REGULAR COUNCIL MEETING
AGENDA

FEBRUARY 13, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA - DOVER, DELAWARE

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:00 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

MOMENT OF SILENCE FOR LIEUTENANT STEVEN R. FLOYD LED BY COUNCILMAN BRIAN LEWIS

PLEDGE OF ALLEGIANCE LED BY BOY SCOUT TROOP NUMBER 436

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 JANUARY 23, 2017**
- **B. REGULAR COUNCIL MEETING OF JANUARY 23, 2017**

2. CERTIFICATE OF CONGRATULATIONS - MADISON BRENGLE

3. TRIBUTE NO. 2017-02 - LIEUTENANT STEVEN R. FLOYD

4. REZONING REQUESTS - PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCES

THE FIRST READING OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF DECEMBER 12, 2016. THE ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

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, THIRD COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-01)

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, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-02)

5. SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - JANUARY 19, 2017

* **A. ELECTION OF COMMITTEE CHAIR - GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE**

(COMMISSION ELECTED MR. GADDIS TO SERVE AS THE CHAIR)

* **B. DHRC COMMITTEE UPDATES**

(1) COMMUNITY ENGAGEMENT COMMITTEE (MULLEN)

(NO UPDATE WAS PROVIDED)

(2) COMMUNICATIONS COMMITTEE (PAIGE)

(COMMISSION ACTION NOT REQUIRED)

(3) EDUCATION COMMITTEE (BOGLE)

(COMMISSION ACTION NOT REQUIRED)

C. OLD BUSINESS

(1) DHRC DIVERSITY RESEARCH PROJECT

(COMMISSION SUBMITTED THE DHRC DIVERSITY RESEARCH PROJECT REPORT TO CITY COUNCIL)

* **(2) DEVELOPMENT OF CONCISE STATEMENT - MISSION AND FUNCTIONS OF DHRC**

(COMMISSION RECOMMENDED THAT MR. GADDIS AND REVEREND PAIGE PRESENT A CONSOLIDATED STATEMENT AT THE NEXT MEETING)

* **(3) DHRC VACANCIES**

(COMMISSION ACTION NOT REQUIRED)

* **D. FUTURE MEETING DATES**

(COMMISSION SCHEDULED THE NEXT MEETING FOR THURSDAY, FEBRUARY 23, 2017 AT 6:00 P.M.)

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - JANUARY 24, 2017**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) REPORT ON INITIAL ASSESSMENT OF PUBLIC SAFETY ISSUES RELATED TO HOLDING PUBLIC MEETINGS IN THE CITY COUNCIL CHAMBERS, CITY HALL, AND 5 EAST REED STREET

(COMMITTEE ACTION NOT REQUIRED)

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - JANUARY 24, 2017 (CONTINUED)**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE (CONTINUED)

(2) QUARTERLY BRIEFING ON DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECTS

(COMMITTEE ACTION NOT REQUIRED ON THE BELOW ITEMS)

(A) DOWNTOWN DOVER PARKING STUDY

(B) GARRISON OAK TRAFFIC STUDY

(3) BICYCLE AND PEDESTRIAN SUBCOMMITTEE RECOMMENDATIONS

(A) WALK21 INTERNATIONAL CHARTER FOR WALKING

(COMMITTEE RECOMMENDED AUTHORIZING STAFF TO SIGN THE WALK21 INTERNATIONAL CHARTER FOR WALKING ON BEHALF OF THE CITY OF DOVER)

(B) PROPOSED RESOLUTION NO. 2017-01 - COMPLETE STREETS

(COMMITTEE RECOMMENDED ADOPTION OF THE PROPOSED RESOLUTION)

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) DISCUSSION - USE OF LEVY COURT CHAMBERS

(COMMITTEE RECOMMENDED THAT THE CITY MANAGER BE DIRECTED TO WORK WITH STAFF TO CREATE ROUGH ORDER MAGNITUDE ESTIMATES TO ADDRESS THE ADA AND SAFETY ISSUES THAT WERE DISCUSSED DURING THE MEETING)

(COMMITTEE RECOMMENDED THAT MRS. TRACI MCDOWELL, CITY CLERK, AND MR. SCOTT KOENIG, CITY MANAGER, INITIATE THE DIALOGUE WITH MR. MICHAEL PETIT DE MANGE FROM THE COUNTY TO LOOK AT WHAT THE ISSUES MIGHT BE OF A TEMPORARY SPACE FOR A DEFINED PERIOD OF TIME FOR CITY COUNCIL MEETINGS)

(2) POSSIBLE MOVE OF COUNCIL COMMITTEE OF THE WHOLE MEETINGS TO MONDAY EVENINGS

(COMMITTEE RECOMMENDED ADOPTION OF THE COUNCIL COMMITTEE OF THE WHOLE STRUCTURE USED FOR THE PAST YEAR TO BE HELD ON MONDAY EVENINGS FROM 5:30 P.M. TO 7:00 P.M. WITH THE ABILITY TO RECESS THE MEETING UNTIL THE CONCLUSION OF THE COUNCIL MEETING IF NECESSARY)

(COMMITTEE RECOMMENDED THAT THE RULE OF THUMB BE THAT EXECUTIVE SESSIONS BE SCHEDULED AT THE END OF THE COUNCIL MEETINGS ON MONDAY EVENINGS, WITH THE RIGHT RESERVED TO SCHEDULE SESSIONS BEFORE THE MEETING IF SOMEONE IS COMING IN FROM THE OUTSIDE, AND THAT THIS BE EFFECTIVE FOR THE FIRST MEETING IN MARCH)

(3) EVALUATION OF REQUEST FOR PROPOSALS - DOVER BROADCAST AND PRODUCTION EQUIPMENT (RFP 17-0016CC)

(COMMITTEE TABLED THIS MATTER UNTIL THE SECOND MEETING IN FEBRUARY TO HEAR FROM THE STAFF WORKING WITH THE LEVY COURT IN TERMS OF WHAT THEY DISCOVER AND RECOMMEND)

(4) PERMISSION TO RECRUIT - FULL-TIME BUDGET ANALYST

(COMMITTEE RECOMMENDED AGAINST AUTHORIZATION TO BEGIN THE RECRUITMENT PROCESS FOR THE POSITION OF BUDGET ANALYST IN THE CITY MANAGER'S OFFICE)

* **7. MONTHLY REPORTS - DECEMBER 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)** (OCTOBER, NOVEMBER, AND DECEMBER)

9. CHANGE ORDER FUNDING IMPACT ON CAPITAL INVESTMENT PLAN (MEETING HOUSE BRANCH VOLUNTARY CLEANUP PROGRAM)

(DURING THEIR REGULAR MEETING OF JANUARY 23, 2017, CITY COUNCIL DIRECTED MRS. MITCHELL AND MR. KOENIG TO REWORK THE NUMBERS AND REPORT THEIR FINDINGS)

10. CHANGE ORDER - SOUTH NEW STREET WATER MAIN PROJECT - UPDATE AND EMERGENCY CHANGE ORDER - ENVIRONMENTAL WORK

(STAFF RECOMMENDS APPROVAL OF ALL NECESSARY COMPONENTS OF THE CHANGE ORDER, WITH MINIMUM ANTICIPATED COSTS OF $128,000. COSTS WOULD BE INCURRED FROM COMPLIANCE ENVIRONMENTAL, GUARDIAN ENVIRONMENTAL SERVICES AND AZTECH CONTRACTING, INC. PROJECT BUDGETS FOR WQ1704 AND WQ1702 WILL BE AMENDED ACCORDINGLY.)

* **11. APPOINTMENTS/REAPPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - HUMAN RELATIONS COMMISSION - THREE (3) YEAR TERMS TO EXPIRE FEBRUARY 2020**

- **A. PAUL FLEMING - FIRST DISTRICT (TO FILL THE EXPIRED TERM OF JACKIE GRIFFITH)**
- **B. THEODORE HENDERSON - SECOND DISTRICT**
- **C. WANDA MULLEN - THIRD DISTRICT**
- **D. RITA MISHOE PAIGE - FOURTH DISTRICT**

* **12. APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN**

- **A. PUBLIC ADVISORY COMMITTEE OF THE DOVER/KENT COUNTY MPO - KAREN MCGLOUGHLIN (TO FILL THE UNEXPIRED TERM OF JOHN S. GRADY - TERM TO EXPIRE JULY 2017)**
- **B. PLANNING COMMISSION - FIRST DISTRICT - DEBORAH L. EDWARDS (TO FILL THE UNEXPIRED TERM OF COLONEL ROBERT WELSH (RET.) - TERM TO EXPIRE JUNE 2017)**

13. FINAL READING - PROPOSED ORDINANCES

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- **A. #2017-01 AMENDING CHAPTER 70 - OFFENSES AND MISCELLANEOUS PROVISIONS AND APPENDIX F - FEES AND FINES (DISORDERLY PREMISES)**
- **B. #2017-02 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE V - FINANCE, SECTION 2-422 - DISPOSAL OF EXCESS PROPERTY**

13. FINAL READING - PROPOSED ORDINANCES (CONTINUED)

C. #2017-03 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 7 - GENERAL EMPLOYEE PENSION PLAN AND DIVISION 8 - DEFERRED COMPENSATION PLAN; ARTICLE VI - OTHER POST-EMPLOYMENT BENEFITS FUND AND CREATING A NEW CHAPTER 80 - PERSONNEL

D. #2017-04 PROJECT CARRY-FORWARD BUDGET BALANCES/BUDGET AMENDMENTS

14. CITY MANAGER'S ANNOUNCEMENTS

15. COUNCIL MEMBERS' ANNOUNCEMENTS

16. 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