REGULAR COUNCIL MEETING
AGENDA

NOVEMBER 14, 2016 - 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 BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCIL PRESIDENT SLAVIN

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 OF OCTOBER 24, 2016**
- **B. REGULAR COUNCIL MEETING OF OCTOBER 24, 2016**

2. PRESENTATIONS - RECOGNITION OF SERVICE
- **A. PAUL LAKEMAN - DOWNTOWN DOVER PARTNERSHIP (JUNE 2008 THROUGH JUNE 2016)**
- **B. CHARLES A. SALKIN - HISTORIC DISTRICT COMMISSION (AUGUST 2007 THROUGH JULY 2016)**

3. PROCLAMATIONS
- **A. GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHY AWARENESS WEEK**
- **B. NATIONAL HOSPICE AND PALLIATIVE CARE MONTH**
- **C. WORLD PANCREATIC CANCER DAY**

4. COUNCIL TRIBUTE NO. 2016-01 - DR. EDWARD W. GOATÉ

5. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-20 - REZONING REQUEST FOR PROPERTY LOCATED AT 51 ROOSEVELT AVENUE

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF SEPTEMBER 26, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

A. PROPERTY LOCATED AT 51 ROOSEVELT AVENUE, CONSISTING OF 7,675+/- S.F., OWNED BY CARLA M. AND JOHN W. RUSSUM. THIS PROPERTY IS CURRENTLY ZONED R-8 (ONE FAMILY RESIDENCE) AND THE PROPOSED ZONING IS C-1 (NEIGHBORHOOD COMMERCIAL).

(Tax Parcel: ED-05-077.17-05-72.00-000; Planning References: Z-16-05 and MI-16-13; Council District: 2)

6. COUNCIL COMMITTEE OF THE WHOLE REPORT - OCTOBER 25, 2016

* **A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**

(1) PRESENTATION - RIDESHARE DELAWARE PROGRAM (KATHLEEN GRIER)

(COMMITTEE ACTION NOT REQUIRED)

(2) REQUEST FOR FOUR-WAY STOP SIGN - NORTH NEW AND MARY STREETS

(COMMITTEE RECOMMENDED THE INSTALLATION OF THE FOUR-WAY STOP CONDITION AT THE INTERSECTION OF NORTH NEW STREET AND MARY STREET)

(3) INITIAL ASSESSMENT OF PUBLIC SAFETY ISSUES RELATED TO HOLDING PUBLIC MEETINGS IN THE CITY COUNCIL CHAMBERS

(COMMITTEE ACTION NOT REQUIRED)

* **B. UTILITY COMMITTEE**

(1) DEDICATION OF PUBLIC INFRASTRUCTURE

(A) CLEARVIEW MEADOW PUMP STATION

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE PUMP STATION AND ASSOCIATED FORCE MAIN AT THE CLEARVIEW MEADOW DEVELOPMENT. DEDICATION IS TO INCLUDE THE ENTIRE REFERENCED INFRASTRUCTURE.)

(B) WATER INFRASTRUCTURE - NEW BURTON ROAD AND WEBBS LANE

(COMMITTEE RECOMMENDED ACCEPTANCE OF WATER INFRASTRUCTURE WITHIN THE RIGHT-OF-WAY OF NEW BURTON ROAD AND WEBBS LANE OR ANY DEDICATED EASEMENTS. DEDICATION IS TO INCLUDE ALL OF THE REFERENCED WATER INFRASTRUCTURE.)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

* **(1) INCENTIVE PROGRAM FOR CITY EMPLOYEES OPTING NOT TO BE COVERED BY THE CITY'S HEALTH CARE PLAN**

(COMMITTEE RECOMMENDED INSTRUCTING THE CITY MANAGER TO FURTHER DEVELOP A PROPOSAL FOR AN INCENTIVE PROGRAM FOR OPTING OUT OF HEALTH INSURANCE FOR THE FY18 BUDGET NEGOTIATIONS, AND TO POLL EXISTING CITY WORKERS TO GAUGE THEIR LEVEL OF INTEREST)

(2) FUND TO COMBAT VIOLENT CRIME - FY-2017 GRANT

(COMMITTEE RECOMMENDED APPROVAL OF THE GRANT AND INTENDED PURCHASES)

(3) EQUAL EMPLOYMENT OPPORTUNITY (EEO) BRIEFING

(COMMITTEE ACTION NOT REQUIRED)

* **(4) STUDY OF CITY'S CURRENT RECRUITMENT/HIRING PROCESSES**

(COMMITTEE DEFERRED UNTIL THE NEXT MEETING)

6. COUNCIL COMMITTEE OF THE WHOLE REPORT - OCTOBER 25, 2016 (CONTINUED)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

* **(5) PROPOSED ORDINANCES**

(A) #2016-21 AMENDING CHAPTER 2 - ADMINISTRATION, CHAPTER 22 - BUILDINGS AND BUILDING REGULATIONS, AND CHAPTER 46 - FIRE PREVENTION AND PROTECTION BY REMOVING THE ANNUAL APPOINTMENT OF THE CITY CLERK, BUILDING INSPECTOR, AND FIRE MARSHAL (SPONSORS: HUTCHISON, NEIL, AND ANDERSON)

(COMMITTEE DEFERRED UNTIL THE NEXT MEETING)

(B) #2016-22 AMENDING CHAPTER 54 - HEALTH AND SANITATION, ARTICLE I - IN GENERAL, SECTION 54-4 - SMOKING REGULATIONS AND APPENDIX F - FEES AND FINES

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2016-22) **(SEE ITEM #15-A)**

* **(6) PROPOSED CHARTER AMENDMENTS - REMOVAL OF ANNUAL APPOINTMENT REQUIREMENT FOR THE CITY ASSESSOR, CONTROLLER/TREASURER, CITY SOLICITOR, AND DEPUTY CITY SOLICITOR; GENDER LANGUAGE AMENDMENTS; ADMINISTRATIVE AMENDMENTS; AND TYPOGRAPHICAL CORRECTIONS**

(COMMITTEE DEFERRED UNTIL THE NEXT MEETING)

* **7. MONTHLY REPORTS - SEPTEMBER 2016**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CITY PLANNER'S REPORT
D. CONTROLLER/TREASURER'S BUDGET REPORT
E. FIRE CHIEF'S REPORT
F. POLICE CHIEF'S REPORT

* **8. QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP)** (JULY, AUGUST, AND SEPTEMBER)

9. PROPOSED RESOLUTION NO. 2016-12 - PROPOSING INCLUSION OF FOUR SEASONS INTO THE KENT COUNTY STORMWATER MAINTENANCE DISTRICT

(STAFF RECOMMENDS ADOPTION OF RESOLUTION NO. 2016-12)

10. EVALUATION OF BIDS - DELAWARE AVENUE SANITARY SEWER EXTENSION

(STAFF RECOMMENDS AWARDING THE CONTRACT TO GATEWAY CONSTRUCTION FOR THE CITY OF DOVER DELAWARE AVENUE SANITARY SEWER EXTENSION, BID #17-0011PW, FOR THE AMOUNT OF $33,000)

11. MCKEE RUN UNIT #3 STACK REPAIRS - CHANGE ORDER (PROJECT #EG1613)

(STAFF RECOMMENDS APPROVAL OF THE REQUESTED CHANGE ORDER IN THE AMOUNT OF $66,030 TO COMPLETE THE NECESSARY REPAIRS TO THE MCKEE RUN UNIT #3 BOILER STACK AS DETAILED)

12. STATUS REPORT - PROPOSAL FOR DOVER PUBLIC LIBRARY TO SERVE AS A PASSPORT ACCEPTANCE FACILITY

(STAFF RECOMMENDS THE HIRING OF THE TWO (2) PART-TIME EMPLOYEES FOR THE PURPOSE OF ALLOWING THE DOVER PUBLIC LIBRARY TO SERVE AS A PASSPORT ACCEPTANCE FACILITY. THE ESTIMATED BUDGET IMPACT TO THE DOVER PUBLIC LIBRARY IS $23,500 FOR FY-2017.)

* **13. APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT SLAVIN**

A. COMPENSATION COMMISSION - THOMAS J. LEARY (TO FILL THE EXPIRED TERM OF P. RAQUEL BUSHWELLER - TERM TO EXPIRE MAY 2018)

B. HUMAN RELATIONS COMMISSION - ALAN P. GADDIS (TO FILL THE UNEXPIRED TERM OF JAMES G. MCGIFFIN, JR. - TERM TO EXPIRE FEBRUARY 2017)

14. COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

(CANCELLATION OF DECEMBER 27, 2016 CITY COUNCIL MEETING AND DECEMBER 28, 2016 COUNCIL COMMITTEE OF THE WHOLE MEETING (THESE MEETINGS WOULD BE HELD ON TUESDAY AND WEDNESDAY DUE TO THE MONDAY HOLIDAY))

15. FIRST READING - PROPOSED ORDINANCE #2016-22 WITH STAFF AMENDMENT #1 (SA#1)

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCE. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING ON NOVEMBER 28, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. #2016-22 WITH STAFF AMENDMENT #1 (SA#1) AMENDING CHAPTER 54 - HEALTH AND SANITATION, ARTICLE I - IN GENERAL, SECTION 54-4 - SMOKING REGULATIONS AND APPENDIX F - FEES AND FINES

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

16. CITY MANAGER'S ANNOUNCEMENTS

17. COUNCIL MEMBERS' ANNOUNCEMENTS

18. ADJOURNMENT

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EXECUTIVE SESSION PURSUANT TO:

29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN