SPECIAL COUNCIL MEETING
AGENDA

DECEMBER 9, 2015 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

INVOCATION BY COUNCILMAN NEIL

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN HUTCHISON

AGENDA ADDITIONS/DELETIONS

1. **PUBLIC HEARINGS - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE**
   (STAFF RECOMMENDS: 1) DECLARING THESE BUILDINGS AND ALL ACCESSORY STRUCTURES ON THESE PROPERTIES DANGEROUS; 2) ORDERING THE PROPERTIES DEMOLISHED BY JANUARY 9, 2015 BY THE OWNERS OR EQUITY OWNERS AT THEIR OWN RISK; 3) ORDERING THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNERS WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL; AND 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LANDS ON WHICH THE BUILDINGS EXIST AS MUNICIPAL LIENS OR CAUSE SUCH COSTS TO BE ADDED TO THE TAX DUPLICATE AS ASSESSMENTS, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNERS.)

   A. **PROPERTY LOCATED AT 1124 FORREST AVENUE, OWNED BY ENNIS BUSINESS ASSOCIATES, LLC**
   B. **PROPERTY LOCATED AT 1128 FORREST AVENUE, OWNED BY ENNIS BUSINESS ASSOCIATES, LLC**
   C. **PROPERTY LOCATED AT 325 NORTH NEW STREET, OWNED BY JOSEPH R. AND JAMES E. KOSTACK**
   D. **PROPERTY LOCATED AT 2 SOUTH QUEEN STREET, OWNED BY KZ FOREVER LLC**

2. **COUNCIL MEMBERS' ANNOUNCEMENTS**

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 11-25-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 1124 Forrest Ave Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-2149 & 12-1366
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $20,000 - $25,000 **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of November 23, 2015, there is $44,619.39 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Ennis Business Associates LLC. The property is a two-story wood-framed single family home. The house has been vacant since May of 2012, and is registered with the City as a Vacant Building. Utilities were terminated on December 12, 2014. On June 22, 2015, staff from the Planning and Inspections Department condemned the structure as unfit for human occupancy due to no active utilities and outstanding code violations. Currently the home is still vacant with numerous outstanding code violations.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 11-24-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 1128 Forrest Ave Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-2148 & 12-1367
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $20,000 - $25,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of November 23, 2015, there is $44,619.39 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Ennis Business Associates LLC. The property is a two-story wood-framed single family home. The house has been vacant since May of 2012, and is registered with the City as a Vacant Building. Utilities were terminated on April 10, 2012. On June 22, 2015, staff from the Planning and Inspections Department condemned the structure as unfit for human occupancy due to no active utilities and outstanding code violations. Currently the home is still vacant with numerous outstanding code violations.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 11-25-2015
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 325 N New St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-2881 & 13-4357
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $15,000. **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of November 23, 2015, there is $44,619.39 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Joseph & James Kostack . The property is a two-story wood-framed single family home. The house has been vacant since December of 2013, and is registered with the City as a Vacant Building. On August 27, 2015, staff from the Planning and Inspections Department found the structure unsecure. Upon entry with City Police, evidence was found that the home was being used for illegal drug and sexual activities. City Staff condemned the structure as unfit for human occupancy and had the building secured. Currently the home is still vacant with no utilities.

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 11-25-2015

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

SUBJECT: 2 S Queen St, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 15-1881 & 15-1771

RELATED PROJECT: N/A

APPROVALS: N/A

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

EXPENDITURE REQUIRED: Preliminary estimate is $15,000.

AMOUNT BUDGETED: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of November 23, 2015, there is $44,619.39 remaining in the line item.

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

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk.
3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by KZ FOREVER LLC. The property is a two-story wood-framed single family home. The house has been vacant since February of 2015, and is registered with the City as a Vacant Building. On June 4, 2015, staff from the Planning and Inspections Department condemned thestructure as unfit for human occupancy due to no active utilities and outstanding code violations. Currently the home is still vacant, with utilities only in unit B, and numerous outstanding code violations.