REGULAR COUNCIL MEETING
AGENDA

JUNE 27, 2016 - 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 CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

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 13, 2016**

2. PROGRAM PRESENTATION - FIRST STATE COMMUNITY ACTION AGENCY

3. PROPOSED RESOLUTION NO. 2016-07 - PROPOSING INCLUSION OF WESTFIELD INTO THE KENT COUNTY STORM WATER MAINTENANCE DISTRICT

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016**

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

(1) PROGRAM PRESENTATION - FIRST STATE COMMUNITY ACTION AGENCY
(COMMITTEE ACTION NOT REQUIRED)

(2) UPDATE - RESIDENTIAL APPEAL PROCESS AND NON-COMPLIANT/ NON-CONFORMING USES
(COMMITTEE ACTION NOT REQUIRED)

(3) CITIZEN SUGGESTIONS
(COMMITTEE ACTION NOT REQUIRED)

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016 (CONTINUED)**

B. UTILITY COMMITTEE

(1) DIFFERENTIAL DISPOSAL FEE AGREEMENT - DELAWARE SOLID WASTE AUTHORITY

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROPOSED DIFFERENTIAL DISPOSAL FEE AGREEMENT WITH THE DELAWARE SOLID WASTE AUTHORITY (DSWA) TO PROVIDE MUNICIPAL SOLID WASTE DISPOSAL SERVICE FOR THE CITY OF DOVER FROM JULY 1, 2016 THROUGH JUNE 30, 2021 AT THE RATES SET FORTH IN THE AGREEMENT)

(2) QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER) (JANUARY, FEBRUARY, AND MARCH)

(COMMITTEE ACTION NOT REQUIRED)

(3) UPDATES

(COMMITTEE ACTION NOT REQUIRED)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) KENT COUNTY SECONDARY INTENSIVE LEARNING CENTER SCHOOL RESOURCE OFFICER (SRO) MEMORANDUM OF AGREEMENT (MOA)

(COMMITTEE RECOMMENDED AUTHORIZING THE CHIEF OF POLICE TO NEGOTIATE AND SIGN THE FINAL MEMORANDUM OF AGREEMENT (MOA) FOR THE PLACEMENT OF A SCHOOL RESOURCE OFFICER (SRO) AT THE KENT COUNTY SECONDARY INTENSIVE LEARNING CENTER SITE FOR THE NEXT THREE (3) YEARS (FY-2017, FY-2018 AND FY-2019))

(2) DISPOSITION OF EXCESS PROPERTY - 29 SOUTH GOVERNORS AVENUE AND 749 WEST NORTH STREET

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO ACCEPT THE OFFERS FROM MAUTISTE INVESTMENT GROUP IN THE AMOUNT OF $8,000 FOR 29 SOUTH GOVERNORS AVENUE AND $18,000 FOR 749 WEST NORTH STREET AND WRITE-OFF THE REMAINING EXPENSES AND CHARGES IN THE COMBINED AMOUNT OF $17,718.35 FOR THESE PROPERTIES)

(3) DISCUSSION - TAX ACCOUNT DELINQUENCY LISTING

(COMMITTEE ACTION NOT REQUIRED)

(4) WHATCOAT VILLAGE REVITALIZATION PAYMENT-IN-LIEU OF TAXES (PILOT)

(COMMITTEE RECOMMENDED AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A FINAL AGREEMENT WITH WHATCOAT COMMUNITY DEVELOPMENT, INC. REGARDING A PROPOSED PILOT AGREEMENT FOR WHATCOAT VILLAGE LOCATED AT 992 WHATCOAT VILLAGE DRIVE)

(5) EVALUATION OF REQUESTS FOR PROPOSALS

(A) COLLECTION AGENCY SERVICES

(COMMITTEE RECOMMENDED AUTHORIZING STAFF TO NEGOTIATE AND SIGN A FINAL THREE (3) YEAR AGREEMENT WITH SIMM ASSOCIATES, INC.)

(B) HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MAINTENANCE AND REPAIR

(COMMITTEE RECOMMENDED AWARDING A THREE (3) YEAR CONTRACT WITH THE OPTION FOR TWO (2) ONE (1) YEAR EXTENSIONS TO A.A. DUCKETT, INC. AS PER THE PROPOSAL SUBMITTED IN RESPONSE TO RFP #16-0040PW)

(6) RECOMMENDATION OF GENERAL EMPLOYEE PENSION BOARD - CONSIDERATION OF A RETIREE COST OF LIVING ALLOWANCE (COLA)

(COMMITTEE ACTION NOT REQUIRED)

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 14, 2016 (CONTINUED)**

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

(7) PROPOSED ORDINANCE #2016-16 AMENDING CHAPTER 22 - BUILDING AND BUILDING REGULATIONS; CHAPTER 26 - BUSINESSES; CHAPTER 50 - FLOODS; CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS; CHAPTER 102 - TAXATION; CHAPTER 106 - TRAFFIC AND VEHICLES; CHAPTER 110 - UTILITIES; APPENDIX B - ZONING, ARTICLES 2, 3, 4, 5, 6, 7, AND 12; AND APPENDIX F - FEES AND FINES (SPONSORS: NEIL, SLAVIN, AND COLE)

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2016-16) **(SEE ITEM #8)**

5. ABANDONMENT OF TOPAZ CIRCLE STUB STREET/WAIVING THE ABANDONMENT PROCEDURE

(DURING THE REGULAR COUNCIL MEETING OF MAY 9, 2016, COUNCIL APPROVED THE SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE'S RECOMMENDATION OF LOOKING INTO THE PROCESS OF ABANDONING THE TOPAZ CIRCLE STUB STREET)

6. ELECTRIC RATES AND TARIFFS - TRANSMISSION VOLTAGE FEDERAL GOVERNMENT CLASSIFICATION ("FT")

(STAFF RECOMMENDS AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE TRANSMISSION VOLTAGE FEDERAL GOVERNMENT CLASSIFICATION ("FT") RATE AND TARIFF. THE EFFECTIVE DATE WILL BE BACK DATED TO JULY 1, 2015 AND ALL NECESSARY BILLING ADJUSTMENTS WILL BE IMPLEMENTED.)

* **7. APPOINTMENTS (REAPPOINTMENTS) RECOMMENDED BY MAYOR CHRISTIANSEN**

(A) BOARD OF ADJUSTMENT - THREE (3) YEAR TERMS TO EXPIRE JULY 2019

(1) K.C. SHETH, CHAIRMAN

(2) WILLIAM HUFNAL

(B) PLANNING COMMISSION - KATHLEEN WELSH - FIRST DISTRICT - THREE (3) YEAR TERM TO EXPIRE JUNE 1, 2019 (DEFERRED DURING THE COUNCIL MEETING OF MAY 23, 2016)

8. FIRST READING - PROPOSED ORDINANCE #2016-16

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B - ZONING REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON JULY 18, 2016, AND THAT A PUBLIC HEARING BE SET FOR AUGUST 8, 2016 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. PROPOSED ORDINANCE #2016-16 AMENDING CHAPTER 22 - BUILDING AND BUILDING REGULATIONS; CHAPTER 26 - BUSINESSES; CHAPTER 50 - FLOODS; CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS; CHAPTER 102 - TAXATION; CHAPTER 106 - TRAFFIC AND VEHICLES; CHAPTER 110 - UTILITIES; APPENDIX B - ZONING, ARTICLES 2, 3, 4, 5, 6, 7, AND 12; AND APPENDIX F - FEES AND FINES (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

9. FINAL READING - PROPOSED ORDINANCE #2016-17

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF JUNE 13, 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. PROPOSED ORDINANCE #2016-17 - 2016/2017 CITY OF DOVER BUDGET ORDINANCES

10. CITY MANAGER'S ANNOUNCEMENTS

11. COUNCIL MEMBERS' ANNOUNCEMENTS

12. 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\2016\06-27-2016.WPD

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on June 13, 2016 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil (departed at 8:09 p.m. and returned at 8:13 p.m.), Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:37 p.m.)

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

Mr. Slavin requested members to join in a moment of silence for the victims of the June 12, 2016 tragedy in Orlando, Florida.

The invocation was given by Bishop Thomas L. Holsey, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Neil and unanimously carried.

Mr. Anderson requested that item #12 - 2016/17 Committee Appointments - Council President, be removed from the Consent Agenda.

Mr. Lewis requested that item #1-B - Adoption of Minutes - Special Council Meeting - Budget Review of May 24, 25, and 26, 2016, be removed from the Consent Agenda.

Mr. Neil moved for approval of the Consent Agenda, as amended. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MAY 23, 2016

The Minutes of the Regular Council Meeting of May 23, 2016 were unanimously approved by motion of Mr. Neil, seconded by Mr. Hare and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING - BUDGET REVIEW OF MAY 24, 25, AND 26, 2016

Mr. Lewis indicated that, during the Special Council Meeting - Budget Review of May 24, 2016, he asked Mr. Scott Koenig, City Manager, what his plan B for balancing the 2017 budget would be if the revenue did not come in as anticipated. Mr. Lewis stated that he reviewed the minutes and did not see Mr. Koenig's response included. He advised members that he had just discussed the matter with Mrs. Traci McDowell, City Clerk, prior to the meeting.

Mr. Slavin stated that Mr. Lewis' concerns were noted and would be corrected via the City Clerk.

Mr. Sudler indicated that he had not seen the discussion regarding the appraisal of the Ridgely Street property in the minutes. Responding to Mr. Slavin, Mr. Sudler agreed to ask the City Clerk to check the minutes. *(City Clerk's Office Note: Subsequent to the meeting, Mrs. McDowell advised members that the Ridgely Street appraisal was mentioned several times throughout the Special Council Meeting - Budget Review of May 24, 25, and 26, 2016 minutes and the final motion for the appraisal could be found on page 68 of the minutes (page 130 of the June 13, 2016 Council packet).)*

By motion of Mr. Neil, seconded by Mr. Lewis, the Minutes of the Special Council Meeting - Budget Review of May 24, 25, and 26, 2016 were unanimously approved, and bore the written approval of Mayor Christiansen.

CERTIFICATE OF CONGRATULATIONS - TOWNSEND BROTHERS CHEVROLET - 86 YEARS OF BUSINESS

The City Clerk read the following Certificate of Congratulations into the record:

CERTIFICATE OF CONGRATULATIONS

presented to

Townsend Brothers Chevrolet

in recognition of

86 Years of Business

Proudly serving the Dover community since 1930.

The City of Dover extends its sincere congratulations on this special milestone. Thank you for your service and commitment to our community.

June 13, 2016

On behalf of the Mayor and Council, Mayor Christiansen presented the Certificate to Mr. Jeff Townsend. Mr. Townsend thanked the City for everything it has done for Townsend Brothers and the community, noting that it is a real partnership. He stated that, as a business in the local community, Townsend Brothers tries to take care of the customers who live here, noting the Townsend Brothers and the City have a lot of the same customers.

PRESENTATION - 2015 ANNUAL REPORT - ROBBINS HOSE COMPANY (DOVER FIRE DEPARTMENT)

Fire Chief Carleton Carey, Jr. reviewed the Robbins Hose Company (Dover Fire Department) 2015 Annual Report. Chief Carey also reviewed the major incidents that had occurred during the first six (6) months of 2016, noting that there was one (1) serious trailer fire, six (6) serious motor

vehicle accidents with extrication; six (6) working house fires, one (1) of which occurred earlier that day; two (2) building fires; three (3) critical carbon monoxide leaks in apartment buildings; seven (7) incidents where vehicles went into structures; special rescue calls; serious dryer fires in home utility rooms in January and February; and one (1) major gas leak on Loockerman Street. In addition, he noted that the Department had assisted other fire departments nine (9) times, including assisting with a fire in Magnolia on June 12, 2016, and there had been 538 fire calls this year. Chief Carey also informed members that Robbins Hose Company had added five (5) new members this year, and three (3) individuals were scheduled to become members in July.

Mr. Hutchison asked how long the department has had a duty officer on call and how this duty is covered. Responding, Chief Carey stated that a duty officer on call has been in place for at least five (5) years, explaining that a duty officer works 24/7, 365 days per year. He stated that one (1) of the eight (8) elected officers is always on call. For example, Chief Carey noted that sometimes an officer would be sent out if an alarm goes off and there is no one in the station.

Mr. Hutchison thanked Chief Carey and all of the volunteers for a job well done, noting that Robbins Hose Company and the City have a lot to be proud of.

Mr. Slavin recognized former Fire Chief Mark Hall, who was in attendance. He thanked Chief Carey and former Chief Hall, noting that the information provided in the 2015 Annual Report reflected the result of their working together so well last year.

Mr. Sudler asked what caused the seven (7) incidents where vehicles went into structures, as well as the gas leak. In response, Chief Carey stated that the gas leak was the result of a car running into a gas meter and knocking it off the foundation. He explained that some of the seven (7) cars that went into structures were the result of individuals driving under the influence, one (1) was a medical issue, and one (1) was a pregnancy.

Mr. Sudler moved for acceptance of the Robbins Hose Company (Dover Fire Department) 2015 Annual Report. The motion was seconded by Mr. Anderson and unanimously carried.

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-09 WITH COUNCIL COMMITTEE OF THE WHOLE/SAFETY ADVISORY AND TRANSPORTATION COMMITTEE AMENDMENT #1 (CCW/SA&T #1)

A public hearing was duly advertised for this time and place to consider proposed amendments to Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I. - In General, Section 98-10 - Speed Reduction Devices; Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section A - Streets, Paragraph 1; and Appendix B - Zoning, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval, 2.54 - Proposed Development.

Mr. Sudler moved that the Final Reading of Proposed Ordinance #2016-09 be acknowledged by title only, seconded by Mr. Neil and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of April 11, 2016.)*

Councilman Hosfelt, Chair of the Safety Advisory and Transportation Committee, reminded members that Proposed Ordinance #2016-09 was considered by the Safety Advisory and Transportation Committee in the Fall of 2015. He advised that owners of private shopping centers had expressed interest in having speed cushions or some type of speed control measure on private property to slow traffic and deter those who use private property to circumvent the normal flow of traffic. Mr. Hosfelt noted that first responders had historically been opposed to any type of speed reduction device; however, Police Chief Paul Bernat, Fire Chief Carleton Carey, Jr., and former Fire Chief Mark Hall had given speed cushions their blessing, so the Proposed Ordinance was being brought forward to Council.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that because the Proposed Ordinance would amend a portion of the Zoning Ordinance, a public hearing before the Planning Commission was required. She noted that it had also been reviewed by the Development Advisory Committee (DAC). Referring to Page 2 of the Petition to Amend Text of the Dover Code of Ordinances, Land Subdivision Regulations, and Zoning Ordinance, Mrs. Townshend pointed out a series of proposed revisions to the Ordinance. She indicated that the revisions were principally technical corrections in terms of construction and that the most significant were recommendations G, H, and I. In terms of agency comments, Mrs. Townshend advised that the Department of Public Works and Fire Marshal's Office both expressed some concerns regarding the Ordinance. She stated that the Ordinance relates only to private drives and does not affect much from a Public Works standpoint, except trash collection, and City snow plows would not be impacted. Mrs. Townshend stated that the Fire Marshal's Office had concerns about placing speed cushions in fire lanes, noting that most of the places where placement had been considered would be in fire lanes. She informed members that a public hearing regarding the Ordinance had been held before the Planning Commission on May 16, 2016, and no members of the public spoke. Following the public hearing, the Planning Commission recommended against adoption of the Ordinance due to the operational concerns of member agencies.

Mrs. Townshend advised that because the Planning Commission gave an unfavorable recommendation, if members chose to adopt the Ordinance they would need to state, for the record, their reasons for voting against the Planning Commission's recommendation. She indicated that there was a variety of possible actions that Council could take, as follows: 1) adopt the Proposed Ordinance as presented, in which case members would state their reasons for the record; 2) disapprove the Proposed Ordinance; 3) adopt the Proposed Ordinance with amendments A - I on Pages 2 - 3 of the Petition to Amend Text of Dover Code of Ordinances, Land Subdivision Regulations and Zoning Ordinance; or 4) refer the Proposed Ordinance back to the Safety Advisory and Transportation Committee to review the proposed amendments.

Mr. Hutchison advised members that the Safety Advisory and Transportation Committee had reviewed this matter in great detail and listened to concerns raised regarding speed cushions. Mr. Hutchison felt strongly that public safety comes first. He thought that speed cushions could address the issues and concerns expressed by citizens and their benefits outweighed any of the concerns expressed. Mr. Hutchison stated that he supported the Ordinance as written.

Mr. Sudler concurred with Mr. Hutchison. He questioned whether members needed to state their reasons, for the record, for voting against the Planning Commission's recommendation, noting that the requirement was not in the Dover Code. He stated that he had received a 1998 legal opinion from the City Clerk's Office; however, the requirement to state reasons was not in the Dover Code. Mr. Sudler wanted to make it known to his colleagues that, to his knowledge, they were not held to pointing out for the record why they vote for or against any zoning recommendation.

Mr. Anderson advised that he attended both the Planning Commission and Safety Advisory and Transportation Committee meetings when this matter was considered. He noted that there was no public input at the Planning Commission meeting. Mr. Anderson believed that the argument raised was not valid because speed cushions, unlike speed bumps, are designed to allow fire and emergency equipment to pass. He stated that he found no compelling reason not to adopt the Proposed Ordinance, as recommended by the Safety Advisory and Transportation Committee, which studied this issue in depth.

Council President Slavin declared the public hearing open. There being no one present wishing to speak, Council President Slavin declared the public hearing closed.

Mr. Hosfelt moved for approval of Council Committee of the Whole/Safety Advisory and Transportation Committee Amendment #1 (CCW/SA&T #1) as presented. The motion was seconded by Mr. Cole.

Responding to Mr. Anderson's request for clarification on Amendment #1, Mrs. Traci McDowell, City Clerk, advised that the Amendment #1 changes were highlighted in yellow in the Proposed Ordinance and the term "fire lanes" had been stricken. She explained that it was pointed out by Mr. Timothy Mullaney, former City of Dover Fire Marshal, that fire lanes were most likely the areas where shopping center owners would want speed cushions. Mrs. McDowell advised that Mr. Mullaney recommended the amendment if the intention was to permit speed cushions in fire lanes.

The motion to approve Council Committee of the Whole/Safety Advisory and Transportation Committee Amendment #1 (CCW/SA&T #1) as presented was unanimously carried.

Mr. Hosfelt moved for adoption of the ordinance as amended. The motion was seconded by Mr. Cole and, by a unanimous roll call vote, Ordinance #2016-09 was adopted, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I. - In General, Section 98-10 - Speed Reduction Devices of the Dover Code be amended to read as follows:

Sec. 98-10. - Speed reduction devices.

(a) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

> *Speed bump* shall mean a transverse hump, generally designed as a rounded, raised pavement structure usually from two to six inches high and one to three feet from front to back, set into the surface of a street, parking lot, or driveway to slow the traffic. Their design generally dictates comfortable crossing speeds of five miles per hour or less so they are usually appropriate only for use where vehicle speeds are typically the lowest to begin with such as parking lots, private roads, and on some residential streets.
>
> *Speed cushion* shall mean a speed hump with an unraised path for fire trucks and ambulances through the hump. Speed cushions are devices designed as several small speed humps installed across the width of the road with spaces between them. They are generally installed in a series across a roadway resembling a split speed hump.
>
> *Speed hump* shall mean a raised area in the pavement surface, usually from three to four inches high and 10 to 12 feet from front to back, extending transversely across the travel way. The purpose of the length of a speed hump is to allow the entire vehicle to be on the hump at once before it descends the far side onto the pavement to reduce the likelihood that a vehicle will "bottom out" when going over the speed hump. Speed humps are typically applied to residential streets where speed limits do not exceed 25 miles per hour.

(b) *Prohibited*. Any device used as a means of speed reduction on any city street, drive, parking lot, or any other driveable surface, which causes a change in elevation which may result in emergency equipment having to reduce speed during a time of emergency, is prohibited.

(c) *Permitted*. Speed cushions may be installed on privately owned commercial property, at the owner's expense, following review by the Safety Advisory and Transportation Committee and approval by City Council. Any other type of speed reduction device on private commercial property within the City is prohibited.

(d) *Installation and Design standards*. Installation and design standards for speed cushions shall be in accordance with the *Delaware Traffic Calming Design Manual*.

(Code 1981, § 7-4; Ord. of 5-26-1998)

BE IT FURTHER ORDAINED:

That Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section A - Streets, Paragraph 1 of the Dover Code be amended to read as follows:

A. - Streets.

1. The layout, character, extent, width, grade and location of proposed streets shall be established with due regard to:
   (a) Public convenience and safety.
   (b) Proposed uses of the land to be served by said streets.
   (c) Proper relation and connection with, continuation and projection of streets to adjacent areas; whether these streets are existing, or proposed in another subdivision, in a neighborhood plan, in the development plan, or in the official map, as approved or adopted by the commission. Where existing or proposed streets are located on adjacent land, then the planning commission shall require street extensions at points in which the commission determines are suitable for future connections to adjacent developable lands on each side of the development.
   (d) Topography and other land features.
   (e) Speed reduction devices on any city or private street, drive, parking lot, or any other driveable surface, which causes a change in elevation which may result in emergency equipment having to reduce speed during a time of emergency, is prohibited. Speed cushions may be installed on privately owned commercial property, in accordance with Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I. - In General, Section 98-10 - Speed Reduction Devices.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval, 2.54 - Proposed Development of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

2.54 Proposed development.
   (A) Existing buildings and other structures.
   (B) Location and width of all proposed streets and rights-of-way.
   (C) Location of all proposed structures, except one-family detached dwellings, and an indication of the total number of dwelling units.
   (D) Location and dimensions of all lot lines.
   (E) Building setback lines on all lots.
   (F) Location of all uses not requiring structures, including parks, playgrounds and other open space areas.
   (G) Location and plans for any outdoor signs.
   (H) Location, direction, power and time of use for any proposed outdoor lighting.
   (I) The location, size and arrangement of proposed sidewalks, driveways, loading areas, off-street parking areas and other paved areas.
   (J) Indication of the total amount of impervious surfaces and the development coverage.
   (K) Any proposed changes in elevation of the site and elevations of all streets, parking areas, and building foundations. The datum to which all elevations, including existing contour elevations, refer shall be clearly indicated on the plan.
   (L) Plans for surface drainage of the site. Such plans shall include stormwater run-off calculations and shall show the proposed method of accommodating the anticipated run-off.

(M) Any proposed below-ground or above-ground utilities and any contemplated public improvements, including road improvements, on or adjoining the property. Plans for such utilities and improvements shall indicate whether the developer, the city, or other agency will bear the financial responsibility for the construction, and which improvements are intended to be dedicated to the city.

(N) Proposed grading, screening and other landscaping, including types and locations of proposed street trees.

(O) Architectural elevation drawings or other graphic representations illustrating exterior building characteristics of proposed buildings and/or building additions that would be visible from the public right-of-way. Elevation drawings shall be drawn to scale and shall reflect major architectural elements such as exterior surface materials, windows, doors, columns, and wall-mounted signage. Elevation plans are intended to provide a general depiction of the physical appearance, massing and scale of the proposed construction.

(P) Speed reduction devices on any city or private street, drive, parking lot, fire lane or any other driveable surface, which causes a change in elevation which may result in emergency equipment having to reduce speed during a time of emergency, is prohibited. Speed cushions may be installed on privately owned commercial property, in accordance with Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I. - In General, Section 98-10 - Speed Reduction Devices.

ADOPTED: JUNE 13, 2016

PUBLIC HEARING - ELECTRIC REVENUE FUND BUDGET

A public hearing on the Electric Revenue Fund Budget is required for compliance with City of Dover Electric Revenue Bonds Resolutions prior to adoption of the budget. Notice of the public hearing was properly advertised for this time and place.

Council President Slavin declared the public hearing open. There being no one present wishing to speak during the public hearing, Council President Slavin declared the public hearing closed.

No further action was taken. Council President Slavin noted that the First Reading of the Budget Ordinances would take place during the latter part of the meeting and that the Final Reading and adoption of the Ordinances were scheduled for the Regular Council Meeting of June 27, 2016.

60-DAY PROGRESS REPORT - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 1032-1058 SOUTH DUPONT HIGHWAY, OWNED BY BMDR LLC

During the Regular City Council Meeting of November 9, 2015, members considered a Violation of the Dangerous Building Ordinance at 1032-1058 South DuPont Highway, owned by BMDR LLC. At that time, Council declared the structure located at 1032-1058 South DuPont Highway a dangerous building; ordered that the property be repaired or demolished by July 1, 2016 by the owner or equity owner at their own risk; ordered the Building Inspector to cause the demolition of the structure if not completed by the owner within 10 days of the date established by City Council; ordered 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; and that progress reports be provided at the Council Meetings scheduled for January 11, 2016, March 14, 2016, and June 13, 2016.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that she had driven by the property and had not observed any major progress. She explained that a permit had been issued a couple of months ago. Mrs. Townshend spoke to Mr. Robert MacLeish, Sr., Lighthouse Construction, Inc., who indicated that they were actively working inside the building on things that have to be done before they can start construction and would continue forward with renovations.

In response to Mr. Hosfelt regarding her recommendation, Mrs. Townshend recommended evaluating the property in another three (3) months.

Mr. Hare moved to return the item to full Council in 90 days for a progress report, seconded by Mr. Hosfelt and unanimously carried.

PLANNED NEIGHBORHOOD DESIGN: SENIOR CITIZEN HOUSING OPTION - THE GRANDE - 90 SAULSBURY ROAD (CLUBHOUSE AND POOL)

The Planning Office received a proposal to construct a Clubhouse and Pool to serve The Grande Planned Neighborhood Design (PND), Senior Citizen Housing Option (SCHO), at 90 Saulsbury Road. Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that The Grande is located on Route 8 just west of Saulsbury Road. Three (3) buildings have been constructed, and construction of a fourth building will begin in the near future. Mrs. Townshend explained that the current proposal was to construct a pool and clubhouse at 90 Saulsbury Road, which is adjacent to The Grande property, and these amenities would serve those who live at The Grande. She advised that, under the PND ordinance, the first step is for City Council to review the proposal and determine if it is worthy of further review by the Planning Commission. Mrs. Townshend indicated that if this determination is made by City Council, the applicant can file a conditional use application with the Planning Commission.

Mr. Anderson questioned if the Planning Commission had reviewed this matter previously. Responding, Mrs. Townshend explained that the Planning Commission had reviewed the apartments at the Grande but not this specific parcel of land or the clubhouse and pool.

Responding to Mr. Anderson as to whether the proposal was consistent with the PND or if exceptions were being requested, Mrs. Townshend stated that she believed that the proposal was consistent with the PND.

Staff recommended forwarding the plan to the Planning Commission for review.

Mr. Hare moved that the Planned Neighborhood Design Development, Senior Housing Option, for The Grande (Clubhouse and Pool) be referred to the Planning Commission for review. The motion was seconded by Mr. Sudler and unanimously carried.

BOARD OF ASSESSMENT APPEALS REPORT - MAY 23, 2016

The Board of Assessment Appeals met on May 23, 2016, with Chairman Garfinkel presiding.

EXEMPTIONS

Central Delaware Habitat for Humanity

Locations:	**Exempt Request:**
67 S. Queen St.	$13,800
18 S. Queen St.	$0 (already exempt)
47 S. Kirkwood St.	$11,900
27 N. New St.	$13,100
24 N. New St.	$0 (already exempt)
20 N. New St.	$47,600
101 S. Queen St.	$13,400
16 S. Queen St.	$0 (already exempt)
45 S. Queen St.	$11,900
19 N. New St.	$75,500
23 N. Kirkwood St.	$10,000
53 S. New St.	$47,500
223 W. Division St.	$0 (already exempt)
50 S. Governors Ave.	$102,500

BACKGROUND AND ANALYSIS

An exemption request for the above referenced properties was submitted to the Assessor's Office.

These properties are being renovated for low-income families to provide an affordable mortgage. Once these properties are complete and the ownership is transferred, they will be added back to the tax rolls. (As a supplemental billing)

RECOMMENDED ACTION: Recommend that the request for exemption be approved.

Mr. Gallo, Executive Director, was present for the meeting.

He told the board that Central Delaware Habitat for Humanity is seeking tax exemption for some dilapidated properties the organization purchased, which will be rebuilt and sold to low income families. He also pointed out that with these projects the city streets will be revitalized, therefore bringing in more taxes. Mr. Burns asked how long this process usually takes, Mr. Gallo replied that the process from purchasing to selling usually takes no more than a year.

Mr. Burns asked how the organization is able to afford all of these projects. Mr. Gallo explained that they received funds from different organizations.

Mr. Burns asked the Assessor what her opinion was, Mrs. Bundek replied that the organization had been working with the city for a while now and that the city is aware that the properties will eventually go back onto the tax roll.

Mr. Galvin made the motion to approve the exempt request for items 1-12 and 14 on the agenda.

Mr. Burns seconded the motion. Motion carried 3-0.

Chairman Garfinkle brought everybody's attention to 223 W. Division Street, which had been approved for the exempt status by the board a year ago and was to be revisited by the Board of Assessment Appeal in 2016. He asked Mr. Gallo to tell the board what the current status of that property is.

Mr. Gallo informed the board members that this building is to be used as an affiliate office for the organization, which would bring them closer to downtown Dover. He mentioned that he is waiting to find out if enough funding for this office has been generated. As soon as the funding is available the building will be converted into office space for Central Habitat for Humanity, which would allow for a closer contact with the community.

Chairman Garfinkel mentioned an organization that appeared before the board the year prior, requesting the exempt status for properties that were to be rented and that the Board of Assessment Appeals denied the request as did City Council at the council meeting at a later council meeting, due to the fact that these properties were going to be used as income properties.

Mr. Gallo assured that the building would only be used by the Habitat and that none of the offices would be rented out.

Mr. Burns inquired about NCALL (National Council on Agriculture Live & Labor Research Fund Inc.), which is another agency similar to the Habitat organization. He asked the Assessor if properties held by this organization are also exempt from taxes.

After making a call to the office, the Assessor assured that the property held by NCALL is exempt.

Chairman Garfinkel informed Mr. Gallo that he does not see a problem granting the exemption, as long as the building is not going to be rented out.

Mr. Gallo assured the Board that the building will only use by his organization. He went on to explain that if he is not able to convert the building within the next couple of years, he will try to sell it, which will put the property back on the tax rolls.

Mr. Burns made the motion to accept the exempt request for 223 W. Division Street with the prevision, that the building will only be used for office space for the organization.

Mr. Galvin seconded the motion. Motion carried 3-0.

By consent agenda, Mr. Neil moved for approval of the Board's recommendation, seconded by Mr. Hare and carried by a unanimous roll call vote.

Mrs. Bundek informed the appellant, that the City Council has the final decision and that a certified letter with the date of the Council Hearing would be mailed.

Whatcoat Community Development Inc.

Location:	**Exempt Request:**
992 Whatcoat Village Dr.	$4,186,800

BACKGROUND AND ANALYSIS
An exemption request was submitted to the Assessor's Office.

This property has been under this ownership since 1970. They are currently paying property tax to the City of Dover

RECOMMENDED ACTION: Recommend that the request for exemption be reviewed.

Present for the meeting were:

Christopher Lamb Esq., attorney for the property owner
Vandana Sareen, VP of the Development for The Michaels Organization
Kara Velez, Community Manager for Whatcoat Village Apartments
Mr. Hill and Mr. Adams, Representing Whatcoat Community Development Inc.

Mr. Lamb started by informing the Board of Assessment Appeals where the property is located. He went on to let the board know that the current owner is Whatcoat Community Development Inc. which is a 501(c)(3) organization and had been incorporated in 1970.

Mr. Lamb went to read the purpose of the organization:

"The corporation is hereby organized, exclusively for a charitable and religious purpose, and the Business and object to be carried on and prompted by it is to provide, on a non-profit basis, Housing for low and moderate income families and families in need of housing where no adequate housing exists for groups, pursuant to Section 236 of the National Housing Act."

The attorney explained that the property consists of 78 rent restricted, family apartment units and that 57 units are subsidized by HUD (Housing and Urban Development). He also mentioned that DSHA (Delaware State Housing Authority) and HUD regulate the properties and that tenants are mostly minorities and very low income and that the property qualifies for the exemption under 9 Del. C. § 102-182.

Per Mr. Lamb, the property is in need of substantial renovations, costing a lot of money. Therefore, the property would not be able to carry the full tax load. He also explained that the owner realizes the burden the property is putting onto the city and is therefore offering to enter into a $9,000 PILOT (Payment in Lieu of Taxes) with the City of Dover. This offer has also been extended to Kent County for $10,000.

It was also explained that the property, because of its nature, is eligible for tax credits. These credits are sold to Investors; this money is then used to do this substantial renovation.

Ms. Sareen pointed out that under the low income tax credit all units would be subsidized units, meaning by law the income of the residence should be 60% below national average, however the property owner has committed to have the average income at 35% of the median income in Kent County Delaware, which would mean the yearly income per family would be approximately between $15,000 to $20,000.

Mr. Burns asked if the property is currently paying taxes and how much those are, since the city would be losing those taxes for a long time to come.

The Assessor told the board that the current taxes are approximately $16,000.

Mr. Lamb expressed that he is hoping the $9,000 PILOT will be accepted by the city as they do not want to be a burden.

Mr. Burns asked the Assessor what her recommendations are?

Mrs. Bundek replied that based on the City Solicitors recommendations, the property should be granted the exemption.

Mr. Burns made the motion to approve the exempt request with the recommendation that the city manager give the offered PILOT serious consideration.

Mr. Galvin seconded the motion. Motion carried 3-0.

By consent agenda, Mr. Neil moved for approval of the Board's recommendation, seconded by Mr. Hare and carried by a unanimous roll call vote.

Mrs. Bundek informed the appellant that the City Council was the final decision and that a certified letter with the date of the Council Hearing would be mailed.

MONTHLY REPORTS - APRIL 2016

By motion of Mr. Neil, seconded by Mr. Hare, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Fire Chief's Report
Police Chief's Report

EVALUATION OF BIDS - THE ENERGY AUTHORITY (TEA) CONTRACT RENEWAL

Mr. Scott Koenig, City Manager, advised members that several months ago, he and Mr. Harry Maloney, Electric Director, came before the Council Committee of the Whole and discussed potential negotiations with Mr. Kirk Betts, the City's utility attorney, regarding extension of the City's contract with The Energy Authority (TEA). He reminded members that TEA performs energy purchasing for the City of Dover. Mr. Koenig advised that staff was recommending an extension of the contract that would also include an Integrated Resource Plan (IRP).

Mr. Kirk Betts stated that it brought him great joy to come back with the success of the plan that members had sent him out to achieve on the City's behalf. He noted that the City has had a relationship with TEA since 2011. Mr. Betts advised that TEA acts as the City's outside, everyday consultant to help operate the electric utility, particularly the more complicated parts outside the City's distribution system, which includes buying and selling energy on the market. Mr. Betts stated that TEA not only plans the dispatch of the City's plants but also tries to manage peak load through dispatching, energy purchases through PJM, helping to obtain contracts where the City's counterparties buy directly from entities that operate through PJM, and balancing this every day. He explained that TEA prepares one (1) year and five (5) year plans to look forward on operations in the context of the budgeting and purchases, and keeps records on how many positions the City has contracts for and how much the City is at risk day to day. Mr. Betts noted that TEA comes to the City each month and provides reports.

Mr. Betts advised that in the prior five (5) year contract, TEA helped to operate the City's plant and oversee the contract with North American Energy Services (NAES). Mr. Betts stated that Mr. Harry Maloney had taken over the responsibility of direct oversight of the plant operating staff, which was a significant part of the original TEA contract. The fact was brought up that Mr. Maloney was now doing a lot of NAES's work and the City was essentially overpaying for the service. Mr. Betts indicated that TEA, being a municipally-run entity, responded very favorably to that comment and offered to renegotiate the contract, which was about to expire. TEA lowered their price and also offered a service of the approximate value of the one (1) year that Mr. Maloney had overseen the NAES contract. Mr. Betts stated that the contract being considered tonight was lower in price by 16.17%, which took into account Mr. Maloney's oversight of NAES, as well as other aspects of the contract that the City found were not particularly necessary anymore. For example, Mr. Betts explained that when TEA entered the contract, they embedded in the price some risk for numerous trips to Dover; however, it had been found that a monthly trip was enough, so extra trips

were stripped. Mr. Betts stated that Council had asked them to obtain a contract that was more reflective of the way the City operates with Mr. Maloney and staff and integrates their work, and to work hard to get a reduction, which had been done.

Mr. Betts explained that a new component would be coming in Task Order 1. Not only did TEA reduce the cost, but they gave the City $175,000, the approximate value of Mr. Maloney's services over the last year, which would go toward an IRP. Mr. Betts explained that the IRP would help look at whether the utility would be serving customers from the generation and buying side going forward, and also how its customers are responding in today's marketplace. He reminded members that the last time he came before members, changes in the marketplace were discussed. Mr. Betts indicated that generation by coal and nuclear plants was slowly being phased out and solar power, wind power, demand side response, and LED lighting were now factors. He advised that for the first time in his professional lifetime, PJM was showing no growth, and part of the last five (5) year plan that TEA had provided showed virtually no growth for the City's load. Mr. Betts advised that this was not because the City's customers were not using energy but the way energy is used today, noting that LED lighting is about 40% - 80% more efficient than typical incandescent light. These factors were having a big impact on how the City looks forward toward serving its customers. Mr. Betts stated the need to consider how to manage the City's risk of overbuying and having to liquidate in the marketplace as customers change. He explained that the IRP would provide a 20-year perspective, with the first five (5) years and out to 10 years having the most value to the City. It would look at the resources the City should bring to the table when looking at how to serve customers and optimize the value to them and the City. Mr. Betts stated this would be the first such plan for the City, noting that Delmarva Power and Light has to do this every two (2) years and it is a standard best practice in the industry today in planning how to serve customers and managing the risk in serving them. Mr. Betts indicated that this value was being added to the contract, and this portion of the contract would begin almost as soon as the contract is approved. It was hoped that it would be completed in December 2015, but it would more likely be January or February 2016 before a final proposal would come back to the City. Mr. Betts stated that this would be an unbiased report that takes into account operational data, what is going on in the Peninsula and new facilities being built, as well as changes in PJM. He indicated that approximately 72 variables would go into an economic analysis that would produce approximately eight (8) paths for the City to consider regarding how to serve its customers.

Mr. Betts reiterated that the City entered the contract with TEA in 2011 and, prior to that, the City contracted with PACE out of Virginia, with an annual fee of $2.447M. He noted that the proposed fee going forward for virtually the same services, except oversight of NAES, would be approximately $835,000, or around one-third of the cost of the service six (6) years ago. Mr. Betts recommended taking advantage of this opportunity quickly. He stated that he, Mr. Maloney, and City staff strongly recommended moving forward with the proposal.

Mr. Sudler stated that he had heard the pros regarding this contract and questioned if there were any major cons that concerned Mr. Betts. Responding, Mr. Betts stated that his major concern with any contract is that the parties understand the contract and take advantage of the full scope of it. He noted, for example, that some things had been stripped from the contract, such as training experiences that were deemed unnecessary or too time consuming and were not taken advantage of. Mr. Betts stated that items had been discussed with the City to determine if they were of value or not

and removed. He felt it important to be aware of what is in a contract and take advantage of the full scope of it. From a professional point of view, Mr. Betts noted that clients often forget about opportunities that are in a contract. He felt that the IRP was a big opportunity that should be worked very hard by the City over the next six (6) or seven (7) months so that the City would realize the value and obtain some genuine planning, as opposed to responsive or reactive planning. He stated that these were not necessarily cons of the contract but were concerns.

Staff recommended authorizing the City Manager to execute all contract documents for the three (3) year contract extension and Task Order #1.

Mr. Neil moved for approval of staff's recommendation, seconded by Mr. Anderson and unanimously carried.

DISCHARGING THE YOUTH ADVISORY COMMITTEE AND RESCINDING RESOLUTION NO. 2008-11 - ESTABLISHING A YOUTH ADVISORY COMMITTEE AND RESOLUTION NO. 2010-03 - AMENDMENT TO COUNCIL RESOLUTION NO. 2008-11

During the Special Council Meeting - Budget Review of May 26, 2016, Council established a youth focus group initiative across City government. The purpose of the program would be to solicit input on ideas, solutions, and issues from the youth of the City. The following departments will be required to hold a focus group with the youth who are residents of the City of Dover: Planning, Parks and Recreation, Dover Public Library, and Police. The focus group will be held before December 1 of each year and reports of the various departments will be made to Council no later than February 1 of the following year.

Mr. Hare moved to discharge the Youth Advisory Committee and rescind Resolution No. 2008-11 - Establishing a Youth Advisory Committee and Resolution No. 2010-03 - Amendment to Council Resolution No. 2008-11. The motion was seconded by Mr. Hutchison.

Mr. Anderson moved to refer this matter to the proper committee, which he stated would be the Parks, Recreation, and Community Enhancement Committee, and go through the proper process. The motion was seconded by Mr. Lewis.

Mr. Lewis questioned what the proper protocol would be and whether this matter should first be referred to committee. Responding, Council President Slavin indicated that there was no requirement for items to go through a committee.

The motion to refer this matter to the Parks, Recreation, and Community Enhancement Committee failed by a roll call vote of seven (7) no (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin), one (1) yes (Anderson), and one (1) abstention (Lewis).

Mr. Sudler stated his understanding that the main reason for this action was due to the lack of minutes, transparency, and authorization from Council in regard to the Youth Advisory Committee. Mr. Sudler agreed with the proposed action but requested Council President Slavin to clarify the reasons for it for the sake of constituents.

Mr. Slavin stated that he applauded the efforts to involve youth in government; however, he felt that the form and structure that required them to have their own committee and follow the rules of the Freedom of Information Act (FOIA) proved to be a difficult fit, noting that there were numerous violations, including meetings without a quorum, public notice, and minutes. Mr. Slavin indicated that in place of the Youth Advisory Committee, through a motion during the budget process, an initiative was created which will require different departments within government to hold focus groups of youth from the community. He explained that young people will be invited to share their ideas, which would essentially have the same net effect of gathering ideas from the youth and incorporating their ideas in managing the City and planning City activities, without the trappings of the structure that was causing problems.

Mr. Neil believed that Council wanted to make sure that the youth of the City have a voice, although it would not necessarily be in the current form. He stated that Council wants to hear from the youth and serve them, so this would not be a negative but would take a different direction.

Mr. Anderson disagreed with the characterizations of the Youth Advisory Committee, which had been discussed previously, and he indicated that there were inaccuracies. He felt this motion was a mistake and did not support it. Mr. Anderson believed that the Youth Advisory Committee had been doing everything that was asked of it over the past six (6) months under current leadership and that this was an inexplicable move.

The motion to discharge the Youth Advisory Committee and rescind Resolution No. 2008-11 - Establishing a Youth Advisory Committee and Resolution No. 2010-03 - Amendment to Council Resolution No. 2008-11 carried by a roll call vote of seven (7) yes (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin), one (1) no (Anderson), and one (1) abstention (Lewis).

2016/17 COMMITTEE APPOINTMENTS - COUNCIL PRESIDENT (Deferred During the Annual Meeting of May 9, 2016)

Council President Slavin requested approval of the following appointments:

City Chaplains

Bishop Thomas L. Holsey of Bibleway Temple Church of God in Christ
Chaplain Wallace Dixon of Bibleway Temple Church of God in Christ

Civilian Pension Plan - Board of Trustees

David L. Anderson
Brian E. Lewis
Scott D. Koenig, City Manager (ex-officio member)
Donna S. Mitchell, Controller/Treasurer (ex-officio member)

Compensation Commission

Council President Slavin requested that the Compensation Commission appointments be deferred.

Construction Code Appeals Committee
David L. Anderson
Brian Lewis
Scott D. Koenig - City Manager (ex officio member)

Legislative, Finance, and Administration Committee
William F. Hare - Chair
Scott W. Cole
Roy Sudler, Jr.
Courtney Stewart (by Council President)
Daniel T. Shevock (by Committee Chair)

Other Post-Employment Benefits (OPEB) Trust Fund Board
Scott W. Cole
James E. Hosfelt, Jr.

Parks, Recreation, and Community Enhancement Committee
Roy Sudler, Jr. - Chair
David L. Anderson
James E. Hosfelt, Jr.
M. Milford Caldwell, Jr. (by Council President)
Ann Baker Horsey (by Committee Chair)

Police Pension Plan - Retirement Committee
David L. Anderson
Brian E. Lewis

Safety Advisory and Transportation Committee
James E. Hosfelt, Jr. - Chair
James L. Hutchison, Sr.
Brian E. Lewis
Dana Shelton (by Council President)
Thomas J. Keller, Jr. (by Committee Chair)

Utility Committee
Scott W. Cole - Chair
James L. Hutchison, Sr.
Fred A. Neil
Lester L. Blakeman, Sr. (by Council President)
Tricia Arndt (by Committee Chair)

Mr. Anderson stated that he would be voting negatively because he believed that the appointments would violate the seniority tradition.

Mr. Lewis noted concerns with the appointments and believed that the process should be changed.

Mr. Sudler requested to hear the concerns of Mr. Anderson and Mr. Lewis. Responding, Mr. Anderson stated that he had simply wanted to state his comment for the record. Mr. Lewis stated that he felt there were flaws in the process and it needed to be changed at a later time through one (1) of the current committees. Responding to Mr. Lewis, Council President Slavin indicated that he was open to any suggestions.

Responding to Mr. Hare, Mr. Nicholas Rodriguez, City Solicitor, stated that there was not an ordinance or anything in the Code that referenced seniority in regard to appointments made by the Council President and that the appointments were appropriate.

Council President Slavin advised that he had served as Chair of the Legislative, Finance, and Administration Committee and sat next to former Councilman Reuben Salters, who had been on Council for many more years than Mr. Slavin, noting that this was at Mr. Salters' invitation.

Mr. Sudler moved for approval of the Committee appointments for 2016/2017, as recommended by Council President Slavin. The motion was seconded by Mr. Hare and carried by a vote of seven (7) yes (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin), one (1) no (Anderson), and one (1) abstention (Lewis).

2016/17 MISCELLANEOUS APPOINTMENTS - COUNCIL PRESIDENT (Deferred During the Annual Meeting of May 9, 2016)
Council President Slavin requested approval of the following appointments:

Central Delaware Chamber of Commerce - Liaison Members
Mayor Robin R. Christiansen, Ex-Officio (Non-Voting member)
David L. Anderson (Non-Voting Guest)
William F. Hare (Non-Voting Guest)

City/County Committee (Liaison to Kent County)
Mayor Robin R. Christiansen
Council President Timothy A. Slavin
Fred A. Neil
William F. Hare
James L. Hutchison

Kent County Tourism Board of Directors
Fred A. Neil

Kent Economic Partnership Board of Directors
David L. Anderson (Council President's nominee)

President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library, and Other City Properties
Council President Slavin requested that the President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library, and Other City Properties appointments be deferred.

By consent agenda, Mr. Neil moved for approval of the Miscellaneous appointments for 2016/2017, as recommended by Council President Slavin. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

2016/17 COMMITTEE APPOINTMENTS - MAYOR (Deferred During the Annual Meeting of May 9, 2016)

Mayor Christiansen requested that the Compensation Commission, Downtown Dover Partnership, and Election Board appointments be deferred.

By consent agenda, Mr. Neil moved to defer the 2016/17 Mayoral Committee Appointments, seconded by Mr. Hare and carried by a unanimous roll call vote.

APPOINTMENT RECOMMENDED BY MAYOR CHRISTIANSEN - DOVER PUBLIC LIBRARY ADVISORY COMMISSION - JILL B. STREET - FIVE (5) YEAR TERM TO EXPIRE JUNE 16, 2021 (TO FILL THE EXPIRED TERM OF DOROTHY SNYDER)

Mayor Christiansen recommended the appointment of Ms. Jill B. Street to serve on the Dover Public Library Advisory Commission for a five (5) year term to expire June 16, 2021, to fill the expired term of Dorothy Snyder.

By consent agenda, Mr. Neil moved for approval of the appointment of Ms. Street to the Dover Public Library Advisory Commission, as recommended by Mayor Christiansen. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

FIRST READING - PROPOSED ORDINANCE #2016-17 - 2016/2017 CITY OF DOVER BUDGET ORDINANCES

Council President Slavin reminded the public that copies of proposed 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. Final action by Council on the Proposed Ordinance will take place during the Council Meeting of June 27, 2016.

Mr. Scott Koenig, City Manager, stated that Proposed Ordinance #2016-17 was the result of approximately nine (9) hours of introduction and discussion regarding the proposed FY 2017 spending plan. Staff had presented an approximately 300-page document for Council's review, which had been consolidated into the 27-page Proposed Budget Ordinance. Mr. Koenig advised that the aggregated General Fund budget was approximately $46.7M for FY 2017 and included approximately $42.2M of revenue and expenditures. The aggregated budget for the Water and Sewer Fund was approximately $16.696M, which included approximately $15.467M of revenue and expenditures, and the aggregated budget for the Electric Fund was approximately $92.73M, including $79.428M of revenue and expenditures. Mr. Koenig advised that the total spending plan was estimated at approximately $137,119,000. He noted that the General Fund included no property tax or fee increases for FY 17. Under the Water and Sewer Fund, no rate and fee increases were proposed for FY 17, and these will be closely reviewed moving into future budget years. Mr. Koenig indicated that no rate increases were proposed in the draft FY 17 Electric budget. He noted that Council had voted in favor of the alternate budget design which included an approximate 2% Power Cost Adjustment (PCA) on the energy portion of the electric bill and this alternate had been included

in the Proposed Budget Ordinance. Mr. Koenig indicated that the FY 16 authorization for staff of 359 employees would be reduced through adoption of the budget to 354 full-time equivalents. He stated that the Ordinance reflected the debate and discussion that occurred during the Special Council Meeting - Budget Review. Mr. Koenig thanked Council and staff who contributed input to the document, and indicated that staff was looking forward to the implementation of the FY 17 budget.

Mr. Slavin thanked Mr. Koenig; Mrs. Donna Mitchell, Controller/Treasurer; and department heads for their tireless efforts in preparing the budget. He noted that there had been approximately 10 hours of budget hearings throughout the course of a week and, thanks to the work of Council members and staff, they had returned a budget that Mr. Slavin felt the City could be pleased with. He noted that there was no property tax rate increase, no hidden fee increases, utility rates remained largely unchanged, and the number of positions had been decreased, which were all of the typical indicators that were wanted. Mr. Slavin stated that an additional property tax that had been assessed against downtown property owners had been eliminated, which would reduce taxes for those in the Business Improvement District (BID). He indicated that the budget was the result of everyone's hard work over the 10 hours and hundreds of questions that were asked and answered by staff and thanked everyone for their efforts.

Mr. Sudler concurred with Mr. Slavin's remarks to department heads, and he especially thanked Mr. Koenig for getting back to him regarding his concerns pertaining to fleet vehicles, noting that this was done in a very professional and expeditious way.

Mr. Lewis quoted Voltaire, stating that "Appreciation is a wonderful thing: It makes what is excellent in others belong to us as well."

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Ordinance as read by the City Clerk, by title only, as follows:

PROPOSED ORDINANCE #2016-17 - 2016/2017 CITY OF DOVER BUDGET ORDINANCES

FINAL READING - PROPOSED ORDINANCE #2016-10 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 8 - DEFERRED COMPENSATION PLAN

The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of May 23, 2016. Council President Slavin reminded members of the public that copies of the proposed ordinance were available at the entrance of the Council Chambers or on the City's website at www.cityofdover.com under "Government."

Mr. Neil moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Cole and unanimously carried.

Mr. Scott Koenig, City Manager, advised members that Proposed Ordinance #2016-10 would memorialize discussions held in recent months regarding deferred compensation, also known as the 401A Money Purchase Plan. He explained that these changes were part of the collective bargaining agreement associated with the Dover Organization of Employees (DOE) contract. Mr. Koenig stated

that changes would also be applied to non-bargaining staff moving forward, and the Proposed Ordinance would provide a Code reference to document the plans.

Mr. Hare questioned if a minimum contribution of 6% was still included in the ordinance. Responding, Mr. Koenig stated that, to his recollection, the content of Council's motion was that the minimum match for non-bargaining employees would remain at 3% and the maximum would increase to 9%. He indicated that the DOE employees were covered by the collective bargaining agreement and the minimum match would gravitate from 3% to 6% over a time period, with the maximum match increasing to 9%. *(City Clerk's Office Note: During the Regular City Council Meeting of May 23, 2016, members amended Proposed Ordinance #2016-10, the proposal for non-bargaining employees, such that 3% is maintained as the minimum, with the maximum allowable being 9%, and that the increases are at the employee's option.)*

Mr. Hare questioned if the minimum for non-bargaining would be 3%, and this was confirmed by Mr. Koenig.

Mr. Slavin stated that the Proposed Ordinance that members would be voting on this evening included a minimum contribution of 3%.

Mr. Lewis requested clarification regarding the change he had previously requested that contributions would be open to the individual's discretion. Responding, Mr. Koenig explained that the intent was that the minimum contribution for non-bargaining employees would remain as it is today at 3%, but the maximum contribution would gravitate up in accordance with the schedule that was previously identified. He indicated that the maximum match for non-bargaining employees would go to 8% on July 1, 2016.

Responding to Mr. Slavin, Mr. Koenig confirmed that the contribution would be at the discretion of the employee.

Mr. Hare moved to adopt Ordinance #2016-10, seconded by Mr. Neil.

Mr. Anderson stated that he still had the same concern he had before, which was that he believed the City should have a maximum level of contribution.

By a roll call vote of eight (8) yes (Sudler, Neil, Lewis, Cole, Hosfelt, Hare, Hutchison, and Slavin) and one (1) no (Anderson), Council adopted Ordinance #2016-10, as follows:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan of the Dover Code be amended to read as follows:

DIVISION 8. - DEFERRED COMPENSATION PLAN

Sec. 2-391. - Definitions; interpretation.

(a) *Terms defined*. As indicated in this division, unless the context otherwise clearly indicates or the deferred compensation plans contradict, the following terms shall mean as indicated below:

Eligible employee means any person regularly employed in rendering service to the city on a full-time basis who is not participating in any retirement plan to which the city contributes for them and whose compensation is paid directly by the city. An employee will be considered a full-time employee if he/she regularly works 40 hours each week.

Participant means any eligible employee of the city who has met all of the requirements for participation in the deferred compensation plan and has, upon employment, made an irrevocable election to participate in the deferred compensation plan as defined in this subsection (a) and who has satisfied all the conditions and requirements set forth in this division and in the provisions of the plans.

(Code 1981, § 2-211; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. 2-392. - Established; purpose.

There is hereby established the city employee deferred compensation plan. The purpose of the plan is to establish the basic terms and conditions under which employees shall participate in this plan. Further details, terms and conditions under which retirement, termination, and survivor benefits shall be provided to eligible employees are defined in the deferred compensation plan.

(Code 1981, § 2-212; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. 2-393. - Eligibility of participants.

Each eligible employee not drawing any retirement benefits from the city as of May 1, 1994, who makes an irrevocable decision to join the deferred compensation plan, shall, upon compliance with the provisions of this division, become a deferred compensation plan participant on May 1, 1994. Thereafter, each eligible employee who selects the deferred compensation plan upon employment shall become a participant in accordance with the plan. All new employees, except police officers, hired after September 28, 2009 are required to join the defined contribution pension plan as defined in subsection 2-324.

(Code 1981, § 2-213; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 7-10-2000)

Sec. 2-394. - Contributions.

(a) *Employee contributions*. For each year while a participant of the deferred compensation plan, a participant shall contribute, by payroll deductions, a percentage of his/her compensation

as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments, up to the legal limits as defined in the deferred compensation plan.

(b) *Employer contributions*. The city shall contribute an amount equal to each individual's employee contributions, to a maximum percentage of an employee's compensation as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments for each participant.

(c) *Treatment*. Treatment of contributions shall be handled in accordance with federal and state laws and the applicable provisions of section 2-341 pertaining to the general employee pension plan.

(Code 1981, § 2-214; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

ADOPTED: JUNE 13, 2016

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, thanked staff for the efforts put forth in the FY 16 budget year. He expressed excitement about entering into the FY 17 budget year and thanked Council for listening to staff, making suggestions, and moving the budget process along to deliver the FY 17 budget.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin extended early wishes for a happy birthday to Councilman Hutchison.

Mr. Sudler thanked the National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL); the Cen-Del Foundation, especially Ms. Tenish Gregory, Executive Assistant; and Police Chief Paul Bernat and the Dover Police Department for participating in a community event which helped to bring all communities together. He stated that turnout was great and the event was awesome. He thanked everyone who participated.

Mr. Hare reminded everyone that on Tuesday, June 21, 2016 there would be a Second District community meeting at the Capitol Baptist Church at 7:00 p.m. that would be open to anyone who would like to come.

Mr. Hosfelt stated that the Firefly Music Festival would be held later in the week. He extended appreciation to City staff for all that the City had done for the Festival to this point.

Mr. Anderson thanked the citizens and City staff for participating consistently with the neighborhood watches that had been performed over the past year to year-and-a-half. He indicated that they were an important part of the community and provided necessary feedback. Mr. Anderson particularly

thanked the Police Department and the Planning Department's code enforcement staff for their participation.

Mr. Anderson advised that at 7:00 p.m. on Thursday, June 23, 2016 there would be a pizza and politics event at Romano's Restaurant, located on Walker Road across from the old Dover High School. He invited anyone who wanted to drop by and talk one-on-one. Mr. Anderson noted that not everyone likes to stand up and speak in front of a forum; however, quiet people have valuable ideas as well. He stated that his telephone number is on the City's website.

Mr. Anderson indicated that he and Mr. Sudler would be announcing another town hall meeting in July, noting that these meetings had been quite successful. He looked forward to this continued partnership, noting that there was important information regarding grants and monies available through First State Community Action Agency.

Mr. Neil moved for adjournment, seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 8:47 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of June 13, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2016\06-13-2016.wpd

City of Dover Council Briefing – June 27, 2016

Background: First State has *been empowering people and Changing lives for more than 50 years (since 1965). Only Community Action Agency in Delaware with offices in each county. More than 20+ programs..*

- **H.E.L.P.** (Healthy Home, Energy Efficiency, Lead Safe, People Centric) **Program**
  - Lead Based Paint Hazard Reduction (**DeLead)** Program,
  - Summer Cooling Assistance Program (**SCAP**),
  - Replace Repair Heaters and Conserve Energy (**RRHACE**) Program,
  - Workforce Development - "Today's Reinvestment Around Industry Needs" (**TRAIN**)

FirstState
Community Action Agency
People Helping People Build Community

H.E.L.P. Program

1. LIHEAP Summer Cooling Assistance Program **(SCAP**) – Statewide
   a. Base Year 2016 + 4 Option Years
   b. Benchmarks – 650 Air Conditioners & 650 Energy Conservation Kits (EcoKit) installed with client education using Subcontractors

2. LIHEAP Replace Repair Heaters & Conserve Energy (**RRHACE**) – Statewide
   a. Base Year + 4 Option Years
   b. Benchmarks – 450 Repairs & Replacements
   c. 81 Healthy Home Interventions based on 29 Hazards
   d. LIHEAP Assurance 16 Training & Education
   e. Data Tracking & Evaluation Plan with Analytical Outcomes

FirstState Community Action Agency
People Helping People Build Community

H.E.L.P. Program

3. DPH Lead Paint Hazard Reduction (**DeLead**) – Kent & Sussex County
   a. 3 Year Award ends 11-30-17.
   b. Two more option periods of 3 years each – Overall 9 Year Contract
   c. Benchmarks – 250 Completed Homes, 160 Healthy Home Interventions, 40 Community members trained

4. DOL Today's Reinvestment around Industry Needs (**TRAIN**)
   a. Phase 1 to develop a Training Plan by 5-31-16 – DONE
   b. Phase 2 Implementation pending award
   c. Create two credentialed positions titled "Q(Quick)-HELP" Assessor and "Energy Educator"
   d. DelTec Training Provider, DHA Housing Stock Provider, SEU CEC Initiative, Energy Efficiency Legislation (SB-150) & Exelon Merger Funding Sources to create JOBS

FirstState Community Action Agency
People Helping People Build Community

DE PUBLIC HEALTH (Grantee)

DHSS (Gateway) DSSC 15 State Service Centers

DNREC (DeLead Partner)

City Manager's Office

Planning & Community Development

CITY OF DOVER

Dover Public Library (Office Space)

Emergency Management / Public Affairs

Councilman 4th District

Housing Stock Partnership

Capital School Partnership

Houses of Worship Partnership

DeLead funds 40 Community Job Applicants

Delaware Tech

JOBS

Employers
Service Providers
Contractors
NPO's

"Communities of Promise" Leaders Find Job Applicants

DOL TRAIN Plan / Implementation



DELEAD - SERVICE DELIVERY MODEL

FirstState
Community Action Agency
People Helping People Build Community

H.E.L.P. Program

How can the City of Dover H.E.L.P.?

(1) DeLead Plan of Actions & Milestones – Planning & Implementation Strategy (Map Illustration)

(2) SCAP Plan of Actions & Milestones – Community Awareness Campaign

(3) RRHACE Plan – Identify Owner Occupied No Heat & Healthy Home Deficient Housing Stock

(4) Workforce Development (TRAIN) Implementation Award – Pray

COUNCIL RESOLUTION NO. 2016-07

A RESOLUTION PROPOSING INCLUSION OF WESTFIELD INTO THE KENT COUNTY STORM WATER MAINTENANCE DISTRICT

WHEREAS, pursuant to 9 Del. C. §5202 et.seq. and Chapter 187 §90.4E(1) of the Kent County Code, a Petition to extend the stormwater maintenance district for the area known as Westfield was submitted by a majority of the real property owners within the proposed district; and

WHEREAS, pursuant to Chapter 187 §90.4.E(2) of the Kent County Code, the Kent Conservation District inspected the stormwater management facilities for the proposed stormwater maintenance district, identified required repairs, and developed an operation and maintenance plan; and

WHEREAS, the property owners of Westfield have requested the Stormwater Maintenance District Complete the required repairs to be repaid over a period of five (5) years; and

WHEREAS, Chapter 187 §90.4.E.(7) of the Kent County Code requires that for subdivisions and land developments located within incorporated areas, the petition shall be accompanied by evidence of concurrence of the local governing body.

NOW THEREFORE BE IT RESOLVED:

1. That the proposed stormwater maintenance district expansion is adequate and appropriate; and

2. That all of the property owners within the district are benefitted directly or indirectly thereby; and

3. That it is in the public interest to extend the stormwater maintenance district in the manner proposed; and

4. That the stormwater maintenance infrastructure within Westfield, exclusive of that within Delaware Department of Transportation/City of Dover right-of-way, shall be maintained in accordance with the Operation and Maintenance Plan and that maintenance may include routine maintenance and shall include regular minor and major maintenance as well as emergency repairs as needed, as defined by Chapter 187 §90.4.B of the Kent County Code; and

5. That the inclusion of Westfield within the Stormwater Maintenance District and the resulting infrastructure maintenance managed by the County shall take precedence over any homeowner obligation for stormwater management included in declarations of restrictions or similar development agreements. Any common open space or infrastructure within a community not maintained as part of a stormwater maintenance district shall remain the responsibility of the homeowners; and

6. Inclusion of Westfield with the Stormwater Maintenance District shall not exempt lot owners within the subdivision from participation in a stormwater utility should one be established by the City of Dover; and

7. That the City of Dover Council concurs with the extension of the Stormwater Maintenance District – Westfield.

ADOPTED: *

_____	_____
ROBIN R. CHRISTIANSEN	TIMOTHY A. SLAVIN
MAYOR	COUNCIL PRESIDENT

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on June 14, 2016 at 6:13 p.m., with Council President Slavin presiding (departed at 6:15 p.m. and returned at 6:17 p.m.). Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Neil (arrived at 6:15 p.m., departed at 6:42 p.m., returned at 6:45 p.m., departed at 7:07 p.m., returned at 7:10 p.m., departed at 7:36 p.m., and returned at 7:40 p.m.), Mr. Lewis (departed at 6:53 p.m.), Mr. Cole, Mr. Hare, and Mr. Hutchison. Mr. Hosfelt and Mayor Christiansen were absent. Civilian members present for their Committee meetings were Mr. Caldwell and Mrs. Horsey (*Parks, Recreation, and Community Enhancement*), Ms. Arndt and Mr. Blakeman (*Utility*), and Mr. Shevock and Ms. Stewart (*Legislative, Finance, and Administration*).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held with Chairman Sudler presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Anderson and unanimously carried.

Program Presentation - First State Community Action Agency

Mr. Charles Kistler, Program Manager, First State Community Action Agency (FSCAA), advised members that FSCAA is a non-profit organization and is the only Community Action Partnership (CAP) agency in the State of Delaware. He reviewed a presentation entitled "City of Dover Council Briefing - June 13, 2016," stating that FSCAA has more than 20 programs. Referring to Page 2 of the presentation, Mr. Kistler reviewed the components of the organization's Healthy Home, Energy Efficiency, Lead Safe, and People Centric (H.E.L.P.) Program, as follows:

1) Department of Public Health (DPH) Lead Based Paint Hazard Reduction (DeLead) Program - Mr. Kistler explained that FSCAA's DeLead program was started in seven (7) targeted zip codes, noting that the two (2) largest zip codes were in the City of Dover, which has some of the oldest housing stock in the State. Mr. Kistler stated that 250 homes were identified as positive for lead, and remediation and abatement was completed, although this was a nominal scratch of the surface. He indicated that City management had been very supportive of this process and had provided documentation on nearly 5,000 homes in the City that were built before 1978. Mr. Kistler explained that 160 Healthy Home Repairs were completed for issues such as pest infestation and mold.

2) Low-Income Home Energy Assistance Program (LIHEAP) Summer Cooling Assistance Program (SCAP) - Mr. Kistler advised that FSCAA was in the first year of a five (5) year, Statewide program for SCAP, and City management had been very supportive in getting the exposure needed. He

noted that, due to extreme temperatures, many more people need air conditioners. Mr. Kistler explained that Energy Conservation Kits (EcoKits) include LED light bulbs, aerators, low-flow shower heads, night lights, door sweeps, and first aid kits.

3) Low-Income Home Energy Assistance Program (LIHEAP) Replace Repair Heaters and Conserve Energy (RRHACE) Program - Mr. Kistler stated that the RRHACE Statewide program started last year and is a five (5) year program that provides for repair and replacement of heaters. He noted that before September 30, 2016, 450 heaters would be repaired or replaced. Mr. Kistler indicated that FSCAA would be working with the City's code enforcement and property development staff to identify people with no heat.

4) Today's Reinvestment Around Industry Needs (TRAIN) Program - Mr. Kistler stated that FSCAA had submitted a training plan to the Department of Labor for approval. This program would allow FSCAA to go into communities, identify those who would be eligible for training through community leaders, bring those individuals through a vocational technology program, and put them into jobs in their own neighborhoods, which FSCAA has termed "Communities of Promise." Mr. Kistler stated that they had asked the City of Dover to write a letter of support for this program, and if FSCAA reaches the implementation phase of this large initiative, they will start to recruit individuals to help their own communities.

Mr. Kistler, referring to page 2 of the FSCAA presentation, reviewed the H.E.L.P. - Hub and Spoke Service Delivery Model, explaining that Communities of Promise had been identified as concentrated areas of poverty where community leaders could identify people to be brought in through the Delaware Technical Community College (DTCC) system through a workforce development training plan. Mr. Kistler stated that FSCAA DeLead program has a contractual obligation to identify and train up to 40 people in the Renovation, Repair, and Painting (RRP) formal certification program. He expressed the desire to certify as many people as possible in these communities and put them to work with contractors who perform lead work, creating a path forward for participants. Mr. Kistler indicated that FSCAA is working with DPH in regard to the DeLead Program and with the Delaware Department of Health and Social Services (DHSS) regarding the RRHACE and SCAP programs, and these entities were funding the activity that the agency has planned for the next five (5) years.

Mr. Kistler explained that FSCAA had partnerships in place related to the Department of Natural Resources and Environmental Control (DNREC) weatherization program, Senate Bill 150, the Clean Power Plan (CPP), and the Sustainable Energy Utility (SEU) to identify available funding and craft programs for low-income families. He noted that FSCAA was trusted to be able to identify programs that will bring self-sufficiency to their clients in the communities. Mr. Kistler explained that DHSS and utility providers are gateways that clients are moving through to be identified, have their needs assessed, and effectively apply to programs.

Mr. Kistler stated that FSCAA is working with an analytical firm from Princeton, New Jersey to develop analytical data to back up that the investment being made in these programs has a legitimate outcome. He informed members that the City was helping FSCAA to share and collaborate on data and was playing a major part in identifying needs in concentrated areas of poverty in the City. He indicated that the Delaware Housing Authority, Wilmington Housing Authority, and Dover Housing Authority needed to identify the properties in the cities that are deficient so that financial resources can be pooled and existing talent can be used to implement programs with good outcomes. Mr. Kistler stated that houses of worship would also be key because of the trust factor. He noted that the City of Dover is the hub of the model.

Mr. Kistler, referring to page 4 of the presentation, reviewed the H.E.L.P. Program. He indicated that the FSCAA was not necessarily asking for money, but that his request was more about being able to work collaboratively toward data collection and demographics in the City to leverage combined resources. Mr. Kistler reviewed the ways that the City of Dover could support the Program, as follows:

1) DeLead Collaboration Plan - Mr. Kistler reiterated that there were 5,000 pre-1978 properties that are candidates for this program, noting that children under six (6) years old living in those houses could potentially be poisoned. It was unknown whether or not they were poisoned as there was no requirement to have the children tested. Mr. Kistler indicated that the City Manager had put FSCAA in touch with the superintendent of the school systems, and they were starting to craft a relationship to identify kids that could be tested and match this up against the properties. This would provide a focused idea of where properties are with children who could potentially be poisoned by lead paint and allow them to act.

2) SCAP Collaboration Plan - Mr. Kistler indicated that FSCAA has offices in all three (3) counties, including one (1) in the Blue Hen Mall; however, they do not have a brick and mortar appearance as a community action agency in the forefront and need this. He advised that mass intake is performed every week for the summer cooling program in different counties. Mr. Kistler stated that they were disappointed that more people were not signing up for the program, noting that they sometimes have only 13 people per day at the Blue Hen Mall, and they should have hundreds. He indicated that the FSCAA is asking for help to raise awareness. Mr. Kistler noted that there are eligibility requirements, including being over the age of 60, having medically proven breathing issues such as COPD or asthma, having children, being medically challenged, etc. He stated that FSCAA would have 650 air conditioners by September 30, 2016.

3) RRHACE Collaboration Plan - Mr. Kistler stated that they have 450 heating units to be completed by September 30, 2016 and have completed 238. He asked for help identifying clients with no heat now to avoid panic in the fall.

4) TRAIN Collaboration Plan - Mr. Kistler stated that if the agency is blessed with a training grant, they would like to return to the City of Dover. He believed that there would be an 18-month implementation period to identify people in the community that could be trained through DTCC as energy educators and quick-help assessors. Mr. Kistler noted that if these individuals can be certified and put to work in an apprenticeship program, they could do some good and create role models for their communities. He advised that a merger had just taken place that affected Delmarva Power, and they were discussing some type of assistance for people who were in the dunning process and bordering on disconnection of their electricity. Mr. Kistler stated that these individuals would be put into a formal training program. He noted that there was only one (1) energy educator in the State and expressed the desire to create more. Mr. Kistler stated the desire to have the utility companies and electric cooperatives bring individuals into these programs and help FSCAA help clients understand how to become more energy efficient, decrease consumption of energy, and apply these savings toward a better quality of life and less dependence on social programs.

Mr. Kistler stated the desire to stay in touch with the City. He expressed FSCAA's belief that the capital of the State is where their master plan should be laid out, reiterating that the City had a big need. He felt the master plan could then be applied to any city in the State.

Mr. Hutchison questioned how long the training and certification program would take. Responding, Mr. Kistler stated that if they receive the grant award in July, participants would be brought in to DTCC in September. Certification would be a one (1) to three (3) week process, depending on the type of certification. He explained that resources would be shared, noting that DTCC has some funding for apprenticeships, FSCAA would have funding from the grant, and the employer would be expected to contribute funds. Mr. Kistler stated that they were looking at a 90-day apprenticeship.

Mr. Anderson asked Mr. Kistler to elaborate on the FSCAA's summer jobs program. In response, Mr. Kistler stated that FSCAA will find out in early July if the Department of Labor will approve their training plan, and FSCAA could then provide all relevant information. He noted that all three (3) campuses of DTCC are partnering in regard to workforce development to help train people and get them employed, as is Delmarva Power. Mr. Anderson requested that Mr. Kistler advise him when FSCAA receives information about their grant, noting that he would like to share with Mr. Kistler the names of 400 people who need jobs.

Mr. Anderson asked if Mr. Kistler needed anything from the City, or if staff needed something from Council in this regard. Responding, Mr. Kirby Hudson, Assistant City Manager, advised that he had been responding to Mr. Kistler's requests and staff was trying to do what they could to support FSCAA.

Mr. Scott Koenig, City Manager, stated that staff wanted FSCAA to come before Council to promote their program, and requested that Council members who prepare newsletters or electronic communications help in this regard. He stated that this was a rare instance where someone was coming to the City with human and financial resources behind them and asking for the City to help

establish community contacts. Mr. Koenig explained that FSCAA staff had experienced difficulty in getting people to answer their doors when they are out knocking and advised that contacts provided by members could help. He felt this was a wonderful opportunity for the community.

Mr. Slavin stated that FSCAA could be placed on the agenda for a Regular City Council meeting, which would be televised and might be an opportunity to get the word out in another venue. Mr. Kistler responded favorably, stating the desire to create as much awareness as possible. Mr. Slavin indicated that the City Clerk's Office would get in touch with Mr. Kistler.

Update - Residential Appeal Process and Non-Compliant/Non-Conforming Uses

During their meeting of January 11, 2016, Council approved the Parks, Recreation, and Community Enhancement Committee's recommendation that staff be requested to prepare a residential appeal process and to also look at those properties within City limits that are clearly non-compliant with the uses to be reviewed by the Committee during their March meeting. During the Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee meeting of March 15, 2016, Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that the first step in this process would be to determine the degree of the problem with non-conforming uses by finding out how many such uses exist. She advised that her staff had been working with the Geographic Information Systems (GIS) staff in the Public Works Department, and they were in the process of developing an application that would allow the City's planners to go into the field and document non-conforming uses. Mrs. Townshend stated that staff could then determine which of the non-conforming uses would be permitted as a conditional use, noting that multi-family residential uses would not be permitted any longer in certain residential zones. From that point, a strategy could be developed on how to attrition non-conforming uses.

During the Committee meeting of June 14, 2016, Mrs. Townshend stated that two (2) members of the Planning Department staff were going out to identify each non-conforming use in residential zones. In her last discussion with these staff members, the process was moving slower than expected. She advised that one (1) quarter of the geographic area of the City was complete, and they estimated completion in two (2) months. Mrs. Townshend advised that once staff has a picture of non-conforming uses, they would bring forward the language and proposed process to sunset those uses.

Mr. Slavin stated appreciation for the effort to complete a 100% census; however, he questioned whether a representative sample could be relied on, noting that this could be approached in broad categories of uses. Responding, Mrs. Townshend stated her understanding that all non-conforming uses in residential zones would be sunsetted and, if this was so, all such uses must be identified.

Mr. Slavin questioned if such uses could be sunsetted in a blanket ordinance adopted by Council. He expressed frustration because it was taking a long time to get to a solution, and in the interim non-conforming uses were continuing to cause problems. Mr. Slavin noted that there had been a recent problem, with the root cause being a bar operating in the heart of a neighborhood in the middle of the Fourth District. He indicated that everything the City does, including police enforcement, cameras, street cleaning, and picking up garbage, would not correct the problem until there is no longer a bar in the middle of a residential area.

Mrs. Townshend stated that this could be approached in several ways. She explained that if all non-conforming properties are not sunsetted, there would be a need for fair system to handle them. Mrs. Townshend advised that a section in the Code could be developed under non-conforming uses to deal with those uses that have been determined to be a nuisance and criteria could be set to bring them forward more expeditiously. She indicated that when this matter was considered by the Committee in December, she shared her belief regarding the proper methodology and had stated that it would be very time consuming and labor intensive, and no Council members had told her to do this differently.

Mr. Slavin stated his concern regarding the statement that 25% of the properties had been completed in six (6) months and that the other 75% would be completed in two (2) months. In response, Mrs. Townshend explained that staff had to develop a tablet application to be used for this process. She indicated that she had been very up front that this project would take a lot of time and labor. Mrs. Townshend offered to move forward in a different way if that was what Council wanted; however, she explained that she was proceeding in the way that she previously outlined.

Mr. Slavin stated that he is sensitive to not micro-managing staff; however, this was taking a little longer than he was comfortable with. Although he did not wish to speak for others, he expressed his opinion of the need to get to a solutions-based approach rather than data gathering.

In response to Mr. Hare regarding a retail business that is set up across from K-Mart, Mrs. Townshend explained that this was not a case of non-conforming use, explaining that a business license was issued for this enterprise under policies that existed in the past. She indicated that the business license would expire in the current month, would not be reissued, and the business owner was aware of this.

Mrs. Townshend explained that a non-conforming use is a use that was legal when it was established but the zoning had changed so that it is no longer a permitted use. She noted that the most numerous non-conforming uses seen in the City were houses that had been carved into apartments. Mrs. Townshend advised that the Elks' Club on Kirkwood Street and a liquor store on Forest Street were non-conforming uses. When the issue of non-conforming uses first came up, she spoke with Mr. William Pepper, Deputy City Solicitor, who was very clear that the City needed to be fair and consistent in how non-conforming uses are dealt with, and Mrs. Townshend had used this approach in developing a process. She indicated that if another process were developed, it must be fair and consistent.

Mr. Sudler asked if it would be fair to use a process that is complaint driven, since this type of process is used for code enforcement. Responding, Mrs. Townshend stated her belief that if this approach is used, there would need to be some type of due process and non-conforming uses could not be administratively expired. She explained that properties could go to the Board of Adjustment or another body to determine if a non-conforming use should expire, and this would require a Code amendment. Mrs. Townshend indicated that if Council wanted a Code amendment in advance of the other part of the process, she could bring one forward; however, this had not been discussed in the past.

Mr. Anderson expressed appreciation to Mrs. Townshend and her staff for the work being done, noting that this was a lot of work added to what they are already doing. He concurred with Mr. Slavin that it was a bit frustrating, which he stated was why he and Mr. Sudler brought up the idea of a complaint-driven approach several months ago. Mr. Anderson hoped that this would be looked into, noting that all non-conforming uses are not equal. He loved the idea of looking at nuisance non-conforming uses because there are many non-conforming uses that no one knows are there. Mr. Anderson expressed the need to distinguish those uses that are a problem. Now that staff had invested much time and effort into the process, he did not want them to stop, and start a new process; however, he asked if staff could start working on something for nuisances in the community, in the meantime.

Responding to Mr. Anderson, Mrs. Townshend stated that this could happen concurrently. She stated that if nuisances are being dealt with separately and language is added to the Code that specifically sets up a list of criteria and a process, this could be brought forward ahead of the full survey. Mrs. Townshend advised that the approach had started with expiring all non-conforming uses. She reminded members that the language in the Code regarding non-conforming uses in residential zones indicates that these uses would expire 20 years after the adoption of the ordinance or 40 years from initiation of the use. Mrs. Townshend noted that staff was unable to determine when the ordinance was adopted and, without having the full picture, that section of Code cannot be used to say that the 20 years had passed and the uses must expire. She stated that other language could be added to the Code in the meantime that would accomplish this.

Mr. Anderson asked if the current research would only identify non-conforming uses or indicate when those uses were granted. Responding, Mrs. Townshend explained that staff's current fieldwork was identifying the uses, which would be entered in a table. She indicated that other data could be pulled in, but she was unsure if there would be a good data source for exactly when uses started.

Mr. Anderson stated the need to be very careful about property rights of those who had invested their life savings; however, he noted that the rights of other people to live in reasonable peace also needed to be protected. He asked if staff was proceeding based on geography or by categories, and questioned which 25% portion of the City had been done and what was outstanding. In response, Mrs. Townshend advised that staff started working on the east side of the City and had gotten to the area east of the highway, and the northern part of the downtown area, north of Mary Street. She stated that when working further west in some of the newer developments, the number of non-conforming uses would decrease and less time would be required. Mrs. Townshend noted that some of the newer developments had been crossed off the list because staff knew there were no such uses. She informed members that staff had started the Fairview area and was moving south. Mrs. Townshend indicated that the next step would be the downtown area, which would be very labor intensive.

Mr. Slavin advised that his comments were not reflective of poor work on data gathering; however, he felt that perhaps the results of the work could be used more quickly. He referred to Mrs. Townshend's comment that the existing section of Code states that non-conforming uses would be expired 20 years after the adoption of that ordinance or 40 years from their initiation. Mr. Slavin stated that this section of Code could be repealed if it no longer serves a purpose and another section could be put in its place to state that as of a certain date, all non-conforming uses in the City are

repealed and the City will take action against them upon discovery. Mr. Slavin indicated that this approach would be similar to other things done in the City, noting that not everyone is 100% in compliance with the rules, and rules are enforced when non-compliance is found. Referring to houses that had been carved into apartments, he indicated this is the example that he would use to say that they will be corrected when discovered on a case-by-case basis. Mr. Slavin believed that if all properties were addressed at once, the Planning Department would be choked with appeals. He agreed with Mr. Anderson that the City would want to honor legitimate uses, such as a church located in a certain area. Mr. Slavin stated that if staff paused with 25% of the properties complete and asked Council to take the action needed to clean up the Code, which he felt all members would be glad to do, staff could begin the enforcement process with the identified properties.

In response to Mr. Sudler, Mr. Slavin did not feel that his suggested approach needed to take the form of a motion. He thought that Mrs. Townshend had heard the concerns and suggested that she return in one (1) month with an update.

Citizen Suggestions

Mr. Anderson stated that a citizen had advised him that a building had been purchased and was immediately set up for rehabilitation in order to be occupied; however, previous vacant building fines did not reset and the individual had to pay these fines on top of the money for rehabilitation. This citizen suggested that a six (6) month window be allowed for marketing and rehabilitation when there is a transfer like this.

Mr. Neil moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Hutchison and unanimously carried.

Meeting adjourned at 6:52 p.m.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Anderson moved for approval of the agenda, seconded by Mr. Hutchison and unanimously carried.

Chairman Cole recognized Ms. Tricia Arndt as a new member of the Utility Committee and thanked her for accepting the appointment.

Differential Disposal Fee Agreement - Delaware Solid Waste Authority

Mr. Scott Koenig, City Manager, advised members that the Delaware Solid Waste Authority (DSWA) was created more than 30 years ago to handle municipal waste through the State of Delaware, and the City had a good relationship with the DSWA. He explained that the City is not in the landfill business and has a contractual relationship with the DSWA. Mr. Koenig indicated that the proposed differential disposal fee agreement would memorialize that relationship from July 1, 2016 through June 30, 2021. He stated that the gate charge would be reduced for the next

five (5) years, with the result that spending in FY 2021 would be approximately the same amount that was currently being paid to the DSWA. Mr. Koenig stated that the agreement would offer a rebate and set the gate charge at $85 per ton. The prescriptive rebate would be included on the City's bill that would be issued twice per year, on February 15th and August 15th for that year of tonnage. Mr. Koenig stated that in recent history, all of these agreements had come before Council for approval; however, he noted that the City does not have another place to take its waste in the State of Delaware, and it would not be desired to cross state lines with waste. He advised that the contract being presented was the same contract being offered to all municipalities in the State.

Staff recommended authorizing the City Manager to execute the proposed Differential Disposal Fee Agreement with the Delaware Solid Waste Authority (DSWA) to provide municipal solid waste disposal service for the City of Dover from July 1, 2016 through June 30, 2021 at the rates set forth in the agreement.

Mr. Blakeman moved to recommend approval of staff's recommendation, seconded by Mr. Neil and unanimously carried.

Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater) (January, February, and March)

Mr. Scott Koenig, City Manager, reviewed the Quarterly Report for the Capital Investment Plan (CIP) as of March 31, 2016. He advised that this report was prepared by the Finance Department and summarizes the finances for each project identified in the CIP. In regard to Water/Wastewater Improvement & Extension Fund - Major CIP Projects, Mr. Koenig noted that a number of projects were listed as being in process, explaining that staff had been diligently working through the capital plan. He stated that construction timelines do not match budget timelines, and some project carry-forwards must be rebudgeted. Mr. Koenig advised that when project budget difficulties have occurred, staff came before Council to amend project budgets; however, projects were generally moving forward. He stated that staff had gravitated toward doing design features for water/sewer projects during the first year, with construction typically occurring the next year. Mr. Koenig indicated that this routine had been used, for example, for pump station upgrades. He noted that staff had been working for some time on the 1M gallon elevated storage tank location. Mr. Koenig reminded members that staff had proposed a location several years ago that met with public resistance. Since that time, staff had been negotiating a second site and had passed a Memorandum of Understanding (MOU) back and forth with a property owner for the better part of a year. Mr. Koenig stated that the attorneys had finished their reviews and it was believed that final closure of that location was close. He informed members that once a final MOU is signed, staff would come back before Council to discuss how that project would move forward. Mr. Koenig stated that this was the longest running project.

Mr. Koenig stated that the Garrison improvements had been constructed and were in place. Staff was working on project closeout documentation and final release of payments. A number of current projects were progressing with construction.

In regard to electric components of the CIP, Mr. Koenig advised that Mr. Harry Maloney, Electric Director, had completed the General Scott Switchgear project. The station was in operation and the project would be closed out this fiscal year. The Garrison Oak Transmission Line Relocation was

complete, as was construction of the Van Sant Capacity Increase, and project documentation would be closed out. Mr. Koenig stated that the Electric Department had done a very good job of working through the capital plan. He advised members that Mr. Maloney had staff in place so that design features could be completed in-house or externally, projects could move through the capital system to completion, and the assets could be put in operation.

Mr. Koenig stated that he was very happy with the work that had been done both on the Public Works side under the water/sewer utility and the electric side and believed that the City's customers could see the benefits of these systems being improved over time.

Updates

Green Energy Funding and Programming

Members reviewed details regarding Green Energy Funding and Programming, as of April 21, 2016.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit

Mr. Scott Koenig, City Manager, advised members that staff had been exchanging a document related to the Municipal Separate Storm Sewer Systems (MS4) Permit back and forth with the Department of Natural Resources and Control (DNREC) and it was expected to be finalized in the next 30-60 days. He noted that staff had been working on compliance issues over the last year to year-and-a-half. Mr. Koenig indicated that the City's Environmental Scientist, who was heading up this program, had left the City to work in the private sector and this position would be advertised shortly so that permit compliance can be resolved. Mr. Koenig stated that staff was starting to get all of the permit activities embedded into the operations of the Public Works Department and other departments that have influence on the permit. He felt that the City was moving toward compliance, noting that the FY 17 budget has many items that are cost drivers for the Public Works Department that are related to compliance, including monitoring and operational issues. Mr. Koenig informed members that the City was working through the system to achieve compliance at the DNREC level.

Mr. Neil moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Sudler and unanimously carried.

Meeting adjourned at 7:03 p.m.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held with Chairman Hare presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Sudler moved for approval of the agenda, seconded by Mr. Hutchison and unanimously carried.

Mr. Hare welcomed Dr. Courtney Stewart, who previously served on the Utility Committee, as a new member of the Legislative, Finance, and Administration Committee.

Kent County Secondary Intensive Learning Center School Resource Officer (SRO) Memorandum of Agreement (MOA)

Police Chief Paul Bernat advised members that the City of Dover Police Department currently has a partnership with the Capital School District and has three (3) School Resource Officers (SROs), one (1) at Dover High School, one (1) at Central Middle School, and one (1) at Parkway Academy Central. The District pays $100,000 for the officers at Dover High School and Central Middle School and $60,000 for the SRO at Parkway Academy Central. He indicated that there is also a Gang Resistance Education and Awareness Training (GREAT) officer. Chief Bernat requested permission to enter into another agreement with the Kent County Secondary Intensive Learning Center (ILC) School for another SRO. He explained that he had met with Dr. Dan Shelton, Superintendent, Capital School District, and his staff and developed an agreement similar to the Parkway Academy Central agreement. Chief Bernat informed members that the Police Department is authorized 101 police officers and there would be a resignation effective June 30, 2016. He stated that he would like to remain at a strength of 101 officers, send a police officer to the Academy in September, and enter into this agreement with the Capital School District for FY 17, FY 18, and FY 19.

Staff recommended authorizing the Chief of Police to negotiate and sign the final Memorandum of Agreement (MOA) for the placement of a School Resource Officer (SRO) at the Kent County Secondary Intensive Learning Center site for the next three (3) years (FY 2017, FY 2018 and FY 2019).

Mr. Neil moved to recommend approval of staff's recommendation. The motion was seconded by Mr. Shevock and unanimously carried.

Disposition of Excess Property - 29 South Governors Avenue and 749 West North Street

Mr. Scott Koenig, City Manager, informed members that the City had acquired several properties over the years through demolition of structures, subsequent levying of the demolition liens, and acquiring these properties through sheriff's sales. He indicated that 29 South Governors Avenue and 749 West North Street had been declared excess property by Council; however, in the declaration, Mr. Koenig was required to dispose of them using the standard method of disposition, which is typically the public bidding process. These properties were advertised for public bid last year and no offers were received. Mr. Koenig advised that staff was preparing to put these properties out for bid again; however, Mr. Michael Maupin, Managing Director, MauTiste Investment Group, submitted an unsolicited bid for these properties. Mr. Koenig stated that, Mr. William Pepper, Deputy City Solicitor, had indicated that it would not be a good idea for Mr. Koenig to act on this administratively and that he should bring this matter before Council for their recommendation on accepting the proposals. Mr. Koenig noted that the offered price for 29 South Governors Avenue was $8,000 and for 749 West North Street was $18,000, for a total of $26,000. Mr. Koenig stated that demolition and other related expenses had been identified, and if these offers were accepted the City would have to write off approximately $17,718.35 in loss; however, the properties would be put back into private sector hands. He advised that Mr. Maupin intended to develop the properties and, once developed, they would go back on the tax rolls. Mr. Koenig believed one (1) of the properties was located in the Downtown Development District (DDD), and depending on how they are redeveloped, the property that is not in the DDD would go back on the tax rolls immediately. The tax rebate guidelines for the DDD would apply to the other property in the DDD. Mr. Koenig

stated that, in general, these redevelopments would be positive for the City since there would be new structures, hopefully owner-occupied homes, and there would no longer be vacant pieces of land. He noted that currently the City was incurring cost to mow the grass and dispose of any debris.

Staff recommended authorizing the City Manager to accept the offers from MauTiste Investment Group in the amount of $8,000 for 29 South Governors Avenue and $18,000 for 749 West North Street and write-off the remaining expenses and charges in the combined amount of $17,718.35 for these properties.

Mr. Koenig advised that Mr. Maupin was present and had provided an updated letter, dated June 9, 2026, stating that the Mautiste Investment Group is prepared to extend the expiration date of their offer to purchase the properties ***(Attachment #1)***. Mr. Koenig noted that the previously provided letter had expired.

Mr. Shevock asked if the properties would remain exempt from taxes until a house is actually built. Responding, Mr. Koenig explained that the property at 749 West North Street is not in the DDD; therefore, the purchaser would have to pay FY 17 property taxes on the raw land and may be subject to additional taxes on improvements made in FY 17. He indicated that the property at 29 South Governors Avenue would potentially be in the DDD, and improvements made to the property would not necessarily go onto the tax rolls immediately since there is a roll-in period for new improvements. Mr. Koenig stated that the purchaser would most likely have to pay the land tax associated with this property, but if improvements are made in the near future, the roll-in for full property tax value of the land and structure would be in accordance with the district guidelines.

Mr. Shevock moved to recommend authorizing the City Manager to accept the offers from MauTiste Investment Group in the amount of $8,000 for 29 South Governors Avenue and $18,000 for 749 West North Street and write-off the remaining expenses and charges in the combined amount of $17,718.35 for these properties, as recommended by staff. The motion was seconded by Mr. Hutchison and unanimously carried.

Discussion - Tax Account Delinquency Listing

Mr. Scott Koenig, City Manager, reminded members that he had previously sent the Tax Account Delinquency Listing as of May 31, 2016 to members of Council and indicated that he would be willing to discuss placing the list on the City's website during a Committee meeting. He informed members that staff had previously posted this listing on the City of Dover website going back to 2011-2012; however, it had stopped being updated on the website. He stated that he would like to start posting the list on the website to encourage people to review it and become non-delinquent. Mr. Koenig noted that delinquencies on the list range from a few dollars because of late charges, etc., to thousands of dollars because people do not want to, or have not paid their taxes. He advised that staff was looking for the lowest cost way to get delinquent taxes collected and staff had done a good job in addressing this over the last couple of years. Mr. Koenig informed members that as of June 1, 2016, approximately $111,0000 in tax delinquency was due from all years. Mr. Koenig noted that the list included locations that are familiar to everyone, where payment has not been made for one (1) reason or another. He expressed the desire to minimize the amount of time needed for staff to reach out to these people to encourage them to make their accounts current.

Mr. Anderson expressed his opinion that there should be a $10 or $25 level in the list that screens delinquencies, stating that someone may think they are paid up and be suddenly put on a public list because they owe a small amount. He believed this is excessive and ridiculous. Mr. Anderson stated that something may be listed in error and did not wish to unnecessarily embarrass people for a small delinquency, such as $5.83. Responding, Mr. Koenig stated that he understood Mr. Anderson's point and Council could create a bar if they desired; however, he felt that any bar above zero (0) would have some outstanding balances on it. While in some cases these delinquencies were relatively minor, Mr. Koenig indicated that there are accounting issues that must be cleaned up whether the amount owed is $5.83, $50.83, or $500.83, and the City still has an obligation to collect it. He explained that Mr. William Pepper, Deputy City Solicitor, had advised that staff did not have the right to write-off penalties. Mr. Koenig stated that these parties had been notified that monies were due and still had not paid outstanding bills, so the City was incurring dollars to send notifications. He did not believe the City should be incurring those costs but should post the list to encourage people to look at it and pay all amounts owed.

Mr. Anderson stated that posting the list would not alleviate staff from having to do the other items. He felt that just because the list is posted did not mean that the party would see it. Mr. Anderson believed, at the very least, that the party would pay the penalty when they see it on their next property tax bill. In response, Mr. Koenig stated that this is potentially correct; however, the charge may carry forward and not be paid the next time. He indicated that he was looking for people to call their neighbors and friends to say that an amount is owed, which would mean more than the City asking them to pay the fee. Mr. Koenig noted that it is a time-consuming process for staff to call or send letters to people on a list, such as the current 14-page list, to inform them that they will not be bothered if they are below a $25 threshold and the fee will carry over to the next year. He felt that this would be time consuming and put staff at a greater disadvantage regarding why one (1) party is called versus another. Mr. Koenig reiterated that he wanted people to pay the fees because they are owed to the City.

Mr. Anderson questioned why the list would not just be flagged in the computer so that customers who come in to pay their electric, water, and sewer bill would be asked by Customer Service if they would like to pay any delinquent taxes owed. He felt this would be more effective in collecting the money. Responding, Mr. Koenig stated that this may be easier to do as the City upgrades to the Enterprise Resource Program (ERP). He had not examined the screen at Customer Service to see if there is a flag that pops up regarding taxes when someone pays their electric bill, so he was unsure if this was possible; however, he pointed out that this would be another step incurred at the administrative level and there would be a cost for this. Although he could not detail the cost at this time, he noted that it would equate to some dollar amount.

Mr. Slavin expressed confusion about why the City would want to coddle those who do not pay their bills on time. He stated that the City is compassionate when people face issues in paying for their utilities. This takes only one (1) conversation with the customer, and they are then accommodated by setting up any kind of payment plan that they need. Mr. Slavin felt that there were some people on the list that fall into this category; however, he did not believe that everyone did. He advised that there were names on the list that he and others in the room recognized as people of means in the community who had chosen not to pay their bills on time and have the City incur additional costs to have them paid. Mr. Slavin felt that 98% of the property owners pay their bills on time and 2%

require staff time to chase down. He felt it would be prudent to put the word out, noting that the list is a matter of public record that had already been included in a City Council meeting packet. Mr. Slavin stated that he supported what Mr. Koenig and Mr. Kirby Hudson, Assistant City Manager, had been trying to do on this matter and in regard to utility payments. He also supported the compassion customers had been shown by Customer Service agents in dealing with those who cannot pay on time.

Mr. Cole agreed with Mr. Slavin. Referring to Mr. Koenig's comment that the delinquency list had been posted in the past, Mr. Cole questioned why this was discontinued. Responding, Mr. Koenig stated that he was unsure. He advised that at one time there was a link to the list on the home page of the website. Mr. Koenig noted that if a list is posted on July 1st, when the tax bills go out, the list has hundreds of pages, so it would not be appropriate to post it at that time. He thought perhaps that staff stopped posting it at the end of a fiscal year and, for some reason, it did not get posted as it became a truly delinquent list.

Mr. Hare asked if the City is able to issue business licenses for those with delinquent taxes. Responding, Mr. Koenig advised that controls have been put in place for business licenses, building permits, and development applications to invoke clean hands. He stated that all departments are aware of the Clean Hands Ordinance. Mr. Koenig indicated that he could not say that staff takes advantage of every opportunity with respect to the Ordinance; however, this issue is sometimes caught by the Planning Department, Customer Service, and City Manager's Office. He stated that as the City potentially replaces its financial systems, it will probably become easier to catch these issues, noting that currently it is sometimes necessary to go into multiple screens to find out what is owed.

Mr. Hare stated that some of the delinquencies are quite large and are known businesses, and they should be made note of when it is time to renew licenses.

Mr. Koenig stated that staff had worked on whittling down the delinquency listing and the backlog at Customer Service. He advised members that when August 31st arrives and FY 17 is delinquent, he would ideally like to send out a very direct Clean Hands letter saying that if a party does not pay soon, the City reserves the right to cut their power. Mr. Koenig noted that this would not be customer friendly and he was trying to balance reality with getting the bills paid. He indicated that it would be difficult to send this letter out because it could affect business operations. Mr. Koenig explained that, in some cases, people have triple net leases where the property owner may have had to pay the property tax, is waiting for a business to pay him, and everyone is pointing their finger at someone else. He felt that as this message gets stronger to the residential and business communities, people will pay on time and staff will not have to send additional letters because people will know that if they do not pay on time and keep current, they will be subject to disconnection. Mr. Koenig stated that some businesses do not mind accruing a late penalty and do not provide an explanation as to why they are not offended by the late penalty accruing. He advised that they hold the money and pay the tax when it is convenient for them or when the City threatens a sheriff's sale or gets into the issue of Clean Hands.

Whatcoat Village Revitalization Payment-in-Lieu of Taxes (PILOT)

Mr. Scott Koenig, City Manager, advised members that Whatcoat Community Development, Inc. had proposed the revitalization of Whatcoat Village, 992 Whatcoat Village Drive. Mr. Koenig referred to the draft Payment in Lieu of Taxes (PILOT) agreement between the City of Dover and Whatcoat Community Development, Inc., explaining that this was very similar to a previous discussion regarding the revitalization of the Walker Woods development by the Milford Housing Development Corporation. Mr. Koenig explained that the owner of Whatcoat Village Apartments had applied for tax exemption through the City of Dover Board of Assessment Appeals, which was approved because of the 501(c)(3) designation and their history of qualifying for this designation. He advised that Whatcoat Community Development, Inc. wanted to be a good neighbor and had offered a PILOT agreement. This agreement was similar to the Milford Housing Development Corporation agreement that was executed for the redevelopment of Walker Woods and was prepared by the same attorney. Mr. Koenig indicated that the City Manager's Office was supportive of the proposed agreement, noting that he would like to discuss minor adjustments to the agreement with the attorney in order to finalize it. He noted that the Walker Woods agreement had a small escalator that was not included in this draft agreement. Mr. Koenig advised that in the case of Walker Woods, Council reviewed the draft agreement and turned it over to Mr. Koenig to finalize, and it was placed on file with the City Clerk's and Tax Assessor's Offices. He noted that the proposed agreement is different from Walker Woods where the City released a road right-of-way. In this instance there would not be the same release of property.

Staff recommended authorizing the City Manager to negotiate and execute a final agreement with Whatcoat Community Development, Inc. regarding a proposed PILOT agreement for Whatcoat Village located at 992 Whatcoat Village Drive.

Mr. Hutchison asked if a strong management program would be in place to oversee operations on a day-to-day basis. Responding, Ms. Vandana Sareen, Vice President of Development, Michaels Development Company, stated that Mr. William Hill was serving as Chairman of the Whatcoat Community Development, Inc. board. Ms. Sareen indicated that they were working together as partners to redevelop the 78-unit project. She explained that Interstate Realty Management would be the management agent and management was available onsite. In response to Mr. Hutchison as to whether they had experience, Ms. Sareen stated that the community was developed approximately 35 years ago and there had been no capital improvements at the property since. Ten years ago, Interstate Realty Management, which is an arm of the Michaels Development Company, was hired by Whatcoat Community Development, Inc. to perform management. They had now received some funding to help bring the units to current market standards and improve the physical assets of the property. Ms. Sareen stated that a lot of upgrades would be done; however, affordable housing tenants would still be targeted and the population served would be similar to the current population.

Mr. Sudler moved to recommend authorizing the City Manager to negotiate and execute a final agreement with Whatcoat Community Development, Inc. regarding a proposed PILOT agreement for Whatcoat Village located at 992 Whatcoat Village Drive, as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Anderson thanked Whatcoat Community Development, Inc. for entering into this agreement and hoped that others would do the same.

Evaluation of Requests for Proposals

Collection Agency Services

Mr. Kirby Hudson, Assistant City Manager, informed members that on May 22, 2003, the City entered into a contract with Capital Credit Services, which was subsequently acquired by First Collect, which came to fruition on September 1, 2014. He stated that a number of City customers had accounts that were at or above $90,000, and First Collect was having a difficult time collecting because many parties were moving out of the general area where the collections agency was licensed to pursue them. Mr. Hudson stated that it became paramount to engage an agency that could collect in all 50 states, noting that Dover is a transient area with many military and college students. Mr. Hudson indicated that the contract with First Collect does not have an expiration date; however, there is a stipulation that either party can submit a 30-day letter to be released from the contract. Mr. Hudson advised members that staff was recommending removing the current collection agency and moving on to a new agency based on a Request for Proposals (RFP) that was issued several months ago.

Members were provided a document entitled "City of Dover Collection Agency Services Contract, RFP Number 16-0033CM" ***(Attachment #2)*** and Mr. Hudson reviewed the Decision Scale regarding RFP submissions. Members were advised that candidates chosen were licensed and authorized to collect in all fifty (50) states; provide skip tracing, scrubs, and credit bureau reporting. The three (3) major credit reporting agencies are Experian, Trans Union, and Equifax. The importance of these factors are directly related to the City of Dover's ability to collect military accounts as well as other transient accounts. All companies listed offer services similar in nature and are comparable in terms of auto dialer and times calls, paper correspondence, and consumer dispute resolution. Each company has provided a Collectors Code of Ethics and regulatory requirements for Federal, State, and Local Guidelines; to include Fair Debt Collection Practices Act (FDCPA) and Fair Credit Reporting Act (FCRA).

Mr. Hudson indicated that of the eight (8) proposals received, three (3) companies were considered to be the top candidates: SIMM Associates, Inc., Penn Credit Corporation, and Progressive Financial. Based on the criteria (10-point scale), SIMM Associates, Inc., provided positive scoring in all areas except minority business. If positive negotiations were to fail, it was recommended that Penn Credit be considered.

Mr. Hudson pointed out that there was an error in the Recommended Action section of the Committee Action Form previously provided. He explained that, although it had been indicated that "Fees are based on a percentage of revenue collected," this was incorrect and the City would pay nothing for collection services. He explained that currently anyone who goes to collections with First Credit must pay a 35% contingency fee; therefore, 35% is tacked on to whatever they owe the City. Mr. Hudson advised that SIMM Associates, Inc., would have a 20% fee. For example, if a customer owed the City $100, the total fee would be $120, with the City receiving $100 and SIMM Associates keeping $20. SIMM Associates would not be paid unless they collect, and if they collect they would add their 20% and the service would be free to the City.

Mr. Hudson stated that staff recommended authorization to negotiate and sign a final, three (3) year agreement with SIMM Associates, Inc. He noted that this would remove First Credit.

Mr. Shevock recused himself from voting on this matter for personal reasons.

Members were provided a Trial Balance Report prepared May 31, 2016 ***(Attachment #3)***. Mr. Hudson noted that Line 21 reflected balances over 30, 60 and 90 days for residential energy. He advised that this was highlighted to indicate the amount of funds owed for electric bills; however, a new collection agency would pursue all amounts listed in the report.

In response to Mr. Hare, Mr. Hudson indicated that SIMM Associates, Inc. would also be collecting delinquent tax bills.

Mr. Sudler moved to recommend authorizing staff to negotiate and sign a final three (3) year agreement with SIMM Associates, Inc. The motion was seconded by Mr. Hutchison and unanimously carried, with Mr. Shevock abstaining.

Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair

Mr. Scott Koenig, City Manager, advised members that proposals were solicited and advertised according to City policy by the City's Contract and Procurement Manager under RFP #16-0040PW for Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair. Submissions were received from four (4) contractors. One (1) was deemed non-responsive and the other three (3) were evaluated by cost and performance. Based on that evaluation, staff recommended awarding a contract to A. A. Duckett, Inc., which would include four (4) quarterly preventative maintenance services, as well annual preventative maintenance services for each of the units. Mr. Koenig stated that standby and emergency rates were also incorporated into the proposal.

Staff recommended awarding a three (3) year contract with the option for two (2) one (1) year extensions to A.A. Duckett, Inc. as per the proposal submitted in response to RFP #16-0040PW.

Mr. Hare noted that the rates between John Hiott Refrigeration and Air Conditioning, Inc., and A. A. Duckett, Inc. were very close. Responding, Mr. Koenig stated that there was a slight difference in the tech rate; however, the after hours and general labor rates were very similar. Mr. Hare questioned why a company from New Jersey was selected rather than a company from Wyoming, Delaware. Responding, Mr. Koenig explained that staff was interested in overall performance and liked the discussion about safety records that A. A. Duckett provided, noting that HVAC services had been a challenge for staff. He stated that staff preferred this company because they have a good performance record in the documentation submitted.

Mr. Hare asked if A. A. Duckett had a facility in Delaware, and Mr. Koenig responded that they did not and were being dispatched out of New Jersey; however, he was unsure where their staff actually lives and if they take their trucks home at night. He advised that they had stated they could meet the City's standards to be here in the time frames identified in the RFP, and if they do not they would be called out on non-performance, as stated in the contract.

Mr. Neil moved to recommend awarding a three (3) year contract with the option for two (2) one (1) year extensions to A.A. Duckett, Inc. as per the proposal submitted in response to RFP #16-0040PW, as recommended by staff. The motion was seconded by Mr. Sudler and carried with Mr. Anderson voting no.

Recommendation of General Employee Pension Board - Consideration of a Retiree Cost of Living Allowance (COLA)

Mr. Lester Blakeman, 209 Falmouth Way, advised members that he is a member of the Civilian Pension Board and a pensioner. Members were provided handouts by Mr. Blakeman, as follows: 1) Exhibit A - COLA History, and 2) Exhibit B1 - Breakdown of Monthly Pension Payments and B2 - Pension List 2008 ***(Attachment #4)***. Mr. Blakeman stated that the COLA History listed the cost of living increases that had been granted to retirees in the General Employee Pension Plan. He informed members that it had been 10 years since a COLA had been addressed, which he felt was a long time. Mr. Blakeman understood that there was nothing in the pension plan that guarantees a cost of living increase for these pensioners, and these employees knew this when they retired; however, he noted that in the past the City had acknowledged from time to time that retirees may need a little help surviving. He explained that Exhibit B1 listed pension checks written through January 15, 2008, when this matter was last reviewed. He noted that the individuals in the first column were making less than $1,000 per month. Mr. Blakeman stated that more than half the individuals in the second column were making less than $2,000 per month and the primary amount in the third column was approximately $2,000. He felt that the last three (3) individuals were doing okay. Mr. Blakeman indicated that he had previously suggested granting raises to sections of the pensioners and was told that this would not be allowed and an increase of any kind must be applied to all pensioners. He explained that he would be glad not to receive an increase if some of those on the lower end of the scale could be helped. Reiterating that a COLA had not been discussed for 10 years, Mr. Blakeman stated that this used to be an annual discussion. He requested that reviewing the need for or the ability to provide a COLA for pensioners in the General Employee Pension Plan be included on a future agenda. Mr. Blakeman advised that these were the people who built the City and gave hundreds or thousands of years of combined service to the City, and he felt it might be appropriate to give them some help from time to time. He stated that if this goes unnoticed year after year, nothing would happen and suggested it could be agreed to at least review this every year as part of the budget process. Mr. Blakeman indicated that he did not expect anything to happen this year, stating his understanding that the budget was set. He stated that if pension payments were $3,863,000, a 1% increase would cost $38,000, a 2% increase would cost $77,000, a 3% increase would cost $115,000, a 4% increase would cost $154,000, and a 5% increase would cost $193,000.

Mr. Slavin questioned if Mr. Blakeman's figures were calculated on a one (1) time annual basis. Responding, Mr. Blakeman stated that the figures that he provided were the cost for the year of the increase and would be the carry-forward amount until additional action was taken. He noted that the history provided showed that a variety of approaches had been taken in regard to increases.

Mr. Blakeman thanked Mr. Anderson and others for getting him to the point to talk to members today, stating that this had been a long, uphill battle.

In response to Mr. Neil, Mr. Blakeman stated that pensioners were also collecting Social Security. Mr. Blakeman stated that employees were told when they signed up for the plan that they should not count on the City's contribution as their sole source of retirement income and the plan would be in conjunction with Social Security. He estimated Social Security payment at approximately one-third of the amount that employees receive from their City pension, noting that COLAs from Social Security had been scarce.

Mr. Neil stated that he would favor considering this in the future. Mr. Blakeman indicated that this was all he was asking, noting that pensioners feel like lost sheep because they are not being talked about but are set aside and ignored. He reiterated the desire to at least be considered.

Mr. Shevock questioned the amounts that employees were making per month, for example, the individual who was receiving $200 per month and $2,400 per year. Responding, Mr. Blakeman indicated that $200 was probably a minimum pension amount. He stated that this employee could have been making $4,000 per year or less. Mr. Blakeman advised that the City's defined benefit plan allowed employees to set their own pensions. He indicated that employees received 2% for every year they worked and the amount was based on their average salary during their last three (3) years. An employee who worked 10 years would receive 20% of their salary, an employee who worked 20 years would receive 40%, and an employee who worked 50 years would receive 100% of their salary.

Proposed Ordinance #2016-16 Amending Chapter 22 - Building and Building Regulations; Chapter 26 - Businesses; Chapter 50 - Floods; Chapter 66 - Manufactured Homes and Trailers; Chapter 102 - Taxation; Chapter 106 - Traffic and Vehicles; Chapter 110 - Utilities; Appendix B - Zoning, Articles 2, 3, 4, 5, 6, 7, and 12; and Appendix F- Fees and Fines (Sponsors: Neil, Slavin, and Cole)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, informed members that Proposed Ordinance #2016-16 had required a very comprehensive review and update to the Dover Code including any section referencing manufactured homes or mobile homes. She explained that the Mobile Home Park Zone would by changed to the Manufactured Home Zone, and it was made clear that manufactured homes that meet that Department of Housing and Urban Development (HUD) standard are the type of homes that are allowed. Mrs. Townshend stated that this would ensure that nothing that does not meet those standards would be permitted in the City; however, language would be left to ensure that homes that already exist could still obtain licenses. In addition, where the current Code references mobile home parks, the terminology had been changed to land lease communities, and basic standards for maintenance and licensing of land lease communities had been developed. Mrs. Townshend explained that much of the language involved the zoning section of the Code, as well as the licensing section for manufactured homes. She noted that staff did a sweep of the entire Code and reviewed any section that referenced the terms manufactured home, mobile home, or trailer to make sure the text was consistent with current terminology.

Councilman Neil read a prepared statement, as follows:

> Monday night, we heard Chief Carey mention the fire at the Grandview mobile home community that damaged or destroyed 3 houses. Several years ago before I was elected to this august body, Councilman Hare, then Councilman Perza and I toured several leased land communities, one of those was Grandview... which isn't grand at all.
>
> The potholes, contrary to State Law and the City code, were deep enough to serve as swimming pools for kids.
>
> I have sent each of you copies of the arbitrators decision in the Wild Meadows case in which the arbitrator said . . . "In all, I am left asking myself: If the City of Dover

had not issued the Violation Letter, would the Landlord have ever fixed the community's problems? The record before me indicates No . . . ."

Wild Meadows is located on wetlands, the community owner was required to sign a topography map. Deep fissures or sinkholes were clustered around failing drains. Streets the City would build to last for 20 to 30 years, are going bad after 12.

Today, I sent to you the Saga of the Gas Cut-off. The problem is, for the same services we provide, the values of homes drop, and we collect less tax money.

The State of Delaware has laws that it can't or does not enforce. The low income and limited income home owners are held at the mercy of the landlord because Leased Land communities are not "Free Enterprise" businesses. In the past, the Wild Meadows Home Owners Association had to request the City to make management cut down a tree branch that blocked a stop sign.

While this ordinance can't cure all of the ills in the leased land arena, this will mark the first in the State to hold community owners accountable for health and safety violations of the law, or face the loss of their license to operate.

Mr. Neil moved to recommend adoption of Proposed Ordinance #2016-16, seconded by Mr. Hutchison and unanimously carried.

Mr. Neil moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 7:55 p.m.

Mr. Sudler moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 7:56 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2016\06-14-2016 CCW.wpd

Attachments

Attachment #1 - Correspondence from Mr. Michael Maupin, MauTiste Investment Group, dated June 9, 2016 - Extension of offer to Purchase 29 South Governors Avenue and 749 West North Street

Attachment #2 - Information provided by Mr. Kirby Hudson, Assistant City Manager, regarding "City of Dover Collection Agency Services Contract, RFP Number 16-0033CM"

Attachment #3 - Trial Balance Report prepared May 31, 2016

Attachment #4 - Documents provided by Mr. Lester Blakeman - Exhibit A - COLA History, Exhibit B1 - Breakdown of Monthly Pension Payments, and Exhibit B2 - Pension List 2008

MAUTISTE INVESTMENT GROUP
IMPROVING YOUR PIECE OF THE WORLD

June 9, 2016

City of Dover
Division of Purchasing
710 William Street
Dover, DE 19904

Attention Procurement Manager:

MauTiste Investment Group (MIG) is prepared to extend the expiration date of our offer to purchase the parcels listed in the enclosed letter to the City of Dover dated April 12, 2016. After a better understanding of the approval process, we are pleased to allow the City of Dover the necessary time to fully consider the benefits of MIG developing 3 additional homes for sale in the city this year.

The expiration date of our offer is extended to July 15, 2016.

Sincerely,

Michael Maupin

Michael Maupin
Managing Director
MauTiste Investment Group

MAUTISTE INVESTMENT GROUP
IMPROVING YOUR PIECE OF THE WORLD

April 12, 2016

City of Dover
Division of Purchasing
710 William Street
Dover, DE 19904

Attention Procurement Manager:

MauTiste Investment Group, a Delaware Limited Liability Company and NCALL Loan Fund, Inc., a Delaware Non-Profit Community Development Financial Institution, are working together to development home ownership opportunities in Dover. MauTiste is offering to purchase and develop two parcels **(Listed Below)** owned by the City of Dover. NCALL Loan Fund Inc. will be our funding partner. It is our plan to acquire and immediately develop these parcels for sale. The terms and conditions for the sale of these parcels are specified in the City of Dover's RFP dated August 1, 2015. MauTiste is prepared to enter into an agreement of sale within two weeks after our offer is accepted.

Offer Sheet

No. 16-0008CM; 29 South Governors Avenue $8,000

No. 16-0004CM; 749 West North Street $18,000

Total Offer- $26,000

This offer will expire in 15 days or on April 29, 2016.

Sincerely,

Michael Maupin
Managing Director
MauTiste Investment Group

City of Dover

Collection Agency Services Contract

RFP Number 16-0033CM

Collection Agency Services Contract
RFP Number 16-0033CM
Decision Scale

	Location	Number of Years in Business	Delaware location preference as specified in RFP.	Minority business preference as specified in the RFP.	Are they licensed to collect in all 50 states?	Do they currently have clients in Delaware?	Can accept CSV and excel files and offers client portals.	Willing to offer Training?	Fee is negotiable	What is the contingency rate?	Eliminated ?	Rank
SIMM Associates, Inc.	Delaware	24	x		x	x	x	x	x	20%		1
NRA Group, LLC	Pennsylvania	30		x		x	x	x	x	24%	x	
Penn Credit Corporation	Pennsylvania	27			x	x	x	x	x	20.5%		2
Progressive Financial	Pennsylvania	30			x	x	x	x		23%		3
Creditech, Inc.	Pennsylvania	80			x		x			18%	x	
The Affiliated Group, Inc.	Minnesota	90			x	x	x			19%	x	
Contract Callers, Inc.	Pennsylvania	89					x			24%	x	
Municipal Services Bureau	Texas	24					x			25%	x	

- All companies listed offer services similar in nature and are comparable in terms of auto dialer and timed calls, paper correspondence, consumer dispute resolution, credit bureau reporting, office hours, and client location services. Each company has provided a Collectors Code of Ethics and regulatory requirements for Federal, State, and Local Guidelines; to include FDCPA and FCRA.

PREPARED 5/31/16, 22:10:32 TRIAL BALANCE PAGE 11649
PROGRAM UT425L
CITY OF DOVER

	RCV CODE	DESCRIPTION	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
* FINAL TOTALS *	IM	CTY SEWER IMPACT FEE	.00	.00	.00	13,672.50	13,672.50
	WO	TR EL W/O TO ACT ACC	.00	.00	.00	34.20	34.20
	01	WATER SERVICE	230,558.95	23,415.98	3,821.24	34,547.14	292,343.31
	02	WASTEWATER SERVICE	133,722.32	13,080.66	3,557.53	28,848.45	179,208.96
	03	KENT CTY SEWER ADJ	102,883.06	10,331.78	2,908.35	24,037.69	140,160.88
	04	GROUNDWATER ADJ	65,872.79	6,835.40	1,931.71	10,169.10	84,809.00
	13	MISC WATER/SEWER	100.00	100.00	.00	235.00	435.00
	14	SEWER PENALTY	280.28	249.82	115.92	989.35	1,635.37
	15	KCSA PENALTY	212.78	204.34	108.39	976.57	1,502.08
	17	BULK TRASH	275.00	.00	.00	25.00	300.00
	18	RESIDENTIAL TRASH	78,053.99	6,244.23	699.62	16,682.29	101,680.13
	19	COMMERCIAL TRASH	13,930.46	1,149.09	34.00	579.17	15,692.72
	21	RESIDENTIAL ENERGY	899,103.15	103,241.56	14,762.50	539,554.92	1,556,662.13
	22	COMM UTIL TAX 2.00%	141.02	.00	.00	9.38	150.40
	24	COMM UTIL TAX 4.25%	24,080.04	1,299.17	74.47	3,113.46	28,567.14
	26	COMM OUTDOOR LGHTNG	27,847.70	845.28	.00	782.02	29,475.00
	28	RES OUTDOOR LGHTNG	3,055.14	242.31	62.70	919.97	4,280.12
	31	COMMERCIAL ENERGY	824,755.99	46,016.73	3,075.20	86,452.59	960,300.51
	32	PRIMARY ENERGY	1,061,659.72	28,821.15	2,007.42	46,920.91	1,139,409.20
	36	PRIMARY ENERGY ADJ	.00	.00	.00	7,293.11	7,293.11
	39	MISC ELECTRIC REV	15,549.72	116.17	4.16	4,126.96	19,797.01
	40	DOVER AFB	325,527.93	97,072.27	.00	.00	422,600.20
	42	KRAFT	261,221.30	.00	.00	.00	261,221.30
	44	PROCTER & GAMBLE	81,562.50	.00	.00	.00	81,562.50
	46	PRIMARY UT TAX 2.00%	6,031.02	176.50	217.62	1,832.89	8,258.03
	47	PRIMARY UT TAX 4.25%	19,193.32	.00	.00	.00	19,193.32
	48	TRANS UT TAX 2.00%	7,624.10	4,484.33	.00	.00	12,108.43
	50	ELECTRIC PENALTY	3,324.51	2,151.48	323.16	18,961.66	24,760.81
	51	WATER PENALTY	313.88	287.60	109.83	1,211.93	1,923.24
	52	ELECT RET CHECK FEE	1,237.40	576.63	80.00	4,061.55	5,955.58
	53	ELECTRIC SERVICE CHG	7,307.57	4,198.14	604.52	22,474.23	34,584.46
	60	BILLED DEPOSIT	9,661.14	1,642.77	6.52	.00	11,310.43
	70	FIRST STATE POWER	31,660.95	.00	.00	.00	31,660.95
	72	WHITE OAK SOLAR	6,862.89	.00	.00	.00	6,862.89
	80	INTERNET SERVICE	.00	.00	.00	79.50	79.50
	81	GRASS CUTTING	.00	.00	.00	90.00	90.00
	85	POLICE FINES	2,800.00	.00	.00	.00	2,800.00
	91	CURBSIDE RECYCLE	30.00	.00	.00	.00	30.00
	96	GREEN ENERGY ADJ	6,047.78	1,741.29	56.70	1,048.90	8,894.67
		* TOTAL	4,252,488.40	354,524.68	34,561.56	869,730.44	5,511,305.08
					LESS CREDIT BALANCES		393,237.13-
					NET TOTAL		5,118,067.95

* FINAL STATUS TOTALS * STATUS	DEBIT BALANCES	/ ACCOUNTS	CREDIT BALANCES	/ ACCOUNTS	NET BALANCES	/ ACCOUNTS	TOTAL ACCOUNTS WITH 0 BALANCES
A ACTIVE	4,599,133.81	12,890	228,328.22-	1,449	4,370,805.59	24,336	9,997

RCV CODE	DESCRIPTION	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL

* FINAL STATUS TOTALS * STATUS	DEBIT BALANCES	DEBIT ACCOUNTS	CREDIT BALANCES	CREDIT ACCOUNTS	NET BALANCES	NET ACCOUNTS	TOTAL ACCOUNTS WITH 0 BALANCES
C COLLECTION	822,996.96	2,676	13,104.18-	31	809,892.78	3,589	882
F FINALLED	74,533.74	521	151,232.70-	625	76,698.96-	99,943	98,797
I INACTIVE	.00	0	.00	0	.00	8	8
N TERMINATED, NONPAY	.00	0	.00	0	.00	17	17
T TERMINATED	14,630.77	104	572.03-	11	14,058.74	213	98
W WRITE OFF	9.80	1	.00	0	9.80	3,582	3,581
TOTALS	5,511,305.08	16,192	393,237.13-	2,116	5,118,067.95	131,688	113,380

A

COLA History

January 1, 1983	less than 3 years 3 to 15 years more than 15 years	0% 5.7% 10.5%
July1, 1986	all retirees	2%
July 1, 1988	all retirees prior to 6/30/88	5%
July 1, 1989	all retirees prior to 6/30/89	2%
1993	$60/year - max $600 based on years of service	0%
July 1, 1996	years of service & pension amount - minimum $100	
July 1, 2000	all retirees $20 per month - increase minimum monthly amount to $200	
July 1, 2002	all retirees prior to December 31, 2000	2%
July 1, 2003	all retirees	1.5%
July 1, 2005	all retirees prior to December 31, 2004	2%
June 26, 2006	all retirees prior to January 1, 2006	1%
July 2007	None - $75,00 set aside for July 2008	

This document was provided by Mr. Lester Blakeman, and the information included has not been verified by City staff.

B1

145

BREAKDOWN OF MONTHLY PENSION PAYMENTS (Retiree Payment as of January 15, 2008)

Civilian Pension Plan

	$999		$1,000 $1,999		$2,000 $2,999		$3,000 $3,999		$4,000 $4,999	
	Month	Year	Month	Year	Month	Year	Month	Year	Month	Year
1	$200.00	$2,400.00	$1,002.06	$12,024.72	$2,181.21	$26,174.52	$3,090.78	$37,089.36	$4,212.04	$50,544.52
2	$217.59	$2,611.08	$1,005.20	$12,062.40	$2,182.21	$26,186.52			$4,551.87	$54,622.44
3	$217.59	$2,611.08	$1,026.48	$12,317.76	$2,183.21	$26,198.52				
4	$217.59	$2,611.08	$1,051.56	$12,618.96	$2,184.21	$26,210.52				
5	$217.59	$2,611.08	$1,055.58	$12,666.96	$2,185.21	$26,222.52				
6	$217.59	$2,611.08	$1,066.61	$12,799.32	$2,186.21	$26,234.52				
7	$217.59	$2,611.08	$1,073.00	$12,876.00	$2,187.21	$26,246.52				
8	$223.84	$2,686.08	$1,111.05	$13,332.60	$2,188.21	$26,258.52				
9	$225.91	$2,710.92	$1,121.94	$13,463.28	$2,189.21	$26,270.52				
10	$226.37	$2,716.44	$1,130.60	$13,567.20	$2,190.21	$26,282.52				
11	$270.11	$3,241.32	$1,132.09	$13,585.08	$2,191.21	$26,294.52				
12	$272.45	$3,269.40	$1,142.54	$13,710.48	$2,192.21	$26,306.52				
13	$276.21	$3,314.52	$1,149.11	$13,789.32	$2,193.21	$26,318.52				
14	$293.06	$3,516.72	$1,153.62	$13,843.44	$2,194.21	$26,330.52				
15	$314.79	$3,777.48	$1,162.32	$13,947.84	$2,195.21	$26,342.52				
16	$321.01	$3,852.12	$1,166.43	$13,997.16	$2,196.21	$26,354.52				
17	$328.71	$3,944.52	$1,172.18	$14,066.16	$2,197.21	$26,366.52				
18	$332.04	$3,984.48	$1,198.80	$14,385.60	$2,198.21	$26,378.52				
19	$347.81	$4,173.72	$1,221.72	$14,660.64	$2,199.21	$26,390.52				
20	$368.14	$4,417.68	$1,266.52	$15,201.84	$2,200.21	$26,402.52				
21	$368.99	$4,427.88	$1,272.39	$15,268.68	$2,201.21	$26,414.52				
22	$396.50	$4,758.00	$1,297.40	$15,568.80	$2,202.21	$26,426.52				
23	$416.76	$5,001.12	$1,299.32	$15,591.84	$2,203.21	$26,438.52				
24	$426.75	$5,121.00	$1,331.62	$15,979.44	$2,204.21	$26,450.52				
25	$428.00	$5,136.00	$1,349.75	$16,197.00	$2,205.21	$26,462.52				
26	$428.13	$5,137.56	$1,365.80	$16,389.60	$2,206.21	$26,474.52				
27	$428.48	$5,141.76	$1,368.88	$16,426.56	$2,207.21	$26,486.52				
28	$448.02	$5,376.24	$1,378.78	$16,545.36	$2,208.21	$26,498.52				
29	$459.44	$5,513.28	$1,379.04	$16,548.48	$2,209.21	$26,510.52				
30	$481.35	$5,776.20	$1,386.25	$16,635.00	$2,210.21	$26,522.52				
31	$506.45	$6,077.40	$1,443.68	$17,324.16	$2,211.21	$26,534.52				
32	$508.01	$6,096.12	$1,463.89	$17,566.68	$2,212.21	$26,546.52				
33	$510.16	$6,121.92	$1,475.60	$17,707.20	$2,213.21	$26,558.52				
34	$513.48	$6,161.76	$1,476.79	$17,721.48						
35	$518.80	$6,225.60	$1,497.18	$17,966.16						
36	$549.85	$6,596.20	$1,514.28	$18,171.36						
37	$574.39	$6,892.68	$1,553.00	$18,636.00						
38	$586.79	$7,041.48	$1,560.00	$18,720.00						
39	$589.59	$7,075.08	$1,562.24	$18,746.88						
40	$590.65	$7,087.80	$1,576.10	$18,913.20						
41	$594.79	$7,137.48	$1,579.57	$18,954.84						
42	$600.64	$7,207.68	$1,603.91	$19,246.92						
43	$608.99	$7,307.88	$1,645.64	$19,747.68						
44	$618.73	$7,424.76	$1,656.74	$19,880.88						
45	$643.25	$7,719.00	$1,657.93	$19,895.16						
46	$685.08	$8,220.96	$1,675.09	$20,101.08						
47	$708.19	$8,498.28	$1,700.89	$20,410.68						
48	$715.09	$8,581.08	$1,731.62	$20,779.44						
49	$718.66	$8,623.92	$1,736.19	$20,834.28						
50	$727.08	$8,724.96	$1,752.17	$21,026.04						
51	$739.01	$8,868.12	$1,786.69	$21,440.28						
52	$739.48	$8,873.76	$1,816.03	$21,792.36						
53	$743.81	$8,925.72	$1,829.05	$21,948.60						
54	$751.64	$9,019.68	$1,849.02	$22,188.24						
55	$753.26	$9,039.12	$1,860.54	$22,326.48						
56	$771.09	$9,253.08	$1,865.02	$22,380.24						
57	$777.70	$9,332.40	$1,873.23	$22,478.76						
58	$779.58	$9,354.96	$1,877.84	$22,534.08						
59	$785.98	$9,431.76	$1,881.24	$22,574.88						
60	$797.59	$9,571.08	$1,894.79	$22,737.48						
61	$800.70	$9,608.40	$1,903.91	$22,846.92						
62	$824.51	$9,894.12	$1,957.26	$23,487.12						
63	$840.68	$10,088.16								
64	$846.63	$10,159.56								
65	$865.40	$10,384.80								
66	$869.30	$10,431.60								
67	$885.37	$10,624.44								
68	$887.54	$10,650.48								
69	$892.48	$10,709.76								
70	$911.86	$10,942.32								
71	$917.25	$11,007.00								
72	$979.19	$11,750.28								
73	$979.58	$11,754.96								
74	$999.80	$11,997.60								

172 total

43% 36% 18% 1% 1%

79%

136

$31,200 = $15.00 hour

This document was provided by Mr. Lester Blakeman, and the information included has not been verified by City staff.

B2

Sheet2

Pension list 2008 –				
Retired on		Monthly Payment		Annual Payment
07/14/15		$425.13		$5,101.56
11/11/12		$669.29		$8,031.48
06/20/14		$683.46		$8,201.52
08/31/11		$742.61		$8,911.32
04/01/13		$822.00		$9,864.00
02/18/12		$823.37		$9,880.44
06/30/12		$897.16		$10,765.92
05/11/13		$901.52		$10,818.24
9 01/03/08		$979.19		$11,750.28
09/19/09		$1,188.40		$14,260.80
11/01/09		$1,198.10		$14,377.20
05/28/10		$1,282.48		$15,389.76
05/11/13		$1,337.07		$16,044.84
07/08/09		$1,383.40		$16,600.80
05/18/13		$1,462.71		$17,552.52
09/29/12		$1,508.12		$18,097.44
11/21/09		$1,608.06		$19,296.72
05/25/13		$1,616.89		$19,402.68
10/06/14		$1,714.28		$20,571.36
01/03/12		$1,755.85		$21,070.20
06/30/12		$1,778.09		$21,337.08
01/28/10		$1,781.69		$21,380.28
06/24/11		$1,837.87		$22,054.44
05/22/12		$1,846.84		$22,162.08
06/25/10		$1,854.47		$22,253.64
05/30/12		$1,866.15		$22,393.80
11/17/12		$1,886.44		$22,637.28
01/28/12		$1,917.31		$23,007.72
08/01/09		$1,937.52		$23,250.24
10/11/09		$1,974.60		$23,695.20
02/01/08		$1,978.44		$23,741.28
23 05/31/13		$1,998.78		$23,985.36
03/29/08		$2,018.84		$24,226.08
01/19/13		$2,032.43		$24,389.16
08/06/09		$2,046.68		$24,560.16
05/25/13		$2,095.60		$25,147.20
01/02/10		$2,107.25		$25,287.00
08/29/09		$2,205.80		$26,469.60
09/26/09		$2,209.90		$26,518.80
05/02/10		$2,237.47		$26,849.64
06/27/15		$2,244.68		$26,936.16
04/01/10		$2,244.75		$26,937.00
03/27/10		$2,287.29		$27,447.48
07/04/14		$2,348.55		$28,182.60
11/18/10		$2,417.42		$29,009.04
05/17/15		$2,468.14		$29,617.68
02/23/13		$2,534.94		$30,419.28
04/06/12		$2,626.91		$31,522.92
17 01/07/12		$2,840.34		$34,084.08
06/16/12		$3,192.05		$38,304.60
11/16/15		$3,277.12		$39,325.44
11/06/14		$3,388.56		$40,662.72
01/09/11		$3,578.61		$42,943.32
5 02/14/13		$3,962.46		$47,549.52
01/04/14		$4,297.92		$51,575.04
2 06/10/11		$5,393.20		$64,718.40

32 418 168 30% 9% 4% 172

This document was provided by Mr. Lester Blakeman, and the information included has not been verified by City staff.

$31,200

ACTION FORM

PROCEEDING: Council
DEPARTMENT OF ORIGIN: Safety Advisory & Transportation Committee **DATE SUBMITTED**: 6/20/16
PREPARED BY: Ann Marie Townshend on behalf of Councilman James Hosfelt
SUBJECT: Abandonment of Topaz Circle Stub Street
REFERENCE: N/A
RELATED PROJECT: The Arbors Senior Apartments
REVIEWED BY: N/A
EXHIBITS: Map Exhibit MI-16-06, Chronology of Development Activity for 1051 College Road, Abandonment of Streets or Alleys – Improved – Policy for City Clerk's Office
EXPENDITURE REQUIRED: **N/A** **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: Referral to Development Advisory Committee and Planning Commission (July 18, 2016 meeting); Utility Committee for August 9, 2016
RECOMMENDED ACTION: City Council needs to make a recommendation to: 1) waive the normal process for street abandonment, and 2) refer the matter to the Planning Commission for a public hearing on July 18, 2016.

BACKGROUND AND ANALYSIS

Following the Planning Commission's approval of the Arbors Senior Garden Apartments (S-16-07) at 1051 College Road, members of City Council heard concerns from residents in Emerald Point regarding the interconnection between the Arbors and Emerald Point. Emerald Point was approved by the Planning Commission with two stub streets, one of which is at Topaz Circle and connects south to 1051 College Road (the Arbors). This stub street has been improved as part of the Emerald Point construction.

At the Safety Advisory and Transportation Committee meeting of April 26, 2016, the Committee heard a presentation from the Planning Office about the history of the Arbors project and interconnection between the subject site and Emerald Point, followed by public testimony with regard to the interconnection. The Committee unanimously approved a motion to "[look] into the process of abandoning the stub street that was recommended by the Planning Commission in Emerald Pointe." This motion was ultimately approved by City Council through the acceptance of the Safety Advisory and Transportation Committee minutes on May 9, 2016.

The City's charter provides City Council the power and authority to vacate or abandon streets (Article II, Section 27). The Dover Code of Ordinances does not specify a process for street abandonment, but the City has consistently followed a process specified by the City Clerk's Office (attached). This process begins with a request from an adjacent property owner. In this case, there is no such request; however, it is within the authority of City Council to initiate the process. Proposals for abandonment of improved streets are referred to the Development Advisory Committee and the Planning Commission. The Planning Commission makes a recommendation to the Utility Committee. The Utility Committee makes a recommendation to City Council, who sets a public hearing and takes action following the public hearing. This process would start with a motion by City Council to waive the normal process for street abandonment and to refer the matter to the Planning Commission.

City of Dover

Department of Planning & Inspections

Application No.: MI-16-06



Title: Abandonment of Topaz Circle stub street
Address: Emerald Pointe subdivision
Zoning: R-8 (One Family Residence Zone)
Date: 5-19-16

Legend

- Project Area
- Dover Parcels
- Zoning
- Dover Boundary

N
W E
S

0 250 500 1,000 Feet

Chronology of Development Activity for Property at 1051 College Road, Dover, DE
Tax Parcel: ED-05-067.00-01-35.03-000

2002 Emerald Point Subdivision (SB-02-01F)

- Development review for property to the north of property at 1051 College Road.
- Residential Subdivision of 107 single family detached dwelling units.
    - Subdivision entrance from McKee Road leading to internal street network of two major streets with several other cul-de-sac streets and two streets showing interconnectivity to adjacent parcels.
    - During the land planning process for the residential subdivision of Emerald Pointe a 'stub street' from Topaz Circle was planned to provide for access to a then vacant tract of land on College Road and to provide the continuation of the traffic circulation network in the general area. Opal Place is also a 'stub street' to another adjacent vacant lot north of Hidden Oaks.
    - Utility network (water and sewer services) located within the right-of-way are stubbed to the property line.
- July 3, 2002 Development Advisory Committee Review
- August 19, 2002 Planning Commission Review of Conceptual Subdivision Plan and granted approval to concept plan and recommended approval of waiver to reduce paved street width from 38 feet to 32 feet in the subdivision.
- September 9, 2002 Utility Committee Recommends approval of waiver to reduce the paved width of the streets from 38 feet to 32 feet with the right-of-way remaining at 60 feet. Accepted by City Council on September 23, 2002.
- October 10, 2002 Development Advisory Committee Review
- October 25, 2002 Planning Commission Review of Preliminary Subdivision Plan and grants conditional plan approval including waiver to reduce paved street width from 38 feet to 32 feet and noting that future interconnection from the subdivision to adjacent properties will be subject to review processes.
    - The subdivision streets of Topaz Avenue (Circle) and Opal Place are designed to provide the opportunity for interconnection to adjacent parcels should they be developed in the future.
    - DelDOT recommends relocation of the future connection that extends Topaz Avenue (Circle) to College Road since its it too close to the intersection of Saulsbury/McKee Road; the recommendation is to move the connection further west.
- March 19, 2004 Final Plan Approval granted to Subdivision Final Record Plat by Planning Office.
    - Includes Entrance Plan approval by DelDOT on March 6, 2003. Commercial Entrance Permit issued October 6, 2003 for subdivision entrance to McKee Road
- Construction of Emerald Point Phase 1 begins June 2004 and construction of Emerald Point Phase II begins February 2006.

2004 **Lands of Mary E. McKee: Minor Subdivision Plan (SB-04-06)**

- Application filed August 4, 2004: Property at 1021 W. State College Road (6.1163 acres) is proposed for subdivision into two parcels as Parcel A of 4.0345 acres and the residual of 2.0818 acres. Initial parcel identified as Tax Parcel Ed-05-067.00-01-35.00-000. (Parcel A becomes The Arbors site.) Property is zoned R-8.
    - The Property had filed applications in June 2004 for amendment to the Comprehensive Plan and seeking rezoning of the property to CPO. The requests were denied by the Planning Commission and then withdrawn by the applicant. (MI-04-07 and Z-04-07).
- September 9, 2004 Development Advisory Committee Review.
    - City Public Works Office requested cross access easement language to allow access from College Road to the proposed stub of Topaz Circle in Emerald Point subdivision.
    - DelDOT requests 60 ft. cross access easement across property from property to the north (for continuation of street network from Emerald Point project). Specific location to be determined in the future.
- September 20, 2004 Planning Commission Public Hearing and Review: Action to approve subdivision with condition.
    - Planning Commission required that the location and width of the perpetual cross access from the adjacent property on the north (Emerald Pointe Subdivision) across the subject property to College Road will be determined in conjunction with the Site Plan approval process for development of the subject property.
    - The adjacent property on the north (Emerald Point) includes a right-of-way for a public street which currently terminates at the adjoining property line.
- October 29, 2004 Final Record Plan Approval granted to Subdivision Plan. Record Plan includes Note: "This plan hereby provides a 24 feet wide perpetual cross access easement from College Road to the proposed stub street of Topaz Circle to be construction in Emerald Point Subdivision. The exact location of the easement to be determined at the time of development of Parcel A."

2005 **College Road Garden Apartments: Planned Neighborhood Design - Senior Housing Option (C-05-01)**

- The project was reviewed under the provisions of the Planned Neighborhood Design – Senior Citizen Housing Option in order to construct 52 units in two apartment style buildings and with a garage building. Project included entrance to College Road and a connection of a drive aisle to Topaz Circle.
- April 7, 2005 Development Advisory Committee Review
- April 18, 2005 Planning Commission Public Hearing and Review: took action to table application seeking additional information on building details, project density, traffic circulation, and the recreation area.

- April 21, 2005 Active Recreation Area Plan reviewed by PRCE.
- May 6, 2005 Revised Plan submitted that revised unit count to 48 dwelling units, revised traffic circulation, etc.
- May 16, 2005 Planning Commission Review: Action to grant approval with conditions
- 2005-2006 Review of several Check Prints as project moved toward Final Plan
- May 15, 2006 Planning Commission grants a one-year extension of plan approval.
- May 30, 2007 Plan expires; plan not finalized.

2007 **The Arbors: Planned Neighborhood Design – Senior Housing Option (C-07-05)**

- The Conditional Use Site Plan project was reviewed under the provisions of the Planned Neighborhood Design – Senior Citizen Housing Option in order to construction an apartment style building of 48 units.
- June 7, 2007 Development Advisory Committee Review
- June 18, 2017 Planning Commission Public Hearing and Review: took action to table application seeking further discussions of the traffic distribution and circulation for the site and the potential extension of Topaz Circle to College Road as a public street.
- August 9, 2007 Development Advisory Committee Review of Revised Plan
- August 20, 2007 Planning Commission Public Hearing & Review: Action to grant approval with conditions and including recommendations of approval for street waivers on horizontal curve radius and reduction of street right-of-way from 60 feet to 46 feet for creation of public street.
- September 9, 2007 Utility Committee Review of street waivers recommending approval to City Council.
- August 18, 2008 Planning Commission grants a one-year extension of plan approval.
- February 17, 2009 Planning Commission informational review of plan design revisions.
- June 22, 2009 Record Plan approval granted.
- June 26, 2009 Record Plan recorded to establish right-of-way of Senior Way as a public street that divided the parcel into two areas.
- July 13, 2009 Final Plan Approval granted to Conditional Use Site Plan.
- August 31, 2009 C-07-05 Plan approval expires as construction was not commenced.

2009 **Record Plan for Senior Way**

- June 26, 2009 Record Plan recorded establishing the right-of-way for Senior Way as associated with C-07-05. Record Plan was completed and recorded to establish the street right-of-way (width of 46 feet) for Senior Way as a public street and divided the property into two areas.
    - The street known as Senior Way (the continuation of the Topaz Circle "Stub Street") as a public street to interconnect with College Road.
    - In addition, the street interconnection provides a distinct second

entrance to both The Arbors and to Emerald Pointe Subdivision as now required with the revised *Land Subdivision Regulations* pertaining to streets.
    - Record Plan establishing public street right-of-way remains in place; no requirement for plan expungement in *Land Subdivision Regulations*.

2009-2010 Rezoning of Lands of JNK, LLC at 1051 College Road: Rezoning to RG-2 (Z-09-05)

- Rezoning request (Z-09-05) for the property at 1051 College Road (Lands of JNK, LLC) from R-8 (One Family Residence Zone) to RG-2 (General Residence Zone). RG-2 allows multiple dwellings.
- March 15, 2010 Planning Commission Public Hearing and Review: Recommends approval of rezoning to RG-2.
- April 12, 2010 City Council approved the rezoning to RG-2.

2010 The Arbors Condominiums (C-10-02)

- April 22, 2010 Application Filed: Conditional Use Site Development Plan C-10-02 proposed The Arbors Condominiums as an apartment building with forty-eight (48) units. The proposed use is considered a multiple dwelling.
    - The Application proposed access to The Arbors from McKee Road only by traveling through Emerald Point via the Topaz Circle stub street to two entrance/exit points (no public street construction proposed). An emergency access only connection to College Road was proposed.
- July 8, 2010 Development Advisory Committee Review
    - Planning Staff recommends redesign of the site layout to implement construction of Senior Way (the continuation of the Topaz Circle stub street) to interconnect with College Road and to also provide access from the street to The Arbors. Similar comments also provided by Public Works Office, Fire Marshal's Office, and Dover/Kent County MPO.
- July 12, 2010 Review of Active Recreation Area Plan by PRCE Committee
- July 19, 2010 Planning Commission Public Hearing but postponed action on Application C-10-02 seeking additional information on unit types and streets/interconnectivity.
- August 16, 2010 Planning Commission Review continued: granted approval of C-10-02 with conditions.
    - Condition of approval includes the requirement to construct a public street from College Road and connecting to Emerald Point at Topaz Circle. This public street is to be constructed in the existing right-of-way for Senior Way. Access to The Arbors would be from this new public street.
- July 18, 2011 Planning Commission grants a one-year extension of plan approval.
- August 20, 2012 Planning Commission grants a second one-year extension of plan approval.
- August 31, 2013 Plan expired. Plan not finalized; no construction authorized.

2016 The Arbors Senior Garden Apartments (S-16-07)

- February 5, 2016 Application filed: Site Plan (S-16-07) to permit construction of a 48-unit senior garden apartment complex consists of a proposed three-story 55,350 S.F. residential building and associated site improvements.
    - Includes construction of an improved public street (Senior Way) on existing right-of-way connecting College Road and Topaz Circle. The parcel exists as two discontinuous areas on either side of the right-of-way. The entrance to The Arbors is from Senior Way.
    - The owner of record is Shree Ganesh LLC
- March 2 and 6, 2016 Development Advisory Committee Meetings & Review
- March 15, 2016 Review of Active Recreation Plan by PRCE-COW
- March 21, 2016 Planning Commission Public Hearing and Review: Action to grant conditional approval of Site Plan S-16-07

ABANDONMENT OF STREETS OR ALLEYS - IMPROVED - Policy for City Clerk's Office

(Article II - Mayor and Council, Section 27 - Power of Council to layout, locate, abandon, etc., streets, sidewalks, etc of the Charter).
The council shall have power and authority to lay out, locate, accept, and open new streets and to widen and to alter existing streets or parts thereof, and to vacate or abandon streets or parts thereof, whenever they shall deem it for the best interest of the city.

Whenever, the land comprehended or included in any street, or part thereof, vacated or abandoned under this section is owned by the city, the council may, in their discretion, sell such land either at private or public sale and for such consideration as the council shall deem proper, and shall have the right and power to convey to the purchaser or purchasers thereof a good and sufficient title thereto.

The word "street" shall be deemed and held to comprehend and include sidewalks, lanes and alleys.

Request for Alley/Street Abandonment for_____

Staff Development Advisory Committee (DAC):_____
Applicant Development Advisory Committee (DAC):_____
Planning Commission:_____
Utility:_____
Council:_____
Council Public Hearing:_____

IMMEDIATELY UPON RECEIPT OF A REQUEST FOR ABANDONMENT OF STREETS OR ALLEYS	**DATE DONE**
1. Requests for abandonment of a street/alley should be submitted in writing to the City Clerk's Office. The Clerk's Office will refer the request to the Planning Department for review by the DAC and consideration by the Planning Commission. It will then be referred to the Utility Committee, and, if recommended for approval, to City Council (initially to set a public hearing and subsequently to hold this hearing). Upon receipt of the request, send an email to the Tax Assessor verifying the property owner of record. **(1 - Verification of Owner of Record)**.	
2. After receiving confirmation from the Tax Assessor that the applicant is the property owner of record, Open S:\Abandonments (current year) folder and create a new subdirectory using the property address to name the subdirectory (e.g., 235 Bayard Avenue). Scan the request and all supporting documentation and save it in the newly created subdirectory as "Request for Abandonment."	
3. Prepare a file folder label **(2 - File Folder Label)** and affix to a letter-sized file folder. Place a paper copy of the request in file folder. **Be sure to make a copy of all previous and subsequent related emails and correspondence for this file.**	

4.	If the requestor has provided other contacts, create a contact list with contact information for the requestor and any additional contacts provided by the requestor (e.g., those who were copied on the original request) **(3 - Contact List)**. Save in the property subdirectory.	
5.	Send an email, along with the request, to the Public Works Director **(4 - Email to Public Works Director - Improved vs. Unimproved)** to determine if the request for abandonment is for an improved or unimproved street or alley. If the alley is unimproved, print the procedure/checklist located at S:\CLERK"S OFFICE POLICIES AND PROCEDURES\Abandonments\Unimproved and place it inside the file folder. If improved, print this procedure/checklist and place it inside the file folder.	
6.	Schedule consideration of the request according to the Schedule for Consideration of Requests for Abandonment of an Alley/Street (S:\CLERK'S OFFICE POLICIES AND PROCEDURES\ABANDONMENTS) for the current year. Print a copy of the Schedule, highlight appropriate dates and place in file. Write the dates of the Staff DAC, Applicant DAC, Planning Commission, Utility, and both Council (Council Meeting and Public Hearing) meetings in pencil on the front of the file folder and on the first page of the Abandonment Checklist.	
7.	Send an email to the City Manager, City Clerk, Public Works Director, City Planner, and Assistant City Planner **(5 - Email to City Manager - Meeting Dates)** informing them of all meeting dates when the abandonment will be considered (Staff DAC, Applicant DAC, Planning Commission, Utility and two (2) City Council meetings).	
8.	Consult the City Clerk to ensure that the abandonment is listed on the appropriate Utility and Council agendas (two (2) Council agendas). Set ticklers to check draft agendas three (3) weeks prior to established meeting dates.	
9.	Send an email to the Public Works Director **(6 - Email to Public Works Director - Request for Map and Adjacent Owners)** to request a list of all affected City and County adjacent property owners and their addresses, as well as an aerial map of the alley proposed for abandonment. (The map should include street addresses and tax parcel ID numbers on each parcel and utilities, such as electric lines, sewer lines, and manholes. The entire alley/street requested for abandonment should be shown in red.). **This information will be compiled and submitted to the Planning Commission for a report to the Utility Committee**. Copy the City Manager and GIS Manager on the email.	
10.	Upon receipt of the list of adjacent property owners, create a data file in Wordperfect **(7 - Adjacent Property Owners Data File)**. Save in property subdirectory. Be sure to include any additional contacts provided by the requestor (see contact list above including those who were copied on original request).	

11. Send a letter to the property owner advising him/her of the procedure for abandonment and the dates of the Applicant DAC, Planning Commission, Utility, Council, and Council Public Hearing Meetings **(8 - Applicant Meeting Notification)**. Schedule response deadline according to the Schedule for consideration of Requests for Abandonment of an Alley/Street. Enclose a copy of the map provided by GIS. Make sure copies are sent to all appropriate parties (paper for contact list and electronic for staff). Set a tickler in Outlook for the response deadline.	
12. Send a similar letter to the adjacent property owners advising them of the request, the procedure for abandonment, and the dates of the Planning Commission, Utility, Council, and Council Public Hearing Meetings **(9 - Adjacent Property Owners Notification)**. Request an email address from interested parties for future notifications. Schedule response deadline according to the Schedule for consideration of Requests for Abandonment of an Alley/Street. Enclose a copy of the map provided by GIS. Make sure copies are sent to all appropriate parties (paper for contact list and electronic for staff). Set a tickler in Outlook for the date responses are due.	
13. Prepare a notice **(10 - Ad - Planning Commission Public Hearing)** of the Planning Commission Public Hearing (to be published in a local newspaper (not officially required) at least 15 days prior to the date of the Public Hearing. If submitting the ad to the Delaware State News, the ad should be sent via email to legalads@newszap.com in Word format. Print the email with the attachments (ad) for file.	
14. Set a tickler to verify that the ad was placed in the Delaware State News on the requested date. Be sure to make a copy of the ad in the newspaper for the file.	
15. Review responses from adjacent property owners to determine which property owners are interested. Send an email to the Public Works Director and GIS Manager **(11 - Email to Public Works Director - Request for CAF and Map)** listing the participating owners and properties and requesting **a legal description**, Committee Action Form (CAF) and an aerial map of the areas of the alley proposed for abandonment for the Utility Committee Meeting. Copy Jason Lyon, Public Works Department, on the email. (The Committee Action Form should indicate whether a utility easement would be required and include a recommendation that Council adopt a resolution setting a Public Hearing regarding the abandonment. The map should include street addresses and tax parcel ID's on each parcel and utilities, such as electric lines, sewer and storm sewer lines, and manholes. The portions of the alley/street requested for abandonment should be shown in red.)	
13. Open the Adjacent Owners Data File that was created previously. Save as Participating Property Owners Data File. Delete names of property owners who did not elect to participate and resave.	
14. Once the Utility Agenda has been finalized, print a copy and highlight the abandonment. Print relevant material from the Utility packet (CAF and aerial map from Public Works as well as Petition to Abandon and supporting DAC reports) and place it in the file as well.	

IMMEDIATELY FOLLOWING THE UTILITY COMMITTEE MEETING OF_____	
1. If the Utility Committee recommends abandonment, ensure that the abandonment is listed on the appropriate Council agenda for consideration of a resolution to set a public hearing regarding the abandonment.	
2. A resolution will be prepared for Council to set the date of the public hearing at the upcoming Council Meeting. The legal description provided by the Public Works Department will be used for the resolution. Open S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\Resolution Listing (Current Year) to determine the number for the resolution. Add the resolution to the Resolution Listing.	
3. Prepare the resolution to set the date of the public hearing **(12 - Resolution Setting the Public Hearing)**. The description provided by Public Works should be incorporated into the resolution and the resolution should be saved in S:\RESOLUTIONS-PROCLAMATAIONS-TRIBUTES\Year\DRAFT *(Example: Resolution No. 2014-01 - Setting Public Hearing - Street Abandonment - Budd Street)*. Publish to PDF and save a copy in PDF format in the property subdirectory.	
4. Place one (1) copy of the resolution in the abandonment file folder. **The resolution and map will be an attachment to the Utility Committee Meeting Minutes to be presented to Council for adoption during their meeting of _____.** **The following note will be included in the Utility Committee Meeting Minutes following the motion to recommend approval: *[City Clerk's Office Note: In accordance with the City's Procedure for Alley Abandonments, Resolution No. 20**-** setting a Public Hearing (Attachment #*) will be presented to Council for consideration.]*** *(If adopted, the resolution will be incorporated into the Council minutes.)*	
5. Post the resolution to the City of Dover website as a "Pending" resolution and update the status of the resolution on the resolution listing.	
6. Prepare a "clean" copy of the resolution by removing line numbers, "draft" watermark, and " proposed" from the resolution title, page header (if more than one page), and actions history. Insert the adopted date and save in S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\Year\DRAFT as Resolution No. 20**-** Abandonment - Budd Street - SIGNATURE). Publish to PDF and save a copy of the PDF in the property subdirectory.	
7. Print a copy of the "clean" resolution and give to the City Clerk to obtain Mayor and Council President signatures.	
8. Once the Council agenda is finalized, print the agenda and highlight the abandonment. Place in abandonment file. Print relevant material from the Council Packet and place in the file as well.	
9. If Council approves the resolution, the public hearing will be advertised in the Delaware State News. It is suggested that the ad be prepared at this point so that it will be ready to submit immediately after the Council Meeting (see Item #4, next section).	

IMMEDIATELY FOLLOWING THE COUNCIL MEETING OF _____	
1. Ensure that the Council Public Hearing for the abandonment is listed on the appropriate Council agenda, if a draft agenda is available.	
2. Upon Council's adoption, copies of the above resolution (with the adopted date and Mayor and Council President signatures) must be posted by the City Clerk in five (5) public places at least five (5) days prior to the public hearing. Post one (1) copy at City Hall and send a memo **(13 - Memo to Tax Assessor Requesting Posting of Resolution)**, along with four (4) copies of the resolution, to the Tax Assessor requesting them to distribute/post the resolutions at Reed Street, the Library, the Pitts Center, and the Kent County Administration Building. Request confirmation from the Tax Assessor.	
3. Scan the signed resolution and save PDF in S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\Year\ADOPTED as Resolution No. 20**-** - Resolution Setting a Public Hearing - Abandonment - Budd Street. Post the signed resolution on the city's website, update status to "ADOPTED", and update the status on the Resolution Listing. Index the resolution in Fortis in the City of Dover database as a Ceremonial Document. Save a copy of the PDF in the property subdirectory. Save the original in the property folder.	
4. The City Clerk's Office shall prepare a notice of Council's Public Hearing **(14 - Ad - City Council Public Hearing)** to be published in a local newspaper *(not officially required)* prior to the date of the Public Hearing. Submit the notice via email to legalads@newszap.com at the Delaware State News in Microsoft Word format. Print the email and attachment (ad) for the file.	
5. Set a tickler notice to verify that the ad was placed in the Delaware State News (DSN) on the requested date *(Example: If the ad was to appear in the DSN on 04/07/2010, set a reminder in Outlook for 04/07/2010 to check the DSN for the ad).* Be sure to make a copy of the ad in the newspaper for the file. Index ad in Fortis (General Files Public - Advertisement). Circulate ad to Clerk's Office staff to delete related emails from Microsoft Outlook.	
6. Post the Notice of Public Hearing to the City's home page as a Public Announcement. (Example: *Resolution No. 2013-02 - City Council Public Hearing - February 11, 2013 - Alley Abandonment - 971 and 975 Forest Street)*	
7. A resolution will be prepared to abandon the alley/street to be presented to Council during the Public Hearing scheduled for _____ Open S:\RESOLUTION & PROCLAMATION\Resolution Listing (Current Year) to determine the number for the resolution. Add the resolution to the Resolution Listing.	
8. Prepare the resolution abandoning the alley/street **(15 - Resolution Abandoning Alley)**. The description provided by the Public Works Director should be incorporated into the resolution and the resolution should be saved in S:RESOLUTIONS - PROCLAMATIONS-TRIBUTES\Year\DRAFT *(Example: Resolution No. 2014-01 - Street Abandonment - Budd Street)*. Publish to PDF and save. Place a copy of PDF in the property subdirectory.	

9. Place one (1) copy of the resolution in the abandonment folder. *(If adopted, the resolution will be incorporated into the Council Meeting minutes.)* Electronic and PDF versions of the resolution **and a PDF of the map** should be provided to the Administrative Assistant for the Council packet.	
10. Post the resolution to the City of Dover website as a draft resolution and update the resolution Listing.	
11. Prepare a "clean" copy of the resolution by removing line numbers, "draft" watermark, and "proposed" from the resolution title, header on second page, and actions history. Insert the adopted date and save in the property subdirectory. Public to PDF and save in S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\Year\DRAFT *(Example: Resolution No. 2014-02 - Abandonment - Budd Street)*.	
12. Print a copy of the "clean" resolution and give to the City Clerk to obtain Mayor and Council President signatures.	
13. Once the Council agenda is finalized, print the agenda and highlight the abandonment. Place in abandonment file. Print relevant material from the Council Packet and place it in the file as well.	
IMMEDIATELY FOLLOWING THE CITY COUNCIL PUBLIC HEARING OF_____	
1. If the Abandonment was approved:	
A. Scan the signed resolution and save PDF in S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\Year\ADOPTED as Resolution No. 20**-** - Resolution Setting a Public Hearing - Abandonment - Budd Street - ADOPTED AND SIGNED. Post the signed resolution on the city's website, update status to "ADOPTED", and update the status on the Resolution Listing. Index the resolution in Fortis in the City of Dover database as a Ceremonial Document. Save a copy of the PDF in the property subdirectory. Save the original in the property folder.	
B. The City Assessor may hold a legal bidding process for the property if the abandonment is for an **improved** street/alley. Results of bids will be forwarded to the Legislative and Finance Committee for review and recommendation to Council. Council has the right to accept or reject any bid.	
C. Send a letter with a copy of the signed resolution attached to applicant, participating property owners, and all contacts **(16 - Approval Letter)** advising them of the abandonment. Enclose the map that shows the abandoned portions of the street/alley. Send an electronic copy of the letter to the City Planner, City Assessor, Director of Public Works, and GIS Manager.	

C. Send a letter to the Deputy City Solicitor **(17 - Request for Preparation of Deeds)**, along with the resolution and copies of the notification letter (s) that were sent to participating property owners. Set a tickler in Outlook to follow up with the Deputy City Solicitor two (2) months after submission of the documentation. Make sure that the map of the abandoned portions of the street/alley is included.	
E. Update the Recorder of Deeds Summary (S:Clerk's Office/Recorder of Deeds/Summary of Deeds/Recorder of Deeds Log) to include the deeds as pending recording. Set an Outlook tickler to follow up on receipt of the recorded deeds after two (2) months.	
F. After new deeds are prepared by the Solicitor, they will be forwarded to the Mayor and City Clerk for signatures. Make copies of all documents for the file. The Solicitor will then have the signed deeds recorded with the Kent County Recorder of Deeds. The fully executed deed, and a bill for conveyance costs, will be sent to those involved in the property transfer by the Solicitor.	
G. The original recorded deed will be retained by the property owner. A copy of the recorded deed should be received from the City Solicitor. Follow up with Tax Assessor and City Solicitor. Upon receipt, email the deed to the Tax Assessor (Cheryl Russell) and the GIS Manager (Mark Nowak) **(18 - Email to Tax Assessor and GIS Manager - Recorded Deeds Received)**.	
H. All documents in the abandonment file folder should be scanned and indexed into the City Council and City Clerk Database in Fortis *(Property Files, Document Type - Abandonments)*. Once final, the file folder shall be transferred and filed in the filing cabinet in the safe.	
2. If the Abandonment was denied:	
A. Update the status of the resolution on the city's website as "DENIED" and update the status on the Resolution Listing.	
B. Send a letter to the applicant and all participating property owner **(19 - Denial Letter)** advising the them of the denial.	
C. All documents in the abandonment file folder should be scanned and indexed into the City Council and City Clerk Database in Fortis (Property Files, Document Type - Abandonments). After all files have been scanned, the file folder shall be transferred and filed in the filing cabinet in the safe.	

Forms kept in S:\CLERK'S OFFICE POLICIES AND PROCEDURES\ABANDONMENTS\BLOCKS\IMPROVED as follows:

1 - Verification of Owner of Record
2 - File Folder Label
3 - Contact List
4 - Email to Public Works Director - Improved vs. Unimproved
5 - Email to City Manager - Meeting Dates
6 - Email to Public Works Director - Request for Map and Adjacent Owners
7 - Adjacent Property Owners Data
8 - Applicant Meeting Notification
9 - Adjacent Property Owner Notification
10 - Ad - Planning Commission Public Hearing
11 - Email to Public Works Director - Request for CAF and Map
12 - Resolution Setting the Public Hearing
13 - Memo to Tax Assessor Requesting Posting of

Resolution
14 - Ad - City Council Public Hearing
15 - Resolution Abandoning Alley
16 - Approval Letter
17 - Request for Preparation of Deeds
18 - Email to Tax Assessor and GIS Manager - Recorded Deeds Received
19 - Denial Letter

Unimproved Alley - is normally abandoned to adjacent property owners at cost of conveyance.
Improved Alley - is normally disposed of by abandonment through legal bidding process.

S:\CLERK'S OFFICE POLICIES AND PROCEDURES\ABANDONMENTS\PROCEDURE\Abandonments Improved Alley-Streets Procedure (02-28-2014).wpd
Prepared by: City Clerk's Office /js
Revised 10/16/13

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: June 22, 2016
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Electric Rates & Tariffs – Transmission Voltage Federal Government Classification ("FT")
REFERENCE: N/A
RELATED PROJECT: N/A
REVIEWED BY: Scott D. Koenig, P.E., City Manager, Donna Mitchell, Controller
EXHIBITS: Exhibit A – Transmission Voltage Federal Government Classification ("FT") Tariff Sheet; Exhibit B – Correspondence dated November 17, 2015 from the City of Dover
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIME TIMETABLE: Implement upon Council approval.
RECOMMENDED ACTION: Authorize the City Manager to implement the Transmission Voltage Federal Government Classification ("FT") Rate & Tariff. The effective date will be back dated to July 1, 2015 and all necessary billing adjustments will be implemented.

BACKGROUND AND ANALYSIS

On July 1, 2015, the current rates for all electric customers were implemented in accordance with the FY-2016 City of Dover budget authorization. The new electric rates resulted in an increase of approximately 3.4 percent for the Dover Air Force Base. Under a 1954 agreement, the City of Dover was to provide notice of a rate increase to Dover Air Force Base in advance of implementation. Current City management was not aware of the notice requirement in advance of implementation and therefore did not notice the Air Force of the proposed rate increase. The Air Force contacted the City of Dover in August 2015 regarding the rate increase. The City of Dover issued a formal correspondence in November 2015 explaining the rate increase. Subsequent conversations over the past six (6) months have included a review of the rate model with Burns & McDonnell as well as input from various consultant advocates working for the Air Force. After conducting a full rate review of the all documents, the City of Dover and the Air Force have agreed on a final rate acceptable to both parties. The rate of 0.06370 $/KGH adopted in July 2015 will be reduced to 0.0635 $/KGH. The proposed rate adjustment will reduce electric revenues from the Dover Air Force Base by approximately $9,500 - $18,000 per year depending upon actual energy consumption at the facility.

TRANSMISSION VOLTAGE FEDERAL GOVERMENT CLASSIFICATION
"FT"

AVAILABILITY

This rate is available by special contract throughout the City of Dover electric service area for Federal Government customers located where Dover's existing facilities are adequate to supply the character of service as specified below.

CHARACTER OF SERVICE

The electric power delivered hereunder shall be three phase, 60 cycle, alternating current at a nominal potential of sixty-nine thousand (69,000) volts.

Demand, energy and power factor will be metered at the point of delivery of service. All transformation, circuiting and protective apparatus beyond the point of delivery shall be installed, owned and maintained by the customer. Service shall be supplied and metered at 69,000 volts, and the customer is required to own and maintain all transforming, switching and protective equipment.

Demand Charge	
All KW - per KW	10.50
Energy Charge	
All KWH, per KWH	0.0635

DETERMINATION OF DEMAND

The measured demand shall be the average of the four (4) greatest sixty (60) minute demands measured on separate days of each month. In any month in which the average power factor at the delivery point is greater or less than ninety-eight and one half percent (98.5%), the measured demand shall be corrected in accordance with the following formula:

$$\text{Billing Demand} = \frac{\text{Measured demand} \times .985}{\text{Average Power Factor}}$$

The City measures both leading and lagging power factor, treating both as non-unity power factors and the customers are billed accordingly.

MINIMUM MONTHLY BILL

The minimum monthly charge shall be seventy-five percent (75%) of the greatest Billing Demand during the preceding 11 months and energy equal to three hundred (300) hours' use of that demand.

PURCHASE POWER ADJUSTMENT

All kilowatt hours billed under this rate shall be subject to the Purchase Power Adjustment Clause included with the City of Dover rate schedules and approved by the Council of the City of Dover.

PUBLIC UTILITY TAX

In addition to the charges provided for in this service classification, a surcharge will apply in accordance with any tax imposed by governmental authority upon sales of electricity.

RENEWABLE ENERGY CHARGE

All kilowatt hours billed under this rate shall be subject to the "GEF" Rider.

RULES AND REGULATIONS

The General Rules and Regulations of the City of Dover for electric service shall apply to service rendered under this service classification.

Effective Date: July 1, 2015

Exhibit B

City of Dover

November 17, 2015

MSgt Francis E Puangco, USAF
AMC 436 CONS/LGCB
Dover Air Force Base
Dover, DE 19901

Dear MSgt Puangco,

Please find attached the 2015 Electric Cost-of-Service and Rate Design Study Update for the City of Dover as support for the Dover Air Force Base electric rate increase of approximately 3.4 percent. The City commissioned Burns & McDonnell to update our last cost-of-service study on March 24, 2015. Please also accept my apologies for not providing this information to you upon your original request, as I missed reviewing the draft report that was emailed to me in June 2015.

As explained in more detail below, the purpose of the update was to incorporate increased costs attributed to various PJM rule changes, cost-of service experience from Fiscal Year 2011 through Fiscal Year 2016, and the decommissioning of McKee Units 1 & 2.

PJM Rules and cost of service changes

Over the past few fiscal years, PJM has increased various charges and implemented new rules for capacity and energy. The transmission fees increased a total of 70 percent over the past 4 years or approximately $1.7 million dollars since June 2012. Dover's Capacity cost will increase approximately $2.4 Million over next two years. Delmarva Power filed and had approval of a new system transmission loss factor from 2 percent to 3 percent effective June 1, 2014.

Cost-of-Service Experience from Fiscal Year 2011 through Fiscal Year 2016

The City started realizing a decline in the energy component of power supply cost in Fiscal Year 2011 and carrying through Fiscal Year 2016. In order to rebate the realization of the decrease in cost the City implemented a power cost adjustment of negative $0.00280 per kwh on July 1, 2010 (FY11), and negative $0.00857 per kwh on July 1, 2011 (FY12), as well as used funds in its Rate Stabilization Reserve to cover increases in non-energy components of power supply and operations. The City continued to use the rate stabilization reserve to cover these same cost increases in Fiscal Year 2013.

The City once again commissioned Burns & McDonnell to review its cost-of-service study and provide recommended reductions in rates attributed to the lower energy cost for July 1, 2013. In the Fiscal Year 2014 Budget, City staff recommended to City Council rate reductions as a result of that cost-of-service study. That particular rate decrease reduced our revenues by approximately 8.5 percent. Combined, the above mentioned rate adjustments reduced our overall revenues by approximately 18 percent from FY10 through FY15; as evidenced by the changes in the energy rates for the Dover Air Force Base from $0.0875 in FY10 to $0.0609 in FY15 or a 34.1 percent decrease.

During Fiscal Year 2014 the City was experiencing flat revenue growth in our General Fund and difficulty with balancing this particular budget. Council approved a measure to increase the electric utility transfer to the General Fund by $2 million. However, this decision was made with the knowledge that electric rate decreases were also approved. The City of Dover has a large exempt tax base making up approximately 40 percent of the real property values. Public Utilities are often times required to transfer funds to the General Government as a payment in lieu of taxes or a dividend to the property owners. The City's management tries to insure we maintain a realistic balance in the utility transfer.

While the City has experienced substantial declines in energy cost since 2011, it has also experienced negative power sales growth or flat growth in these same years. Greater emphasis on load reduction programs, energy efficiency equipment, and the decline in housing have attributed to these results. The City went from sales of 741 gigawatt hours (GWh) in 2011 to projected sales of 712 GWh in 2016 (96 percent of previous sales). The non-energy components of power supply, operations, and administrative cost continued to rise in 2016. As you can see from the above comments, the City was able to fend off a rate increase, and even reduce rates in recent years. Our current budget and forecast model demonstrated now is the time to increase the electric rates.

Note: The Rate Stabilization Reserve was established in 2006, when the City's ten year fixed price contract ended with Duke Energy. This reserve helps the City to manage fluctuations in power supply cost rather than implement mid-year rate adjustments. An example of this occurred during the polar vortex in January/February 2014 when the City could not run its plants because the icy road conditions prevented oil deliveries as well as demand driving up power supply costs. The cost was over $300 per MW. The rate stabilization reserve provided $4 million for cost over runs during that time period.

Decommissioning McKee Run Units 1 & 2

In Fiscal Year 2015, City Council authorized the decommissioning of Units 1 & 2. Both units (17 MW each) are 1964 vintage units and have exceeded their useful life. In order to cover the loss of the 34 MW of capacity, the City will be required to purchase this capacity on the open market, build new generation, or enter into a purchase agreement. The City recently entered into a five year purchase power agreement to provide for certainty in the short-term. The City is also in the process of evaluating these alternatives with the issuance of an RFP for an Integrated Resource Plan.

In closing, we hope the above information and the attached report will meet your requirements. If necessary, we will also be most happy to meet with Dover Air Force Base officials to explain the materials. Please accept our appreciation of your attention to this matter.

Sincerely,

Donna S. Mitchell, CPA
Controller/Treasurer
(not in public practice)

Scott D. Koenig, P.E., ICMA-CM
City Manager

Cc: City Clerk's Office
Harry Maloney, Electric Director
Guy Smith, DAFB
Carmel Feliciani, DAFB

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2016-16

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 22 - Building and Building Regulations, Article X - Rental Dwellings, Division 1 - Generally, Section 22-331 - Purpose; applicability; definitions; compliance, (c) - Definitions, (5) - Single-family dwellings of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

(5) *Single-family dwellings* means dwelling units operated singly, and separated from other units. In general, this definition shall apply to single-family detached dwellings~~, including~~**;** mobile homes **and manufactured homes;**~~,~~ and attached units, including duplexes~~,~~ and townhouses.

BE IT FURTHER ORDAINED:

That Chapter 26 - Businesses, Article II - Licenses, Section 26-31 - Definitions of the Dover Code be amended by deleting the definitions indicated in red strikeout, inserting the definitions indicated in bold, blue text, and placing the new definition in the correct alphabetical order, as follows:

Land Lease Community Operator **includes every person engaged in the business of providing home sites and facilities, for rent or lease, to owners of separately owned dwellings, including owners of mobile homes and manufactured homes.**

~~***Mobile home park*** **includes every person engaged in the business of providing space and facilities for rent or lease to owners of mobile home units, on a permanent or semipermanent basis.~~

~~***Trailer park, recreational vehicle park and tenting recreation park*** **include any person engaged in the business of operating any place where space is furnished for units to park and hook up to or use sanitary and/or electrical facilities. This definition shall not apply to mobile home parks.~~

BE IT FURTHER ORDAINED:

That Chapter 50 - Floods, Article III - Requirements in All Special Flood Hazard Areas, Section 50-36 - Recreational Vehicles of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 50-36. - Recreational vehicles.

(a) Recreational vehicles in special flood hazard areas shall be fully licensed and ready for highway use, and shall be placed on a site for less than 180 consecutive days.

(b) Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, ~~**shall meet the requirements of section 50-38 for manufactured homes**~~ **are prohibited in special flood hazard areas**.

Draft

BE IT FURTHER ORDAINED:

That Chapter 66, Manufactured Homes and Trailers, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

CHAPTER 66 - MANUFACTURED HOMES ~~AND TRAILERS~~, MOBILE HOMES, AND LAND LEASE COMMUNITIES

Sec. 66-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Land lease community **means a residential development typified by single ownership of the land within the development, with the landowner retaining the rights of ownership. Home sites or individual lots within the community are leased to individual homeowners, who retain customary leasehold rights.**

Manufactured home **means a factory-built housing unit designed and constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."**

Mobile home means a ~~single-family dwelling designed for transportation, after fabrication, on streets and highways on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location of jacks or foundations, connections to utilities and the like. The term "mobile home" shall not include a single-family dwelling which is designed to be placed on a permanent foundation, is not designed to be readily movable after the original occupancy as a single-family dwelling, and conforms to the city's building, plumbing, electrical and housing codes~~ **factory-built housing unit constructed on a chassis and completed before June 15, 1976. Prior to the HUD code, mobile homes were not subject to uniform construction or safety standards**.

~~**Permanently placed mobile home means a single-family dwelling designed for transportation, after fabrication, on streets and highways on its own wheels or on flatbeds or other trailers, and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for placement upon a permanent, unmovable foundation, removal of all wheels and axles, and other minor incidental operations, such as unpacking, connections or utilities and the like. The term "permanently placed mobile home" shall be construed as being synonymous with that of the term "single-family dwelling," a dwelling which is designed to be placed on a permanent foundation, is not designed to be readily movable after the original occupancy as a single-family dwelling, and conforms to the city's building, plumbing, electrical and housing codes, except for the purpose of zoning in which it shall be considered a mobile home.**~~

Owner of a ***manufactured home or*** *mobile home* means the person designated in the **vehicle** title of the **manufactured home or** mobile home, whether the title is issued by this state or by some other state.

Owner of a permanently placed ~~*mobile home*~~ **manufactured home** means the person designated in the **vehicle or real property** title of the ~~mobile home~~ **permanently placed manufactured home**, whether the title is issued by this state or by some other state~~, and such person must also be the owner of the lot upon which the mobile home is permanently affixed. The term "lot" shall mean a parcel of land that conforms to the multiple ownership provisions of the laws of the state dealing with unit properties and condominiums, and must be located within a mobile home park~~.

Permanently placed manufactured home **means a factory-built housing unit designed and constructed to meet the Manufactured Home Consturction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code, and that has also been placed upon a permanent, unmovable foundation.**

(Ord. of 2-23-1970, § 2; Code 1981, § 12-1; Ord. of 11-10-1986, § 1)

Sec. 66-2. - License~~**s**~~**.**

(a) *Required fee*. The owner of a mobile home **or manufactured home that is not to be permanently placed** shall obtain an annual license for it and shall pay a fee for such license as provided for in Appendix F-Fees and Fines.

(b) *Payment; penalties*. Such license shall be obtained and the license fee paid by ~~July~~ **August** 1 of each year and if such fee is not paid before ~~August~~ **September** 1 of such year, then, in addition to any penalty incurred pursuant to Appendix F-Fees and Fines, a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee.

(c) *Moving into city*. Upon the moving of a ~~mobile home~~ **manufactured home** into the city, ~~such~~ **if the manufactured home requires a** license **it** shall be obtained and the license fee paid within seven days. Payment of such license fee shall be prorated on a quarterly basis for each fractional part of a year during which the ~~mobile home~~ **manufactured home** is in the city.

~~**(d) Sticker; where placed. Once the annual license fee has been paid by the owner of a mobile home, he shall be issued a sticker or other evidence of payment by the city manager or his authorized agent. This sticker or other evidence of payment must be placed upon the mobile home on the front of the mobile home facing the street on the righthand side when facing said mobile home one foot up from the bottom of the skirting and one foot over from the side of the mobile home.**~~

(d) ***Required fee for landowners*****. The owner of any land leased out as part of a land lease community shall obtain an annual land lease community operator business license under the provisions of Chapter 26 - Businesses.**

(Ord. of 2-23-1970, § 2; Ord. of 5-24-1976; Ord. of 3-27-1980; Code 1981, § 12-2; Ord. of 8-8-1988; Ord. of 3-22-1993; Ord. No. 2009-09, 6-22-2009)

Draft

Sec. 66-3. - Real property taxes.

A permanently placed ~~mobile home~~ **manufactured home** as defined in section 66-1, and the lot upon which it is located shall be considered as being real property for purposes of valuation, assessment and taxation in accordance with section 47 of the Charter~~, but shall be considered a mobile home as defined in section 66-1 for purposes of zoning and shall only be permitted to be located in the mobile home park zone (MPH), as spelled out in appendix B to this Code (article 3, section 8). This section shall not apply to permanently placed mobile homes that were in place on January 1, 1985, which shall continue to be licensed in accordance with section 66-2~~.

(Code 1981, § 12-2.1; Ord. of 11-10-1986, § 2)

Sec. 66-4. - Placement permit.

Every owner of a ~~mobile home~~ **manufactured home**, ~~before moving the same into the city,~~ shall apply for and obtain from the city ~~manager~~ **planner** or his/**her** authorized agent a placement permit for such ~~mobile home~~ **manufactured home**. The city ~~manager~~ **planner** or his/**her** authorized agent shall issue no placement permit until the license fee required in this chapter is paid in full.

(Ord. of 2-23-1970, §§ 3, 6; Ord. of 5-24-1976; Code 1981, § 12-3)

Sec. 66-5. - Duties of ~~mobile home park~~ land lease community owners and operators.

~~(a) Documents to mobile home owners. Copies of this chapter and placement permit application forms shall be furnished to each mobile home park operator, who shall give a copy of the same to every mobile home owner who moves a mobile home into his park, before the 15th day of the next succeeding month after placement of the mobile home.~~

~~(b) Lease record; report. Mobile home park operators who lease land to two or more persons for parking mobile homes shall maintain a lease record, which shall be open for inspection at all reasonable times by the city manager. Before June 1 of each year, the mobile home park operator shall report to the city manager the names and addresses of all persons having mobile homes on his land.~~

(Ord. of 2-23-1970, §§ 4, 5, 7; Code 1981, § 12-4)

(a) The following regulations shall apply to owners and operators of all land lease communities:

i. Private road access. It shall be the responsibility of land lease community owners and operators to maintain all private streets, driveway access to such streets, access to fire hydrants, and access to central mailboxes so as to be clear from obstructions, including but not limited to potholes, snow piles, and debris.

ii. Debris clearance. It shall be the responsibility of land lease community owners and operators to ensure that all facilities and common areas within the community are kept in good repair and maintained in such a manner as to prevent the accumulation of materials which could cause a fire hazard or would cause insect or rodent breeding and harborage.

iii. Landscaping. All trees, shrubbery, lawns, and other landscaping features within the community shall be maintained by the land lease community operator to be in healthy condition at all times.

iv. Utilities. All water, sewer, electric, and gas lines and connections intended to serve common areas or the private property of tenants within the community shall be kept in good repair at all times by the land lease community operator. Stormwater management facilities shall be maintained so as to be free of blockage and to prevent the accumulation of standing water.

v. Office hours. The land lease community operator shall be present on site at a minimum during regular business hours, so as to facilitate communication between tenants of the community and the owner, and a 24-hour emergency contact shall be available to residents.

vi. Receipt for lot payment. The Land Lease community operator shall provide a written receipt or electronic receipt at the time rent payment has been made, regardless of the form of payment.

(b) The following regulations shall additionally apply to owners and operators of land lease communities leasing land to manufactured homes:

i. Documents to manufactured home owners. Copies of this chapter and placement permit application forms shall be furnished to each land lease community owner, who shall give a copy of the same to every manufactured home owner who moves a manufactured home into the community, before the 15th day of the next succeeding month after placement of the manufactured home.

ii. Enforcement. It shall be the responsibility of land lease community owners and operators to ensure that all mobile homes and manufactured homes placed on their land maintain a current license under Section 66-2.

iii. Lease record; report. Land lease community owners who lease land to two or more persons for siting manufactured homes shall maintain a lease record, which shall be open for inspection at all reasonable times by the city planner. Before June 1 of each year, the land lease community owner shall report to the city planner the names and addresses of all persons having manufactured homes on his land.

iv. Sale of home. Before a home is sold by the homeowner, home owner's estate, foreclosure, eviction or other means, the City of Dover must be notified and all delinquent taxes, fees, or other charges must be paid.

v. The land lease community owner must notify the City of Dover if the community is placed for sale.

Draft

(c) The following shall be considered appropriate methods of redress if the duties outlined in this section are not fulfilled:

i. Any land lease community owner found to be in violation of the provisions of this section, regardless of corrective actions taken, shall be assessed a fine as provided for in Appendix F- Fees and Fines. Any such fine shall be in addition to any charges imposed upon the violator in accordance with subsection (c)(ii) below.

ii. If required, the City of Dover may perform maintenance in the owner's stead following official notice, and place a lien on the property to recover costs, including a 15% administrative charge.

iii. Repeated failure to perform the required duties shall be cause to take action upon an owner's land lease community operator license in accordance with the provisions of Chapter 26 - Businesses, Article II, Section 26-59.

Sec. 66-6. - Anchoring and skirting.

~~**Within 30 days after**~~ **Prior to the issuance of a certificate of** occupancy **for** ~~**of all mobile homes, the mobile homes**~~ **any manufactured home not placed on a permanent foundation, the manufactured home** shall be firmly anchored to the ground and the open space beneath the unit shall be skirted with approved material in accordance with the requirements of the building inspector.

(Ord. of 9-13-1976; Code 1981, § 12-5)

Sec. 66-7. - Use of city utilities.

The owner or occupant of any mobile home **or manufactured home** shall not be entitled to receive city utilities until the license fee required in this chapter is paid in full, and city personnel shall refuse to provide sewage, water and electricity to the mobile home **or manufactured home** until satisfactory proof is furnished that such license fee has been paid.

(Ord. of 7-28-1975; Code 1981, § 12-6)

Sec. 66-8. - Exemptions.

This chapter shall not apply to:

(1) *Dealers*. Unoccupied ~~**mobile home**~~ **manufactured homes** located on a dealer's display lot; or

(2) ~~**State license tag**~~ ***Manufactured homes in transit***. ~~**Mobile homes bearing a current license tag of this state**~~ **Unoccupied manufactured homes temporarily occupying the public right-of-way prior to placement on a lot or home site**.

(Ord. of 2-23-1970, § 8; Code 1981, § 12-7)

Draft

BE IT FURTHER ORDAINED:

That Chapter 102 - Taxation, Article III - Realty Transfer Tax, Section 102-71 - Definitions, (a)(1)s of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

s. Any conveyance of a "mobile home~~,~~" **or "manufactured home"** as defined in 25 Del. C. § 7003;

BE IT FURTHER ORDAINED:

That Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 1 - Generally, Section 106-123 - Vehicle Parking Time Limited Where Carrying Capacity Is in Excess of One Ton and Section 106-128 - Parking Mobile Homes, etc. of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 106-123. - Vehicle parking time limited where carrying capacity is in excess of one ton, and trailer and ~~motor home~~ recreational vehicle parking.

(a) It shall be unlawful for any person to park any vehicle with a carrying capacity of more than one ton, any trailer, which includes, but is not limited to, boat, utility, construction or one that is used to carry goods regardless of weight capacity and is designed to be towed or pulled by another vehicle, or any vehicle or trailer on the city streets for a period longer than two consecutive hours.

(b) It shall be unlawful for any person to park any commercial vehicle with a carrying capacity of more than one ton, any trailer, which includes, but is not limited to, utility, construction or one that is used to carry goods regardless of weight capacity and is designed to be towed or pulled by another vehicle, or any vehicle or trailer combination thereof, ~~or any travel trailer~~ in any residential zone in the city except for temporary parking for immediate deliveries, pickups, and/or service calls to residences or for construction work on residential properties. A commercial vehicle shall be one which is used or maintained for the transportation of persons or property for hire, compensation or profit, except taxicabs.

(c) It shall be unlawful for any person to park a trailered boat under 25 feet on the streets of Dover for a period longer than 12 consecutive hours. For any trailered boat 25 or greater, refer to subsection (a).

(d) It shall be unlawful for any ~~motor home~~ recreational vehicle to park on any residential street for a period longer than 12 consecutive hours without a permit. A resident owner of a ~~motor home~~ recreational vehicle may request a parking permit from the city to park on a residential street in the vicinity of their residence for a period not to exceed 72 hours. The permit would be made available at no cost to the resident. The parking permit shall be displayed in the front window of the vehicle visible from the street. A resident may only request such a permit three times in any 12-month period.

(e) Nonresidents are exempt from subsection (d) for a period of up to seven days as long as their ~~motor home or travel trailer~~ recreational vehicle does not create a safety hazard or interfere with traffic in the residential area that they are parked in.

Draft

(f) All parking allowed in this section only applies to streets that can accommodate parking in compliance with appendix A, article VI, section A.

(Code 1981, § 13-30.2; Ord. of 2-22-1982; Ord. of 9-10-1990; Ord. of 12-11-1995; Ord. of 7-25-2005)

Sec. 106-128. - ~~Parking mobile homes~~ Occupancy of recreational vehicles, etc.

It shall be unlawful and a nuisance to keep, either as owner, tenant or possessor, any ~~mobile home~~ **recreational vehicle**, bus, motor vehicle, ~~portable structure~~ or vehicle of any kind ~~designed or~~ adapted for **long-term** occupancy, except while it is being used as a business office in connection with the construction of a permanent building or structure on the same premises. The person desiring to park and use the vehicle ~~or structure~~ as a construction business office shall first obtain a permit therefor from the city manager, and the permit shall be effective for no more than six months, but in no event for longer than the period of construction.

(Code 1968, § 17-62; Code 1981, § 13-35)

BE IT FURTHER ORDAINED:

That Chapter 110 - Utilities, Article III - Water Service, Division 3 - Water Impact Fees, Section 110-207 - Establishment of Equivalent Dwelling Units, (a)(1) of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

(a) *Determination for residential dwellings*. Whenever by ordinance or by contract the city imposes or assesses water charges or fees on the basis of EDUs, an EDU shall be determined in the same manner as wastewater collection charges or fees and as defined in the most recent impact fee ordinance adopted by Kent County Levy Court. An EDU for a residential dwelling shall be determined as follows:

(1) Houses, dwellings, mobile homes**, manufactured homes,** and apartments with one kitchen and one or more baths and bedrooms separate from the kitchen .....1.0 EDU

(2) Efficiency unit or cottage having a living space in one room and having one bath .....1.0 EDU

(3) Dwelling with one kitchen and one or more baths and bedrooms separate from the kitchen and attached to other dwellings or structures .....1.0 EDU

BE IT FURTHER ORDAINED:

That Chapter 110 - Utilities, Article IV - Sanitary Sewer Service, Division 3 - Wastewater Collection Impact Fees, Section 110-282 - Establishment of Equivalent Dwelling Units, (a)(1) of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

(a) Determination for residential dwellings. Whenever by ordinance or by contract the city imposes or assesses wastewater collection and transmission charges or fees on the basis of EDUs, an EDU shall be determined as defined in the most recent impact fee ordinance adopted by the Levy Court of the county. An EDU for a residential dwelling shall be determined as follows:

Draft

(1) Houses, dwellings, mobile homes**, manufactured homes,** and apartments with one kitchen and one or more baths and bedrooms separate from the kitchen .....1.0 EDU

(2) Efficiency unit or cottage having a living space in one room and having one bath .....1.0 EDU

(3) Dwelling with one kitchen and one or more baths and bedrooms separate from the kitchen and attached to other dwellings or structures .....1.0 EDU

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 2 - Zoning Ordinance and Zoning Map, Section 1 - List of Zones of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text in the correct alphabetical order, as follows:

Manufactured housing zone .....MH
~~**Mobile home park zone .....MHP**~~

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 3 - District Regulations, Section 8 - Mobile Home Park Zone (MHP) of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Section 8. - ~~**Mobile home park zone (MHP)**~~ **Manufactured Housing Zone (MH)**.

8.1 *Uses permitted*. **In a manufactured housing zone,** ~~**No**~~ **no** building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used, in whole or in part, ~~**for any purpose, except as a mobile home park for the leasing of mobile home stands for mobile homes designed for single-family occupancy, provided that**~~ **for any uses, except the following**:

8.11 ~~**The minimum number of mobile home stands completed and ready for occupancy before the first mobile home is permitted on the premises for residential use is 35 mobile home stands.**~~ **Manufactured homes on individual lots, held in any type of ownership.**

8.12 ~~**No mobile home stand shall be leased or occupied for residential use of a mobile home, except for periods of 30 consecutive days or more.**~~ **Multiple manufactured homes on a lot, provided that:**

(a) The lot is operated as a condominium; or

(b) The lot is operated as a land lease community; and

(c) There are at least 15 manufactured homes on the lot, or else sufficient home sites for rent or sale on the lot to accommodate 15 manufactured homes. Such home sites need not be expressly delineated but must be improved so as to be complete and ready for occupancy by a manufactured home.

Draft

8.13 ~~No mobile home shall be permitted in any mobile home park unless it can be demonstrated that the mobile home meets the requirements of the United States of America Standards Institute publication "Standard for Mobile Homes, Body and Frame Design and Construction Requirements and the Installation of Plumbing, Heating and Electrical Systems," USA Standard A119, 1-1969.~~ **One-family detached homes on individual lots, held in any type of ownership.**

~~8.14 The entire land area occupied by a mobile home park shall be maintained in single ownership throughout the entire life of the mobile home park or in multiple ownership under the provisions of the laws of the State of Delaware dealing with unit properties and condominiums, subject to the following requirements:~~

~~(a) Multiple ownership shall not be permitted in existing parks previously in single ownership;~~

~~(b) Multiple ownership shall be permitted only in new established parks where application is made for multiple ownership at the time the application to establish the mobile home park is presented to the planning commission.~~

~~8.15 A permanent standard residence for not more than one family shall be permitted, incidental to each mobile home park, for the use of the owner, manager or caretaker of the mobile home park.~~

~~8.16 A permanent management office facility shall be permitted, which may include only the following:~~

~~(a) A management office with rooms for the usual office furniture and supplies;~~

~~(b) Storage space for utility connection supplies in quantity, mobile home accessories and maintenance materials and equipment;~~

~~(c) Laundry facilities equipped with washing machines and dryers;~~

~~(d) Community building facilities, including indoor recreation areas;~~

~~(e) One beauty shop and/or one barbershop in each mobile home park complex.~~

~~8.17 Maintenance of private streets. In mobile home parks with private streets, such streets, driveway access to such streets, access to fire hydrants, and access to central mailboxes shall be maintained by the mobile home park so as to be clear of obstructions including, but not limited to, potholes, snow piles, and debris.~~

~~8.18 Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.~~

Draft

8.2 ~~**Site development plan approval. Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection of any buildings and mobile home stands and related accessory structures. After initial site development plan approval, reapproval shall not be required prior to the issuance of building permits for the alterations to individual mobile home stands or accessory buildings such as storage areas and patios, which, in the judgment of the city planner, do not materially alter the site development plan approval by the planning commission and are requested as adjustments to the mobile home lot leased by an individual family and designed for the convenience and comfort of the individual lessee.**~~ ***Conditional uses.*** **Conditional uses shall be consistent with those conditionally permitted in the One-Family Residence Zones.**

~~**8.21 For purposes of preparing a site development plan for approval by the planning commission, and all subsequent improvements, alterations or additions, the applicant shall conform to current submission requirements and site development standards as set forth by the National Fire Protection Association publication 501A, "Standards for Mobile Home Parks." Where applicable, the approving authority shall be the Dover Planning Commission.**~~

8.3 ~~**Maximum density. The gross residential density in an MHP zone shall not exceed six dwelling units per acre.**~~ ***Accessory uses.*** **Accessory uses shall be consistent with those permitted in the One-Family Residence Zones, with the following additions and exceptions:**

8.31 Management facilities. The following shall be permitted accessory to lots providing home sites for multiple manufactured homes:

(a) Management offices with rooms for the usual office furniture and supplies, limited to one per lot;

(b) Storage space for utility connection supplies in quantity, manufactured home accessories and maintenance materials and equipment;

(c) Laundry facilities equipped with washing machines and dryers;

(d) Community building facilities, including indoor recreation areas;

(e) Commercial establishments consistent with uses permitted in the C-1 Neighborhood Commercial Zone, limited to one such establishment per lot;

(f) One-family detached homes intended for the use of a manager or caretaker, limited to one such dwelling per lot.

8.32 Accessory home occupations. Accessory home occupations shall be permitted consistent with the conditions outlined for home occupations in the One-Family Residence Zones, with the exception that no home occupation shall be permitted if not also permitted by the owner of the lot on which the home is sited.

Draft

8.4 *Uses prohibited*. The following uses are specifically prohibited:

8.41 Mobile homes, house trailers, and recreational vehicles as principal uses on a lot. Any such structures or vehicles located within the zone and being used as dwellings shall upon the effective date of this ordinance be deemed non-conforming uses in accordance with article 7.

8.42 Any other kind of factory-built housing that does not meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code as approved June 15, 1976, unless it can be demonstrated that such housing is constructed to the standards of the Dover Code of Ordinances, Chapter 22 - Buildings and Building Regulations. Any such housing located within the zone and being used as dwellings shall upon the effective date of this ordinance be deemed non-conforming uses in accordance with article 7.

8.5 *Minimum occupation length*. No lot or home site within the Manufactured Housing Zone reserved for occupation by a manufactured home shall be leased or occupied for residential use except for periods of 30 consecutive days or more.

8.6 *Land Lease Communities*. The following regulations shall apply to land lease communities within the MH zone:

8.61 The entire land area occupied by a land lease community, regardless of the number of home sites or individual lots therein, shall be maintained in single ownership, or if in multiple ownership, under the provisions of the laws of the State of Delaware dealing with unit properties and condominiums.

8.62 Changes to site plan. After initial site development plan approval of a land lease community, reapproval for the entire community shall not be required prior to the issuance of building permits for alterations to individual manufactured homes, or their accessory buildings such as storage areas and patios, which, in the judgement of the city planner, do not materially alter the site development plan approval by the planning commission and are requested as adjustments to the individual manufactured home sites or lots leased by an individual family and designed for the convenience and comfort of the individual lessee.

8.7 *Performance Standards*. All uses are subject to performance standards as set forth in article 5, section 8.

8.8 *Site development plan approval*. Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures. Such approval shall also be required prior to the issuance of certificates of occupancy for a change of use.

8.81 For purposes of preparing a site development plan for approval by the planning commission, and all subsequent improvements, alterations or additions, the applicant shall conform to current submission requirements and site development standards as set forth by the National Fire Protection Association publication 501A,"Standard for

Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities." Where applicable, the approving authority shall be the Dover Planning Commission.

8.82 No site development plan proposing the siting of a manufactured home outside of a land lease community shall be approved unless the plan shows the manufactured home is to be permanently placed, as defined in the Dover Code of Ordinances, Chapter 66 - Manufactured Homes, Mobile Homes, and Land Lease Communities.

8.9 *Maximum density*. The gross residential density in an MH zone shall not exceed six dwelling units per acre.

8.10 *Signs*. Signs shall meet the regulations found in Article 5 - Supplementary Regulations, Section 4 - Supplementary Sign Regulations.

(Ord. of 10-13-1981; Ord. of 3-20-1983; Ord. of 3-24-1986; Ord. of 7-10-2000; Ord. of 2-12-2001; Ord. of 4-28-2008(2); Ord. No. 2010-29, 1-10-2011)

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ), Subsection 22.6 - Land Use Compatibility Table - Residential of the Dover Code be amended by inserting the bold, blue text in the correct alphabetical order, as follows:

Manufactured homes	**N**	**N**	**N**	**N**	**N**	**N**	**N**

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option [(PND)], Subsection 24.3 - Permitted Uses of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

24.3 Permitted uses:

(a) Any use permitted in one-family residence zones;

(b) Any other residential use, including one-family lot line dwelling units, duplexes, multiplexes, townhouses, patio houses, garden apartments, ~~[~~and~~]~~ mid-rise apartments, but not including high-rise apartments, ~~and~~ mobile homes~~;~~**, or manufactured homes;**

(c) Accessory dwelling units may be proposed in conjunction with detached single-family houses if approved by the planning commission as an integral part of planned neighborhood design;

(d) Commercial uses accessory to the development as a whole in accordance with the standards of the C-1A zone;

(e) Under the senior citizen housing option, all housing types, and including congregate housing structures and uses, assisted living residences, and nursing homes. All such housing units and/or property shall be deed restricted to require that the head of household for each housing unit be at least 55 years of age or older.

Draft

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 4 - Zoning Bulk and Parking Regulations, Section 4.12 - Mobile Home Park (MHP) Zone of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Section 4.12. - ~~Mobile home park (MHP)~~ Manufactured Housing (MH) zone.

[(a)] Bulk and parking regulations for the ~~mobile home park (MHP)~~ **manufactured housing (MH)** zone ~~[~~are as follows~~]~~:

	~~Mobile Home Park~~ **Manufactured Home Community (≥ 15 home sites per lot)**	Individual Single-Wide Unit Lots	Individual Double-Wide Unit Lots	**All Other Individual Unit Lots**
Minimum required:				
Lot area	15 acres	4,000 sq. ft.	5,000 sq. ft.	**6,000 sq. ft.**
Lot width (ft.)	200	40	55	**60**
Front yard (ft.)	40	25	25	**25**
Side yard (ft.)	25	8	8	**8**
Rear yard (ft.)	25	11	11	**11**
Off-street parking space	2	2	2	**2**
(a) Per ~~mobile home~~ **home/home site**	2	2	2	**2**
(b) Per 300 sq. ft. of floor area in permanent management office facility	1			
Maximum permitted:				
Building height ~~of permanent management office facility~~				
Stories	**2**	**2**	**2**	**2**
Feet	**30**	**30**	**30**	**30**

[(b)] Special requirements for corner lots with frontage on two ~~internal~~ streets**, public or private,** ~~within a mobile home park~~ shall be as follows:

1. Minimum lot width for a single-wide unit lot shall be 54 feet**,** ~~and~~ minimum lot width for a double-wide unit lot shall be 68 feet**, and minimum lot width for any other individual unit lot shall be 75 feet**.

2. The minimum setback for any structure from the edge of the cartway of either street shall be 22 feet.

3. Off-street parking shall not be permitted within 30 feet of the corner of the lot at the street intersection.

[(c)] Special requirements for ~~cul-de-sac streets within a mobile home park~~ **lots accessed by cul de sac streets** shall be as follows:

1. The minimum lot frontage at the edge of the street cartway shall be 16 feet.

2. The minimum lot width at the building setback and for the full depth of the lot behind the building setback line shall be 40 feet for a single-wide unit lot area and 55 feet for a double-wide unit lot. (Ord. of 4-28-1986)

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 4 - Supplementary Sign Regulations, Subsection 4.7 - Permitted Signs of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

4.7 Permitted signs. Signs are permitted in all zones in accordance with the following table, which is a list of permitted sign types by use, proximity to residential uses and road classification.

SIGN TABLE

Use		Road Type	Permitted Signs						
Specific			Sign Type	Number Permitted	Max. Size	Max. Height	Percentage of Total Wall Area	Setback (R.O.W.)	Exclusion Zone
Residential Uses and Nonresidential Uses in Residential Districts	Single-Family Detached/ Semi-Detached	All Streets	Signs permitted in § 4.5 only						
	Professional Office	All Streets	Post or Monument	1/entrance	12 S.F.	7 feet	N/A	5 feet	20 feet
			Wall	1/frontage	16 S.F.	N/A	≤ 15%	N/A	N/A
	Subdivisions Multi-Family Residential Uses	All Streets	Wall	1/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
	Manufactured ~~Home Parks~~ **Housing Communities**		Monument or Post and Panel	2/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet
Nonresidential Uses Adjacent to Residential Districts or Uses	Places of Worship Daycare Centers Approved Conditional Uses Educational/Institutional All Other Approved Nonresidential Uses	Urban Principal Arterial	Wall	2/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	10 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	5 feet
			Pylon*	1/frontage	32 S.F.	30 feet	N/A	30 feet	50 feet
		Urban Minor Arterial	Wall	2/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet
		Urban Local/ Collector	Wall	2/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet

			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet
Nonresidential Uses in Nonresidential Districts	Nonresidential Uses	Urban Principal Arterial	Wall	2/frontage	No max	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel	1/entrance	100 S.F.	10 feet	N/A	10 feet	20 feet
			Pylon OR *	1/frontage	100 S.F.	30 feet	N/A	15 feet	50 feet
			Pylon*	1/frontage	150 S.F.	30 feet	N/A	31 feet	50 feet
		Urban Minor Arterial	Wall	2/frontage	64 S.F.	N/A	≤15%	N A	N/A
			Monument or Post and Panel OR	1/entrance	64 S.F.	7 feet	N/A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet
		Urban Local/ Collector	Wall	2/frontage	32 S.F.	N/A	≤ 15%	N/A	N/A
			Monument or Post and Panel OR	1/entrance	32 S.F.	7 feet	N/A	5 feet	20 feet
			Post**	1/frontage	16 S.F.	7 feet	N/A	5 feet	10 feet

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 1 - Permitted Accessory Parking of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Section 1. - Permitted accessory parking.

1.1 ~~[~~*Off-street parking spaces*.~~]~~ Off-street parking spaces, open or enclosed, are permitted accessory to any use. One commercial vehicle may be parked on a lot in any residence zone only if less than one ton in carrying capacity.

~~1.12 [~~1.2~~]~~ *Trailers and boats*. The ~~storage or parking and use of a house trailer~~ **long-term use of a recreational vehicle as a residence** by any person or persons is prohibited in all ~~residential~~ zones~~, except the mobile home park (MHP) zone~~. A boat with its trailer~~,~~ **or** a utility trailer, ~~and an unoccupied travel trailer~~ under 31 feet body length or an unoccupied ~~motor home~~ **recreational vehicle,** may be parked within a garage or anywhere behind the setback line if screened from adjacent lots. However, none of the vehicles shall be parked in a required side yard if alley parking adjacent to the lot is available.

~~1.13 [~~1.3~~]~~ Driveways. No driveway shall provide access to a lot located in another zone, which lot is used for any use prohibited in the zone in which such driveway is located.

~~1.14 [~~1.4~~]~~ The minimum width of a residential driveway shall be nine feet.

(Ord. of 9-12-1983; Ord. of 1-10-1996; Ord. of 11-13-2007)

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 7 - Nonconforming Buildings and Uses, Section 1 - Nonconforming Buildings and Uses, Subsection 1.51 of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

1.5 Each of the nonconforming uses specified below is deemed sufficiently objectionable, undesirable, and out of character in the district in which such use is located as to depreciate the value of other property and uses permitted in the district, and blight the proper and orderly development and general welfare of such district and the city to the point that each of such nonconforming uses shall be terminated on or before the expiration of the specified period of time after the effective date of this ordinance; which period of time is specified for the purpose of permitting the amortization of the remaining value, if any, of such use.

1.51 In any residence zone, any nonconforming use of open land, including such uses as a parking lot, junkyard, or open storage yard for materials or equipment, may be continued for three years after the effective date of this ordinance, or after annexation of the property into the City of Dover, provided that, after the expiration of that period, such nonconforming use shall be terminated (see also article 6, section 1.12). Any ~~"house trailer,"~~ **"mobile home"** as that term is defined in article 12 hereof, that was located within the limits of the City of Dover at the effective date of this ordinance [November 22, 1976], or that was in place on any land subsequently annexed into the City of Dover, ~~in any zone other than the mobile home park zone (MHP),~~ shall constitute a nonconforming use and shall be permitted to be maintained as a nonconforming use indefinitely. However, such ~~house trailer~~ **mobile home** shall be required to connect to city sewer and water mains, if available, and such ~~house trailer~~ **mobile home** shall be subject to and shall comply with all other city codes and ordinances applicable to structures and residences.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by inserting the following new definitions, indicated in bold, blue text, in the correct alphabetical order:

***Condominium*: A form of property ownership providing for individual ownership of a dwelling unit together with an individual interest in land or parts of a building held in common with other owners. Condominiums follow the provisions of the laws of the State of Delaware dealing with unit properties and condominiums.**

***Land Lease Community*: A residential development typified by single ownership of the land within the development, with the landowner retaining the rights of ownership. Home sites or individual lots within the community are leased to individual homeowners, who retain customary leasehold rights.**

***Mobile home*: A factory-built housing unit constructed on a chassis and completed before June 15, 1976. Prior to the HUD code, mobile homes were not subject to uniform construction or safety standards.**

***Modular Home*: A factory built housing unit constructed to the standards of the Dover Code of Ordinances, Chapter 22 - Buildings and Building Regulations.**

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by deleting the definitions indicated in red strikeout, as follows:

~~***Mobile home*: A single-family dwelling designed for transportation, after fabrication, on streets, and highways on its own wheels or on flatbed or other trailers, and arriving at a site in a mobile home park where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connections to utilities, and the like; excluding, however, the single-family dwelling which is designed to be readily moveable after the original occupancy as a single-family dwelling, and conforms to the building code, plumbing code, electrical code and housing code of the City of Dover. Single-wide mobile homes are those units built as a complete home measuring up to 14 feet in width and finished on all exterior sides prior to transportation to a site for installation. Double-wide mobile homes are those units built in two halves intended to be assembled together on the site at the time of installation, each half measuring up to 14 feet in width and each finished on three exterior sides.~~**

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by inserting the text indicated in bold, blue text and deleting the text indicated in red strikeout, for the following definitions:

Dwelling unit: A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space (other than vestibules, entrance or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit. A boarding[house] or roominghouse, convalescent home, dormitory, fraternity or sorority house, hotel, inn, lodging, nursing, or other similar home, ~~house trailer,~~ **travel trailer, recreational vehicle,** or other similar structures or vehicles shall not be deemed to constitute a dwelling unit.

Draft

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, Chapter 26 - Businesses, Article II - Licenses, Section 26-35 - License Required; Fees, Subsection (d)(1) - Businesses Licensed of the Dover Code be amended by inserting the bold, blue text and deleting the text indicated in red strikeout, as follows:

		Fees and Fines
Chapter 26 - Businesses, Article II - Licenses		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 26-35 - License required; fees		
	Subsec. (d)(1) - Businesses licensed	
	Advertising agency	$95.00
	Amusement operator	$157.00
	Architect	$250.00
	Attorney-at-law	$313.00
	ATM machines (third-party or off bank premises)	$50.50
	Auctioneer	$157.00
	Automobile race operator	$375.00
	Bank, or loan and trust company	$313.00
	Barber	$63.00
	each additional chair over two	$4.00
	Beautician	$63.00
	each additional chair over two	$4.00
	Broadcasting station	$313.00
	Broker	$157.00
	Car wash	$188.00
	Certified public accountant	$250.00
	Cesspool cleaner	$125.00
	Chiropractor	$313.00
	Clinical social worker	$96.00
	Coin-operated amusement machine owner	$3.00 Per machine
	Coin-operated vending machine owner	$3.00 Per machine
	Coin-operated electronic video machine	$125.00 Per machine
	Commercial sign business	$125.00

	Computer-related services	$125.00
	Consultant	$50.50
	Day care operator:	
	Center or home provider with greater than six children	$50.50
	Dentist	$313.00
	Distributor	$63.00
	Dray person or mover	$125.00
	Eating establishment and/or eating establishment operator	$125.00
	Employment agency	$125.00
	Entertainer:	
	One - three entertainers per group	$50.50
	Four - nine entertainers per group	$95.00
	Ten or more	$125.00
	Entertainment agent	$188.00
	Finance or small loan agency	$250.00
	Fitness trainer	$69.00
	Funeral director	$250.00
	Gaming position	$155.00
	Gas, light, power, cable TV and telephone company	$938.00
	General repairman	$63.00
	Health spa or health club	$188.00
	Home day care operator	$25.50
	Hotel:	
	Per room	$9.50
	Per suite	$12.50
	Income tax consultant	$188.00
	Incorporator	$125.00
	Insurance adjustor office	$125.00
	Itinerant merchant, per event	$100.00
	Janitorial and cleaning service:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Land lease community operator, per home site within community	**$25.00**
	Landscape service company:	
	One - three employees	$50.50

	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Laundry service operator:	
	Primary facility	$125.00
	Additional drop-off locations	$50.50
	Linen supplier	$125.00
	Manicurist	$32.00
	Manufacturer's agent or representative	$125.00
	Mercantile agency or collection agency	$125.00
	~~**Mobile home park, per space**~~	~~**$7.00**~~
	Motel, per room	$7.00
	Motion picture theater	$188.00
	Motor vehicle serviceman	$95.00
	Nursing, rest or convalescent home	$188.00
	Open market operator:	
	First 20 spaces, per rented space	$22.50
	21st - 50th space, per rented space	$11.50
	Each space over 50, per rented space	$6.00
	Outdoor tables, per table	$6.00
	Optometrist	$313.00
	Pawnbroker	$188.00
	Pest control services	$95.00
	Pharmacist	$188.00
	Photographer	$125.00
	Physical therapist	$188.00
	Physician and/or surgeon	$313.00
	Plant nursery and florist	$95.00
	Podiatrist	$313.00
	Pool table operator, per table	$63.00/ Maximum fee $189.00
	Printer	$125.00
	Private investigator agency	$188.00
	Professional counselor	$63.00
	Professional engineer	$250.00
	Professional land surveyor	$250.00
	Psychologist	$313.00

	Public accountant	$188.00
	Public stenographer	$38.00
	Publisher	$313.00
	Real estate broker, appraiser, and manager	$157.00
	Real estate development corporation	$344.00
	Real estate property manager:	
	One - three units managed	$50.50
	Four - ten units managed	$125.00
	Ten + units managed	$125.00
	Real estate salesperson or associated broker	$50.50
	Rental service	$125.00
	Sales representative	$50.50
	School and educational service (nonvocational)	$63.00
	School and educational service (vocational)	$125.00
	Scientific laboratory	$250.00
	Scrap and waste material service	$125.00
	Secondhand dealer of precious metals	$125.00
	Security service	$188.00
	Self-service laundry or dry cleaner	$125.00
	Shoe repairman	$50.50
	Sound truck, per hour	$33.00
	Tailor and garment service	$50.50
	Taxicab or bus operator:	
	First vehicle	$26.00
	Each additional vehicle	$26.00
	Tourist home, per room	$7.00
	~~**Trailer park, per space**~~	~~**$7.00**~~
	Travel agency	$125.00
	Veterinarian	$313.00
	Warehouseman	$250.00
	Wholesale news agency	$63.00
	All other businesses not listed:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten - 50 employees	$125.00
	51 - 100 employees	$313.00

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, Chapter 66 - Manufactured Homes and Trailers of the Dover Code be amended by inserting the bold, blue text and deleting the text indicated in red strikeout, as follows:

		Fees and Fines
Chapter 66 - Manufactured Homes ~~and Trailers~~**, Mobile Homes, and Land Lease Communities**		
Sec. 66-2 - License**s**		
	Subsec. (a) - Required fee	$45.00 each license
	Subsec. (b) - Payment; penalties	A fine of not less than **$50.00** ~~$25.00, nor more than $1,000.00~~ and a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee
Sec. 66-5 - Duties of Land Lease Community Owners and Operators		
	Subsec. (c)(i) - Failure to perform required duties	**A fine of not less than $50.00 in addition to any charges imposed to cover cost of maintenance by the City**
	Subsec. 66-5 (c)(ii) - Cost of maintenance by the City	**$75.00 per hour for such work that must be done to render the property in compliance with this article, plus a 15% administrative charge**

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-16 MANUFACTURED HOUSING\Proposed Ordinance #2016-16 - Manufactured Housing-First Reading.wpd

SYNOPSIS

The proposed ordinance updates the standards and terminology throughout the Dover Code as they relate to manufactured homes. The proposed ordinance also implements standards for management and maintenance of land lease communities. (SPONSORS: NEIL, SLAVIN, AND COLE)

Actions History

06/27/2016 - Scheduled for First Reading - City Council

06/14/2016 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee

Draft

CITY OF DOVER ORDINANCE # 2016-17
2016-2017 BUDGET ORDINANCES

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Forty Six Million Seven Hundred Seventeen Thousand Four Hundred dollars ($46,717,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

GENERAL FUND
CASH RECEIPT SUMMARY FOR 2016-2017

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 4,820,400**	**$ 4,493,900**
RECEIPTS		
FINES AND POLICE REVENUE	651,400	763,300
INVESTMENT INCOME	140,000	90,000
LIBRARY REVENUES	67,000	70,300
KENT COUNTY BOOK REIMBURSEMENT	312,600	312,600
BUSINESS LICENSES	1,472,000	1,467,000
PERMITS AND OTHER FEES	1,436,300	1,662,100
MISCELLANEOUS CHARGES	56,600	56,800
POLICE EXTRA DUTY	461,500	525,000
PROPERTY TAXES	12,783,800	12,895,100
BID REVENUE	49,700	-
RECREATION REVENUE	149,000	150,000
FRANCHISE FEE	682,300	680,000
SANITATION FEES	2,530,000	2,538,300
RENT REVENUE - GARRISON FARM	93,900	94,500
COURT OF CHANCERY FEES	1,090,400	1,100,000
RECEIPTS SUBTOTAL	**21,976,500**	**22,405,000**
INTERFUND SERVICE RECEIPTS		
INTERFUND SERVICE RECEIPTS W/WW	1,420,200	1,653,800
INTERFUND SERVICE RECEIPTS ELECTRIC	3,586,700	3,564,900
INTERFUND SERVICE RECEIPTS SUBTOTAL	**5,006,900**	**5,218,700**
GRANTS:		
POLICE RELATED/EXTRA DUTY	172,700	258,600
POLICE PENSION GRANT	500,000	500,000
GREEN ENERGY GRANT	98,500	98,500
MISC GRANT REVENUE	25,000	25,000
VERIZON RESERVE	50,000	-
GRANTS SUBTOTAL	**846,200**	**882,100**
TRANSFERS FROM:		
TRANSFER TAX	2,090,200	1,672,700
MUNICIPAL STREET AID	673,100	673,100
CIVIL TRAFFIC PENALTIES	480,000	496,900
WATER/WASTEWATER	850,000	875,000
ELECTRIC	10,000,000	10,000,000
OTHER RESERVES	13,200	-
TRANSFERS FROM SUBTOTAL	**14,106,500**	**13,717,700**
TOTAL REVENUES	**41,936,100**	**42,223,500**
TOTAL BEGINNING BALANCE & REVENUE	**$ 46,756,500**	**$ 46,717,400**

2016-2017 BUDGET ORDINANCES

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2016-2017

DEPARTMENT EXPENSES	2015/16 REVISED	2016/17 BUDGET
CITY CLERK	$ 382,800	$ 412,300
COUNCIL	113,600	141,100
TAX ASSESSOR	239,800	244,000
FIRE	735,400	721,700
GROUNDS MAINTENANCE	1,133,000	1,201,300
LIBRARY	1,456,000	1,635,000
RECREATION	723,200	750,900
LIFE SAFETY	479,800	485,200
CODE ENFORCEMENT	412,700	421,100
PLANNING	532,800	546,800
INSPECTIONS	749,000	697,900
ECONOMIC DEVELOPMENT	245,000	-
POLICE	15,921,400	16,091,600
POLICE EXTRA DUTY	634,200	783,600
STREETS	658,500	1,163,500
SANITATION	2,151,100	2,032,800
CITY MANAGER	909,300	792,400
INFORMATION TECHNOLOGY	625,500	716,300
FINANCE	991,400	1,011,100
PUBLIC WORKS - ADMINISTRATION	580,300	680,000
FACILITIES MANAGEMENT	692,200	607,100
PUBLIC WORKS - ENGINEERING	173,400	207,000
PROCUREMENT & INVENTORY	569,300	585,100
FLEET MAINTENANCE	760,000	776,300
CUSTOMER SERVICE	1,082,000	1,143,800
HUMAN RESOURCES	376,700	392,500
MAYOR	76,100	74,000
DEPARTMENT SUBTOTALS	**33,404,500**	**34,314,400**
OTHER EXPENSES		
DEBT SERVICE	669,400	685,300
CONTRIBUTION TO DDP	70,000	150,000
MISCELLANEOUS GRANT RELATED EXP	25,000	25,000
INSURANCE	690,000	700,000
RETIREES HEALTH CARE	1,567,700	2,039,700
OTHER EMPLOYMENT EXPENSES	51,500	400,700
BANK & CREDIT CARD FEES	10,600	15,000
UNCOLLECTIBLES - TRASH AND OTHER	50,000	50,000
STREET LIGHTS	797,700	804,000
NEW STREET PROPERTIES ACQUISITIONS	240,400	-
OTHER EXPENSE SUBTOTAL	**4,172,300**	**4,869,700**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	2,625,400	1,859,400
TRANSFER TO CAPITAL ASSET RESERVE	229,600	-
APPROP. TO THE GENERAL EMPLOYEE PENSION FUND	594,300	-
APPROP. TO THE POLICE PENSION FUND	676,500	670,000
APPROP. POLICE PENSION - STATE GRANT	500,000	500,000
TRANSFER TO VERIZON RESERVE	50,000	-
TRANSFER TO INVENTORY WRITE-OFFS	10,000	10,000
TRANSFERS SUBTOTAL	**4,685,800**	**3,039,400**
TOTAL EXPENDITURES	**42,262,600**	**42,223,500**
CURRENT YEAR BALANCE	**4,493,900**	**4,493,900**
TOTALS	**$ 46,756,500**	**$ 46,717,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Million Four Hundred Thirty Three Thousand Three Hundred dollars ($2,433,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

REVENUES

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - PROJECTS	**$ 2,926,700**	**$ 383,900**
REVENUES		
INCOME FROM SALE OF ASSETS	120,800	-
GRANT RECEIPTS	80,500	105,000
INTEREST EARNINGS	5,000	5,000
TRANSFER FROM GENERAL FUND	2,625,400	1,859,400
MISCELLANOUS RECEIPTS	74,700	-
TRANSFER FROM PARKLAND RESERVE	-	80,000
SUBTOTAL PROJECT RECEIPTS	**2,906,400**	**2,049,400**
TOTAL FUNDING SOURCES	**2,906,400**	**2,049,400**
TOTAL BEGINNING BALANCE AND REVENUES	**$ 5,833,100**	**$ 2,433,300**

EXPENSE SUMMARY

EXPENDITURES	2015/16 REVISED	2016/17 BUDGET
FIRE	$ 445,800	$ 145,700
GROUNDS MAINTENANCE	185,200	58,200
LIFE SAFETY	55,700	29,500
POLICE	302,700	299,800
RECREATION	73,900	165,000
STREETS	3,735,000	1,026,000
SANITATION	449,000	261,500
CITY MANAGER	24,700	-
FACILITIES MANAGEMENT	-	27,700
FLEET MAINTENANCE	84,500	31,000
DEPARTMENT SUBTOTAL	**5,356,500**	**2,044,400**
TRANSFERS		
TRANSFER TO CAPITAL ASSET RESERVE	92,700	**-**
TRANSFERS SUBTOTAL	**92,700**	**-**
TOTAL EXPENDITURES	**5,449,200**	**2,044,400**
BUDGET BALANCE	383,900	388,900
TOTAL BUDGET BALANCE & EXPENDITURES	**$ 5,833,100**	**$ 2,433,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

GENERAL FUND CONTINGENCY
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Seven Hundred Forty One Thousand dollars ($741,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 720,300**	**$ 731,000**
INTEREST EARNED	10,700	10,000
TOTALS	**$ 731,000**	**$ 741,000**

EXPENSE SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CARRY FORWARD TO NEXT YEAR	731,000	741,000
TOTALS	**$ 731,000**	**$ 741,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

GENERAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million Two Hundred Sixty Six Thousand Three Hundred dollars ($1,266,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 915,100**	**$ 1,251,300**
RECEIPTS		
INTEREST EARNINGS	13,900	15,000
TRANSFER FROM GENERAL CAPITAL ASSET FUND	92,700	-
TRANSFER FROM GENERAL FUND	229,600	-
TOTAL RECEIPTS	**336,200**	**15,000**
TOTALS	**$ 1,251,300**	**$ 1,266,300**

EXPENSE SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CARRY FORWARD TO NEXT YEAR	$ 1,251,300	$ 1,266,300
TOTALS	**$ 1,251,300**	**$ 1,266,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Three Hundred Twenty Seven Thousand Nine Hundred dollars ($327,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	$ 320,800	$ 324,900
INTEREST INCOME	4,100	3,000
TOTALS	**$ 324,900**	**$ 327,900**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO GENERAL CAPITAL PROJECT FUND	-	80,000
CURRENT YEAR BALANCE	324,900	247,900
TOTALS	**$ 324,900**	**$ 327,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Sixteen Million Six Hundred Ninety Six Thousand Nine Hundred dollars ($16,696,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - WATER	$ 1,072,900	$ 566,500
BEGINNING BALANCE - WASTEWATER	206,900	663,200
TOTAL BEGINNING BALANCES	**1,279,800**	**1,229,700**
BASE REVENUE		
WATER SERVICES	5,366,600	5,800,000
WASTEWATER SERVICES	3,823,800	3,800,000
WASTEWATER TREATMENT SERVICES	2,997,600	3,000,000
GROUNDWATER INFLOW ADJUSTMENT	1,965,600	1,938,000
WATER TANK SPACE LEASING	341,900	366,200
SEWER IMPACT FEES	222,400	228,000
WATER IMPACT FEES	253,400	252,000
INTEREST - WATER	5,000	10,000
INTEREST - WASTEWATER	5,000	10,000
MISCELLANEOUS SERVICE FEE	56,200	63,000
TOTAL REVENUES	**15,037,500**	**15,467,200**
TOTAL BEGINNING BALANCES AND REVENUES	**$ 16,317,300**	**$ 16,696,900**

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2016-2017

	2015/16 REVISED	2016/17 BUDGET
DIRECT EXPENSES		
ENGINEERING & INSPECTION	$ 512,500	$ 516,500
WATER DEPARTMENT	650,900	655,400
WASTEWATER DEPARTMENT	840,600	962,400
WATER TREATMENT PLANT	1,743,100	1,727,400
DIRECT EXPENDITURE SUBTOTAL	**3,747,100**	**3,861,700**
OTHER EXPENSES		
DEBT SERVICE - WATER	521,100	590,300
DEBT SERVICE - WASTEWATER	611,300	636,900
RETIREES HEALTH CARE	60,200	192,400
OTHER EMPLOYMENT EXPENSES	142,300	**21,200**
KENT COUNTY TREATMENT CHARGE	4,130,000	4,130,000
INTERFUND SERVICE FEES	1,420,200	1,653,800
BANK & CREDIT CARD FEES	25,000	25,000
BOND ISSUE COSTS	-	40,000
OTHER EXPENSES SUBTOTAL	**6,910,100**	**7,289,600**
TRANSFER TO:		
GENERAL FUND FROM WATER	550,000	500,000
GENERAL FUND FROM WASTEWATER	300,000	375,000
WATER IMP AND EXT	1,800,000	1,000,000
WASTEWATER IMP AND EXT	1,500,000	1,000,000
CONTINGENCY RESERVE WATER	32,000	110,000
CONTINGENCY RESERVE WASTEWATER	-	60,000
GENERAL EMPLOYEES PENSION FUND	248,400	-
ELECTRIC IMP AND EXT	-	231,200
TRANSFER TO SUBTOTAL	**4,430,400**	**3,276,200**
TOTAL EXPENSES	**15,087,600**	**14,427,500**
BUDGET BALANCES		
BUDGET BALANCE WATER	566,500	**1,103,100**
BUDGET BALANCE WASTEWATER	663,200	**1,166,300**
BUDGET BALANCE SUBTOTALS	**1,229,700**	**2,269,400**
TOTAL CURRENT YEAR BALANCES AND EXPENSES	**$ 16,317,300**	**$ 16,696,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Seven Million Eight Hundred Thirty Eight Thousand Five Hundred dollars ($7,838,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year begining July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - WATER	$ 4,990,300	$ 1,179,900
BEGINNING BALANCE - WASTEWATER	4,551,700	952,600
TOTAL BEGINNING BALANCES	**9,542,000**	**2,132,500**
REVENUES		
STATE LOAN FUND - WATER	-	2,400,000
STATE LOAN FUND - WASTEWATER	-	884,000
TRANS FR OPERATING FUND - WATER	1,800,000	1,000,000
TRANS FR OPERATING FUND - WASTEWATER	1,500,000	1,000,000
TRANSFER FROM WATER IMPACT FEE	-	190,800
TRANSFER FROM WASTEWATER IMPACT FEE	165,000	211,200
INTEREST INCOME	69,900	20,000
GRANT RECEIPTS	20,300	-
MISCELLANEOUS RECEIPTS	61,400	-
TOTAL REVENUES	**3,616,600**	**5,706,000**
TOTAL BEGINNING BALANCES & REVENUES	**$ 13,158,600**	**$ 7,838,500**

EXPENSE SUMMARY

EXPENSES	2015/16 REVISED	2016/17 BUDGET
W/WW ENGINEERING	$ -	$ 30,400
WATER	5,442,600	1,338,800
WASTEWATER	5,299,100	2,021,200
WATER TREATMENT PLANT	284,400	1,200,000
TOTAL EXPENSES	**11,026,100**	**4,590,400**
BUDGET BALANCE - WATER	1,179,900	2,226,700
BUDGET BALANCE - WASTEWATER	952,600	1,021,400
CURRENT YEAR BALANCE SUBTOTALS	**2,132,500**	**3,248,100**
TOTAL BUDGET BALANCES & EXPENSES	**$ 13,158,600**	**$ 7,838,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million Thirty Five Thousand Eight hundred dollars ($1,035,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - WATER	$ 510,700	$ 514,600
BEGINNING BALANCE - WASTEWATER	509,500	513,400
TOTAL BEGINNING BALANCES	**1,020,200**	**1,028,000**
RECEIPTS		
INTEREST EARNINGS - WATER	3,900	3,900
INTEREST EARNINGS - WASTEWATER	3,900	3,900
TOTAL RECEIPTS	7,800	7,800
TOTALS	**$ 1,028,000**	**$ 1,035,800**

EXPENSE SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CURRENT YEAR BALANCE - WATER	$ 514,600	$ 518,500
CURRENT YEAR BALANCE - WASTEWATER	513,400	517,300
CURRENT YEAR BALANCE SUBTOTALS	**1,028,000**	**1,035,800**
TOTALS	**$ 1,028,000**	**$ 1,035,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Million Thirty Seven Thousand dollars ($2,037,000) or so much thereof as may be necessary are hereby appropriated fromcurrent revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - WATER	$ 427,500	$ 430,700
BEGINNING BALANCE - WASTEWATER	1,742,700	1,590,900
TOTAL BEGINNING BALANCES	**2,170,200**	**2,021,600**
RECEIPTS		
INTEREST EARNINGS - WATER	3,200	3,300
INTEREST EARNINGS - WASTEWATER	13,200	12,100
TOTAL RECEIPTS	**16,400**	**15,400**
TOTALS	**$ 2,186,600**	**$ 2,037,000**

EXPENSE SUMMARY

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO I & E FUND FROM WATER IMPACT FEES	$ -	$ 190,800
TRANSFER TO I & E FUND FROM WASTEWATER IMPACT FEES	165,000	211,200
CURRENT YEAR BALANCE - WATER	430,700	243,200
CURRENT YEAR BALANCE - WASTEWATER	1,590,900	1,391,800
CURRENT YEAR BALANCE SUBTOTALS	**2,021,600**	**1,635,000**
TOTALS	**$ 2,186,600**	**$ 2,037,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Hundred One Thousand Eight Hundred dollars ($501,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE - WATER	$ 105,200	$ 138,000
BEGINNING BALANCE - WASTEWATER	190,200	191,600
TOTAL BEGINNING BALANCES	**295,400**	**329,600**
RECEIPTS		
INTEREST EARNINGS	2,200	2,500
TRANSFER FROM OPERATING ACCOUNT TO WATER	32,000	110,000
TRANSFER FROM OPERATING ACCOUNT TO WASTEWATER	-	60,000
TOTAL RECEIPTS	**34,200**	**172,500**
TOTALS	**$ 329,600**	**$ 502,100**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CURRENT YEAR BALANCE - WATER	138,000	249,000
CURRENT YEAR BALANCE - WASTEWATER	191,600	253,100
CURRENT YEAR BALANCE SUBTOTALS	**329,600**	**502,100**
TOTAL EXPENSES AND CURRENT YEAR BALANCES	**$ 329,600**	**$ 502,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Ninety Two Million Seven Hundred Thirty Thousand Eight hundred dollars ($92,730,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 8,337,500**	**$ 13,302,200**
BASE REVENUE		
DIRECT SALES TO CUSTOMER	78,493,800	77,193,200
UTILITY TAX	1,309,600	1,287,900
MISCELLANEOUS REVENUE	911,400	548,600
RENT REVENUE	202,600	223,000
GREEN ENERGY	128,000	128,000
INTEREST EARNINGS	35,000	47,900
TRANSFER FROM RATE STABILIZATION	750,000	-
TOTAL REVENUES	**81,830,400**	**79,428,600**
TOTAL BEGINNING BALANCE & REVENUES	**90,167,900**	**92,730,800**

2016-2017 BUDGET ORDINANCES

ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2016-2017

EXPENSES	2015/16 REVISED	2016/17 BUDGET
POWER SUPPLY	$ 23,402,600	$ 16,557,600
SOLAR ENERGY	2,313,900	2,313,900
SOLAR RENEWAL ENERGY CREDITS	363,400	363,400
POWER SUPPLY MANAGEMENT	996,000	996,000
REC'S (Renewable Energy Credits)	673,400	673,400
RGGI (Regional Greenhouse Gas Init.)	175,000	175,000
PJM CHARGES - ENERGY	7,966,100	12,357,900
PJM CHARGES - TRANSMISSION & FEES	7,932,500	7,603,800
CAPACITY CHARGES	10,225,100	10,160,600
SUB-TOTAL POWER SUPPLY	**54,048,000**	**51,201,600**
PLANT OPERATIONS	6,382,900	6,215,700
GENERATIONS FUELS	1,167,300	256,900
PJM SPOT MARKET ENERGY	(1,708,300)	(804,900)
PJM CREDITS	(360,000)	(360,000)
CAPACITY CREDITS	(10,472,100)	(7,355,100)
GENERATION SUBTOTAL	**(4,990,200)**	**(2,047,400)**
POWER SUPPLY & GENERATION SUBTOTAL	**49,057,800**	**49,154,200**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	3,437,300	3,605,700
ELECTRICAL ENGINEERING	1,120,900	1,247,900
ADMINISTRATION	834,300	929,700
METER READING	363,200	378,600
SYSTEMS OPERATIONS	601,500	651,700
DIRECT EXPENDITURE SUBTOTALS	**6,357,200**	**6,813,600**
OTHER EXPENSES:		
UTILITY TAX	1,309,600	1,287,900
ALLOW FOR UNCOLLECTIBLES	200,000	250,000
RETIREES HEALTH CARE	57,700	600,000
OTHER EMPLOYMENT EXPENSES	353,400	**58,900**
GREEN ENERGY PAYMENT TO DEMEC	128,000	128,000
INTERFUND SERVICE FEES	3,586,700	3,564,900
INTEREST ON DEPOSITS	20,500	21,000
BANK & CREDIT CARD FEES	259,300	275,000
DEBT SERVICE	1,617,700	1,618,000
OTHER EXPENSES SUBTOTAL	**7,532,900**	**7,803,700**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	3,500,000	2,500,000
GENERAL FUND	10,000,000	10,000,000
TRANSFER TO FUTURE CAPACITY RESERVE	-	750,000
TRANSFER TO DEPRECIATION RESERVE	-	750,000
TRANSFER INSURANCE RESERVE	10,000	-
TRANSFER CONTINGENCY RESERVE	13,000	-
TRANSFER RATE STABILIZATION RESERVE	394,800	1,250,000
TRANSFER TO SUBTOTAL	**13,917,800**	**15,250,000**
TOTAL EXPENSES	**76,865,700**	**79,021,500**
BUDGET BALANCE - WORKING CAPITAL	**13,302,200**	**13,709,300**
TOTALS	**$ 90,167,900**	**$ 92,730,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Nine Million Two Hundred Sixteen Thousand Seven Hundred dollars ($9,216,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

REVENUES

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 7,095,300**	**$ 5,540,500**
REVENUES		
TRANSFER FROM ELECTRIC	3,500,000	2,500,000
TRANSFER FROM WATER/WASTEWATER	-	231,200
TRANSFER FROM 2010 BOND RESERVE	2,108,000	-
GENERAL SERVICE BILLING	1,900,000	900,000
DEVELOPMENT GRANTS	15,000	5,000
INTEREST EARNINGS	57,900	40,000
TOTAL REVENUES	**7,580,900**	**3,676,200**
TOTALS	**$ 14,676,200**	**$ 9,216,700**

EXPENSE SUMMARY

EXPENSES	2015/16 REVISED	2016/17 BUDGET
ELECTRIC GENERATION	$ 2,299,800	$ 1,842,800
TRANSMISSION AND DISTRIBUTION	3,524,900	1,975,000
ELECTRICAL ENGINEERING	3,288,000	910,700
METER READING	23,000	41,800
ERP SYSTEM	-	1,000,000
TOTAL EXPENSES	**9,135,700**	**5,770,300**
BUDGET BALANCE	**5,540,500**	**3,446,400**
TOTAL BUDGET BALANCE & EXPENSES	**$ 14,676,200**	**$ 9,216,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eight Hundred Forty Eight Thousand Three Hundred dollars ($848,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 822,700**	**$ 841,900**
RECEIPTS		
INTEREST EARNINGS	6,200	6,400
TRANSFER FROM ELECTRIC FUND	13,000	-
TOTAL RECEIPTS	**19,200**	**6,400**
TOTALS	**$ 841,900**	**$ 848,300**

EXPENSE SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CURRENT YEAR BALANCE	841,900	848,300
TOTALS	**$ 841,900**	**$ 848,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Ten Million Nine Hundred Ten Thousand Two Hundred dollars ($10,910,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 9,957,900**	**$ 10,083,600**
INTEREST EARNINGS	125,700	76,600
TRANSFER FROM ELECTRIC OPERATING FUND	-	750,000
TOTALS	**$ 10,083,600**	**$ 10,910,200**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CURRENT YEAR BALANCE	10,083,600	10,910,200
TOTALS	**$ 10,083,600**	**$ 10,910,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Ten Million Nine Hundred Sixty One Thousand Seven Hundred dollars ($10,961,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 10,107,900**	**$ 10,134,700**
INTEREST EARNINGS	76,800	77,000
TRANSFER FROM ELECTRIC OPERATING FUND	-	750,000
TOTALS	**$ 10,184,700**	**$ 10,961,700**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO FUTURE CAPACITY RESERVE	50,000	-
CURRENT YEAR BALANCE	10,134,700	10,961,700
TOTALS	**$ 10,184,700**	**$ 10,961,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Seven Hundred Sixty Two Thousand dollars ($762,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 740,600**	**$ 756,300**
INTEREST EARNINGS	5,700	5,700
TRANSFER FROM ELECTRIC FUND	10,000	-
TOTALS	**$ 756,300**	**$ 762,000**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
CURRENT YEAR BALANCE	756,300	762,000
TOTALS	**$ 756,300**	**$ 762,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRIC UTILITY RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eight Million Five Hundred Eleven Thousand Nine Hundred dollars ($8,511,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 7,505,400**	**$ 7,207,100**
INTEREST EARNINGS	56,900	54,800
TRANSFER FROM ELECTRIC OPERATING FUND	394,800	1,250,000
TOTALS	**$ 7,957,100**	**$ 8,511,900**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO ELECTRIC FUND	$ 750,000	$ -
CURRENT YEAR BALANCE	7,207,100	8,511,900
TOTALS	**$ 7,957,100**	**$ 8,511,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

MUNICIPAL STREET AID FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Six Hundred Seventy Three Thousand Two Hundred dollars ($673,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 100**	**$ 100**
STATE GRANT	673,100	673,100
TOTALS	**673,200**	**673,200**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO GENERAL FUND	673,100	673,100
CURRENT YEAR BALANCE	100	100
TOTALS	**$ 673,200**	**$ 673,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

ELECTRONIC RED LIGHT SAFETY PROGRAM
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Four Hundred Ninety Seven Thousand dollars ($497,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 100**	**$ 100**
STATE GRANT	480,000	496,900
TOTALS	**480,100**	**497,000**

BUDGET SUMMARY

	2015/16 REVISED	2016/17 BUDGET
TRANSFER TO GENERAL FUND	480,000	496,900
CURRENT YEAR BALANCE	100	100
TOTALS	**$ 480,100**	**$ 497,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

WORKERS COMPENSATION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Million One Hundred Thirty Six Thousand Seven Hundred dollars ($2,136,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
BEGINNING BALANCE	**$ 1,248,200**	**$ 1,256,300**
INTEREST INCOME	20,700	25,000
PREMIUM FROM CITY	620,000	855,400
MISCELLANEOUS REVENUE	9,400	-
TOTALS	**$ 1,898,300**	**$ 2,136,700**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$ 475,000	$ 475,000
INSURANCE	103,900	105,500
STATE OF DEL - SELF INSURANCE TAX	38,100	39,000
CONTRACTUAL SERVICES	25,000	25,000
TOTAL EXPENSES	**642,000**	**644,500**
CURRENT YEAR BALANCE	1,256,300	1,492,200
TOTALS	**$ 1,898,300**	**$ 2,136,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Hundred Ninety Two Thousand One Hundred dollars ($592,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	**$ 57,800**	**$ 92,100**
GRANTS REVENUE	839,300	500,000
INTEREST INCOME	500	-
TOTALS	**$ 897,600**	**$ 592,100**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
PROGRAM EXP. GRANT RELATED	$ 805,500	$ 500,000
CURRENT YEAR BALANCE	92,100	92,100
TOTALS	**$ 897,600**	**$ 592,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Three Hundred Twenty Five Thousand Three Hundred dollars ($325,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	**$ 30,600**	**$ 17,300**
STATE GRANT	305,500	305,500
FEDERAL GRANT	2,500	2,500
TOTALS	**$ 338,600**	**$ 325,300**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
STATE GRANTS		
FURNITURE/FIXTURES	$ 7,000	$ 10,500
OFFICE SUPPLIES	30,800	30,800
PRINTING AND DUPLICATING	12,500	12,500
PROGRAM EXPENSES/SUPPLIES	27,500	27,500
BOOKS	146,600	150,600
AUDIO VISUAL SUPPLIES	77,200	77,200
POSTAGE	100	100
TRAINING/CONF/FOOD/TRAV	8,800	5,300
OFF EQP/REPAIRS & MAINT	6,300	6,300
OTHER EQUIP - LEASE	2,000	2,000
SUBTOTAL EXPENSES STATE GRANTS	**318,800**	**322,800**
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	2,500	2,500
SUBTOTAL EXPENSES FEDERAL GRANTS	**2,500**	**2,500**
GRAND TOTAL EXPENSES	**321,300**	**325,300**
CURRENT YEAR BALANCE	17,300	-
TOTALS	**$ 338,600**	**$ 325,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Six Hundred Fourteen Thousand Three Hundred dollars ($614,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	**$ 154,900**	**$ 295,300**
STATE AND FEDERAL GRANTS RECEIVED	1,111,900	319,000
TOTALS	**1,266,800**	**614,300**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
EXPENDITURES		
PERSONNEL EXPENDITURES		
CADET PROGRAM SALARIES	71,400	71,400
CADET PROGRAM FICA	5,400	5,500
CADET PROGRAM W/COMP	3,500	4,200
MATERIALS AND SUPPLIES		
POLICE EQUIPT & PROG SUPP	384,600	284,000
TECHNOLOGY EQUIPMENT	20,000	-
ADMINISTRATIVE EXPENDITURES		
CELL PHONE CHARGES	15,000	16,000
TRAINING	72,600	17,000
AUDIT FEES	1,000	1,000
CONTRACTUAL SERVICES	299,400	5,000
TOTAL EXPENDITURES	**872,900**	**404,100**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT	172,700	82,000
TOTAL FINANCING USES	**172,700**	**82,000**
CURRENT YEAR BALANCE	221,200	128,200
TOTALS	**$ 1,266,800**	**$ 614,300**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

CDBG GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Hundred Thirty Eight Thousand Six Hundred dollars ($238,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	**$ 2,100**	**$ 2,100**
CDBG GRANTS RECEIVED	272,800	236,500
TOTALS	**274,900**	**238,600**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
EXPENDITURES		
PRIOR YEAR CLOSING COST/DOWN PAYMENT PROGRAM	900	-
PRIOR YEAR NCALL RESEARCH INC.	6,500	-
CURRENT YEAR CLOSING COST/DOWN PAYMENT PROGRAM	60,000	50,000
CURRENT YEAR CONNECTION SUPP PROGRAM	7,400	7,200
CURRENT YEAR DOVER INTERFAITH MINISTRY	27,000	22,000
CURRENT YEAR MHDC EMERGENCY HOME REPAIR	35,300	25,000
CURRENT YEAR HABITAT FOR HUMANITY	40,000	30,000
CURRENT YEAR MHDC HOMEOWNER REHAB.	52,900	55,000
CURRENT YEAR PEOPLES PLACE	6,800	-
CURRENT YEAR SALARIES	36,000	47,300
TOTAL EXPENDITURES	**272,800**	**236,500**
CURRENT YEAR BALANCE	2,100	2,100
TOTALS	**$ 274,900**	**$ 238,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2016-2017 BUDGET ORDINANCES

SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Hundred Twenty One Thousand Three Hundred dollars ($121,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2015/16 REVISED	2016/17 BUDGET
PRIOR YEAR BALANCE	**$ 98,200**	**$ 60,300**
STATE GRANTS RECEIVED	28,000	28,000
RECREATION REVENUE	50,000	33,000
TOTALS	**176,200**	**121,300**

OPERATING EXPENSES

	2015/16 REVISED	2016/17 BUDGET
EXPENDITURES		
TEMPORARY HELP/BENEFITS	60,200	60,200
PROGRAM EXPENSES/SUPPLIES	55,700	55,000
TOTAL EXPENDITURES	**115,900**	**115,200**
CURRENT YEAR BALANCE	60,300	6,100
TOTALS	**$ 176,200**	**$ 121,300**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED: