SPECIAL COUNCIL MEETING
AGENDA

AUGUST 1, 2016 - 6:00 P.M.
REVISED
CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

REVISED BY REMOVING PREVIOUS ITEM #1-E - PROPERTY LOCATED AT 145 NORTH ANN AVENUE

INVOCATION

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS

1. PUBLIC HEARINGS - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE

(STAFF RECOMMENDS: 1) DECLARING THESE BUILDINGS AND ALL ACCESSORY STRUCTURES ON THESE PROPERTIES DANGEROUS; 2) ORDERING THE PROPERTIES DEMOLISHED BY SEPTEMBER 1, 2016 BY THE OWNERS OR EQUITY OWNERS AT THEIR OWN RISK; 3) ORDERING THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNERS WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL; AND 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LANDS ON WHICH THE BUILDINGS EXIST AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE ADDED TO THE TAX DUPLICATE AS AN ASSESSMENT, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNERS.)

A. PROPERTY LOCATED AT 139 MITSCHER ROAD, OWNED BY KATHY G. ANTONIOU
B. PROPERTY LOCATED AT 126 NORTH ANN AVENUE, OWNED BY MUSIKAMI BISHOGO
C. PROPERTY LOCATED AT 941 LINCOLN STREET, OWNED BY JOE W. BURDEN, JR.
D. PROPERTY LOCATED AT 411 WEST REED STREET, OWNED BY JOE W. BURDEN, JR.
E. PROPERTY LOCATED AT 528 BAY ROAD, OWNED BY LOS PAISAS LLC

2. COUNCIL MEMBERS' ANNOUNCEMENTS

3. 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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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7-14-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 139 Mitscher Road, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-3613 & 15-1465
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $175.000.00 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of July 14, 2016, there is $175,000.000 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **September 1, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Kathy G. Antoniou. The property is a one-story block-framed single family home. The house has been vacant since January 4, 2013, and is registered with the City as a Vacant Building. On May 6, 2015, staff from the Planning and Inspections Department conducted an exterior inspection of the home and outbuilding and found that there was serious deterioration to the roof and foundation from water damage. The structures were condemned as unfit for human occupancy. The new owner obtained a permit on November 23, 2015 to renovate the dwelling. On December 23, 2015, City Staff placed a stop work order on the dwelling due to discrepicies in the work being conducted and what the permit listed. Since that time, no further work has been done. Currently the home is vacant, with no utilities and numerous outstanding code violations.

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7-14-16

PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development

SUBJECT: 126 N Ann Ave, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 11-1430 & 13-1159

RELATED PROJECT: N/A

APPROVALS: N/A

EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.

EXPENDITURE REQUIRED: Preliminary estimate is $15,000.

AMOUNT BUDGETED: $175.000.00 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of July 14, 2016, there is $175,000.000 remaining in the line item.

FUNDING SOURCE (Dept./Page in CIP & Budget): 110-1600-534-30-33.

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property demolished by **September 1, 2016** by the owner or equity owner at their own risk.
3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Musikami Bishogo. The property is a one story wood framed single family home. The dwelling was condemned as unfit for human habitation on 4/4/2012 due to the degree of damage to the structure from a fire that occurred on the night of 10/5/2010. Since the fire, numerous windows to the structure have been broken causing the owner to have all windows and doors boarded. On December 21, 2012, the owner obtained a renovations permit and began making repairs to the dwelling. Progress was being made until the spring of 2015 when no further work was observed. Currently the structure is vacant, with no active utilities and in a serious state of disrepair.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7-14-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 941 Lincoln St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 16-1532, 15-877 & 14-3493
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $18,000. **AMOUNT BUDGETED**: $175.000.00 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of July 14, 2016, there is $175,000.000 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **September 1, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Joe W. Burden Jr. The property is a one story brick framed single family home with a full basement. The dwelling was condemned as unfit for human habitation on September 10, 2014, due to no active utilities. The home was secured and boarded. In March of 2015 the home was registered as a vacant building. Currently the structure is vacant, with no active utilities and in a serious state of disrepair with outstanding code violations. On July 7, 2016, the property owner submitted a renovation permits to make repairs to the property. On July 20, 2016, City Staff issued a clean hands letter requiring the owner to pay all outstanding fees and citations owed against this property prior to the permit being reviewed.

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7-14-16

PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development

SUBJECT: 411 W Reed Street, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 16-1117, 15-4033 & 14-3206

RELATED PROJECT: N/A

APPROVALS: N/A

EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.

EXPENDITURE REQUIRED: Preliminary estimate is $12,000.

AMOUNT BUDGETED: $175.000.00 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of July 14, 2016, there is $175,000.000 remaining in the line item.

FUNDING SOURCE (Dept./Page in CIP & Budget): 110-1600-534-30-33.

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property demolished by **September 1, 2016** by the owner or equity owner at their own risk.
3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Joe W. Burden Jr. The property is a two story wood framed single family home. The dwelling was condemned as unfit for human habitation on August 20, 2014, due to no active utilities and insanitary conditions caused from several dogs being left alone in the house. The home was secured and boarded. In March of 2015 the home was registered as a vacant building. Currently the structure is vacant, with no active utilities and in a serious state of disrepair with outstanding code violations. On July 7, 2016 the property owner submitted a permit for repairs to the damaged roof. On July 20, 2016, City Staff issued a clean hands letter requiring the owner to pay all outstanding fees and citations owed against this property prior to the permit being reviewed.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 7-14-16
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 528 Bay Rd, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 16-1452, 15-2075 & 12-1054
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $175.000.00 Budgeted for all demolitions Citywide in the FY-2017 Budget; As of July 14, 2016, there is $175,000.000 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **September 1, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by LOS PAISAS LLC. The property is a one story commercial structure. The structure has been vacant since April of 2012, and was registered with the City as a Vacant Building on May 19, 2012. Several code violations notices have been sent to the owners for repairs and compliance was made until June of 2015 when the owners stopped maintaining the structure. Currently the structure is still vacant, with no utilities and numerous outstanding code violations.