REGULAR COUNCIL MEETING
AGENDA

APRIL 24, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

THE AGENDA HAS BEEN REVISED TO REMOVE THE PRESENTATION OF THE 2016 ANNUAL REPORT BY THE DOWNTOWN DOVER PARTNERSHIP AND TO INCLUDE STAFF'S RECOMMENDATION FOR ITEM #4 - PUBLIC HEARING - ALLEY ABANDONMENT (UNIMPROVED/PAPER) - BETWEEN 29 NORTH KIRKWOOD STREET AND 434, 440, 442, 444, AND 452 FULTON STREET

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

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 - REGULAR COUNCIL MEETING OF APRIL 10, 2017**

2. **PRESENTATIONS**
   - A. **CERTIFICATE OF RECOGNITION - MEMBERS OF COFFEE FOR CHANGE - MIDNIGHT ROAST COFFEE SHOP - WESLEY COLLEGE CENTER**
   - B. **MAYOR'S SELECTION FOR THE JEFFERSON AWARDS LEAD360 CHALLENGE**
   - C. **CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING - COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016**

3. **PROCLAMATION - MILITARY SPOUSE APPRECIATION DAY**

4. **PUBLIC HEARING - ALLEY ABANDONMENT (UNIMPROVED/PAPER) - BETWEEN 29 NORTH KIRKWOOD STREET AND 434, 440, 442, 444, AND 452 FULTON STREET**

   (STAFF RECOMMENDS: 1) ABANDONING THE ENTIRE ALLEY TO 29 N. KIRKWOOD STREET (HABITAT FOR HUMANITY) LESS THE FENCED AREA CURRENTLY UTILIZED BY 452 FULTON STREET (TO BE ABANDONED TO 452 FULTON STREET). SHOULD OTHER NORTHERN PROPERTY OWNERS FEEL THEY HAVE A LEGITIMATE ENCROACHMENT CLAIM THE CLAIMANT SHOULD PROCEED WITH ESTABLISHING THE ELEMENTS OF ADVERSE POSSESSION. 2) ALLOW HABITAT FOR HUMANITY TO ABSORB ALL COSTS FOR ALLEY ABANDONMENT AS OFFERED AT THE COUNCIL COMMITTEE OF THE WHOLE / UTILITY COMMITTEE MEETING AND REFERENCED IN THE MINUTES.)

* 5. **COUNCIL COMMITTEE OF THE WHOLE REPORT - APRIL 11, 2017**

   A. **UTILITY COMMITTEE**

      (1) **PRESENTATION - ENERGY EFFICIENCY PROGRAM PROPOSAL BY DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC)**

      (COMMITTEE RECOMMENDED REFERRING THIS MATTER TO STAFF FOR REVIEW)

* 6. **QUARTERLY REVENUE REPORT**

   (STAFF RECOMMENDS ACCEPTANCE OF THE REPORT)

* 7. **SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY**

   (STAFF REQUESTS THAT THE REPORT ON THE SEMI-ANNUAL INSPECTION BE DEFERRED UNTIL MAY 22, 2017)

* 8. **SPECIAL ELECTION TO FILL VACANCY - ROBBINS HOSE COMPANY - TERM TO EXPIRE DECEMBER 31, 2017 - FOURTH ASSISTANT FIRE CHIEF - WILLIAM BRADLEY**

9. **2017 REGULAR MUNICIPAL ELECTION RESULTS**

10. **EVALUATION OF BIDS - SOUTH LAKEVIEW DRIVE DRAINAGE IMPROVEMENT PROJECT**

    (STAFF RECOMMENDS AWARDING THE CONTRACT TO GATEWAY CONSTRUCTION CORP. FOR THE CITY OF DOVER SOUTH LAKEVIEW DRIVE DRAINAGE IMPROVEMENT PROJECT, BID #17-0023PW, FOR THE AMOUNT OF $38,930)

11. **REZONING REQUEST - FIRST READING OF PROPOSED ORDINANCE #2017-05**

    THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION FOR A PUBLIC HEARING ON MAY 15, 2017 AND THAT A PUBLIC HEARING BEFORE CITY COUNCIL BE SET FOR JUNE 12, 2017 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. 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. **PROPERTY LOCATED AT 1408 COLLEGE ROAD, CONSISTING OF 0.26$^{+/-}$ ACRES; 1412 COLLEGE ROAD, CONSISTING OF 3.42$^{+/-}$ ACRES; AND 1416 COLLEGE ROAD, CONSISTING OF 0.80$^{+/-}$ ACRES, OWNED BY THE MOST WORSHIPFUL PRINCE HALL GRAND LODGE OF FREE AND ACCEPTED MASONS OF THE STATE OF DELAWARE, INC. THE PROPERTY IS CURRENTLY ZONED R-8 (ONE-FAMILY RESIDENCE) AND THE PROPOSED ZONING IS IO (INSTITUTIONAL AND OFFICE).**

    (TAX PARCELS: ED-05-067.14-01-47.00-000, ED-05-067.18-01-11.00-000, AND ED-05-067.18-01-09.00-000; PLANNING REFERENCE: Z-17-03; COUNCIL DISTRICT: 4)

12. ACTING CITY MANAGER'S ANNOUNCEMENTS

13. COUNCIL MEMBERS' ANNOUNCEMENTS

14. ADJOURNMENT

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2017\04-24-2017 COUNCIL AGENDA REVISED 04-21-2017.WPD

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