REGULAR COUNCIL MEETING
AGENDA

DECEMBER 12, 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 COUNCILMAN ANDERSON

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* 1. **ADOPTION OF MINUTES**

A. **SPECIAL COUNCIL MEETING OF NOVEMBER 28, 2016**
B. **REGULAR COUNCIL MEETING OF NOVEMBER 28, 2016**

2. **REZONING REQUEST - PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-23**

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF OCTOBER 24, 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 ON THE WEST SIDE OF SOUTH BRADFORD STREET, SOUTH OF WAPLES AVENUE AND TO THE REAR OF 911 SOUTH GOVERNORS AVENUE, CONSISTING OF 0.32$^{+/-}$ ACRES, OWNED BY CAPITAL GRANGE NO. 18, INC. THE PROPERTY IS CURRENTLY ZONED R-8 (ONE-FAMILY RESIDENCE) AND THE PROPOSED ZONING IS RG-1 (GENERAL RESIDENCE)**

(TAX PARCEL: ED-05-077.17-03-15.00-000; PLANNING REFERENCES: Z-16-06 AND MI-16-13; COUNCIL DISTRICT: 2)

* **3. COUNCIL COMMITTEE OF THE WHOLE REPORT - NOVEMBER 29, 2016**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) BRIEFING ON STATE STREET AND SCULL TERRACE CROSSING

(COMMITTEE ACTION NOT REQUIRED)

(2) REQUEST FOR WAIVER - APPENDIX B - ZONING, ARTICLE 5 - SUPPLEMENTARY REGULATIONS, SECTION 17 - EMERGENCY ACCESS REQUIREMENTS - WAIVER OF EMERGENCY REAR ACCESS REQUIREMENT FOR THE REDEVELOPMENT OF LIBERTY COURT APARTMENTS (APPLICATION S-16-22)

(COMMITTEE RECOMMENDED APPROVAL OF THE WAIVER FOR THE ELIMINATION OF THE EMERGENCY REAR ACCESS REQUIREMENT FOR AN 18-FOOT SECONDARY FIRE LANE, AS RECOMMENDED BY THE PLANNING COMMISSION)

(3) BRIEFING ON VIOLENT CRIME WITHIN THE CITY

(COMMITTEE ACTION NOT REQUIRED)

(4) REQUEST FOR FOUR-WAY STOP SIGN - WYOMING AVENUE AND WESTVIEW TERRACE

(COMMITTEE RECOMMENDED THE INSTALLATION OF TWO (2) STOP SIGNS AT THE INTERSECTION OF WYOMING AVENUE AND WESTVIEW TERRACE, TO PLACE 25 M.P.H. SPEED LIMIT SIGNS ABOVE THE FLASHING LIGHTS, AND TO REVISIT THIS MATTER IN MARCH, JUST BEFORE THE CITY STARTS REPAVING, SO MEMBERS CAN POSSIBLY LAYOUT A STREET LAYOUT PLAN FOR SOFTENING THE STREET)

(5) QUARTERLY UPDATE - BICYCLE/PEDESTRIAN SUBCOMMITTEE

(COMMITTEE ACTION NOT REQUIRED)

B. UTILITY COMMITTEE

(1) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) INVENTORY AND INSPECTION PROPOSAL

(COMMITTEE RECOMMENDED AUTHORIZING THE FIVE (5) YEAR PROPOSAL WITH KCI TECHNOLOGIES, IN THE AMOUNT OF $329,740, INITIATING WITH $65,948 IN FY17)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) NORTH STREET SIDEWALK IMPROVEMENTS - NEW PROJECT - DELDOT TRANSPORTATION ALTERNATIVES PROJECT

(COMMITTEE RECOMMENDED APPROVAL OF STAFF'S REQUEST FOR AUTHORIZATION FROM CITY COUNCIL TO SIGN THE PROJECT AGREEMENT WITH DELDOT AND BEGIN ASSEMBLING THE REQUIRED FUNDS FOR THE MATCH. THE STATE HAS REQUESTED THAT ALL MATCHING FUNDS BE TRANSFERRED TO DELDOT NO LATER THAN FEBRUARY/MARCH 2017.)

(2) DRAFT COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

(COMMITTEE ACTION NOT REQUIRED)

* **4. MONTHLY REPORTS - OCTOBER 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

5. **REMOVAL OF THE INFORMATION TECHNOLOGY HIRING FREEZE**
(STAFF RECOMMENDS AUTHORIZATION TO RELEASE THE VACANT INFORMATION TECHNOLOGY POSITIONS FOR EVALUATION AND RECRUITMENT. THIS REQUEST INCLUDES AUTHORIZING THE CITY MANAGER TO POTENTIALLY CONVERT THE PART-TIME ADMINISTRATIVE POSITION TO A FULL-TIME POSITION TO ADDRESS INTERNAL PERSONNEL OPPORTUNITIES. ALSO, INCLUDED IN THIS REQUEST IS AUTHORIZATION TO RECLASSIFY POSITIONS AS THE CITY MANAGER DEEMS NECESSARY TO PREPARE FOR CHANGES TO TECHNOLOGY INCLUDING LAN AND SOFTWARE NEEDS.)

6. **ONBOARDING FOR NEW COMMITTEE MEMBERS** (THE COUNCIL COMMITTEE OF THE WHOLE/LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE TABLED THIS MATTER DURING ITS MEETING OF OCTOBER 11, 2016 TO ALLOW MRS. TOWNSHEND TO CONDUCT RESEARCH AND COME BACK TO COUNCIL AT A FUTURE DATE WITH HER FINDINGS)

* 7. **APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - ECONOMIC DEVELOPMENT COMMITTEE - KISHOR C. SHETH - ONE-YEAR TERM TO EXPIRE MAY 8, 2017**

* 8. **CONFIRMATION OF SPECIAL POLICE PENSION ELECTION - RETIRED CAPTAIN LARRY GRAY (TO FILL THE UNEXPIRED TERM OF RETIRED CORPORAL MARTIN STALLINGS) - TERM TO EXPIRE JANUARY 31, 2018**

9. **REZONING REQUESTS - FIRST READING OF PROPOSED ORDINANCES**
THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCES. THEY ARE RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION FOR A PUBLIC HEARING ON JANUARY 17, 2017 AND THAT A PUBLIC HEARING BEFORE CITY COUNCIL BE SET FOR FEBRUARY 13, 2017 AT 7:30 P.M., AT WHICH TIME THE FINAL READINGS AND COUNCIL ACTION WILL TAKE PLACE. THE ORDINANCES ARE 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. **#2016-29 - PROPERTY LOCATED AT 301 NORTH BRADFORD STREET, CONSISTING OF 11,362.5$^{+/-}$ S.F., OWNED BY HARRY O. MEEKS, JR. AND BONNIE G. MEEKS. THE PROPERTY IS CURRENTLY ZONED RG-1 (GENERAL RESIDENCE) AND THE PROPOSED ZONING IS C-1 (NEIGHBORHOOD COMMERCIAL)**
   (TAX PARCEL: ED-05-068.17-02-34.00-000, PLANNING REFERENCE: Z-17-01; COUNCIL DISTRICT 3)
   B. **#2016-30 - PROPERTY LOCATED AT 11-15 NORTH QUEEN STREET, CONSISTING OF 9,020$^{+/-}$ S.F., OWNED BY E. VERNON INGRAM, JR. THE PROPERTY IS CURRENTLY ZONED RG-1 (GENERAL RESIDENCE) AND THE PROPOSED ZONING IS C-3 (SERVICE COMMERCIAL)**
   (TAX PARCEL: ED-05-076.08-05-04.00-000, PLANNING REFERENCE: Z-17-02; COUNCIL DISTRICT 4)

10. FINAL READING - PROPOSED ORDINANCES

THE FIRST READING OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 28, 2016. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

A. #2016-26 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE III - STANDING COUNCIL COMMITTEES

B. #2016-27 AMENDING CHAPTER 18 - ANIMALS, SECTION 18-4 - RUNNING AT-LARGE, SECTION 18-5 - DOG LICENSES REQUIRED, AND SECTION 18-10 - SAME-SEIZURE AND IMPOUNDMENT, AND APPENDIX F - FEES AND FINES

11. CITY MANAGER'S ANNOUNCEMENTS

12. COUNCIL MEMBERS' ANNOUNCEMENTS

13. ADJOURNMENT

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

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