REGULAR COUNCIL MEETING

The Regular Council Meeting was held on July 23, 2012 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mrs. Russell, Mr. Perza, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison. Mr. Lynn was absent.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mrs. Townshend, Fire Chief Fortney, Mr. Koenig, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Carey 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. Sherman Townsend, 539 Pennsylvania Avenue, advised members of a situation that occurred approximately a week prior regarding a City employee who made a decision to open the valve on Silver Lake. He stated that it appeared that the level of water in the lake was lowered approximately three (3) feet and, since the previous depth was approximately six (6) feet, half of the lake's water was gone. It was his understanding that the employee who made the decision was attempting to salvage fish that were dying in Mirror Lake below the dam. Mr. Townsend stated that he contacted members of the Silver Lake Commission (having previously served as a member) who indicated that they had no knowledge of the lowering of the water level. He also noted that the Department of Natural Resources and Environmental Control (DNREC) had been extremely cautious over the years regarding the timing of the opening of the valve and that this was never done until some time in late October for various reasons.

With only approximately three (3) feet of water in the lake and the likelihood that there would not be significant rainfall in July or August, Mr. Townsend stated that there had already been a significant explosion of algae bloom, which he felt would continue to be a problem. As a result, he predicted a significant fish kill within the next three (3) to four (4) weeks in the lake. He explained that the algae would use up oxygen, making it difficult for fish to survive. It was his understanding that the City Manager was not made aware of the lake lowering, which he felt was a major concern. He indicated that there would be significant environmental repercussions as a result of this action and requested that the City investigate this matter to determine who the employee was who took this action, why it was done, and who authorized the action and then take appropriate action. He felt that if a citizen were to take such action, they would be fined several thousand dollars.

Mr. Bonar requested that this matter be placed on the agenda for the next Parks, Recreation, and Community Enhancement Committee meeting to allow staff to provide members an update.

The invocation was given by Chaplain Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Anderson requested that Item #5-B - Requisite Legal Work for Proposed Rent Justification Ordinance, be removed from the Consent Agenda.

Mr. Bonar moved for approval of the consent agenda as amended, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mr. Lynn absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JULY 9, 2012

The Minutes of the Regular Council Meeting of July 9, 2012 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hutchison and bore the written approval of Mayor Carey.

PRESENTATION - COMMUNITY BLUEPRINT NETWORK

Ms. Michelle Lee, American Legion Auxiliary/Americorps Volunteers in Service to America (VISTA) Member, Community Blueprint Field Organizer, reviewed a Presentation - Community Blueprint Network and provided a program information sheet ***(Exhibit #1)***. She introduced her partner, Col. Ronald G. Sarg, USAF (Retired), Military Officers Association of America.

In response to Mr. Anderson, Ms. Lee suggested that those wishing to join in the effort or obtain additional information contact her directly and noted that there were several related upcoming events scheduled.

Responding to Mr. Hutchison, Ms. Lee stated that a meeting was scheduled for August 21, 2012 at the New Castle County Building and it was hoped that all three (3) counties would come together to collaborate on these efforts. Mr. Hutchison suggested that three (3) separate locations be identified, one (1) for each of the counties, and that a leadership team be built in each county to support these goals.

VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 827 TOWNSEND BOULEVARD (POOL), OWNED BY JENNIFER E. BROWN

During their Regular Meeting of June 25, 2012, City Council considered a violation of the dangerous building ordinance for property located at 827 Townsend Boulevard (pool), owned by Jennifer E. Brown. At that time, members tabled action for 30 days and if, at the end of that time, sufficient progress had not been made, as determined by the Inspections Department, staff would proceed with demolition.

Mr. Bonar moved to remove the matter from the table, seconded by Mr. Anderson and unanimously carried.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that staff had conducted an inspection and observed the pool holding water; however, they questioned if the pump was functioning. She advised members that she visited the property earlier in the day and noted that there was water in the pool, the pump was running, and the homeowner had arranged for additional work to be conducted the following day. As a result, she stated that the pool appeared to be operational and the violations previously reported had been corrected.

Mr. Anderson moved to accept staff's report, seconded by Mr. Bonar and carried by a unanimous roll call vote (Mr. Lynn absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - 345 AND 347 NORTHDOWN DRIVE - CHESAPEAKE HOLDINGS, WV VI, LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 345 and 347 Northdown Drive, owned by Chesapeake Holdings, WV VI, LLC. Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the properties consist of two (2) three (3) story, wood-framed townhouse units. The dwellings were condemned as unfit for human habitation due to having no electrical service, incomplete construction, and for the various degrees of deterioration of the structures. The units were the middle units in a group of six (6) townhouses. Currently, the structures remained vacant, with no utilities, and were in a serious state of disrepair. Mrs. Townshend provided a chronological history and presentation on the conditions of the properties located at 345 and 347 Northdown Drive ***(Exhibit #2)***.

Staff recommended that City Council: 1) declare these buildings and all accessory structures on these properties dangerous; 2) order the properties repaired by August 23, 2012 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair of the exterior of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs to be charged against the land on which the buildings exist as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner. Mrs. Townshend provided an estimated repair cost of $4,000-7,000.

In response to Mrs. Williams, Mrs. Townshend indicated that although staff had not accessed the townhouses to conduct an interior inspection, it was their observation that there were no issues with the interior of the units. Since the vacant building fees had been received and the bank had been cooperating with the City, she stated that, should the necessary repairs not be completed by August 23, 2012, staff would conduct an interior inspection. She advised members that these units had not been found to be unsecured, as some other properties were.

Responding to Mr. Perza, Mrs. Townshend stated that there were delinquent taxes on all properties being presented. She stated that staff had been in contact with M&T Bank for over one (1) year and that they indicated a desire to consider all of their options. She stated that the Bank had already foreclosed and repossessed the properties. She felt that the Bank could make the necessary repairs and sell the properties and explained that the challenge was that these were interior units. She advised members that the State statute allows only for liens on exterior repairs. She felt confident that the cost of removing the decks and repairing siding would be less than the $4,000 estimate.

Council President Leary declared the public hearing open. There being no one present wishing to speak Council President Leary declared the public hearing closed.

Mr. Bonar moved that the structures located at 345 and 347 Northdown Drive be declared dangerous buildings and subject to demolition, as recommended by staff. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Mr. Lynn absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - 357, 361, 365, AND 408 NORTHDOWN DRIVE - CHESAPEAKE HOLDINGS, WV VI, LLC

A public hearing was duly advertised for this time and place to consider violations of the Dangerous Building Ordinance at 357, 361, 365, and 408 Northdown Drive, owned by Chesapeake Holdings, WV VI, LLC. Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the properties consists of two (2) story, wood-framed, single-family homes. The dwellings were condemned as unfit for human habitation due to having no electrical service, incomplete construction, and to the various degrees of deterioration of the structures. Some of the homes had standing water in the basement and Tyvek blowing in the wind, with others being infested by birds, causing unsanitary conditions. She noted that the structures were currently vacant, with no utilities, and in a serious state of disrepair. Mrs. Townshend provided a chronological history and presentation on the conditions of the properties located at 357, 361, 365, and 408 Northdown Drive ***(Exhibit #3)***.

Staff recommended that City Council: 1) declare these buildings and all accessory structures on these properties dangerous; 2) order the properties repaired or demolished by August 23, 2012 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structures if not completed by the owner within 10 days of the date established by City Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the buildings exist as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner. Mrs. Townshend provided an estimated repair cost of $40,000-50,000.

Council President Leary declared the public hearing open.

Mr. Jason Gardner, 360 Northdown Drive, stated that he had been working with the City for the past three (3) years regarding these vacated buildings, during which time he observed deterioration and vandalism to the properties. He stated that his home had been on the market for the past 10 months and, although there had been several showings to people who felt that the price was right and the home was beautiful, one of these "eyesores" is located directly across the street and potential home buyers are not interested. He stated his support for staff's recommendation and requested that members take action as soon as possible, since these homes are preventing the sale of his house.

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

Mrs. Williams moved that the structures located at 357, 361, 365, and 408 Northdown Drive be declared dangerous buildings and subject to demolition, as recommended by staff. The motion was seconded by Mr. Perza and carried by a unanimous roll call vote (Mr. Lynn absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JULY 9, 2012

The Legislative, Finance, and Administration Committee met on July 9, 2012 with Chairman Hare presiding.

Review and Recommendation - Filling Critical Positions - Police Clerk II - Police Department

Police Chief James Hosfelt reviewed a request to fill a Police Clerk II position at the Dover Police Department. He advised members that the vacancy was created by the retirement of an employee at the end of the previous fiscal year.

The Committee recommended approval of the request to fill the Police Clerk II position, as recommended by staff.

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. Lynn absent).

Review and Recommendation - Filling Critical Positions - 911 Dispatcher - Police Department

Police Chief James Hosfelt reviewed a request to fill a 911 Dispatcher position at the Dover Police Department. He advised members that the vacancy was created due to the previous dispatcher being hired as a Police recruit.

The Committee recommended approval of the request to fill the 911 Dispatcher position, as recommended by staff.

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. Lynn absent).

Requisite Legal Work for Proposed Rent Justification Ordinance *(Lynn, Leary, and Bonar)*

Mr. Lynn requested approval for the Deputy City Solicitor to be retained to conduct research for a proposed rent justification ordinance. He stated that the ordinance would be similar to the recently failed Senate Bill 97. He noted that the City of Dover has a number of communities zoned for manufactured housing or as mobile home parks; therefore, this could affect a significant number of City residents. Mr. Lynn explained that, at this time, the request was only to authorize legal research to determine if the City could enact such an ordinance or whether the City would be precluded from doing so under the doctrine of preemption.

In response to Mr. Rushe, Mr. Lynn requested that correspondence received from Mr. Fred Neil, President, Wild Meadows Homeowners Association, that was previously distributed to members, be made a part of the record. He confirmed that the request was specifically for manufactured housing and mobile home parks that are subject to or under the ambit of Chapter 70 of the Dover Code.

Mr. Shevock explained his understanding that deed restrictions would be different for each community and questioned how this would affect such an ordinance. Responding, Mr. Lynn suggested that this matter be included in the scope of work for the legal review.

In response to Mr. Perza, Mr. Lynn suggested that 8-10 hours of time be allowed for the Deputy City Solicitor to conduct research on this matter and that once these findings were known, the Committee could determine what, if any, further action should be taken in this regard. Council President Leary suggested that the time allotted for the research be "up to 10 hours" rather than 8-10 hours.

Mr. Fred Neil, 521 Weaver Drive, President of Wild Meadows Homeowners Association, read the following statement into the record:

As a former News Director at a major Baltimore Radio Station & Press Officer for Mayor William Donald Schaefer during Baltimore's Harbor Place creation days, I am very sensitive to basing comments on verifiable facts. This is particularly true in dealing with the governance involving taxpayers.

As law makers, you have at your fingertips:

- *Zoning including the number of communities zoned for manufactured or so called mobile housing.*
- *The number of manufactured homes in these communities.*
- *Tax records should reveal when homes are sold, left vacant, re-sold, & selling price and the tax records involved.*
- *In my community, Wild Meadows, our homes that were purchased new and sold for approximately $80,000 to $200,000 are now selling at 30% to 50% less that the original cost, while rents have increased 40% from the time I moved in 2003 from $300, which remained the fee, until all lots were sold and then the jumps in rent began. It is now $420.50.*

With Calpine on side of the community and Firefly at our front doors, I think the current assessment on my home of $119,000 will drop significantly when you look at home sales in the near future in my community.

You have access to the Assessment Appeals Hearing of my community, in May 2007, when the property which had been assessed at $5 Million and the City wanted to raise the Assessment to $11 Million and a compromise was reached at $7.5 Million.

Because we are a 55 Plus community, we are particularly sensitive to rent increases, particularly when we have maintenance concerns which then becomes a consumer protection issue.

According to the appeals hearing the Appraiser hired by managements said of the $1Million collected in rents 20% was spent on the maintenance. At the time we weren't quite at $1 Million but it was close.

Thanks to our Dover elected officials, who have always been welcome to attend our meetings, the City of Dover have always stepped to help when we have legitimate problems, that if we were truly a part of the free market or free enterprise wouldn't have needed help. To name a few, incorrectly paved streets that flooded, swales that acted as speed bumps, a huge pile of cut vegetation that served as harborage for the rats, raccoons, snakes of the wet lands across our drainage ditch, and the snow removal that blocked our driveways, fire hydrants and mail box pods.

Direct efforts by a member of the City Council to resolve concerns between home owners over maintenance demonstrated the hostile stance of the land owner who has extraordinary power over his customers. Since the values of our homes are effected in large part by the appearance of a stained entrance, rusting club house doors and used worn furniture should have been simple. We agree, we don't agree and when the work would be done.

When you can't enforce the law, there is no controlling the degree of arrogance a community owner can exhibit.

There lies the rub.

No other business in Delaware can pass on a Fine with impunity. Any other business would risk business to a competitor if they raised their prices to recover a Fine and legal defense costs. Why should they obey the law if they can recoup the costs of a Fine and legal defence?

Fear is one the greatest factors for people in manufactured home communities for not speaking out. While Wild Meadows Seniors vote and attend meetings, and give back to this community in many ways, the folks in places such as Dover East Estates and Dover Air Park live in fear of organizing or complaining because they are afraid of losing their homes. They don't know you need a court order or that you can fight for what the law says.

Regular mortgages are low. Chattel loans on our homes are 3 X to 5 X more. You need low cost housing to keep business going. The people in homes on leased land need ***real consumer protection.***

Any help the City of Dover can provide will pay dividends now and in the future.

Mr. Neil urged members to develop a law that might provide some type of protection for homeowners. It was his opinion that if homeowners were provided full disclosure, none of the homes in that area would have sold, except to desperate individuals, and if there were a rent justification law, these homeowners would be protected. He requested the City to provide assistance in this matter.

Responding to Mr. Hutchison, Mr. Neil stated that the Wild Meadows Homeowners Association had been working with the General Assembly on this issue in an attempt to resolve the problem.

The Committee recommended the authorization of 10 hours of legal work to investigate a proposed rent justification ordinance.

Mr. Anderson stated his feeling that in-depth research and many hours of legal work would be required to determine if the City had the power to implement such an ordinance. He indicated that he requested that this item be removed from the consent agenda because he voted in opposition to this matter during the Committee's deliberations and wanted his objection to be a part of the record.

Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and failed by a roll call vote of five (5) no, three (3) yes (Mr. Bonar, Mr. Hutchison, and Council President Leary), and one (1) absent (Mr. Lynn).

Proposed Policy for Requesting Legal Work/Opinions

Mr. Lynn advised members that he made a request for legal research to be conducted by the City Solicitor's Office regarding the proposed rent justification ordinance and, as a result, City staff was contacted since it appeared that the request would require significant resources. He stated that this raised the question as to how an individual member of Council could request legal opinions/work from the City Solicitor's Office. Mr. Lynn felt that establishing a policy would provide an avenue for each member of Council to engage the City Solicitor's Office for legal projects. He noted that a policy entitled "Council Requests for Projects" was adopted by City Council during their Regular Meeting of August 27, 2001 and was in place for requests for staff from Council but did not include legal work. He felt that it would be prudent to develop a procedure by which members of Council could order legal work to be conducted on individual projects and that legal work of significant size would require review by the Committee and approval by City Council.

Council President Leary explained that if members of Council have questions for staff, staff would be expected to respond since they are already on the payroll. Since the City Solicitor's Office is not on the City's payroll, every time the City Solicitor answers the phone, billing time begins and there is an expenditure of funds. Noting that if 9-10 people were to call the City Solicitor separately, it could become expensive and he felt that there was a need for some sort of procedure to be in place.

Mr. Rushe relayed concern that establishing such a procedure could create problems if a response from the City Solicitor's Office were needed within a short time frame. Concurring, Mr. Lynn felt that such a procedure could result in members attending a meeting without the necessary legal research on a particular agenda item and no guaranteed opportunity to remove the item from the agenda to allow time for research.

Council President Leary noted that a phrase could be included in the policy that would allow the Council President the discretion to override the policy in certain circumstances.

Mr. Anderson concurred with the concept but relayed concern that a single member of Council could obligate 80% of the City Solicitor's time, which could result in an exorbitant expense for the City. Mr. Anderson stated his opinion that it might be appropriate to allow Council Members to request legal work that would not exceed an hour; however, it was his feeling that greater leeway for additional time should be allowed for legal research related to an item that the Committee Chairs had already agreed to place on an agenda.

Mr. Hare noted that agendas were published in plenty of time prior to a meeting so that if a member of Council had a question or concern, they could contact the City Clerk's Office, who could then talk with the City Manager, appropriate Chairman, and the Council President regarding the possibility of a legal opinion/review.

Mr. Lynn questioned if the policy would affect City staff as it relates to legal opinions from Bond Counsel.

Mr. Perza questioned if issues had arisen that created the need for such a policy. He stated his concern that members of Council have independent ideas and expressed his hope that those responsible for making decisions regarding engaging the Solicitor's services would not be able to "suffocate" that creativity by denying access to information, limiting access to legal review or research, or stifling ideas by over-researching possible policies before they are even considered by a committee. He indicated his feeling that the time to begin determining whether a matter is legal or not would be after a the committee reviews policies and recommends approval by Council, rather than before a committee meets to consider the matter. This would prevent the expenditure of funds that may not be necessary for those instances when such a policy does not have the support of the committee and/or approval of Council.

Concurring, Mr. Rushe felt that the creation of a procedure for requests for legal opinions/research would only add more bureaucracy for something that was not necessary.

Mrs. Donna Mitchell, Controller/Treasurer, stated her concern with staff's need to obtain legal advice from Mr. Kirk Betts, Bond Counsel, etc. She explained that most of the needs for legal opinion or advice come before Council, such as the Request for Proposals (RFP) recently prepared by Mr. Betts; however, sometimes legal issues arise based on current needs which may not go before Council. It was her hope that staff would still be authorized to move forward with those types of requests by submitting them through the appropriate Chairman or the Council President.

The Committee recommended that requests for legal work performed by the City Solicitor or Deputy City Solicitor from Council directly be handled on a case-by-case basis in the future.

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. Lynn absent).

Value Study of Positions *(Councilman Hutchison)*

Mr. Hutchison reminded members that after the 2011 Municipal Election, the first order of business was the review and approval of the City's budget. At that time, members were advised that the City was projecting a $3.4M budget shortfall; however, as a result of the significant efforts of staff, members of Council, and the Mayor throughout the year, that amount was reduced to $600,000. He noted that this reduction was also due to several retirements, employees who found other employment, etc. Mr. Hutchison stated his opinion that controlling personnel costs for current employees and future retirees was critical to balancing revenue and expenses and that current pay policies do little to help maintain these costs. He suggested that a workshop be held to begin working on next year's budget and allow members to identify issues and concerns pertaining to personnel costs.

In response to Mr. Anderson, Mr. Hutchison suggested that the workshop be held with participation from the Mayor, Council, and the City's management team. He noted that the pending Salary and Benefits Compensation Comparison Committee Report should be part of this process.

Mr. Anderson reminded members that the final report of the Salary and Benefits Compensation Comparison Committee remained pending.

In response to Mr. Lynn, Mr. Hutchison confirmed that his request was for the approval of the scheduling of a workshop comprised of the Mayor, Council, and City staff for the purpose of examining and controlling personnel costs into the future.

Responding to Mr. Lynn, Mr. Perza indicated that, as Chairman of the Salary and Benefits Compensation Comparison Committee, he anticipated that a final report would be submitted in the near future, noting that a final meeting was scheduled to be held in the third week of July. He expressed his opinion that changes to the report made at that meeting would be more stylistic than substantive. Mr. Lynn stated that, should the Minority Recruitment Committee and Salary and Benefits Compensation Comparison Committee Reports be required in order to schedule a workshop as requested by Mr. Hutchison, the soonest that such a workshop could be held would be late August 2012.

Mr. Scott Koenig, City Manager, stated that his only concern would be to allow for the finalization of labor negotiations before a date was set for the workshop.

The Committee recommended that once the Salary and Benefits Compensation Comparison Committee Report and Minority Recruitment Report are received and all labor negotiations have been completed, the City Manager submit a date for a workshop with the purpose of identifying issues and concerns pertaining to personnel costs.

Responding to Mrs. Russell, Mr. Lynn concurred that the earlier such a workshop could be held, the better, in order to complete the review before the budget preparation begins.

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. Lynn absent).

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

JOINT LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE AND ELECTION BOARD REPORT - JULY 11, 2012

A joint meeting of the Legislative, Finance, and Administration Committee and Election Board was held on July 11, 2012 with Chairman Lynn presiding.

Results of NAACP Review of Proposed Council District Boundaries

Mrs. Traci McDowell, City Clerk, apprised members that on September 22, 2011, the Election Board reviewed and recommended approval of a proposed reapportionment of the Council district boundaries. It was the consensus of the Election Board that the maps and data should be sent to the National NAACP office for review prior to forwarding the proposal to the Legislative, Finance, and Administration Committee for consideration. The maps and data were sent to the NAACP on September 30, 2011. Due to the number of requests for review, a response was not received from the NAACP until January 16, 2012. The NAACP review indicated a slight difference between their numbers and the City's numbers, which still met the requirements of the consent decree.

She reminded members that on January 17, 2012, Mr. Adam Perza filed and subsequently ran unopposed in the 2nd District. She explained that the proposal recommended for approval by the Election Board on September 22, 2011 would move Mr. Perza from the 2nd District into the 4th District.

Mrs. McDowell introduced Ms. Janelle Cornwell, Planner II, who serves as the City's liaison with the Census Bureau and the Delaware Population Consortium to discuss the difference between the NAACP's numbers and the City's numbers and to review the revised map which proposed to move Mr. Perza back into the 2nd District, where he was properly elected by that District.

Ms. Cornwell informed members that the difference between the NAACP's numbers and the City of Dover's numbers was due to the fact that the NAACP utilized data relating to one (1) race only, the Black/African American population. She explained that for the 2010 Census, individuals were able to choose more than one (1) race, and that after consultation with Deputy City Solicitor William Pepper, the City considered the Black/African American population to include other combinations of races, for example Black/African American and Asian, and Black/African American and Hawaiian.

The Election Board recommended acceptance of the City's method of calculation (using mixed races).

Mr. Hare moved for approval of the Election Board's recommendation, seconded by Mr. Hutchison and unanimously carried.

Review of Revised Proposed Reapportionment of Council District Boundaries

Ms. Janelle Cornwell, Planner II, who serves as the City's liaison with the Census Bureau and the Delaware Population Consortium, reviewed a map entitled "Changes to Proposed Council Districts 2 and 4" (See Attachment #2). She explained that the change in the proposed districts between Districts 2 and 4 would result in a difference of 158 people, 58 of whom are Black/African American. The change would increase the overall population percentage of the Black/African American population within District 4 to a little more than 70%, and Ms. Cornwell reminded members that the Consent Decree of 1988 stipulated 65%. She stated that the percentage of voting age population in District 4 would be more than 65%.

In response to Mrs. Legates, Mrs. McDowell explained that when staff presented the proposal to the Election Board on September 22, 2011, the census blocks contained in the amendment were moved from the 2nd District to the 4th District. Due to the time constraints for filing petitions and the length of time it took for the review to come back from the NAACP, the redistricting was delayed until after the City's municipal election in April. Subsequently, Mr. Perza filed for City Council, ran unopposed, and was elected in the 2nd District; however, the proposal (as recommended in September) would move him to the 4th District. Staff proposed to move those three (3) census blocks back to the 2nd District, which would leave Mr. Perza in the 2nd District instead of moving him to the 4th District.

In response to Dr. Matthews, Ms. Cornwell explained that the proposal would move 158 people from the 4th District to the 2nd District, resulting in a population of 8,900 for the 4th District and 9,138 for the 2nd District. The percentage of total population would be 25.3% for the 2nd District and 24.7% for the 4th District, which she stated was well within one (1) percentage point of the target district size of 9,012 (which would represent an equal number in all four (4) districts). She stated that the movement of those 158 people from the 4th District to the 2nd District would slightly increase the overall percentage of Black/African Americans in the 4th District.

In response to Mrs. Legates, Ms. Cornwell confirmed that those who were moved would be notified.

Responding to Dr. Matthews, Mrs. McDowell explained that staff did not know if the Legislative, Finance, &Administration (LF&A) Committee would accept the recommendation of the Election Board, or, if it did, that Council would. The proposed course of action would be that when the LF&A recommendation moves forward to Council, Council would set a public hearing to be held at the First Reading and a public hearing to be held at the Final Reading. Staff would then heavily advertise that the City of Dover was looking at redistricting, provide a number to call for individuals who thought they may be affected after they see the maps, and have the maps on display for review. Once the final map was approved, staff would send letters to notify those affected that they had been moved.

Dr. Matthews questioned whether there were any issues with people who are deaf or blind and suggested that staff consider another manner of notification, in order to comply with any Americans with Disabilities Act (ADA) requirements.

The Election Board recommended acceptance of the map amendment moving residents from the 4th District to the 2nd District.

Mr. Hare moved for approval of the Election Board's recommendation, seconded by Mr. Hutchison and unanimously carried.

The Election Board recommended acceptance of the revised proposed reapportionment of the Council district boundaries. *(Clerk's Office Note: Maps of the revised proposed reapportionment of the Council district boundaries for each Council district as well as the Proposed Council Districts with 2010 US Census Blocks were available during the meeting.*)

Mr. Hare moved for approval of the Election Board's recommendation, seconded by Mr. Hutchison and unanimously carried.

On behalf of the Legislative, Finance, and Administration Committee and members of City Council, Mr. Lynn thanked the members of the Election Board for their hard work and time spent ensuring a good and positive result for the citizens of Dover.

Mr. Lynn stated that members of the Legislative, Finance, and Administration Committee heard the presentation, discussion, and decisions of the Election Board regarding the revised proposed reapportionment of Council district boundaries.

In response to Councilman Hutchison regarding the proposed map amendment moving residents between what was originally proposed District 4 and District 2, Ms. Cornwell stated that 158 people would be moved, which was less than one (1) percentage point being changed between the districts. Consequently, all districts would be within one (1) percentage point of containing 25% of the total population.

Council President Leary thanked the Election Board and members of staff for their hard work.

Mayor Carey stated his satisfaction and thanked all of those involved in the process.

Mr. Cecil Wilson (co-plaintiff with the NAACP in the case of the Central Delaware Branch of the National Association for the Advancement of Colored People v. the City of Dover which resulted in the 1988 Consent Decree) stated that he did not have any concerns with the proposal. He thanked the members of the Election Board and Legislative, Finance, and Administration Committee, as well as Deputy City Solicitor Pepper, the City Clerk, and all of the other City departments for their hard work and communication with the National NAACP. He acknowledged the presence of Ms. Sara Jones, Secretary of the Central Delaware NAACP branch. Mr. Wilson also thanked Councilwoman Russell for her presence as a representative of the 4th District.

Ms. Sara Jones, Secretary of the Central Delaware NAACP branch, stated that she did not have any questions or concerns but expressed her feeling of happiness that the reapportionment would be moving forward and that the local branch of the NAACP would be able to meet with the City in the future so that they may be knowledgeable of what is going on in the City. Ms. Jones also expressed

her appreciation for the help provided by City staff in preparing for this meeting and informed members that the information regarding the City's reapportionment would be shared with the local NAACP branch on the last Tuesday in July.

Councilwoman Russell stated that she was satisfied with the proposal and expressed her feeling that the boundary lines were easier to understand compared to when she first ran for City Council.

The Legislative, Finance, and Administration Committee recommended acceptance of the proposed reapportionment of the Council district boundaries, as recommended by the Election Board.

Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and unanimously carried.

Council President Leary announced that staff recommended that a public hearing/First Reading be set for Monday, August 13, 2012 at 7:30 p.m. and that a public hearing/Final Reading be set for Monday, August 27, 2012 at 7:30 p.m.

Mr. Hare moved that a public hearing/First Reading be set for Monday, August 13, 2012 at 7:30 p.m. and that a public hearing/Final Reading be set for Monday, August 27, 2012 at 7:30 p.m. The motion was seconded by Mr. Hutchison and unanimously carried.

Mr. Hutchison moved for acceptance of the Joint Legislative, Finance, and Administration Committee and Election Board Report, seconded by Mr. Anderson and unanimously carried.

EVALUATION OF BIDS - SYSTEM CONTROL AND DATA ACQUISITION (SCADA) EQUIPMENT TECHNOLOGY UPGRADE

Mr. Scott Koenig, City Manager, submitted a request for the purchase of two (2) remote terminal units (RTUs), explaining that the purpose of the System Control and Data Acquisition (SCADA) Equipment Technology Upgrade project was to replace antiquated and/or obsolete RTUs at sewage pumping stations. He reminded members that this project was started in FY 08 and would be completed during FY2013. Members were advised that the SCADA system monitors the pumping stations and communicates with the System Operations center when station components fail or other abnormal issues are detected. Installation and associated work would be performed under either the existing SCADA Maintenance Contract or by staff personnel. It was noted that there would be other expenses associated with the installations, such as radio equipment and miscellaneous hardware.

Mr. Koenig explained that the RTUs are the field components of the SCADA system, which is a proprietary system; therefore, the City was required to purchase the new RTUs from the original equipment manufacturer (OEM), Siemens Energy, Inc. Members were provided the sole vendor information.

Staff recommended purchasing two (2) RTU units from the sole vendor, Siemens Energy, Inc., for a total amount of $15,736.

Mr. Bonar moved for approval of staff's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

AMENDMENT TO EDiS CONTRACT - CITY HALL FIRE SPRINKLER SYSTEM

Mr. Scott Koenig, City Manager, advised members that construction of the new Dover Public Library caused removal of access for fire equipment on the east side of the City Hall building. During the design phase of the new library, designers provided two (2) options for a fire protection plan that would be approved by the Fire Marshal's Office. Option 1 was to place a 16-foot wide sidewalk, designed to hold the weight of fire equipment, along the east side of City Hall approximately ten (10) feet from the building. This option would allow for fire equipment to have the same amount of access to the east side of the building that was previously in existence. Option 2 required the installation of sprinklers in City Hall. By installing sprinklers throughout City Hall, the required amount of total perimeter access for fire equipment to the building would be reduced by half; therefore, access on the east side of the building would no longer be necessary. City staff and the designers chose Option 2.

Mr. Koenig reminded members that EDiS, the city's construction management firm for the Dover Public Library, had provided the City of Dover with a proposal to install a fire sprinkler system in City Hall. The full cost of design of the system was included in their scope of services. The total project cost, including full design, was $288,000. He assured members that EDiS has provided a total project cost summary to support this request.

Staff recommended amending the City's contract with EDiS to include the extra work associated with the installation of a fire sprinkler system for City Hall in the amount of $288,000.

Responding to Mr. Perza, Mr. Koenig stated that he did not have cost information for Option 1 but estimated that it would have been approximately the same as Option 2. He noted that if Option 2 proved to be more expensive, it would provide a greater level of fire protection for the east side of City Hall. Fire Chief Fortney indicated his concurrence with the recommendation submitted.

Mr. Bonar suggested that staff consider the possibility of applying for a National Fire Service Institute (NFSI) Grant to assist with this expenditure.

In response to Mr. Hare, Mr. Koenig stated that the fire lane was removed as a part of the design for the Library because an exit onto Loockerman Street was not desired. He noted that if a fire lane were constructed, it would have to stop short of Loockerman Street or be gated, chained, etc. He advised members that it was believed that installing a sprinkler system was the best alternative.

Mrs. Williams moved for approval of amending the City's contract with EDiS to include an additional expenditure in the amount of $288,000 for extra work associated with the installation of a fire sprinkler system for City Hall, as recommended by staff. The motion was seconded by Mr. Bonar and carried by a unanimous roll call vote.

REZONING REQUEST/FIRST READING OF PROPOSED ORDINANCE #2012-19 - 870872 FOREST STREET, OWNED BY BENNIE L. SMITH

A request was received to rezone properties located at 870-872 Forest Street (on the south side of Forest Street, east of Gibbs Drive), consisting of $0.747^{+/-}$ acres, owned by Bennie L. Smith. The property was currently zoned C-PO (Commercial/Professional Office Development District) and

subject to the COZ-1 (Corridor Overlay Zone) and the requested zoning was C-1A (Limited Commercial and subject to the COZ-1. (TAX PARCEL: ED-05-076.12-01-08.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-12-02)

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required. Staff recommended referral to the Planning Commission on August 20, 2012 and that a Public Hearing be set before City Council for September 10, 2012 at 7:30 p.m.

By motion of Mr. Hutchison, seconded by Mr. Hare, Council unanimously referred the request to the Planning Commission and set a public hearing for September 10, 2012 at 7:30 p.m.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 870-872 FOREST STREET.

COUNCIL MEMBERS ANNOUNCEMENTS

There were no Council Member announcements.

Mr. Hutchison moved for adjournment, seconded by Mr. Bonar and unanimously carried.

Meeting Adjourned at 8:19 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of July 23, 2012, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
S:\AGENDAS-MINUTES-PACKETS\Council-Minutes\2012\07-23-2012.wpd

Exhibits Attached to Original Minutes
Exhibit #1 - Community Blueprint Network Presentation and Program Information Sheet
Exhibit #2 - Presentation - Violation of Dangerous Building Ordinance - 345 and 347 Northdown Drive
Exhibit #3 - Presentation - Violation of Dangerous Building Ordinance - 357, 361, 365, and 408 Northdown Drive

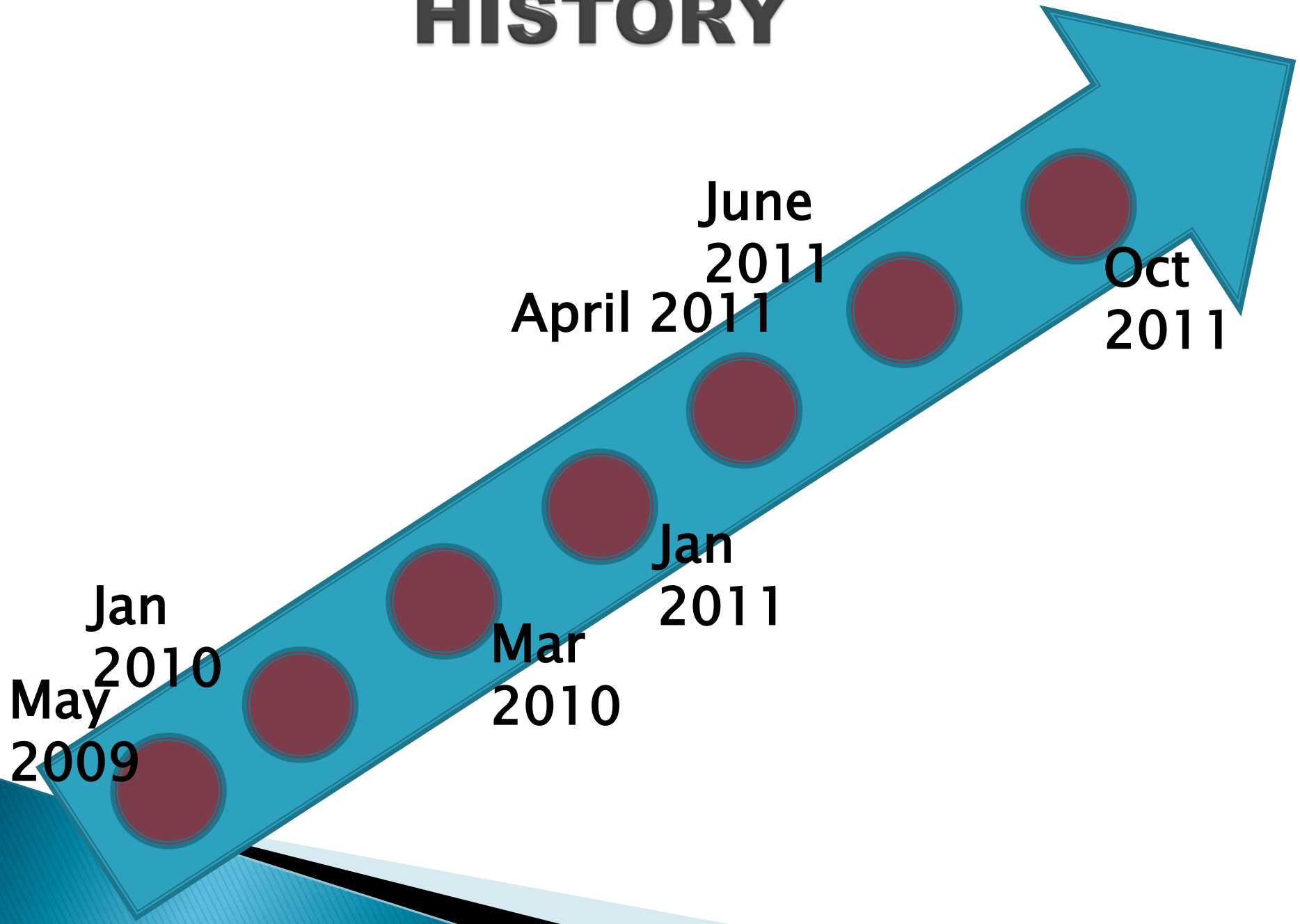
COMMUNITY BLUEPRINT NETWORK

EXHIBIT #1
Regular Council Meeting of 7/23/2012

WHAT IS IT?


Community Blueprint Network
serving veterans, military service members, and their families
About
Educate
Act
Connect
Tools
The Community Blueprint is a community change process and planning tool to help local leaders assess, identify and more effectively deliver resources to improve their community's support for veterans, active military, and their families.
The Blueprint was created through the involvement and expertise of 55 non-profit organizations, military family service organizations, and senior government officials.
The Blueprint highlights 7 issue areas that represent the most critical needs of veterans, active military and military families: behavioral health, education, employment, family strength, financial-legal services, housing, homelessness, and reintegration.
Leveraging volunteerism as an undergirding strategy, the Blueprint offers a suite of training, tools, and resources that help communities develop a "network mindset" and includes "promising practices" or targeted actions that can be taken within these areas.
Are you a community leader and want to get involved? Follow these three steps!
Step 1. Understand the Needs
Step 2. Take Action
DIY TOOLKITS
VOLUNTEER
WE WANT YOU
HandsOn Network
HandsOnNetwork
handsonnetwork Today's @GOOD Citizenship challenge: Read 2 opposing opinions on the same topic:bit.ly/xOAYmQ #30DaysofGOOD
2 hours ago · reply · retweet · favorite
handsonnetwork Today is National #WearRedDay to raise awareness for women and heart disease. How are you donning your red accents?
about 1 hour ago · reply · retweet · favorite
handsonnetwork Nominate an outstanding @AmeriCorpsAlums for the Eli Segal
SHARE YOUR STORY
DONATE

HISTORY


May 2009
Jan 2010
Mar 2010
Jan 2011
April 2011
June 2011
Oct 2011

ADVISORY COUNCIL MEMBERS

- Bob Reeg, American Legion Auxiliary
- Sherri Brown, American Red Cross
- Kate Sylvester, America's Promise Alliance
- Geoff Deutsch, Armed Forces Services Corporation
- Mark Smith, Blue Star Families
- David Sutherland, Chairman of the Joint Chiefs of Staff Office
- Ross Cohen, Chamber of Commerce, Hiring Our Heroes
- Koby Langley, Corporation for National & Community Service (CNCS)
- Spencer Kympton, The Mission Continues
- Mary Keller, Military Child Education Coalition (MCEC)
- Norb Ryan, Military Officers Association of America (MOAA)
- Joyce Raezer, National Military Families Association (NMFA)
- Jim Knotts, Operation Homefront
- Chris Marvin, ServiceNation: Mission Serve
- Bonnie Carroll, Tragedy Assistance Program for Survivors (TAPS)
- Bob Verhey, Veterans Innovation Center
- Barbara Van Dahlen, Give an Hour

TARGET COMMUNITY

THE MILITARY COMMUNITY IS COMPRISED OF:

VETERANS

- Individuals who have served in the U.S. Armed Forces in Active, Reserve or National Guard status, in any branch of service, and any war period or peacetime.

SERVICE MEMBERS

- Individuals who currently serve in the U.S. Armed Forces in Active, Reserve or National Guard status, in any branch of service.

FAMILIES

- Parents, spouses, significant others, children and all extended family who form the support network for a veteran or service member.

NATIONAL TRENDS AND CBN SOLUTIONS

TRENDS

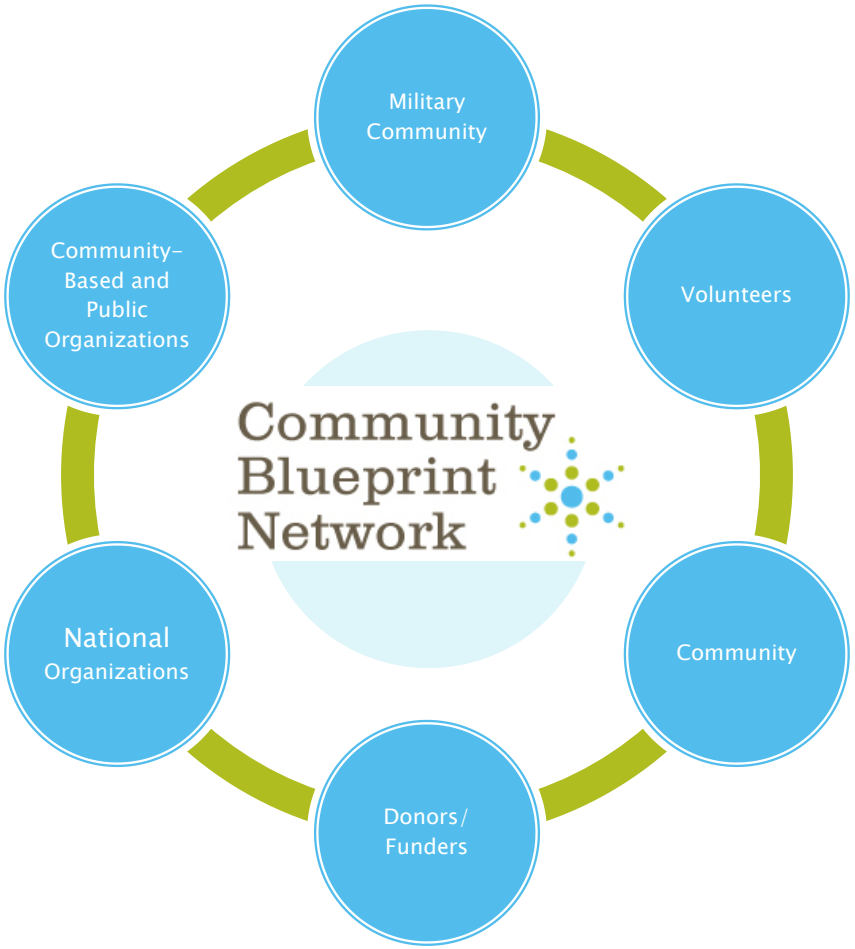
- Lack of public awareness
- Gaps in services available
- Lack of funds
- Failure to view the military community as an asset
- Public is unsure of how to get involved
- Need more meaningful ways for people to engage and volunteer

SOLUTIONS

- Raise awareness amongst local high schools, colleges and elementary schools
- Share leadership
- Engage the military community as an asset instead of singling out as a “population” or “issue”
- Increase overall community engagement with the military community
- Recruit volunteers using social media outlets

BLUEPRINT IMPLEMENTATION MODEL

- Behavioral Health
- Education
- Employment
- Family Strength
- Financial Management and Legal Assistance
- Housing Stability and Homeless Assistance
- Reintegration
- Volunteerism



CBN THEORY OF CHANGE

- Network communities will implement the Blueprint together, resulting in more effective and coordinated services with the military community.



BLUEPRINT NETWORK COMMUNITIES

- Bellingham, WA
- State of Delaware*
- Fairfax, VA*
- Fayetteville, NC*
- Fort Wayne, IN*
- Hampton Roads, VA*
- Huntsville, AL
- Huntsville, TX
- Jacksonville, FL*
- Macon, GA*
- Seattle, WA*
- South Florida Region*
- Tyler, TX
- Valdosta, GA
- Williamsburg, VA



* Indicates AmeriCorps VISTA members provided by the Auxiliary's Call to Service Corps

HOW CAN YOU GET INVOLVED:

- Provide meeting space for Veterans, Military, Military Families or Military Youth Groups.
- Organize community service projects that support Military Families or Veterans groups.
- Donate children's books about deployment to your local library or elementary school.
- Schedule a "**Ready, Set, Go! Training**" through Operation Military Kids for educators, counselors and concerned citizens that would like to learn more about the impact of deployment on children and families.
- Support legislation that would benefit our military community.

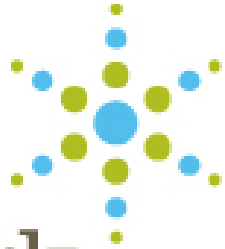
FOR MORE INFORMATION:

CONTACT:

MICHELLE LEE

mlee21601@gmail.com
302 730-4000

FOR MORE INFORMATION....



Community Blueprint Network

serving veterans, military service members, and their families

…Visit the website

www.communityblueprintnetwork.org

QUESTIONS

?

COMMUNITY BLUEPRINT NETWORK

MICHELLE LEE
COMMUNITY BLUEPRINT PROJECT COORDINATOR
OFFICE PHONE: (302) 730-4000
CELL PHONE: (302) 450-6994
FAX: (302) 735-8130
EMAIL: mlee21601@gmail.com

AMERICAN LEGION AUXILIARY

POINTS OF LIGHT

MOAA
Military Officers Association of America
One Powerful Voice.

DR. RONALD G. SARG, COL, USAF (RET)
Delaware Council President
Dover Chapter President

611 N. Governors Ave
Dover, DE 19904

(302) 678-1603
eglron@comcast.net

Background

- There is universal public support for veterans, service members, and their families. Federal, state and local governments, as well as nonprofit, private, and philanthropic resources and services, have grown and improved in communities across America. But supporting veterans, service members, and their families is about ensuring that communities are prepared to organize the resources, services, and support that help military families lead healthy, successful lives. There remain significant gaps in services and a great deal of untapped potential for providing effective and sustainable care through focused planning and coordination.
    - Local leaders and citizens may be unclear on the specific actions they can take. Many solutions require a community-wide approach. Interested communities need a tool to assist them in their capacity-building and to link them to external resources, models, and services for helping veterans, service members, and their families.
    - Additional synchronized support and capacities are potentially needed in many areas, including behavioral health, physical health, education, employment, family strengthening, financial/legal guidance, homelessness assistance, and more.
    - Services need to be evaluated across entire communities to eliminate duplicated efforts.

What Is the Community Blueprint?

- To address these needs by leveraging the combined experience and expertise of collaborating organizations, volunteers from several leading nonprofits are creating an online Community Blueprint tool that will help local community leaders assess and improve their community's support for veterans, service members, and their families.
    - The Blueprint will assist each community in assessing and fulfilling its role in supporting those who have borne the price of battle—veterans, service members, and their families.
    - The Blueprint is designed to help community leaders and citizens gain a more precise and locally focused understanding of how they can contribute to an improved support matrix, including offering opportunities for civilians, service members, veterans, and their families to volunteer and serve alongside each other.
    - The Blueprint will provide community leaders with information about the primary challenges returning veterans, service members, and their families may face.
    - The Blueprint will offer advice based on practices worthy of replication and experience about setting priorities, adopting strategies that work, and building coalitions to implement those strategies.
    - The Blueprint is user-friendly and will focus on eight key areas: Behavioral Health, Education, Employment, Family Strength, Financial/Legal Problems, Homelessness, Reintegration, and Volunteerism. Under each of these key headings the Blueprint will list five to seven topics that stakeholders (community leaders, civic leaders, VSOs, etc.) can address. For example, under Education, stakeholders will find the topic "Welcome and Integration: Strategies to identify and support military-connected students/families." Each topic will have tabs for additional information and resources.
    - The idea is to provide communities with a forum to learn and share successful practices and to bring key stakeholders/community leaders together to collaborate behind the common goal of assisting our nation's veterans, service members, and their families.



Who Is Involved in the Community Blueprint Effort?

- The Community Blueprint initiative is led by a coalition that understands that no one organization has all of the answers. For the initiative to be successful, it will take collaboration, coordination, and focus.
  - The impetus to create this Blueprint emerged from the "America Joins Forces with Military Families" retreat in White Oak, Florida, in January 2010, when a group representing 55 nonprofits, veterans and military family service organizations, government agencies, faith-based groups, and senior VA, DOL, and DOD offices came together to discuss the challenges facing America's military families.
  - The National Military Family Association's Blue Ribbon Policy Panel called again for the creation of resources to enhance community support of military families at the association's May 2010 summit.
  - The federal Corporation for National and Community Service has committed support for the Community Blueprint by allocating ten AmeriCorps VISTA members to assist in developing and implementing the Blueprint initiative.

Outcomes and Evaluation

- Representatives of the core Community Blueprint partner organizations will form the Advisory Council to oversee and ensure the implementation and utilization of the Community Blueprint, to continue to discuss practices worth replicating, and to update the Blueprint as warranted. The Advisory Council will continue to solicit additional partner organizations that can share practices worthy of replication and help to disseminate information about the Community Blueprint.
- A key measure of success will be gauging how many communities are utilizing the Community Blueprint. Each community will define its own success in terms of raising awareness, changing attitudes, connecting military members to services, etc. These success stories will be used in public relations and fund development efforts.
- Individual communities will submit their own successful practices and other communities will have the opportunity to learn from this information and to copy what works.

Timeline and Next Steps

- There are currently several efforts under way to determine how best to implement an initiative such as the Community Blueprint across the country.
- A downloadable copy of the Blueprint will be available once this initiative has been formally launched and will direct interested parties to the Advisory Council for additional information. A Web site dedicated to the Community Blueprint is virtually complete. Community Blueprint partner organizations will offer the downloadable version on their Web sites and will conduct outreach to market its availability.
- Community Blueprint partner organizations will continue to seek funding for different aspects of the Blueprint, including the development and administration of the Web site, promotion and management of the different sections of the Blueprint, and eventually for hiring permanent staff (i.e. Executive Director) to oversee and implement the initiative.
- Blueprint partner organizations have been in discussions with several major corporations, foundations, and notable companies that have expressed a serious interest in joining this effort.
- We are reaching out to approximately 75 organizations that have already expressed an interest in this initiative through participation in previous discussions and/or meetings to determine their interest in officially joining the effort. The Advisory Council will be comprised of representatives of the organizations supporting the Community Blueprint.

Violation of Dangerous Building Ordinance 345 & 347 Northdown Drive

Planning & Inspections Department

Dover, Delaware

July 23, 2012

EXHIBIT #2
Regular Council Meeting of 7/23/2012

345 & 347 Northdown Drive Case History

- History of code violations since 2009 (6 cases)
  - Closing of a vacant building
  - Vacant building registration
- Condemned as unfit for human habitation on 6/11/2012.
- Registered as vacant buildings on 5/8/2012 with all registration fees paid.
- Construction of the townhomes was stopped in early 2009 and both homes have been left unoccupied and incomplete.
- The electric service to both townhomes was cut on 9/14/2011.

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

- (5) *Unfit for habitation*
- (9) *General welfare*
- *(10) Code violations*
- *(12) Unoccupied buildings*
- *(13) Incomplete buildings*


349
07/23/2012 09:57


07/23/2012 09:58


FUSION
SE
DEL
20-816
07/23/2012 09:57


07/23/2012 09:58

Recommended Council Action

- Declare these buildings on the properties dangerous.
- Order the properties repaired.
- Order the Building Inspector to cause the repair of the structures if not completed by the owner **by August 23, 2012**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Violation of Dangerous Building Ordinance 357, 361, 365 & 408 Northdown Dr

Planning & Inspections Department

Dover, Delaware

July 23, 2012

EXHIBIT #3
Regular Council Meeting of 7/23/2012

Northdown Drive
Case History

- History of code violations since 2009 (12 cases).
  - Exterior trash/debris violations
  - Weed overgrowth
  - Closing of a vacant structure
- Condemned as unfit for human habitation on 6/11/2012.
- Registered as vacant buildings on 5/8/2012 with registration fees paid.
- Construction of the homes were stopped in early 2009 and have remained unoccupied & incomplete.

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

- (5) *Unfit for habitation*
- (9) *General welfare*
- *(10) Code violations*
- *(12) Unoccupied buildings*
- *(13) Incomplete buildings*


07/23/2012 09:45


07/23/2012 09:49


07/23/2012 09:50


07/23/2012 09:51


07/23/2012 09:52


07/23/2012 09:52


Tyvek
HomeWrap
414
07/23/2012 09:54


07/23/2012 09:53


Tyvek
HomeWrap
GRACE VYCOR PLUS
414
07/23/2012 09:54


Tyvek
HomeWrap
DUPONT
07/23/2012 09:56


07/23/2012 09:55

Recommended Council Action

- Declare these building dangerous.
- Order the property demolished (including removal of the foundations).
- Order the Building Inspector to cause the demolition of the structures if not completed by the owner **by August 23, 2012**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.