Substation to Horse Pond Road.
2) Provide associated material specifications and construction specifications/drawings.
3) Provide steel pole bid drawings, review bids, and provide written recommendation from bid review.
4) Conduct construction pre-bid meeting.

Project # EE1308 has two segments to complete which includes improvements to the substation and also improvements to the transmission lines. Pike Energy Solutions, LLC was also recommended for the substation work in a prior Council action. The cost of these services for the Horsepond Substation Transmission Line will be based on Time & Materials not to exceed $75,000.

REQUEST FOR SERVICES

Date: January 7, 2013

This REQUEST FOR SERVICES is issued pursuant to the Agreement for Professional Services as approved January 2013 between Pike Energy Solutions, LLC ("Pike") and the City of Dover ("Client") which is hereby incorporated in this Request for Services by reference.

I. Scope of Work:

Pike shall perform the following Services for Client:

- Design a new double circuit 69kV steel pole transmission line from Horse Pond Substation to Horse Pond Road.
- Provide associated material specifications and construction specifications/drawings.
- Provide steel pole bid drawings, review bids, and recommend bid award.
- Conduct construction pre-bid meeting (if necessary).

II. Information to be furnished by Client:

Client (designated Representative is Steve Enss) shall provide the following information to Pike in connection with the Services:

- Plan & profile drawings for the existing 69kV line section.
- Station catch-off drawings and design information.
- Survey data associated with existing line and future catch-off locations.
- Soil coring location stakings.

III. Information to be furnished to Client by Pike:

Pike (designated representative is Danny Ewing) shall provide the following information to Client in connection with the Services:

- Support as defined in Section I above.

IV. Compensation: Project is to be billed on a time and expense basis in accordance with the 2013 rates specified in the Pike Proposal for Electrical Engineering Services as submitted in response to Dover Contract RFQ #13-0005EL.

Estimated charges: **Total $75,000**

V. Assumptions:

- Expenses associated with one on-site recon and one construction bid meeting are included.
- A geotechnical investigation cost of $4,000 is included in the estimate.
- No design work associated with Horsepond SS foundations or structures is included.

Pike Energy Solutions, LLC

By: _____

Danny L. Ewing, PE
Project Manager
Pike Energy Solutions

City of Dover

By: _____

Steve Enss,
Eng'g Svcs & System Ops Superintendent
The City of Dover, Delaware

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM**:
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 02/01/2013
PREPARED BY: Sharon J. Duca, P.E., Public Works Director / City Engineer	
SUBJECT: Evaluation of Bids – FY 2013 Street & Alley Program	
REFERENCE: CIP – Street & Alley Program	
RELATED PROJECT: Cannon Mill Paving Improvements Program	
APPROVALS: City Manager, Controller	
EXHIBITS: Aerial Maps	
EXPENDITURE REQUIRED: $1,290,921.42 - $1,384,466.15 **AMOUNT BUDGETED**: See Funding Source **FUNDING SOURCE (Dept./Page in CIP & Budget)**: Multiple Funding Sources: $1,546,700 General Fund; $700,000 Community Transportation Funds; $256,214 Municipal Street Aid Fund CIP Page: 91 Account No.: 147-1800-554.40-31 and 318-990-582.40-31	
TIMETABLE: Notice to Proceed to be issued within 60 days of Council approval. Project anticipated to be completed in 120 calendar days from Notice to Proceed issuance.	
RECOMMENDED ACTIONS: Award a unit price contracts, based upon Bid #13-0015PW for the FY 2013 Street & Alley Program to Daisy Construction Co. and American Infrastructure, Inc., with total quantities for each contractor to be based upon progress and quality of work completed. The total contract value will range between $1,290,921.42 and $1,384,466.15 depending upon the rate of progress and quality of work completed by each contractor. The Public Works Director may add or delete from the contract based on available funding throughout the contract period and inform the City Manager of such additions and deletions. All work will be paid for at the unit prices bid for work completed and accepted by the City of Dover. The total work authorized under this contract will not exceed the available funding.	

BACKGROUND AND ANALYSIS

In concurrence with the City of Dover's Capital Investments Plan, it is proposed to rehabilitate various pavement sections throughout the City of Dover during Fiscal Year 2013. The total length of scheduled street repaving / overlaying is approximately 15,392 linear feet or 2.9 miles. The following locations were included in the proposed scope of work to be completed under the FY 2013 Street & Alley Program:

STREET NAME	EXHIBIT TITLE
AMERICAN AVENUE	MAP 2
AMERICAN AVENUE EXTENDED	MAP 1
BALTRAY AVENUE	MAP 7
BAYARD AVENUE	MAP 5
GREENHILL ROAD	MAP 5
MADISON AVENUE	MAP 1
MARY STREET	MAP 3
MARYLAND AVENUE	MAP 2

STREET NAME	EXHIBIT TITLE
PENNSYLVANIA AVENUE	MAP 2
PENNSYLVANIA AVENUE EXTENDED	MAP 1
PEAR STREET	MAP 4
PORTMARNOCK COURT	MAP 7
PORTRUSH COURT	MAP 7
RODNEY ROAD	MAP 1
SOUTH STREET	MAP 6
WEST STREET	MAP 3

Bids were opened on Wednesday, January 30, 2013. Eight (8) contractors submitted unit price bids for the proposed work to be performed. Based on the proposed quantities, the estimated contract values are as follows:

CONTRACTOR	LOCATION	AMOUNT OF BID (WITH PREVAILING WAGES)	AMOUNT OF BID (WITHOUT PREVAILING WAGES)
A-DEL CONSTRUCTION CO.	NEWARK, DE	$2,246,439.80	$1,969,449.28
AMERICAN INFRASTRUCTURE, INC.	**WEST CHESTER, PA**	**$1,384,466.15**	**$1,344,195.80**
DAISY CONSTRUCTION CO.	**NEW CASTLE, DE**	**$1,337,931.60**	**$1,290,921.42**
DAVID A. BRAMBLE, INC.	CHESTERTOWN, MD	$1,800,093.10	$1,729,042.00
DIAMOND MATERIALS, LLC	WILMINGTON, DE	$1,876,810.63	$1,711,831.45
GEORGE & LYNCH	DOVER, DE	$1,430,657.67*	$1,355,269.70*
GWP ENTERPRISES	FRANKLINVILLE, NJ	$1,584,972.34	$1,519,039.30
HARMONY CONSTRUCTION CO.	WILMINGTON, DE	$1,390,151.27	$1,317,587.01

**Evaluated Bid based on Local Vendor Preference*

The FY 2013 Street Program contract documents allow staff to alter quantities up to 35% without changes to unit prices; therefore, the contract final value may be adjusted to reflect all available funding. Daisy Construction Co. was the City's contractor for the FY 2011 Street & Alley Program and their work was found to be satisfactory. In addition, Daisy Construction Co.'s and American Infrastructure, Inc.'s qualification information, which included a list of recently completed projects similar in scope, as well as a financial statement, were all found to be adequate. It is staff's opinion that the bid represents fair market value and their qualifications are in accordance with the requirements of this project. In conclusion, staff recommends awarding a unit price construction contract to Daisy Construction Co. and America Infrastructure, Inc. for the FY 2013 Street & Alley Program, with total quantities for each contractor to be based upon progress and quality of work. The total contract value will range between $1,290,921.42 and $1,384,466.15 depending upon the rate of progress and quality of work completed by each contractor.


N American Avenue Ext, Pennsylvania Avenue Ext, Madison Street & Rodney Road
Columbia Ave
Lakeside Memorial Cemetery
Pennsylvania Ave
N American Avenue Ext
Madison St
Pennsylvania Ave Ext
Rodney Rd
William St
N State St
Alley
Washington St
Legend
Street to be Paved
Dover Parcels
1 inch = 165 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 1

N American Avenue, Pennsylvania Avenue & Maryland Avenue

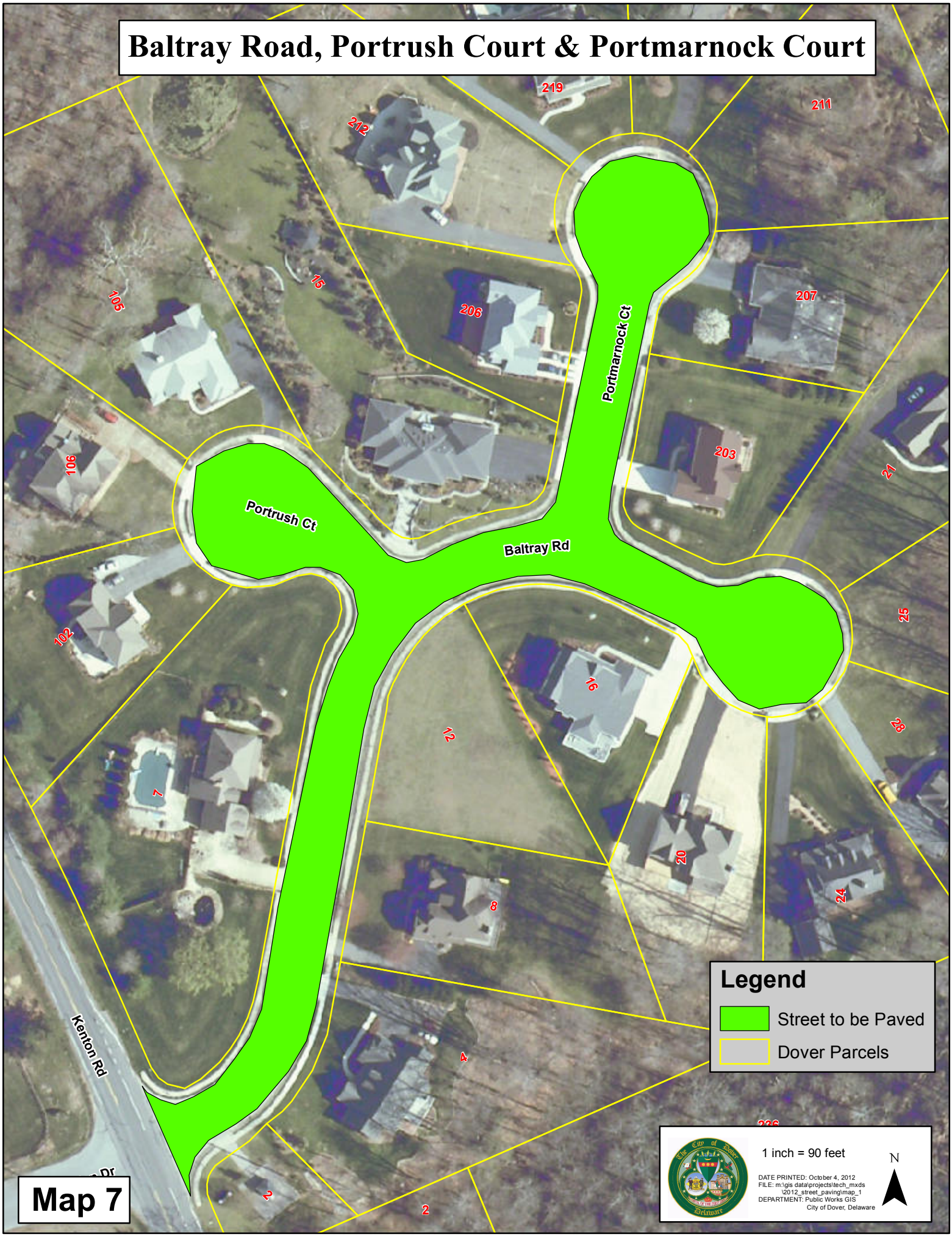



Mary Street & West Street
Pear St
Mary St
Unnamed Street
N West St
N Kirkwood St
Cecil St
Ridgely St
Alley
Fulton St
W Division St
S West St
Legend
Street to be Paved
Dover Parcels
1 inch = 160 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 3


Pear Street
Walker Rd
Ross St
Columbia Ave
William St
Clara St
Mary St
Unnamed Street
Alley
N West St
Carol St
Fairview Ave
Lakewood Pl
N Queen St
Pear St
Legend
Street to be Paved
Dover Parcels
1 inch = 280 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 4


Greenhill Road & Bayard Avenue
E Division St
Unnamed Street
Unnamed Street
S Dupont Hwy
S Dupont Hwy
Bayard Ave
Bayard Ave
Bayard Ave
Greenhill Rd
Greenhill Rd
Alley
Alley
Park Dr
E Loockerman St
Legend
Street to be Paved
Dover Parcels
1 inch = 150 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds
\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 5


South Street
505
120
114
110
102
521
Elm Ter
535
6
537
543
530
540
545
100
540
S Governors Ave
S State St
605
South St
560
600
South St
S Governors Ave
609
640
618
Unnamed Street
Legend
Street to be Paved
Dover Parcels
1 inch = 110 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds
\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 6


Baltray Road, Portrush Court & Portmarnock Court
Portmarnock Ct
Portrush Ct
Baltray Rd
Kenton Rd
219
211
212
206
207
203
105
106
102
16
12
7
8
20
24
25
28
4
2
Legend
Street to be Paved
Dover Parcels
1 inch = 90 feet
N
DATE PRINTED: October 4, 2012
FILE: m:\gis data\projects\tech_mxds
\2012_street_paving\map_1
DEPARTMENT: Public Works GIS
City of Dover, Delaware
Map 7

COUNCIL RESOLUTION NO. 2013-04

A RESOLUTION AMENDING RESOLUTION NO. 2009-03 WHICH CREATED THE DOVER LIBRARY FOUNDATION

WHEREAS, Resolution No. 2009-03, adopted by City Council on January 12, 2009, formally authorized the creation of the non-profit corporation named Dover Library Foundation for the purpose of receiving and expending funds for the new Dover Library, its accounts and funds to be kept and managed by the City of Dover Controller; and

WHEREAS, the construction of the library building is complete and the City wishes to convey management of the accounts and funds to the Dover Library Foundation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

THAT Resolution No. 2009-03, paragraph 1, be amended to read as follows:

1. City Council hereby formally authorizes the creation of the non-profit corporation named Dover Library Foundation for the purpose of receiving ***non-taxable contributions from citizens, foundations, or others to support future library programs and capital campaigns*** ~~**and expending funds for the new Dover Library, its accounts and funds to be kept and managed by the City of Dover Controller.**~~

ADOPTED: *

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2013\Draft\2013-04 - Amending Res. No. 2009-03 - Creation of Dover Library Foundation.wpd

CARLETON E. CAREY, SR.	THOMAS J. LEARY
MAYOR	COUNCIL PRESIDENT

Actions History
Feb 11, 2013 - Introduced at City Council

Draft

PETITION TO ANNEX AND REZONE PROPERTY
First Reading before the Dover City Council
February 11, 2013

Applicants/Owners:	Nathan Sipple
Property Address:	1174 South Governors Avenue
Tax Parcel ID #:	ED00-086.05-01-12.00-000
Size:	8,250 SF +/-
Present Use:	Residential
Proposed Use:	Residential

Comprehensive Plan Designation: Category 1 – High Priority Annexation Areas

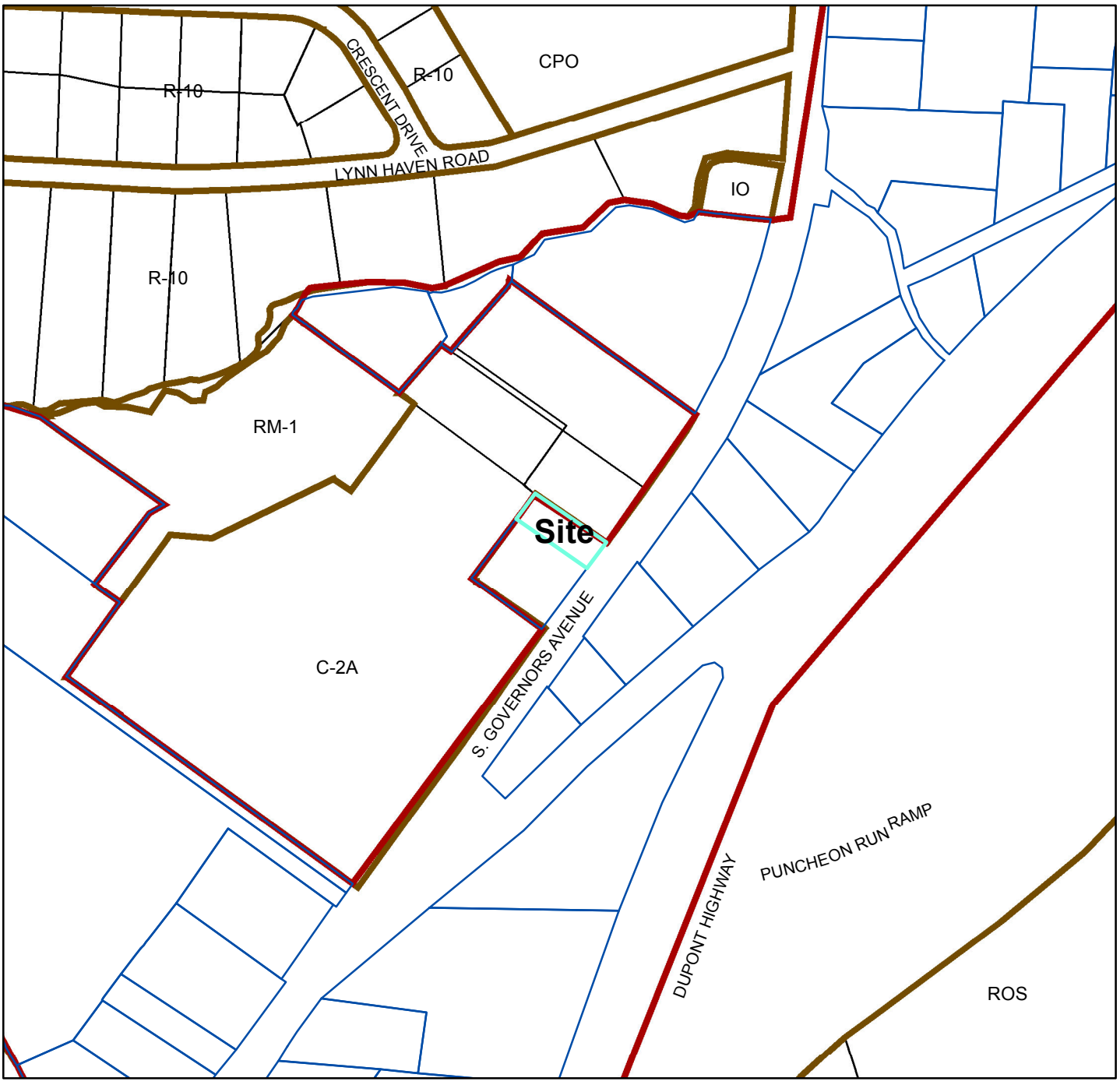
Comprehensive Plan Land Use Designation: Commercial

Present Zoning:	BG (General Business)
Proposed Zoning:	C-2A (Limited Central Commercial)
File Number:	AX-13-01

City of Dover

Department of Planning & Inspections

Application No.: AX-13-01



Plan Title: Lands of Nathan Sipple
Location: 1174 South Governors Avenue
Plan Type: Annexation
Tax Parcel: ED-00-086.05-01-12.00-000
Proposed Zoning: C-2A
Proposed Land Use Classification: Commercial
Annexation Classification: Category 1 High Priority
Owner: Nathan Sipple
Date: 2-5-13

Legend

- Zoning
- Dover Parcels
- Kent County Parcels
- Dover Boundary

0 150 300 600 Feet

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2013-05

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1174 SOUTH GOVERNORS AVENUE

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from BG - General Business (Kent County zoning classification) to C-2A - Limited Central Commercial (City of Dover zoning classification).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover has been amended by changing the zoning designation from BG - General Business (Kent County zoning classification) to C-2A - Limited Central Commercial (City of Dover zoning classification) on that property located at 1174 South Governors Avenue, consisting of .17 $^{+/-}$ acres, owned by Sipple's Used Cars, Inc. (Tax Parcel: ED-00-086.05-01-12.00-000; Planning Reference: AX-13-01)

ADOPTED: *

S:\ANNEXATIONS\Annex-2013\1174 S Governors Ave\Ordinance #2013-05-Rezoning of 1174 S Governors Ave-1st Rdg.wpd

Actions History

February 11, 2013 - Scheduled for First Reading/Referral

Draft