REGULAR COUNCIL MEETING
A G E N D A

JUNE 25, 2012 - 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 CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILWOMAN WILLIAMS

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 (Budget Review) of May 22, 23, 30 and June 4, 2012**
- **B. Regular Council Meeting of June 11, 2012**

2. Presentation - Dover Public Library Donation

3. Public Hearings - Violations of Dangerous Building Ordinance
- **A. Property Located at 171 Orchard Avenue, Owned by William W. Jarman**
- **B. Property Located at 488 North East Avenue, Owned by Jeffrey F. Garrison**
- **C. Property Located at 827 Townsend Boulevard (Pool), Owned by Jennifer E. Brown**

4. Board of Assessment Appeals Exemption Report - May 22, 2012
- **A. Union Missionary Baptist Church - Lot 8 Forest Street**
  (Board Recommended Denial of Request for Exemption)
- **B. Second Baptist Church - 136 South Queen Street**
  (Board Recommended Denial of Request for Exemption)
- **C. Chapter 850 Vietnam Veterans of America - Lot 1549 Rear - Forrest Avenue**
  (Board Recommended Approval of Request for Exemption)

4. **Board of Assessment Appeals Exemption Report - May 22, 2012 (Continued)**
   - **D. EJB Inc. - (Serenity Place) 327 Martin Street**
     (Board Recommended Approval of Request for Exemption)
   - **E. House of Pride Inc.**
     - **e-1. 16 North New Street** *(Board Recommended Denial of Request for Exemption)*
     - **e-2. 102 South New Street** *(Board Recommended Denial of Request for Exemption)*
     - **e-3. 115 South New Street** *(Board Recommended Denial of Request for Exemption)*

* 5. **Parks, Recreation, and Community Enhancement Committee Report - June 11, 2012**
   - **A. Proposed Amendment to 2011 Community Development Block Grant Action Plan**
     (Committee Recommended That Staff Be Authorized to Reallocate $60,081 in FY11 CDBG Funding From the City of Dover Streets Program to Provide Funding For the FY11 Housing Rehabilitation Program, American Disabilities Act (ADA) Improvements to Council Chambers, and FY12 CDBG Projects As Presented)
   - **B. Proposed Ordinances**
     - **b-1. #2012-13 - Amendment to Appendix B Zoning, Article 5 - Supplementary Regulations, Section 4 - Supplementary Sign Regulations (See Item #13-A)**
       (Committee Recommended Adoption of Proposed Ordinance #2012-13)
     - **b-2. #2012-14 - Amendment to Appendix B Zoning, Article 3 - District Regulations, Section 23 - Agricultural Zone (A) (See Item #13-B)**
       (Committee Recommended Adoption of Proposed Ordinance #2012-14)
     - **b-3. #2012-15 - Amendment to Appendix B Zoning, Article 3 - District Regulations, Section 9 - General Residence and Office Zoning (RGO) (See Item #13-C)**
       (Committee Recommended Adoption of Proposed Ordinance #2012-15)
     - **b-4. #2012-16 - Amendment to Chapter 114 - Vegetation, to Create a New Article III - Bamboo (See Item #14-A)**
       (Committee Recommended Adoption of Proposed Ordinance #2012-16)
   - **C. FY 2013 Five-Year Capital Investment Plan (CIP)**
     (Committee Recommended Acceptance of the FY2013 Five-Year Capital Investment Plan (CIP))
   - **D. Updates**
     (Committee Action Not Required)

* 6. **Utility Committee Report - June 11, 2012**
   - **A. McKee Run Generating Station Industrial Wastewater Discharge System**
     (Committee Recommended Approval of the New Capital Investment Plan (CIP) For the Industrial Waste Water Discharge System at the McKee Run Generating Station and the Transfer of Funding From Existing CIPs, As Recommended by Staff)
   - **B. Annual Engineering Consultant's Report on the Operation and Maintenance of the Electric System - Fiscal Year 2011**
     (Committee Recommended Acceptance of the Report)
   - **C. FY 2013 Five-Year Capital Investment Plan (CIP)**
     (Committee Took No Action)
   - **D. Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater)**
     (Committee Action Not Required)
   - **E. Updates**
     (Committee Action Not Required)

7. Legislative, Finance, and Administration Committee Report - June 11, 2012

* **A. Review and Recommendation - Filling Critical Positions - Library Clerk II - Dover Public Library**

(Committee Recommended Approval of the Request to Fill the Position of Library Clerk II, As Recommended by Staff)

B. Proposed 15% Healthcare Premium Cost Sharing Arrangement - Non-Bargaining Only

(Committee Recommended Approval of Employee Cost Sharing of Health Insurance Premiums for Non-Bargaining Employees Based Upon Scenario #2 - Premiums Based Upon First State Basic, To Be Effective July 1, 2012)

* **C. Proposed Ordinances**

c-1. #2012-10 - Amending Chapter 1 - General Provisions, Section 1-13 - Denial of Permits or Approvals for Failure to Comply with Requirements for Payment, Actions, or Filings (Clean Hands) With CA-#1 through #4 (Referred to Committee by City Council on May 14, 2012; Deferred by Council Committee of the Whole on May 29, 2012) (See Item #15-A)

(Committee Recommended Adoption of Proposed Ordinance #2012-10, As Amended to Include CA#2, CA#3, and CA#4)

c-2. #2012-17 - Amending Chapter 26 - Businesses, Article I - In General, Section 26-1 - Sale of Dangerous Substances (See Item #14-B)

(Committee Recommended Adoption of Proposed Ordinance #2012-17)

* **D. Elimination of Pay For Performance (Anderson/Hutchison)**

(Committee Recommended That the Pay For Performance Be Eliminated Effective Upon the Approval of a New System To Be Brought Forth By the City Manager and Staff)

* **E. Reduced Rates for All-Electric Homes in December, January, and February**

(Due To Time Constraints, This Item Was Deferred Until the Next Meeting)

8. FOP Labor Contract Agreement

9. Evaluation of Bids - City Hall Generator (DEMA Grant)

10. Setting of Electric Utility Rate for Fiscal Year 2012/2013

11. Reappointments - Recommended by Mayor Carey

A. Board of Adjustment - Three (3) Year Terms to Expire July 2015

a-1. James N. Keller

a-2. Richard Senato

B. Planning Commission - Three (3) Year Terms to Expire June 1, 2015

b-1. Michael J. Ambruso, Sr. - Second District

b-2. Thomas Holt - Second District

C. Public Advisory Committee (PAC) of the Dover-Kent County MPO - Dr. Carlton L. Cannon, Jr. - Two (2) Year Term to Expire July 2014

12. Appointment - Recommended by Mayor Carey - Planning Commission - Three (3) Year Term to Expire June 1, 2015 - Dean E. Holden - Third District

13. First Reading - Proposed Zoning Text Amendments

The First Reading is offered on the following proposed ordinances. Since they are amendments to the Zoning Code, they are recommended for referral to the Planning Commission on July 16, 2012 and that a Public Hearing be set for August 13, 2012 at 7:30 p.m. and that the Second Reading and Final Action by Council take place at that time. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

A. Ordinance #2012-13 - Amendment to Appendix B Zoning, Article 5 - Supplementary Regulations, Section 4 - Supplementary Sign Regulations
(Parks, Recreation, and Community Enhancement Committee)

B. Ordinance #2012-14 - Amendment to Appendix B Zoning, Article 3 - District Regulations, Section 23 - Agricultural Zone (A)
(Parks, Recreation, and Community Enhancement Committee)

C. Ordinance #2012-15 - Amendment to Appendix B Zoning, Article 3 - District Regulations, Section 9 - General Residence and Office Zoning (RGO)
(Parks, Recreation, and Community Enhancement Committee)

14. First Reading - Proposed Ordinances

The First Reading is offered on the following proposed ordinances. Final action by Council will take place during the Second Reading of the ordinances on July 9, 2012. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

A. Ordinance #2012-16 - Amendment to Chapter 114 - Vegetation, to Create a New Article III - Bamboo
(Parks, Recreation, and Community Enhancement Committee)

B. Ordinance #2012-17 - Amending Chapter 26 - Businesses, Article I - In General, Section 26-1 - Sale of Dangerous Substances
(Legislative, Finance, and Administration Committee)

15. Final Reading - Proposed Ordinance #2012-10

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of April 23, 2012. Copies of the proposed ordinance are available at the entrance of the Council Chambers.

A. Ordinance #2012-10 - Amending Chapter 1 - General Provisions, Section 1-13 - Denial of Permits or Approvals for Failure to Comply with Requirements for Payment, Actions, or Filings (Clean Hands) With LF&A #1 through #3
(Legislative, Finance, and Administration Committee)

16. Final Reading - Proposed Ordinance #2012-18

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of June 11, 2012. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

A. Ordinance #2012-18 - Budget Ordinances - 2012/2013 City of Dover Budget

17. 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.