ANNUAL COUNCIL MEETING AGENDA

MAY 9, 2016 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA, DOVER, DELAWARE

REVISED BY RE-ORDERING ITEM #11, STATE OF THE CITY MESSAGE - MAYOR ROBIN R. CHRISTIANSEN, AS NEW ITEM #7 AND RE-ORDERING THE REMAINING ITEMS ACCORDINGLY

PRESENTATION OF THE COLORS BY DOVER HIGH SCHOOL AIR FORCE JUNIOR RESERVE OFFICER TRAINING CORPS (AFJROTC)

INVOCATION BY REVEREND ELMER N. DAVIS, JR. - WHATCOAT UNITED METHODIST CHURCH

PLEDGE OF ALLEGIANCE LED BY DOVER HIGH SCHOOL AIR FORCE JUNIOR RESERVE OFFICER TRAINING CORPS (AFJROTC)

NATIONAL ANTHEM BY ALLYSA PEREZ, DOVER HIGH SCHOOL CHORUS

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* 1. **ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF APRIL 25, 2016**

2. **REAFFIRMATION OF MAYOR AND COUNCIL OATHS OF OFFICE ADMINISTERED BY THE HONORABLE WILLIAM L. WITHAM JR., RESIDENT JUDGE - SUPERIOR COURT**

3. **CERTIFICATES OF CONGRATULATIONS**
   - A. **CAESAR RODNEY SCHOOL DISTRICT 100TH ANNIVERSARY**
   - B. **DOVER HIGH SCHOOL MUSIC DEPARTMENT**

4. **ELECTION OF COUNCIL PRESIDENT/VICE-MAYOR**

5. **RECESS FOR PHOTOGRAPHS (MAYOR AND COUNCIL)**

6. **PROCLAMATIONS**
   - A. **COMMUNITY ACTION MONTH**
   - B. **MENTAL HEALTH AWARENESS MONTH**
   - C. **PUBLIC WORKS WEEK**

7. **STATE OF THE CITY MESSAGE - MAYOR ROBIN R. CHRISTIANSEN**

8. ANNEXATION OF PROPERTIES LOCATED AT 1411 AND 1417 SOUTH GOVERNORS AVENUE, OWNED BY HEARTLAND DELAWARE, INC.

A. PUBLIC HEARING - ZONING CLASSIFICATION

PROPERTIES LOCATED AT 1411 SOUTH GOVERNORS AVENUE, CONSISTING OF 0.2158$^{+/-}$ ACRES (PARCEL C) AND 1417 SOUTH GOVERNORS AVENUE, CONSISTING OF 0.4497$^{+/-}$ ACRES (PARCEL D), OWNED BY HEARTLAND DELAWARE, INC. THESE PROPERTIES ARE CURRENTLY ZONED BG - GENERAL BUSINESS DISTRICT (KENT COUNTY ZONING CLASSIFICATION) AND THE PROPOSED ZONING IS C-4 - HIGHWAY COMMERCIAL (CITY OF DOVER ZONING CLASSIFICATION). (TAX PARCEL: ED-00-086.09-01-21.00-000 (PARCEL C) AND ED-00-086.09-01-22.00-000 (PARCEL D); PLANNING REFERENCE: AX-16-02; COUNCIL DISTRICT: 2)

B. ADOPTION OF ANNEXATION RESOLUTION NO. 2016-02

C. FINAL READING/ADOPTION OF REZONING ORDINANCE #2016-12

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF MARCH 14, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

(1) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 1411 AND 1417 SOUTH GOVERNORS AVENUE

9. ANNEXATION OF PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE INCLUDING THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL (LOTS 8, 9, AND 10A) AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE (LOT 18), OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC.

A. PUBLIC HEARING - ZONING CLASSIFICATION

PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE (THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL), CONSISTING OF 5.67$^{+/-}$ ACRES (LOT 8), 10.21$^{+/-}$ ACRES (LOT 9), AND 13.69$^{+/-}$ ACRES (LOT 10A) AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE, CONSISTING OF 228.86$^{+/-}$ ACRES (LOT 18), OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC. THESE PROPERTIES ARE CURRENTLY ZONED AR - AGRICULTURAL RESIDENTIAL (KENT COUNTY ZONING CLASSIFICATION) AND THE PROPOSED ZONING IS RC - RECREATIONAL AND COMMERCIAL (CITY OF DOVER ZONING CLASSIFICATION). (TAX PARCELS: LC-00-058.00-01-29.00-000 (LOTS 8, 9, AND 10A) AND LC-00-058.00-01-02.00-000 (LOT 18); PLANNING REFERENCE: AX-16-03; COUNCIL DISTRICT: 3)

B. ADOPTION OF ANNEXATION RESOLUTION NO. 2016-03

C. FINAL READING/ADOPTION OF REZONING ORDINANCE #2016-13

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF MARCH 14, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

(1) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF THREE (3) UNADDRESSED LOTS OF A SINGLE PARCEL OF PROPERTY LOCATED ADJACENT TO STATE ROUTE 1 AND SURROUNDING THE INTERSECTION OF LEIPSIC ROAD AND PERSIMMON TREE LANE, AND PROPERTY LOCATED AT 1229 PERSIMMON TREE LANE

10. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-15 - REZONING REQUEST FOR PROPERTIES LOCATED IN THREE (3) AREAS (A, B, AND C) CONSISTING OF FOURTEEN (14) PARCELS TOTALING 291.07+/- ACRES, OWNED BY DOVER INTERNATIONAL SPEEDWAY, INC.

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF MARCH 28, 2016. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

- **AREA A: TWELVE (12) PARCELS LOCATED EAST OF LEIPSIC ROAD AND WEST OF STATE ROUTE 1, TOTALING 195.13+/- ACRES. THE CURRENT ZONING IS CPO (COMMERCIAL AND PROFESSIONAL OFFICE) AND R-8 (ONE-FAMILY RESIDENCE), PARTIALLY SUBJECT TO THE SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE), AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL), PARTIALLY SUBJECT TO THE SWPOZ (SOURCE WATER PROTECTION OVERLAY ZONE).**
  (TAX PARCELS: LC-05-058.17-02-01.00-000, LC-05-058.17-01-07.00-000, ED-05-058.17-01-11.00-000, LC-05-058.17-01-08.00-000, ED-05-058.17-01-18.00-000, LC-05-058.17-01-09.00-000, ED-05-058.17-01-19.00-000, ED-05-068.05-01-02.01-000, LC-05-058.00-02-08.00-000, ED-05-068.05-01-16.00-000, LC-05-068.00-01-01.00-000, AND LC-05-068.10-01-01.00-000; PLANNING REFERENCE Z-16-04; COUNCIL DISTRICT: 3)
- **AREA B: LOCATED EAST OF STATE ROUTE 1 AND SOUTH OF PIT STOP LANE, TOTALING 10.43+/- ACRES. THE CURRENT ZONING IS MHP (MOBILE HOME PARK) AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL).**
  (TAX PARCEL: LC-05-058.17-02-01.00-000; PLANNING REFERENCE Z-16-04; COUNCIL DISTRICT: 3)
- **AREA C: LOCATED NORTH OF PERSIMMON TREE LANE ADJACENT TO THE CITY LIMITS, TOTALING 85.51+/- ACRES. THE CURRENT ZONING IS A (AGRICULTURAL) AND THE PROPOSED ZONING IS RC (RECREATIONAL AND COMMERCIAL).**
  (TAX PARCEL: LC-05-058.00-02-15.00-000; PLANNING REFERENCE Z-16-04; COUNCIL DISTRICT: 3)

11. PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-14

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF MARCH 28, 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 #2016-14 AMENDING APPENDIX B - ZONING, ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES, SECTION 5 - SUPPLEMENTARY REGULATIONS FOR PARKING AND LOADING FACILITIES, SUBSECTION 5.3 - SUPPLEMENTARY PARKING REGULATIONS FOR MULTIPLE DWELLINGS, INCLUDING DUPLEXES, MULTIPLEXES, AND APARTMENTS

* **12. DOVER HUMAN RELATIONS COMMISSION REPORT - APRIL 20, 2016**

A. PRESENTATION BY THE METROPOLITAN WILMINGTON URBAN LEAGUE YOUNG PROFESSIONALS - DR. SHEKELIA HINES

B. RECESS FOR PHOTOGRAPHS

* **12. DOVER HUMAN RELATIONS COMMISSION REPORT - APRIL 20, 2016 (CONTINUED)**

C. DHRC COMMITTEE UPDATES

(1) GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE (MCGIFFIN)

(A) CITY OF DOVER DIVERSITY QUESTIONNAIRE - QUESTIONS FOR ONLINE SURVEY

(COMMISSION RECOMMENDED AUTHORIZING THE GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE TO TAKE THE NEXT STEP AND PUT THE SURVEY QUESTIONS ONLINE AS DRAFTED)

(2) COMMUNITY ENGAGEMENT COMMITTEE (ROACH)

(A) DHRC LOGO

(B) REACH ONE, TEACH ONE CHALLENGE

(C) NEW IDEAS FOR COMMUNITY ENGAGEMENT

D. EDUCATION COMMITTEE (BOGLE)

E. COMMUNICATIONS COMMITTEE (GRIFFITH)

(1) AFRICAN AMERICAN FESTIVAL

(2) COMMUNITY INVOLVEMENT - PUBLIC RELATIONS INITIATIVE

F. OLD BUSINESS

(1) DHRC VACANCIES (FIRST AND FOURTH DISTRICTS)

* **13. COUNCIL COMMITTEE OF THE WHOLE REPORT - APRIL 26, 2016**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) SPEED CONTROL MEASURES - INDEPENDENCE BOULEVARD

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE RECOMMENDATION OF DELDOT AND THE WORKING GROUP FOR THE ROUNDABOUT)

(2) TRAFFIC CONCERNS - PROPOSED INTERCONNECTION BETWEEN THE ARBORS SENIOR GARDEN APARTMENTS AND EMERALD POINTE

(COMMITTEE RECOMMENDED LOOKING INTO THE PROCESS OF ABANDONING THE STUB STREET THAT WAS RECOMMENDED BY THE PLANNING COMMISSION IN EMERALD POINTE)

(3) REVIEW OF POSITION DESCRIPTION/REQUIREMENTS - CITY FIRE MARSHAL (INSPECTOR III)

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

B. UTILITY COMMITTEE

(1) DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE - TRIBBITT STREET EXTENSION AND SOUTHERN PORTION OF DOVER HIGH DRIVE (LEANDER LAKES)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE, TO INCLUDE ALL OF THE REFERENCED PUBLIC IMPROVEMENTS, AS WELL AS THEIR CONSTRUCTION VALUES)

(2) ANNUAL ENGINEERING CONSULTANT'S REPORT ON THE OPERATION AND MAINTENANCE OF THE ELECTRIC SYSTEM - FISCAL YEAR 2015

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

(3) TEA/NAES REPORTS (JANUARY AND FEBRUARY)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORTS)

(4) GARRISON OAK TECHNICAL PARK PROJECT UPDATES

(COMMITTEE ACTION NOT REQUIRED)

* **13. COUNCIL COMMITTEE OF THE WHOLE REPORT - APRIL 26, 2016 (CONTINUED)**

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) UPDATES

(A) TRANSFER OF REAL PROPERTY FROM DELAWARE CIVIC CENTER CORPORATION TO DELAWARE STATE UNIVERSITY

(COMMITTEE RECOMMENDED THAT DELAWARE STATE UNIVERSITY (DSU) PRESENT THE COMMITTEE WITH A PROPOSAL FOR CITY COUNCIL TO TRANSFER THE PROPERTY TO DSU)

(B) OVERGROWTH OF BAMBOO - RODNEY ROAD

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(2) DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT (BID) BUDGET AND ASSESSMENT (TAX) RATES FOR FISCAL YEAR 2016-2017

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(3) PROPOSED ORDINANCE #2016-10 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 8 - DEFERRED COMPENSATION PLAN (SPONSORS: COLE AND KOENIG)

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(4) EVALUATION OF TRIAL PERIOD FOR COUNCIL COMMITTEE OF THE WHOLE MEETINGS (COUNCIL RESOLUTION NO. 2015-16)

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

* **14. MONTHLY REPORTS - MARCH 2016**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CITY PLANNER'S REPORT (FEBRUARY AND MARCH)
D. CONTROLLER/TREASURER'S BUDGET REPORT
E. ECONOMIC DEVELOPMENT OFFICE REPORT
F. FIRE CHIEF'S REPORT (FEBRUARY AND MARCH)
G. POLICE CHIEF'S REPORT

* **15. QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) (JANUARY, FEBRUARY, AND MARCH)**

* **16. APPOINTMENT OF INTERIM FIRE MARSHAL - JASON A. OSIKA**

17. 2016/17 STAFF APPOINTMENTS - CITY COUNCIL

A. CITY ASSESSOR
B. BUILDING INSPECTOR
C. CITY CLERK
D. ASSISTANT CITY CLERK
E. CONTROLLER/TREASURER
F. ASSISTANT CONTROLLER/TREASURER
G. ASSISTANT TREASURERS
H. FIRE MARSHAL (DEFERRED)
I. CITY SOLICITOR
J. DEPUTY CITY SOLICITOR

18. 2016/17 COMMITTEE APPOINTMENTS - COUNCIL PRESIDENT

- **A. CIVILIAN PENSION PLAN - BOARD OF TRUSTEES**
- **B. COMPENSATION COMMISSION**
- **C. CONSTRUCTION CODE APPEALS COMMITTEE**
- **D. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
- **E. OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND BOARD**
- **F. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
- **G. POLICE PENSION PLAN - RETIREMENT COMMITTEE**
- **H. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**
- **I. UTILITY COMMITTEE**

19. 2016/17 MISCELLANEOUS APPOINTMENTS - COUNCIL PRESIDENT

- **A. CENTRAL DELAWARE CHAMBER OF COMMERCE - LIAISON MEMBER**
- **B. CITY/COUNTY COMMITTEE (LIAISON TO KENT COUNTY)**
- **C. KENT COUNTY TOURISM BOARD OF DIRECTORS - VOTING LIAISON MEMBER**
- **D. KENT ECONOMIC PARTNERSHIP BOARD OF DIRECTORS - VOTING LIAISON MEMBER**

20. 2016/17 APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT - PRESIDENT'S COUNSEL ON PUBLIC/PRIVATE PARTNERSHIPS AND THE FUTURE OF CITY HALL, WEYANDT HALL, FORMER DOVER LIBRARY, AND OTHER CITY PROPERTIES

21. 2016/17 COMMITTEE APPOINTMENTS - MAYOR

- **A. COMPENSATION COMMISSION**
- **B. DOVER 4TH OF JULY CELEBRATION COMMITTEE**
- **C. DOVER PUBLIC LIBRARY ADVISORY COMMISSION**
- **D. DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS**
- **E. ELECTION BOARD**
- **F. PROPERTY MAINTENANCE CODE BOARD OF APPEALS**
- **G. SILVER LAKE COMMISSION**

22. COUNCIL APPOINTMENTS

- **A. YOUTH ADVISORY COMMITTEE**
- **B. COMPENSATION COMMISSION**

* **23. RESOLUTION NO. 2016-04 - APPROVAL OF THE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN**

(STAFF RECOMMENDS ADOPTION OF THE RESOLUTION)

24. CITY MANAGER'S ANNOUNCEMENTS

25. COUNCIL MEMBERS' ANNOUNCEMENTS

26. 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;

EXECUTIVE SESSION PURSUANT TO (CONTINUED):

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2016\05-09-2016 ANNUAL REVISED 05-09-2016.WPD