REGULAR COUNCIL MEETING
AGENDA

JANUARY 9, 2017 - 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 NEIL

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 - REGULAR COUNCIL MEETING OF DECEMBER 12, 2016**

2. **TRIBUTE NO. 2017-01 - JOSEPH M. MCDONOUGH**

3. **REZONING REQUEST - PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-28**

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 28, 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 MCKEE ROAD NORTH OF COLLEGE ROAD BETWEEN 1216 AND 1282 MCKEE ROAD, CONSISTING OF 4.35$^{+/-}$ ACRES, OWNED BY GEORGE J. KAYS AND JOHN J. KAYS. THE EQUITABLE OWNER IS MEDCORE PARTNERS C/O MICHAEL GRAHAM. THE PROPERTY IS CURRENTLY ZONED C-PO (COMMERCIAL AND PROFESSIONAL OFFICE) AND SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS IO (INSTITUTIONAL AND OFFICE) AND SUBJECT TO THE COZ-1 (CORRIDOR OVERLAY ZONE).**

(TAX PARCEL: ED-05-067.00-01-33.00-000; PLANNING REFERENCE: Z-16-07; COUNCIL DISTRICT 1)

4. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-25

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 28, 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. AMENDING APPENDIX B - ZONING, ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES AND ARTICLE 12 - DEFINITIONS

5. COUNCIL COMMITTEE OF THE WHOLE REPORT - DECEMBER 13, 2016

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

(1) ADDITION OF BOLLARD LIGHTING - MALLARD POND PARK TRAIL

(COMMITTEE RECOMMENDED PROCEEDING WITH THE INSTALLATION OF BOLLARD LIGHTING ALONG THE MALLARD POND PARK MULTI-USE PATH, AS RECOMMENDED BY STAFF)

* **(2) PROPOSED LAND SWAP - CAPITOL BAPTIST CHURCH/MAYFAIR PARK**

(COMMITTEE RECOMMENDED MOVING AHEAD WITH THE PROCESS USING OPTION 1, THAT STAFF COME BACK TO THE COMMITTEE WITH DETAILS AT A LATER MEETING, AND THAT ANY EXPENSES SHALL BE INCURRED BY THE CHURCH)

* **6. MONTHLY REPORTS - NOVEMBER 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

7. EVALUATION OF PROPOSALS - SALT STORAGE BARN

(STAFF RECOMMENDS AWARDING THE CONTRACT TO DUTCHMAN CONTRACTING, LLC FOR THE CITY OF DOVER SALT STORAGE BARN PROJECT, RFP 17-0017PW, FOR THE AMOUNT OF $88,942. THE REMAINING FUNDS REQUIRED FOR THE CONSTRUCTION OF THE SLAB, WHICH WILL BE BUILT UNDER THE CURRENT STREET, CONCRETE AND ALLEY PROGRAM CONTRACT BY GEORGE & LYNCH, HAS AN ANTICIPATED COST OF $33,458.)

8. CLARIFICATION OF APPOINTMENT APPLICATION REQUIREMENTS/PROPOSED AMENDMENTS TO APPLICATION

* **9. APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR** (SCOTT D. KOENIG, CITY MANAGER, AND HARRY A. MALONEY, ELECTRIC DEPARTMENT DIRECTOR)

* **10. APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - ECONOMIC DEVELOPMENT COMMITTEE - CLAYTON E. HAMMOND II - ANNUAL APPOINTMENT TO EXPIRE MAY 8, 2017**

11. CITY MANAGER'S ANNOUNCEMENTS

12. COUNCIL MEMBERS' ANNOUNCEMENTS

13. 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