SPECIAL COUNCIL MEETING
AGENDA

NOVEMBER 7, 2016 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

AGENDA ADDITIONS/DELETIONS

1. **PUBLIC HEARINGS - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE**
   (STAFF RECOMMENDS: 1) DECLARING THESE BUILDINGS AND ALL ACCESSORY STRUCTURES ON THESE PROPERTIES DANGEROUS; 2) ORDERING THE PROPERTIES DEMOLISHED BY DECEMBER 7, 2016 BY THE OWNERS OR EQUITY OWNERS AT THEIR OWN RISK; 3) ORDERING THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNERS WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL; AND 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LANDS ON WHICH THE BUILDINGS EXIST AS MUNICIPAL LIENS OR CAUSE SUCH COSTS TO BE ADDED TO THE TAX DUPLICATE AS ASSESSMENTS, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNERS.)

   A. **PROPERTY LOCATED AT 126 NORTH ANN AVENUE, OWNED BY MUSIKAMI BISHOGO**
      (DEFERRED DURING THE SPECIAL COUNCIL MEETING OF AUGUST 1, 2016)
   B. **PROPERTY LOCATED AT 145 NORTH ANN AVENUE, OWNED BY M. EVANS COCKRELL**
   C. **PROPERTY LOCATED AT 229 CECIL STREET, OWNED BY DELMARVA PROPERTY HOLDINGS LLC**
   D. **PROPERTY LOCATED AT 131 NORTH KIRKWOOD STREET, OWNED BY CHERYL A. HENDERSON**
   E. **PROPERTY LOCATED AT 954 LINCOLN STREET, OWNED BY BILAL ALI SHABAZZ AND OTHERS**
   F. **PROPERTY LOCATED AT 231 MIFFLIN ROAD, OWNED BY JESSE COLE EVANS AND NICHOLE MARIE EVANS**

2. **COUNCIL MEMBERS' ANNOUNCEMENTS**

3. **ADJOURNMENT**

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-26-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 145 N Ann Ave, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case #16-09 & 16-60
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $12,000. **AMOUNT BUDGETED**: $175,000 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of October 24, 2016, there is $156,957 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 7, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of 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.

BACKGROUND AND ANALYSIS

The property is owned by M. Evans Cockrell. The property is a one story wood framed single family home. The dwelling was condemned as unfit for human habitation on January 5, 2016, due to insanitary conditions, no active utilities and water damage to structural members of the dwelling. The home was registered as a vacant building and boarded. Since that date, City Staff has had the grass cut on four occasions. Currently the structure is vacant, with no active utilities and in a serious state of disrepair.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-26-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 229 Cecil St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case #15-3176 & 15-2653
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $175,000 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of October 24, 2016, there is $156,957 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 7, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of 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.

BACKGROUND AND ANALYSIS

The property is owned by Delmarva Property Holdings LLC. The property is a two story wood framed single family home. On September 20, 2016, City Staff condemned the dwelling due to numerous outstanding code violations that have not been corrected since the initial exterior inspection was performed on September 25, 2015. Since that inspection, City Staff has had to have the grass cut on two separate occasions. City Staff has also opened an additional code violation case regarding the deteriorated fence in the rear yard. Currently the structure is vacant and in a serious state of disrepair.

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-26-16

PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development

SUBJECT: 131 N Kirkwood St, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case #15-3610 & 15-2644

RELATED PROJECT: N/A

APPROVALS: N/A

EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.

EXPENDITURE REQUIRED: Preliminary estimate is $15,000.

AMOUNT BUDGETED: $175,000 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of October 24, 2016, there is $156,957 remaining in the line item.

FUNDING SOURCE (Dept./Page in CIP & Budget): 110-1600-534-30-33.

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property demolished by **December 7, 2016** by the owner or equity owner at their own risk.
3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
4. Order the City Manager with the assistance of the City Solicitor to cause the cost of 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.

BACKGROUND AND ANALYSIS

The property is owned by Cheryl A. Henderson. The property is a two story wood framed single family home. The dwelling was condemned as unfit for human habitation on 11/6/2016 due to the residence was found to be unsecured with the interior largely vandalized. Since the condemnation, City Staff on two occasions have had to secure windows and doors on the property. On August 8, 2015, the property owner was sent notice that the dwelling was a vacant building and would need to be registered as such. To date, the owner has made no contact with the City regarding the code violations or registering the dwelling as vacant. Currently the structure is vacant, with no active utilities and in a serious state of disrepair.

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-26-16

PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development

SUBJECT: 954 Lincoln St, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case #15-3975 & 14-3486

RELATED PROJECT: N/A

APPROVALS: N/A

EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.

EXPENDITURE REQUIRED: Preliminary estimate is $15,000.

AMOUNT BUDGETED: $175,000 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of October 24, 2016, there is $156,957 remaining in the line item.

FUNDING SOURCE (Dept./Page in CIP & Budget): 110-1600-534-30-33.

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property demolished by **December 7, 2016** by the owner or equity owner at their own risk.
3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
4. Order the City Manager with the assistance of the City Solicitor to cause the cost of 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.

BACKGROUND AND ANALYSIS

The property is owned by Bilal Ali Shabazz and Others. The property is a two story wood framed single family home. On December 14, 2015, City Staff condemned the dwelling after it was found to be unsecured with numerous interior and exterior code violations. Prior to this, City Staff had sent notice that the dwelling was a vacant home and would have to be registered as such. To date, the owner has made no contact with City Staff, but Ocwen Financial Corporation has registered the dwelling and has made payments for the yearly registration fees. On June 23, 2015, the property was found unsecure and City Staff had the rear window boarded. Again on August 22, 2016, City Staff found two rear windows busted and had to have both boarded and secured. Currently the structure is vacant, with no active utilities and in a serious state of disrepair.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 10-26-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 231 Mifflin Rd, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case #11-3264 & 16-1940
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $10,000. **AMOUNT BUDGETED**: $175,000 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of October 24, 2016, there is $156,957 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **December 7, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of 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.

BACKGROUND AND ANALYSIS

The property is owned by Jesse Cole Evans and Nichole Marie Evans. The structure is a in-ground pool with a vinyl liner. There is a concrete walkway around the top of the pool along with a diving board. The house where the pool is located has been vacant since October of 2011 and is currently registered with the City as a vacant building. The privacy fence for the rear yard is fairly secure but the side gate will no longer lock creating easy access to the pool area. City Staff have sent several notices since July 20, 2016, to make repairs to the pool, or to have it demolished. As of today's date, no repairs have been made. On September 29, 2016, City Staff condemned the in-ground pool after the structure was found to be dangerous to the life, health and safety of the public because such structure is so damaged, decayed and dilapidated. Currently the principle structure is vacant with no active utilities.