REGULAR COUNCIL MEETING
AGENDA

JULY 24, 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 CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN LEWIS

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 JUNE 26, 2017**

2. PRESENTATIONS
- **A. LUTHERAN SENIOR SERVICES OF DOVER, INC. - PAYMENT-IN-LIEU OF TAXES (PILOT)**
- **B. CERTIFICATE OF CONGRATULATIONS - DOVER HIGH SCHOOL BOYS TRACK AND FIELD TEAM**
- **C. COMIC CON**

* **3. DOVER HUMAN RELATIONS COMMISSION WORKSHOP REPORT - MAY 25, 2017**
- **A. WELCOME - EXPLANATION OF PURPOSE OF WORKSHOP (HENDERSON)**
- **B. DHRC AUTHORITY AND HOLDING OF MEETINGS (NICHOLAS RODRIGUEZ, CITY SOLICITOR)**
- **C. REVIEW OF DHRC STRATEGIC PLAN 2015-2018 LONG-TERM OBJECTIVES AND DEVELOPMENT OF WORK PLANS**
- **D. PUBLIC COMMENT**

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 27, 2017**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) ALTERNATIVE TO SPEED BUMPS - ANN AVENUE (SUDLER)

(COMMITTEE RECOMMENDED A) INSTALLING A TRAFFIC ENFORCEMENT SIGN ON ANN AVENUE; B) INSTALLING STRICTLY ENFORCED SPEED LIMIT SIGNS ON ANN AVENUE; AND C) PERFORMING A TRAFFIC STUDY ON WALKER ROAD AND ANN AVENUE INDICATING THE TIMING OF THE LIGHTS AND THE COUNT, DATE, AND TIME OF TRAFFIC FLOW)

(2) NOISE COMPLAINTS - MUFFLERS AND CAR RADIOS (LEWIS AND GARFINKEL)

(COMMITTEE RECOMMENDED THAT CHIEF MAILEY RESEARCH A REASONABLE DECIBEL INDICATOR THAT WOULD BE PROFICIENT IN PROSECUTING AN AFFIRMATIVE OFFENSE CHARGE FOR EXCESSIVE NOISE, IN ACCORDANCE WITH NOT ONLY THE U.S. CODE FOR THE STATE OF DELAWARE BUT ALSO REASONABLE IN REGARD TO THE HEARING WHICH THEY CURRENTLY USE FOR THE CITY OF DOVER)

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) CLARIFICATION - REQUEST FOR INCENTIVES - NAIL SPA BY TR

(COMMITTEE RECOMMENDED ACCEPTANCE OF STAFF'S RECOMMENDATION TO LOOK FOR ANOTHER INCENTIVE THAT WOULD WORK BETTER AND BE MORE EFFECTIVE, IF COUNCIL WANTED TO INCENTIVIZE SMALLER, COMMERCIAL BUSINESSES AT SOME POINT, RATHER THAN TRYING TO AMEND THE CURRENT ORDINANCE TO MAKE IT FIT SOMETHING THAT IT WAS NOT INTENDED FOR)

(2) ORGANIZATIONAL RECOMMENDATIONS - DAVID S. HUGG III, ACTING DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

(3) PROPOSED ORDINANCE #2017-09 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 1 - GENERALLY, SECTION 2-201 - COMPENSATION AND EXPENSES FOR MAYOR, COUNCIL, EMPLOYEES AND OTHER ELECTED OR APPOINTED OFFICIALS

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2017-09) **(SEE ITEM #14-A)**

* **5. MONTHLY REPORTS - MAY 2017**

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

* **6. QUARTERLY REVENUE REPORT**

7. REPLACEMENT OF ENGINE 7

(STAFF RECOMMENDS APPROVAL OF THE PURCHASE OF ENGINE 7)

8. MODIFICATION TO CONSULTING CONTRACT

9. SUPPORT LETTERS TO FORGOTTEN CATS

10. EVALUATION OF BIDS

A. SILVER LAKE DAM IMPROVEMENTS

(STAFF RECOMMENDS AWARDING THE CONTRACT TO GUARDIAN ENVIRONMENTAL FOR THE CITY OF DOVER SILVER LAKE DAM IMPROVEMENTS PROJECT, BID #17-0037PW, FOR THE AMOUNT OF $265,400)

B. LINCOLN STREET GRAVITY SEWER REPAIR

(STAFF RECOMMENDS AWARDING THE CONTRACT TO GATEWAY CONSTRUCTION FOR THE CITY OF DOVER LINCOLN STREET GRAVITY SEWER REPAIR, BID #17-0040PW, FOR THE AMOUNT OF $27,200)

* **11. APPOINTMENTS/REAPPOINTMENTS**

A. RECOMMENDED BY COUNCIL PRESIDENT SLAVIN

(1) HUMAN RELATIONS COMMISSION - JONATHAN OFFREDO - FOURTH DISTRICT REPRESENTATIVE - THREE-YEAR TERM TO EXPIRE FEBRUARY 2020 (TO FILL THE EXPIRED TERM OF KENNETH ROACH)

B. RECOMMENDED BY MAYOR CHRISTIANSEN

(1) BOARD OF ADJUSTMENT - ARTHUR G. ERICSON - THREE-YEAR TERM TO EXPIRE JULY 2020 (REAPPOINTMENT)

(2) CONSTRUCTION AND PROPERTY MAINTENANCE CODE BOARD OF APPEALS - ADAM M. PERZA, REPRESENTATIVE OF HOMEOWNERS - ONE-YEAR TERM TO EXPIRE MAY 29, 2018 (REAPPOINTMENT)

* **12. 2017/18 ANNUAL APPOINTMENTS (DEFERRED DURING THE ANNUAL MEETING OF MAY 8, 2017)**

A. APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN

(1) DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS

(2) SILVER LAKE COMMISSION

13. REZONING REQUESTS - FIRST READINGS 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 AUGUST 21, 2017 AND THAT A PUBLIC HEARING BEFORE CITY COUNCIL BE SET FOR SEPTEMBER 11, 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. #2017-10 - PROPERTY LOCATED AT 826 FOREST STREET, CONSISTING OF 0.5$^{+/-}$ ACRES, OWNED BY SARAH E. JONES. THE PROPERTY IS CURRENTLY ZONED RG-1 (GENERAL RESIDENCE), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS C-1A (LIMITED COMMERCIAL), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE)

(TAX PARCEL: ED-05-076.12-01-16.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-04)

B. #2017-11 - PROPERTY LOCATED AT 870-872 FOREST STREET, CONSISTING OF 0.7473$^{+/-}$ ACRES (32,552$^{+/-}$ S.F.), OWNED BY BENNIE SMITH REAL ESTATE, LLC. THE PROPERTY IS CURRENTLY ZONED C-1A (LIMITED COMMERCIAL), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS IO (INSTITUTIONAL AND OFFICE), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE)

(TAX PARCEL: ED-05-076.12-01-08.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-05)

14. FIRST READING - PROPOSED ORDINANCE #2017-09

THE FIRST READING IS OFFERED ON PROPOSED ORDINANCE #2017-09. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING OF THE ORDINANCES ON AUGUST 14, 2017. 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. PROPOSED ORDINANCE #2017-09 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 1 - GENERALLY, SECTION 2-201 - COMPENSATION AND EXPENSES FOR MAYOR, COUNCIL, EMPLOYEES AND OTHER ELECTED OR APPOINTED OFFICIALS

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

15. ACTING CITY MANAGER'S ANNOUNCEMENTS

16. COUNCIL MEMBERS' ANNOUNCEMENTS

17. 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

/TM

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2017\07-24-2017 COUNCIL AGENDA.WPD