REGULAR COUNCIL MEETING

The Regular Council Meeting was held on February 9, 2015 at 7:30 p.m. with Council President Bonar presiding. Council members present were Mr. Anderson, Mr. Dixon, Mr. Perza, Mr. Slavin, Mr. Hare, and Mr. Hutchison. Mrs. Williams was absent.

Council staff members present were Mr. Koenig, Mrs. Townshend, Captain Stump, Chief Hall, City Solicitor Rodriguez, and Mrs. McDowell. Mrs. Mitchell was absent. Mayor Christiansen was also present (departed at 7:41 p.m.).

OPEN FORUM

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

Ms. Sarah Herbert, 223 North Bradford Street, read the following statement:

> *On Monday, January 12, 2015 the City Council of Dover approved the Legislative, Finance, & Administrative Committee's recommendation for 10 additional police officers increasing the authorized strength from 92 to 102. There was much public support in the chamber. In an Op Ed in a local newspaper, the citizens of Dover who supported this increase were labeled as "special interests groups". The only special interest we shared was wishing no longer be victims of crime in our own neighborhoods and to insure our city's ability to grow as a safe place to live and do business.*
>
> *I want to remind you why we need to fund these officers - crime creeps - it might be on New Street today but it could just as easily be in areas like Fox Hall tomorrow. All you have to do is read the news paper. As police attack crime in Wilmington, the crime will likely move south to Dover. As Mr. Hutchison stated, the first job of the City of Dover government is to provide public safety to all citizens. Chief Bernat pointed out that within the next 5 years there would be mandatory retirement for 9 officers. He stated that it would take 18 months to replace a retiring officer. He made clear that the various training officers are required to take and the Family and Medical Leave Act has had a direct impact on the number of available officers to respond to 911 calls. I believe we need the additional officers to increase safety for all.*
>
> *Mr. Hare recalled Chief Hosfelt requesting additional officers in 2011, the request was denied. Mr. Hare concluded City's requests for funding anything is a matter of prioritizing - he felt that these officers would be needed, supported the request and did not feel it should be deferred. It's been deferred since 2011, it's time to prioritize our citizens well being and decide how much a safer community is worth.*
>
> *When additional people are hired for any job, you have to pay for them. Mrs. Williams stated she does not usually support tax increases, but for public safety it may be necessary. My husband and I will happily support a tax increase to make*

Dover a safe place to live and work and to allow our businesses to thrive. This important matter cannot be ignored without dire consequences to the City and its citizens. Remember, crime goes where the local leaders and citizens allow it to go.

Mr. George Gaudioso, 167 Maple Glen Drive, referring to the item entitled "Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor", stated that he had read the October 27, 2014 and December 8, 2014 minutes of the Legislative, Finance, and Administration Committee meetings and he felt that they were very pertinent to the current consideration of changing the structure of the City government, which will have a direct impact on how the government functions and how the citizens will deal with the government. Mr. Gaudioso noted that he filed to run for Mayor because of this issue and his strong belief in the Council/Manager form of government. He believes it is the most efficient and cost effective form of government and he was concerned that the options being proposed by the Committee will create a very strong Mayor. Mr. Gaudioso urged residents to look into this issue because it will effect them.

Mrs. Paula Kinsey, 224 North State Street, stated that the Dover Post Office looks like it is ready to collapse. Noting that the federal government leases the property for $1 a year, she requested that the outside area be cleaned up and the building repaired and maintained.

Mr. Joseph D'Urso, 305 North State Street, referring to the item entitled "Amendment to Motion Related to Dover Police Department - Permission to Increase Authorized Strength of Police Officers from 92 to 102", urged members to reject any attempt to revoke the prior decision to increase the strength of the police force. He noted that Dover's tax rate is very low and the amount of the proposed increase could hardly dissuade anyone from taking up residence in Dover; however, the crime situation could. Mr. D'Urso reminded members that there was another shootout the previous morning, which had been happening with far too much regularity. He cited the previous day's Wilmington News Journal article which indicated that the City of Wilmington, a city which is struggling to remove its name from the list of most dangerous cities in the United States, had authorized the hiring of additional police to bring the force to 320. Mr. D'Urso noted that Wilmington has 286 citizens per police officer and Dover has approximately 386 citizens per police officer. He urged City Council not to alter their previous decision.

Mr. Jack Foley, 306 North Bradford Street, stated that he had lived on Bradford Street for the past 25 years and, just this year, he and his wife are considering moving out of Dover because of the crime element that is moving into their neighborhood. He stated that they had found drug paraphernalia in the back of their garage and had busted up groups of people there. They and their neighbors had things stolen from their porches and yards. Mr. Foley stated that he supports the hiring of 10 additional officers so that they have more officers to patrol his area.

The invocation was given by Reverend Theodore Henderson, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Council President Bonar requested that Item #2C - Delaware Division of the Architecture Institute of America Award be deferred.

Mr. Hutchison moved for approval of the agenda, as amended. The motion was seconded by Mr. Dixon and unanimously carried.

Mr. Hare moved for approval of the Consent Agenda, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 12, 2015

The Minutes of the Regular Council Meeting of January 12, 2015 were unanimously approved by motion of Mr. Hare, seconded by Mr. Dixon and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF FEBRUARY 2, 2015

The Minutes of the Special Council Meeting of February 2, 2015 were unanimously approved by motion of Mr. Hare, seconded by Mr. Dixon and bore the written approval of Mayor Christiansen.

PRESENTATION - CERTIFICATE OF CONGRATULATIONS - HOLY CROSS ELEMENTARY SCHOOL CHESS TEAM - TRI-STATE WINTER OPEN CHESS TOURNAMENT

Mayor Christiansen presented the following Certificate of Congratulations to the Holy Cross elementary school chess team, on behalf of the Mayor and Council:

Certificate of Congratulations

presented to

The Holy Cross Elementary School Chess Team

for its outstanding performance in the Tri-State Winter Open Chess Tournament

1st place - K-4 Under 600 Division
2nd place - K-8 Under 1000 Division

Mark Arranguez	Javen Kwok	Ethan Reid	Koisonna Umobi
Katie Dunkle	Daniel Lin	Sage Sawhney	Nnaeto Umobi
Noah Holgado	Ayush Patel	Chiagozie Umobi	Justin Yeung

Outstanding Individual Performances by:

Ronin Poliquin - 1st place - K-4 Under 600 Division (winning 4 out of 4 games)
Nwakoby Onugu - 2nd place - K-4 Under 600 Division (winning 4 out of 4 games)

Coaches: Steve Holfeld, Ronald Poliquin, and Bob Raczynski

The City of Dover extends its sincere congratulations.

PRESENTATION - CERTIFIED MUNICIPAL CLERK DESIGNATION - DENISE L. DEVINE

Mayor Christiansen and Council President Bonar presented Ms. Denise L. Devine, Assistant City Clerk, with her Certified Municipal Clerk certificate. Mayor Christiansen, on behalf of himself, Council President Bonar, members of Council, and City Clerk's Office staff, stated that they were all aware that many hours of training go into securing certification and that they were very proud of her.

Council President Bonar stated that becoming a Certified Municipal Clerk is a pretty significant accomplishment and holds great weight in municipal governments throughout the United States.

PROCLAMATION - BLACK HISTORY MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, in 1915, Carter G. Woodson founded the Association for the Study of Negro Life and History, now known as the Association for the Study of African American Life and History. He believed that historical truth would diminish lies and usher in a new era of equality, opportunity, and racial democracy; and

WHEREAS, few imagined that African Americans would be appreciated in music, art or literature and fewer could have predicted the prominence achieved in shaping world politics, war, and diplomacy. A century later, few can deny the role of African Americans in the making of American history; and

WHEREAS, African Americans used their talents to change how the world viewed them. Artists gave an abundance of cultural gifts including jazz, poetry, and African art; athletes dominated individual and team sports, transforming baseball, track and field, football, boxing, and basketball; and African American activism transformed race relations, challenged American foreign policy, and became the American conscience on human rights; and

WHEREAS, the Association for the Study of African American Life and History has selected "A Century of Black Life, History, and Culture" as the 2015 National Black History Month Theme.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE do hereby proclaim February 2015 as **BLACK HISTORY MONTH** in the City of Dover and urge all citizens to reflect on the positive influence African Americans have made on our culture, and in our community and country in the last century.

RENEWAL OF MOTION RELATED TO FINAL READING OF PROPOSED ORDINANCE #2014-24 - REZONING REQUEST FOR PROPERTIES LOCATED AT 21 AND 27 SAULSBURY ROAD AND 983 FOREST STREET, OWNED BY FAITHWORK, LLC

Mr. Perza reminded members that, during their Regular Meeting of January 12, 2015, Council considered the rezoning request for properties located at 21 and 27 Saulsbury Road and 983 Forest Street, owned by Faithwork, LLC. At the conclusion of the public hearing, Council denied the request.

Mr. Perza moved to renew the motion to accept the recommendation of the Planning Commission to approve the rezoning of the properties located at 21 Saulsbury Road (15,505 S.F.$^{+/-}$), 27 Saulsbury Road (9,515 S.F.$^{+/-}$), and 983 Forest Street (8,276 S.F.$^{+/-}$), owned by Faithwork, LLC. The properties are currently zoned C-PO (Commercial and Professional Office) and subject to the COZ-1 (Corridor Overlay) and the proposed zoning is IO (Institutional and Office) and subject to the COZ-1 (Corridor Overlay Zone). The motion was seconded by Mr. Hutchison and carried by a unanimous roll call vote (Williams absent).

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the applicant for the rezoning, and the lessee at the property, Psychotherapeutic Services, Inc., submitted additional information that addresses the safety concerns that were raised at the last Council meeting. A site diagram of the property showing the three (3) parcels that surround the Subway at the corner of Saulsbury Road and Route 8 was also provided. Mrs. Townshend noted that the information provided is very specific to the applicant's use and, if the request to rezone the property to the IO (Institutional and Office) classification were approved, any use that is permitted in that zoning district would also be permitted. She noted that the current and proposed zones are similar; however, the current zone is more restrictive.

Responding to Mr. Hutchison, Mrs. Townshend stated that they had not yet determined if a fire suppression system would be required. She noted that they are awaiting documentation from the applicant's architect indicating how they would meet the applicable building and fire codes.

Mr. John Sigler, General Counsel for Psychotherapeutic Services, stated that there were a number of people present to answer any questions that Council may have. He noted that a letter of clarification from Mr. Howard Giddens, Prevention & Behavioral Health Program Administrator with the State of Delaware Department of Services for Children, Youth and Their Families, was included in the supplemental information that Council had received.

Responding to Mr. Hutchison, Mr. Sigler stated that there would be no fewer than two (2) trained staff members in any occupied house on the site and a teacher and teacher's aide would be in the classroom. Mr. Sigler advised members that the property would be surrounded by a four (4) foot fence in the front and a six (6) foot fence in the back.

Mr. Hutchison asked if any of the residents would be convicted of or arrested for sex offenses or violent crimes. Mr. Giddens stated that exclusionary criteria for this facility would be adjudicated sex offenders because it would not be a specialized facility to meet those needs. He noted that violent crime offenders would also be excluded because they are dealt with in the juvenile justice system, not behavioral health systems.

Mr. Hare moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Slavin and, by a unanimous roll call vote (Williams absent), Council adopted Ordinance #2014-24, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 21 SAULSBURY ROAD, 27 SAULSBURY ROAD, AND 983 FOREST STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from C-PO (Commercial and Professional Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from C-PO (Commercial and Professional Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) on properties located at 21 Saulsbury Road, consisting of $15,505^{+/-}$ S.F.; 27 Saulsbury Road, consisting of $9,515^{+/-}$ S.F.; and 983 Forest Street, consisting of $8,276^{+/-}$ S.F., owned by Faithwork, LLC.

ADOPTED: FEBRUARY 9, 2015

AMENDMENT TO MOTION RELATED TO DOVER POLICE DEPARTMENT - PERMISSION TO INCREASE AUTHORIZED STRENGTH OF POLICE OFFICERS FROM 92 TO 102

During their Regular Meeting of January 12, 2015, City Council approved the Legislative, Finance, and Administration Committee's recommendation to approve Chief Paul Bernat's request for 10 additional police officers, thereby increasing the authorized strength from 92 to 102.

Mr. Hutchison stated that he stands strongly behind public safety. He noted that the City was embarking on major target area initiatives and requested Mrs. Ann Marie Townshend to provide a brief update on the Downtown Development District Designation.

Mrs. Townshend advised members that the City of Dover received a grant to be used for new construction or the rehabilitation of residential and business properties. Once the property owner spends more than $25,000, they will receive a 20 percent rebate on their construction expenses. She noted that Kent County had committed their own funds for matching grants, up to $10,000. Mrs. Townshend stated that the City would be instituting a number of incentives, including impact fee and building permit waivers, as well as tax abatement on the value of improvements and tax benefits for the purchase of owner occupied homes. She noted that these incentives were designed to entice people to invest in the downtown area. Mrs. Townshend advised that there had been quite a bit of interest in both the residential and commercial incentives along the Loockerman Street corridor.

Mrs. Townshend stated that there is also a Neighborhood Building Block Grant Program which provides funding for projects that are not eligible for the Downtown Development District funds, such as the cadet program or additional lighting in trouble areas.

Mrs. Townshend clarified that Mr. Hutchison requested the overview in relation to the hiring of additional officers because reducing crime is not just about police officers; it is about a unified strategy and increasing home ownership, cleaning up the neighborhoods, and improving the lighting in trouble areas, which are all important to a crime reduction strategy.

Mr. Hutchison stated that putting a policeman on every corner would not stop crime related to drug offenses. He noted that it would take a major commitment from the total City, including the Public Works Department, the Fire Marshal's Office, Planning and Inspections, and the Police Department, to attack the problem from many different angles. Mr. Hutchison reiterated that law enforcement alone would not address these concerns and problems; however, a unified approach would.

Mr. Hutchison advised members that he met with Chief Bernat and members of his staff to explain his concerns related to the hiring of 10 additional officers. He noted that, in addition to the salaries, benefits, and health care, the current unfunded liability is of great concern and the City has to make some financial changes. Mr. Hutchison stated that neither the City Manager nor the Controller/Treasurer were given an opportunity to consider the financial impact of hiring 10 additional officers. He urged delaying the hiring of the second five (5) officers until the request could be considered during the budget process.

Responding to Mr. Hutchison, Mr. Koenig, City Manager, stated that Chief Bernat was preparing to request the hiring of an officer to replace a retiring officer and to civilianize another position.

Mr. Hutchison moved to amend the motion adopted during the January 12, 2015 Regular Council Meeting for approval of the request for 10 additional police officers; thereby increasing the authorized strength from 92 to 102, to allow the hiring of five (5) officers for the March police academy and to consider the hiring of five (5) additional officers for the September police academy during the budget process. The motion was seconded by Mr. Anderson.

Mr. Anderson stated that he supported the addition of 10 officers because the City needs more police; however, it should be part of a comprehensive strategy, which is underway. He thought the additional officers should be implemented in a sensible way over the course of a year instead of six (6) months because of the related costs, such as equipment, training, etc. that should be considered during the budget process. Mr. Anderson stated that he did not support reneging on the commitment to increase the authorized strength from 92 to 102.

Mr. Slavin noted that Council made a commitment with their prior vote and they should live up to that commitment. He stated that, after voting to add 10 members to the Police Department, he was called spineless, in print, by a previous member of Council. It was stated that he caved in to special interests and, the best that he could determine from that evening, the special interest groups that he caved in to were two (2) separate groups of neighbors who had banded together to come out on a cold evening to have their voices heard, members of a church who came to them to express the concerns that they had, and leaders from the African-American community who came out to have their voices heard. Mr. Slavin stated that he would cave in to those special interest groups every

time; however, he would not cave in to criminals, he would not be soft on crime, and he would not cave in to bean counters who look at balance sheets and tell them how to run the City. He stated that the City residents he had spoken to have had enough of the status quo. While Council held the line on taxes year after year over the last decade, they had watched the slow and systematic dismantling of the quality of life, which had been chipped away, little by little. Mr. Slavin noted that, while Wilmington struggles with a crime problem, it seems that Dover sits and watches, hoping it doesn't happen here. He suggested taking a more aggressive approach by hiring 10 officers and doing it quickly.

Mr. Slavin stated that the City always finds the money. When $300,000 was needed to avoid lawsuits because someone made a mistake in the hiring process, they found that money in less than an hour. He noted that, earlier in the evening, the Legislative, Finance, and Administration Committee heard a report that, in fiscal year 2014, they finished $643,000 over in the personnel budget. Although he felt that this was a tremendous accomplishment and he commended the City Manager on it, he stated that there were funds that had not been programmed at their disposal. Mr. Slavin noted that part of those funds would be used to repopulate the contingency reserve, in case there is another $300,000 mistake, and suggested that they look at their priorities.

Mr. Hare stated that, earlier in the evening, during the Legislative, Finance, and Administration Committee meeting, it was suggested that background checks be performed annually for anyone hired through the Parks and Recreation Department to work with the youth, feeling that they did not want anything to happen to the kids because of some dollars. He felt it would be the same if something were to happen to a resident. Mr. Hare mentioned spending money on a revenue neutral property reassessment, economic development, and other expenditures that may not be necessary, in addition to other areas that could be cut if they were not too spineless to do it. He agreed with Mr. Slavin that they always seem to find the money somehow. Mr. Hare reiterated his experience while on a police ride along and suggested that there needed to be enough officers to respond and to assist those responding when necessary.

Mr. Dixon stated that he thought Council should stay with their original approval and work it out.

Council President Bonar read the following statement:

> *During the past few weeks, I've heard a litany of comments about our need to increase the strength of the Dover Police department. Guns, drugs, prostitution and general misconduct has invaded the central portion of Dover. As a resident, who lives there and witnesses it, I can't condone it. It makes me furious, when people who live outside the Central district say we can't police our way out of these things and refuse to acknowledge the fact that Dover is at a crisis point that, if left unchecked, will put us in the same category as Wilmington.*
>
> *If you live in Mayfair, Crossgates or other areas such as Foxhall or Foxhall West, you don't have to contend with the issues we're contending with in Central Dover. There is not a weekend that goes by that I don't hear, or hear about, fights, disorderly conduct, drug sales, prostitution, and gunshots in a neighborhood that was once considered to be one of the premier neighborhoods of Dover. North State Street - police action is taking place in this neighborhood on a regular basis - armed*

assaults, robberies - all being perpetrated by young people who seem to have missed the lessons of life that deal with respect for people, their possessions and their property. Let's call it what it is.

I don't need the ministry, or some committee to meet to wring their hands and "find a way" to change things. Change will only come with accountability. If you break the law, you need to be held accountable. If you destroy someone's property, you need to be held accountable. If you disturb your neighbors with partying and loud music, you need to be held accountable. No warnings, no slaps on the wrist. If your child does any of those things, you need to be held accountable. Where were you when it came to teaching your child about respect?

You'll recall that a couple of weeks ago, we voted to increase the allocated strength of the police department from 92 to 102, with 5 of those officers hired in time for a March police academy. Was it pretty? No! was it done in an orderly manner? No! But the fact is we authorized it, we'll find a way to pay for it this year and, I hope, find a way to fund it in the budget next year.

In addition to the 10 officers being allocated to the police department, the chief and his administration asked for and received permission to hire cadets, who are not sworn Police officers, to assist with downtown patrols. And what happened, when we decided to do that - the ACLU and some people from the human relations community cried - Oh, they'll be a liability! Well, the liability, my friends, is in not taking definitive action.

These additions are a small measure of things needed to help our city make its way through some the issues we are facing. The Dover police department has the quickest response time and the greatest percentage of crimes solved of any police department in Delaware, and we applaud them for their service.

These are huge items, but one that's just as pressing is our need for fiscal responsibility. We simply can't hire our way out of this mess. We have an unfunded liability in th City of Dover that is north of $125 million. $125 million that can't go to repair infrastructure. $125 million that can't go to build a new youth recreation center. $125 million that can't go toward making Dover the gem that it really should be as the Capitol of Delaware. $125 million that won't go toward developing something in Dover that will cause us to be a destination.

Face it folks ... Dover Days, Firefly ... a country music festival and Punkin Chunkin aren't good enough to make us a destination. They're all quaint and successful for their organizers and make us feel good, but they only last a few days a year. We need a community that is safe and attractive enough to make people want to live and work here. We don't need a community or business professionals that portray as a place where people are selling their homes in order to move to a safer town - those who are, are giving up. Change takes time and takes the will to do it. Without change, the prophecy of the naysayers will come true. I recently had a well known realtor tell me, "no one's moving to Dover .. what have we got to attract them here?"

Well, sorry, Mr. realtor, if it weren't for you and a few others like you, we'd have built a civic center, we'd have built a riverwalk, we'd have attracted new businesses and filled our downtown, much of which is owned by landlords who can't or won't invest in their properties to make them more attractive. We should be forcing that to happen. Not asking - demanding. It's all about accountability.

Well, I may only be on Council a few more months. Any one of us can be voted off Council at the very next election. But I promise you one thing, I am not giving up.

Mr. Hare stated that he spoke with the people in his district and had not talked to anyone who was opposed to hiring the officers. He also noted that the unfunded liability did not happen overnight. Mr. Hare referred to the incident when someone broke into his house while he and his grandchildren were there. He stated that $125M wouldn't have mattered to him if something had happened to his grandchildren. Mr. Hare stated that you never know what you will feel until something like that happens to you.

Captain Tim Stump stated that he and Chief Bernat met with Mr. Hutchison and, out of respect for Councilman Hutchison and the process itself, Chief Bernat agreed to allow the process to take place, as Mr. Hutchison requested. Captain Stump also stated that this in no way was to imply that they did not want or feel that they need the 10 officers moving forward. He noted that they have a great police department; however, they can always be better and with the 10 officers, they will be better.

Mr. Anderson asked if it would make a public safety difference if the last five (5) of those 10 officers were phased in between September and March, as opposed to all in September. Responding, Captain Stump stated his opinion that the faster they can get the officers in the streets, the safer the public will be.

The motion to amend the motion adopted during the January 12, 2015 Regular Council Meeting for approval of the request for 10 additional police officers; thereby increasing the authorized strength from 92 to 102, to allow the hiring of five (5) officers for the March police academy and to consider the hiring of five (5) additional officers for the September police academy during the budget process failed by a roll call vote of five (5) no (Anderson, Dixon, Slavin, Hare, and Bonar), two (2) yes (Perza and Hutchison), and one (1) absent (Williams).

Mr. Hutchison stated that, for him, this was not about the addition of ten (10) police officers, it was about the process.

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 5 WELCH DRIVE, OWNED BY FEDERAL NATIONAL MORTGAGE ASSOCIATION (FANNIE MAE)

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 5 Welch Drive, owned by Federal National Mortgage Association (Fannie Mae). Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the property is a one (1) story, double-wide manufactured home. The dwelling was condemned as unfit for human habitation on October 29, 2014 due to no utilities and to the state of disrepair. The interior is full of mold and mildew due to water damage from numerous roof leaks and several windows have been busted. Staff had all the windows and doors boarded to

the property on November 3, 2014. Since that time, the boards covering the rear door had to be re-secured several times. Currently the structure is still vacant, with no utilities and in a serious state of disrepair.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #1)***.

Staff recommended that City Council take the following action for property located at 5 Welch Drive: 1) declare the building on this property dangerous; 2) order the property repaired or demolished by March 9, 2015 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structure if not completed by the owner within 10 days of the date established by City Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or 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.

Responding to Mr. Dixon, Mrs. Townshend stated that the property was bank-owned and, although the owner of record and the lien holder had been notified of this action, they had not made any repairs to the property.

Council President Bonar declared the Public Hearing open.

Ms. Joyce Talley, President of the Council for Persimmon Park Place, stated that she was speaking on behalf of the residents and the community in support of the demolition of 5 Welch Drive. She noted that, in the past, the property had been a location for pit bull fighting, drugs used and sold, unattended minor children, and car and foot traffic until as late as 3:00 a.m. Ms. Talley indicated that it was her understanding that the previous owner, Mr. Moore, was in federal prison as a result of the dog fighting and drugs.

Ms. Talley advised members that she had called and sent e-mails to the law firm representing Fannie Mae and had received no response. She noted that before the property was condemned, they had issues such as tall grass, trash and debris, teenagers hanging out, broken windows, missing handrails with crumbling steps, and generally unfit for habitation. Ms. Talley stated that this property had been a bone of contention with the residents of the community, who had lived in fear and retaliation.

Ms. Vera Hunter stated that she shares the backyard with this property. She indicated that she was living in fear and had done so for 14 years. She stated that there was a rumor that the former owner was coming to burn the house down and she was fearful that her house would be burned down as well.

There being no one else wishing to speak, the Public Hearing was closed.

Mr. Hare moved for approval of staff's recommendation, as follows: 1) declaring the building on this property dangerous; 2) ordering the property repaired or demolished by March 9, 2015 by the owner or equity owner at their own risk; 3) ordering the Building Inspector to cause the repair or demolition of the structures if not completed by the owner within 10 days of the

date established by City Council; 4) ordering the City Manager with the assistance of the City Solicitor to cause the cost of repairs or 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. The motion was seconded by Mr. Hutchison and carried by a unanimous roll call vote (Williams absent).

REVIEW OF VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 1370 COLLEGE ROAD, OWNED BY SARAH E. JONES

During their Regular Meeting of October 27, 2014 City Council: 1) declared this building and all accessory structures on this property dangerous; 2) ordered the property to be repaired or demolished by November 27, 2014 (date revised) by the owner or equity owner at their own risk; 3) ordered 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; and 4) 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, with a proviso that the date for ordering the property repaired or demolished be March 27, 2015 with a review in two (2) months to ensure progress is being made.

During their Regular Meeting of January 12, 2015, Council deferred consideration of this item until the next meeting.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Code Enforcement staff examined the property earlier in the day. She advised members that minimal work had been done. The exterior of the property had been cleaned up to some extent and some of the tree branches had been trimmed back away from the dwelling; however, the house remained in much the same condition. Mrs. Townshend stated that there was still some junk and debris in the yard, although less than previously. No interior renovations had been completed and no applications for permits had been filed. The interior was still down to the studs and, other than a little clean-up, nothing had been done on the exterior.

In response to Mr. Anderson, Mrs. Townshend stated that, in staff's opinion, sufficient progress had not been made on the property. She indicated that Council's initial action on this matter was to allow the property owner until March 27, 2015, noting that this was approximately (6) weeks away. She recommended that the property not be demolished until after this date but that staff begin the bid paperwork and asbestos work at this point.

Responding to Mr. Dixon as to whether Ms. Jones had been notified, Mrs. Townshend stated that staff had not heard from the family since the Council meeting held on October 27, 2014; however, family was present at the time when the motion was made.

In response to Mr. Perza regarding whether the demolition would still be on track for March 27, 2015 if Council took no action and whether staff's update was provided to determine if Council had changed its mind, Mrs. Townshend stated that the motion made during the meeting of October 27, 2014 asked staff to provide an update after two (2) months.

Mr. Dwayne Jones, 1290 West State College Road, stated that he had been sick for approximately a month and was unable to continue the work that he started. He managed to clean logs off of the house, got everything cut up, and got all the debris out before he became sick. He ordered windows, locks, and doors but had been unable to get back there yet.

Mr. Anderson questioned whether Mr. Jones would be able to make significant progress over the next six (6) weeks. Responding, Mr. Jones stated that he could, reiterating that he had ordered doors, windows, etc. and had to get back with the contractors to get them back in the structure.

Mr. Hare felt, now that Council had an update, that Council should wait until March 27, 2015 and see how the matter progressed between now and then. He indicated that the City had until March 27th to decide whether to proceed with demolition or pursue the next course of action.

Mrs. Townshend stated that typically staff would not bring this matter back to Council after the time specified expires. If significant progress is not made by the date established by Council, staff would prepare the bid specifications and proceed with demolition. In response to Mr. Hare, she confirmed that it would be staff who would typically determine if progress had been made.

Responding to Mr. Dixon regarding how staff would proceed if progress had been made, Mrs. Townshend stated that, by the motion passed in October 2014, all of the repairs should be complete by March 27, 2015. As a practical matter, if the owner were progressing well, staff would not demolish a building in the process of being actively improved; however, if progress were slow or stalled, staff would typically move forward with the demolition.

In response to Mr. Bonar, Mr. Jones assured members that locks, windows, and doors could be installed by March 27, 2015.

Mrs. Townshend stated that there were other problems with the property.

Mr. Hare questioned if staff could provide another update at Council's Regular Meeting scheduled for March, 9, 2015 and Mrs. Townshend responded affirmatively.

Responding to Mr. Hutchison, Mrs. Townshend confirmed that windows and doors would not satisfy the needs of what must be done. She reiterated that the interior is down to the studs and expressed her belief that it needed a new roof; therefore, more than just windows and doors were required. She indicated that most of the improvements needed would require a building permit, and that no submissions for any type of building permit had been received.

Mr. Hutchison cautioned Mr. Jones that, before making any type of improvements, he must clearly understand what needs to be done to meet staff's concerns, because windows and doors would not pass the test. He noted that many things must be done to accomplish what is needed by Planning and Inspections. He cautioned Mr. Jones about investing "good money" and being unable to complete the task.

Responding to Mr. Bonar, Mrs. Townshend confirmed that she could furnish Mr. Jones with the information needed.

Mr. Dixon stated that once Mr. Jones gets a building permit, he could work toward getting the work done.

Mrs. Townshend suggested that Mr. Jones schedule a meeting with Mr. Tim Taraila, the Chief of Code Enforcement.

Mr. Perza expressed his perspective that Council did not need to "stay on top of" this matter. Council had approved the demolition and, rather than ordering demolition within one (1) month, had allowed six (6) months. He indicated his confidence that the Planning Department knew what they were doing. Mr. Perza did not feel that updates were required every two (2) weeks before the full Council to review something that had already been approved. He stated that the matter should be turned over to the Planning Department and indicated that he trusted their judgment.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 8, 2014 (EXCERPTED)

The Legislative, Finance, and Administration Committee met on December 8, 2014 with Chairman Slavin presiding.

Proposed Financial Reforms

During the Committee meeting of June 23, 2014, Mr. Slavin advised members that during the June 11, 2014 Special City Council Meeting - Budget Review, he proposed a series of 14 financial reforms to be addressed over the next six (6) to nine (9) months that would assist in shaping the City's Budget for FY 2015/2016. He stated that the proposed reforms were clustered into four (4) separate areas, as follows: 1) public safety; 2) compensation policies; 3) property tax governance; and 4) restrictions on uses of appropriations.

Property Tax Governance

During their Regular Meeting of September 22, 2014, City Council considered the proposed financial reforms related to property tax governance, as follows: 9) Council shall not raise the property tax rate more than 9.5% without first holding a referendum on the proposed tax increase. This provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation; and 10) Council shall not raise the property tax rate more than 9.5% without two (2) separate votes of a two-thirds majority vote of Council, with the requirement that a municipal election occur between the first and second vote. This provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation. After much discussion, City Council referred financial reform #9 to staff and legal counsel for drafting as an ordinance, with the provision in the drafting of the ordinance that Council may vacate the provisions in times of unforeseen emergencies, and with the stipulation that the ordinance be reviewed four (4) years after implementation. It was noted that the Committee tabled proposed reform #10 since the intent of the reform was met with the Committee's recommendation of proposed reform #9.

Mr. Slavin explained that the purpose of proposed reform #9 was to restrict Council by establishing rules and parameters. He indicated that the objective was to remove the specter that action to address long-term issues could be delayed in hopes of "things just getting better," or that they could be addressed by instituting a huge tax increase once every 10 years. He noted that the proposed reform would require City Council to ask the voters their opinion. Mr. Slavin noted that the legal opinion of the City Solicitor *(as on file in the Office of the City Clerk)* reiterated that referendums are non-binding.

Mr. Anderson relayed his strong support for proposed reform #9 and urged members to submit the proposal to City Council for consideration. He felt that the provision was important to economic development since it would provide some measure of certainty. Mr. Anderson explained that there were organizations and businesses who were investing or looking to invest hundreds and millions of dollars in the City of Dover. If there were an assurance that tax increases would be done in a predictable, moderate fashion, this would add to economic certainty, which Mr. Anderson felt would be good for jobs and economic growth. He noted that if there were an urgent need for a major tax increase, it would be presented to the citizens. Mr. Anderson suggested that the proposal would provide sufficient ability to adjust the tax rate to address problems, explaining that it was difficult to foresee the need for a tax increase above 9% in one (1) year and he felt that if that were the case, this would indicate that the City was not being managed properly. In addition to benefitting existing and potential businesses, Mr. Anderson stated that this provision would also provide families more security by allowing them to budget from year to year without being subjected to an egregious tax increase. He again urged members to approve the proposal for City Council's consideration.

Mr. Hare indicated his objections, explaining that members of City Council were elected to manage and run the City of Dover and not to put the City in a position where an egregious tax increase would be required. He stated that members of City Council were elected to manage the City in such a manner as to eliminate wasteful spending rather than continuing it simply because it may require action that would cause someone to lose their job or be laid off. Mr. Hare noted that these are tough decisions that are made every day by elected officials throughout the State, except for the City of Dover. If it were necessary to raise taxes 23%, as proposed last year, and if this was necessary due to mismanagement, then he felt that this was the action that Council needed to take and if the residents opposed this, Council members would not be re-elected. Mr. Hare stated that former Council member Frances Weyandt once said to him, "If you wish to run for office only to worry about being re-elected, then you should not run for office." Mr. Hare stated his objections to the proposed caps, as well as requiring citizens to vote on property tax increases, explaining that it is Council's responsibility to make tough decisions. He advised members that some City employees have salaries that are well above the paygrade of comparable positions throughout the State. Mr. Hare felt that City Council should be pro-active in addressing such issues rather than taking action to cover mistakes.

Mr. Hutchison felt very strongly that it was the responsibility of elected officials of the City of Dover to raise taxes. He noted, based on history, that the City had rarely raised taxes and felt that this was due to the close working relationships between City Council, the Mayor, City Manager, and Department Heads which ensured that the City was run effectively and efficiently. However, Mr. Hutchison believed that at some point it would be necessary for the City to raise taxes and that it should be the responsibility of the elected officials to take such action.

There being no objections, Council President Bonar read a statement submitted by Mr. Thomas J. Leary (former member of City Council), as follows:

As members of the City Council we are elected to represent our fellow citizens. We are expected to be informed on a myriad of issues, including budgetary ones, and to make appropriate decisions. These decisions can be at times challenging and difficult. They may even be unpopular. However, we are expected to make them.

Proposing that a tax increase go to referendum, irregardless of the size, or whether binding or non-binding, is simply put, an abrogation of the duties of one's office.

If we lived in a highly inflationary spiral one would not put tax increases on "auto-pilot". This would show a complete lack of leadership, be considered intellectually lazy, and would be regarded as an act of faithlessness by the public.

I would submit to you that this proposed ordinance is no different in its application and effect.

I am available should you wish to call and remain at your disposal.

Council President Bonar indicated that he concurred with the statement submitted by Mr. Leary, as well as the comments made by Mr. Hare. He noted that voter turnout is historically dismal and, as a result, a few hundred citizens of the City make the decision as to who the City's Mayor is, the City Council representatives for their district, and the at-large Council member. Mr. Bonar relayed concern with allowing this same authority in determining the City's tax structure. He too felt that the citizens elect members of City Council to make decisions and have put their faith in their elected officials to do so and take the appropriate action. Mr. Bonar stated that he feels that the City's taxes are extremely low and that there should be a substantial increase in property taxes. He did not feel that the matter should be submitted to the citizens for a referendum, explaining that such action is an abrogation of City Council's responsibility. If citizens are not pleased with the action taken by City Council, they have the power not to re-elect their representative. However, Mr. Bonar did agree that such a proposal would provide certainty from an economic development standpoint, noting that businesses do depend on certainty. Since, at this time, it was City Council's right and responsibility to make such decisions, he did not feel there was a need for any change.

Mr. Sudler suggested, when there are important decisions facing members of City Council, that members hold district meetings with the community to provide information regarding such matters. It was his feeling that being aware of the opinions of their constituents would assist members in knowing how they should vote on certain issues.

Mayor Christiansen expressed his concurrence with former City Councilman Leary, as well as Council President Bonar, explaining that members of City Council and the Mayor have a distinct responsibility to the public to keep them informed and, likewise, the public has a responsibility to follow the actions of City Council if they have an interest in the future of their City. Mayor Christiansen cautioned members against any compromise of the responsibilities of City Council in taking action they feel is necessary for the betterment of the City.

Mr. Slavin stated that regardless of voter turnout, members should not stop listening to and considering the concerns of their constituents. Long before making difficult decisions, he explained that City Council's first responsibility as an elected official is to listen to their constituents. Mr. Slavin reminded members that the oath of office which each member took states that their "power flows from the people." Regarding the reference to such a referendum being an abrogation of City Council's responsibility, he indicated his objections, explaining that City Council would be submitting the matter to the people and Council would be making the decisions regarding the expenses that would cause the referendum. As a result, Mr. Slavin stated that it would not be an abrogation to get to that point; however, it would be an abrogation to ignore the wishes of taxpayers and not to have their voices heard.

Mr. Anderson suggested that the proposal would provide an additional advantage relative to arbitration situations with labor. He explained that jurisdictions that have tax control referendums, such as Colorado and South Dakota, are more able to control labor costs and, coincidentally, have some of the lowest unemployment rates. He noted that after studying this matter, he discovered that across the country the proposed initiative goes hand in hand with positive economic growth, if not done in such a manner that it becomes too restrictive.

Mr. Hare advised members that he is constantly contacted by constituents in the Second District relaying their comments, concerns, and opinions; therefore, he would very much be made aware of how his constituents would feel regarding any proposed tax increase. In addition, he stated that he attends homeowner association meetings, which provide another means of obtaining the opinions of his constituents.

Mr. Anderson noted that, in addition to being contacted by residents of the Fourth District, he is also contacted by those from the Second District, which he felt was an indication that those residents are very particularly tax sensitive. Due to the importance of this issue, he felt that its merits required further discussion by Council; therefore, he suggested that the matter be forwarded to City Council with no recommendation from the Committee.

The Committee forwarded proposed Financial Reform #9, Property Tax Governance, to City Council without a recommendation for the purpose of having a full discussion by City Council. *(Note: Financial Reform #9, Property Tax Governance, states that Council shall not raise the property tax rate more than 9.5% without first holding a referendum on the proposed tax increase; this provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation. The proposed policy was revised by City Council during their meeting of September 22, 2014 to include that there be a provision in the drafting of the ordinance that Council may vacate the provisions in times of unforeseen emergencies, with the stipulation that the ordinance be reviewed four (4) years after implementation.)*

During their Regular Meeting of January 12, 2015, Council deferred action on this item.

During the Regular Meeting of City Council on February 9, 2015, Mr. Slavin reminded members that this matter was discussed by the Legislative, Finance, and Administration Committee on two (2) different occasions and was forwarded to Council with no recommendation. Mr. Slavin stated he was hopeful that this would receive favorable treatment by Council. His understanding, from private conversations, was that the proposal did not enjoy the support of Council and indicated that he would not bring it forward for a vote. However, he expressed his support for the principle behind it, that a large tax increase should be avoided at all costs and the City should be looking at smaller, incremental approaches to "right-sizing" the budget. Mr. Slavin stated that he would use the backdrop of a potential referendum to bring this matter back if needed. He thanked Councilman Anderson for his support of this proposal during the Committee discussions.

Mr. Dixon expressed his opinion that Council should work at this. Although he did not support the 9.5% tax rate threshold, he felt this matter should be brought back to Council.

By unanimous consent, this matter was tabled.

Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor

Mr. Slavin stated that the responsibilities and reporting structure for the Mayor and City Manager and continuation of full-time status for the position of Mayor had been discussed by the Committee during the past several meetings. He reminded members that during their Regular Meeting of September 22, 2014, City Council approved the Committee's recommendation for future consideration of Option A, as follows: a full-time mayor's position, with consideration of changing the City's current form of government to a mayor/council form of government, where the city manager and chief of police would be appointed by the mayor and confirmed by City Council, and that any positions which currently report to council that are moved to report to the mayor would only be removed for cause and with council approval. Members of City Council also approved the Committee's recommendation that the Council President open a dialogue with the parties to the 1988 Consent Decree.

As requested during the Committee meeting of October 27, 2014, Mr. Slavin noted that members had been provided an organizational chart for Option A as well as the current organizational chart for the City. In addition to considering maintaining the current responsibilities and reporting structure, as well as Option A, a strong mayor form of government, Mr. Slavin stated that Mr. Anderson may have an additional option for the Committee's consideration. It was his hope that at the conclusion of the meeting, the Committee would forward this matter to City Council with or without recommendations, explaining that the Committee's role was to allow for the discussion, to include the public, and then to provide City Council with this information to allow a full debate.

Mr. Sudler reminded members that, during the Legislative, Finance, and Administration Committee meeting held on September 8, 2014, he had relayed his support for a full-time Mayor with strong administrative powers, which was presented as Option A. Mr. Sudler noted that members had indicated they welcomed any suggestions relative to Option A and, as a result, he developed ideas for a job description and a job appraisal report for the Mayor, which he submitted and briefly reviewed.

Noting that Option A referred to a strong mayor form of government, Mr. Slavin suggested, for clarification, that any reference to the City's current form of government be considered as "Option B."

Referring to the job description provided by Mr. Sudler, Mr. Anderson suggested replacing Item #4 - bachelor degree, under the minimum requirements, with the requirement for the Mayor to have been a City resident for two (2) years, which would mirror the City Charter. Referring to the proposed organizational chart, he felt that the City Clerk's Office should remain under City Council since it serves as Council staff and that the Finance Office should also remain under City Council to provide "checks and balances."

Concurring with Mr. Anderson, Mr. Hare also felt that the Mayor should not appoint the Deputy Chief of Police, suggesting that the Police Chief should have that authority. Although he had no preference regarding the City having a full-time or part-time Mayor, if the City elected a full-time Mayor, Mr. Hare felt that the City should have a strong mayor form of government.

Mayor Christiansen stated his feeling that the City Manager should be hired and maintained by City Council, although he noted that in the past a Board was created to hire other officials for the City. He agreed with most of the recommendations submitted by Mr. Sudler; however, he felt that the job appraisal would be the responsibility of the public rather than City Council.

Responding, Mr. Hare noted that as an elected official, the public would be indicating their opinion regarding the Mayor's performance every four (4) years through the election.

Mr. Sudler felt that if the City chose to have a strong mayor form of government, the Mayor would be required to submit reports to City Council and, although he understood that the public would ultimately either re-elect the Mayor or vote him/her out of office, since that would occur only every four (4) years, he felt that the Mayor's performance on yearly goals and objectives should be appraised annually by City Council.

It was Mr. Hutchison's opinion that a major change that should occur would be to give the responsibilities and leadership of the City Manager more authority in the City, which would include the operations and budgetary issues of the Police Department. He stated that the City Manager should report to the Mayor and City Council. This would tie everybody into the total operations, noting that there are problems with the current system. As an example, Mr. Hutchison reminded members that earlier in the meeting, the Police Chief had submitted a request regarding the Cadet Program. Rather than submitting the request to the Mayor, Mr. Hutchison felt that it should have been submitted to the City Manager due to possible budget implications, since the City Manager is responsible for the City's budget. After the City Manager's review, the request should have then been presented to the Mayor and Council President to bring forward for consideration by the Committee. Mr. Hutchison reiterated the need for the City Manager to be in charge of the City's operations. He reminded members that, according to the City Charter, anyone 18 years of age or older can be elected as Mayor. Considering the complexity of the City, the budget, and the responsibilities of the Mayor's Office, he stated that although he supports a full-time Mayor, the day-to-day operations and financial responsibilities should belong to the City Manager since that individual is selected based on education, knowledge, and work experience necessary to oversee and run a City, and the City Manager would ultimately report to the elected officials.

For informational purposes, Mayor Christiansen advised members that the request for the Cadet Program was presented to the City Manager for his review prior to its submission to the Committee. Mayor Christiansen expressed his feeling that it is imperative, due to the Charter requirements for the Mayor to be responsible for the safety and security of the City, that the Mayor remain in charge of the Police Department. However, he conceded that the City Manager should work closely with the Mayor and Police Chief on the budget for the Police Department.

Responding to Mr. Hare, Mayor Christiansen indicated concurrence with the proposal submitted by Mr. Sudler, feeling that the City of Dover needs a strong mayor with a professional City Manager. Mr. Hare explained his concern with the City Manager being held accountable for those departments that are not his responsibility, such as the Police Department, as it relates to the City's Budget. He reiterated his opinion that the City should have a strong mayor form of government.

Mr. Dixon stated his agreement with the City having a strong mayor form of government. Noting that changes would be required, he urged members to remember that the positions are held by human beings and that people should be treated in a fair manner.

Mr. Slavin reminded members that the results of the 2004 referendum regarding the City having a full-time or part-time Mayor reflected that 3,185 voters favored a full-time Mayor and 1,285 voters favored a part-time Mayor. It was his observation, having experience working with governments, that simple reorganizations inside governments can be difficult. He stated that an overhaul of the entire form of government would require an order of magnitude well over difficult. Although he could support many of the proposed changes, Mr. Slavin stated that they would be time consuming and expensive to complete and a strong mayor form of government would be more costly than the current form of government. He suggested that this matter be presented to City Council for a final decision.

Council President Bonar indicated his support for a full-time Mayor; however, he also supported the City Manager serving as the chief business operations manager for the City. As previously mentioned, the City Manager is responsible for submitting a draft budget for the entire City and as such, Mr. Bonar felt that all departments should be placed under the City Manager. He explained the dangers of a Mayor having full control of the City and supported the Police Department reporting to the City Manager. He noted that having the City Manager in charge of the day-to-day operations of the City would allow for the Mayor to concentrate efforts on ensuring the City is recognized by, and participates in, the various forms of government, Boards, Committees, and Commissions throughout the State to ensure that the City receives its "fair share" of emergency services and legislative funding.

Mr. Hare indicated that when the Mayor's position was changed to full-time, it was to provide the necessary time to lobby the legislators, promote economic development, public relations, etc. and not to spend time in City Hall.

Noting that the Committee had held several discussions regarding this matter, Council President Bonar felt that it should now be presented to City Council for resolution.

Regarding the costs associated with a strong mayor, Mr. Sudler felt that an increase in that Mayor's salary would be less than that of an Assistant City Manager and that the Mayor could then assist the City Manager.

Mr. Slavin noted the receipt of an e-mail, dated December 8, 2014, from the City Clerk's Office regarding comments submitted by Ms. Rose Bryan of 43 Pine Street, as follows:

"Ms. Bryan stated that she has lived in Dover for 48 years and is very much in favor of a full-time mayor, based on the size of the City of Dover. Ms. Bryan will not be attending the [meeting] tonight and does not have access to email. She asked the Clerk's Office to convey her message to Committee members."

Ms. Sara Herbert, 223 N. Bradford Street, stated that she was requested to submit correspondence from Ms. Yvonne Hall, Realtor with Keller Williams Realty Central DE. Ms. Herbert also advised members of her own support for a full-time Mayor,

noting that Dover is a growing City and serves as the capital of the State of Delaware. She indicated that free parking is not available in the downtown areas in many cities in Delaware, and although it is beneficial in Dover, she felt this was an indication that there are not be as many visitors to the area as may be desired. Ms. Herbert felt that the Mayor's job is to be the "face of the City" and bring benefits that would make the City stronger and better. She stated that, in addition to herself and Ms. Hall, her husband also felt that a full-time Mayor would be beneficial to the City of Dover.

Mr. Reuben Salters (former member of City Council), 109 Bertrand Drive, relayed his support for a full-time Mayor. He reminded members of a situation that occurred years ago in the City of Dover, when there was a very strong voice in the community supporting a full-time Mayor. Mr. Salters felt that when the Mayor's position became full-time, it benefitted the City. Although members of City Council, as well as City staff, represent the City, Mr. Salters noted that the Mayor represents all the people and aspects of the City and has a unique function in this regard. He indicated the importance of the separation of power among the branches of government in the City and felt confident that, with the urging of the citizens and influence of City Council, the Mayor will remain focused on his duties, serving full-time for the best interest of the City.

Police Chief Bernat expressed his feeling that an elected official should oversee the Police Department and that individual should be the Mayor. It was his opinion that if the City Manager were placed in charge of the Police Department, there would be more of a financial interest versus public safety.

Mr. Edward Thomas Christian, Jr., 9 Pennwood Drive, indicated his recollection that when Mr. Hutchison was elected to serve as Mayor and a full-time salary was provided, since there was no "clear" job description for the position, City Council developed a job description, listing duties and responsibilities that would compensate for the salary offered for serving as the Mayor. At that time, he stated, Mayor Hutchison was given the responsibility of overseeing the Police Department since he had previously served as Police Chief and this responsibility had continued since that time. It was Mr. Christian's opinion that there was a conflict between the Mayor and the City Manager as to who would be responsible for the various departments of the City of Dover. He noted that often people get "stuck" with customs, habits, and traditions and find it difficult to make hard decisions, explaining that one's comfort zone dictates his decisions. Mr. Christian stated that the general public does not have the knowledge or sophistication, which he defined as "unconscious ignorance," to decide what is best for the City, explaining that it is the responsibility of City Council and the City Manager to determine what is best for the City of Dover. Referring to the comparison of municipalities, he stated that what may work for eight (8) million people may not work for the City of Dover.

In response to Mr. Christian's comments regarding the Mayor becoming responsible for the Police Department, Mayor Christiansen advised members that in 1929, when the City of Dover revised its Charter from the Town of Dover to the City of Dover,

the Chief of Police was assigned to the Mayor. He noted that the Charter also requires the Mayor to be responsible for the Police Department, as conservator of the peace, and for the public safety of the citizens.

Mr. Hutchison stated his strong opinion that the Mayor should continue to serve as the Chief Executive Officer (CEO) for the City of Dover, explaining that the City Manager is the Chief Operating Officer who reports to the Mayor and Council.

Mr. Anderson noted that this issue involves personnel matters and questioned if an executive session could be held to allow for further discussion. Responding, Deputy City Solicitor Pepper stated his opinion that the discussion would not qualify for an executive session.

Responding to Mr. Anderson, Mr. Koenig stated that three (3) years ago, the Parks and Recreation Director had retired and, rather than filling that position, the Parks and Recreation Department was assigned to the Planning Department to provide managerial oversight. Mr. Koenig stated that there are approximately 15-17 positions, including temporary employees, in that Department. In addition, he stated that the Central Services Manager, who was in charge of purchasing, warehouse, and fleet maintenance, had retired. Rather than filling that position, fleet maintenance was transferred to the Public Works Department and purchasing and warehouse maintenance were transferred to the Finance Department.

In response to Mr. Anderson regarding an Assistant City Manager, Mr. Koenig stated that there had been no discussion regarding the possibility of removing responsibilities from Department Heads. He stated that the main issues facing the City Manager were budget and strategic plan development, the development of a facilities plan to enhance current facilities, and labor negotiations. In addition, Mr. Koenig stated that the Controller/Treasurer did not wish to be the point of contact for budget development; therefore, this responsibility would be re-assumed by the City Manager's Office.

Mayor Christiansen stated his recollection, as a member of City Council at the time, that the Planning Director and Finance Director were transferred from the City Manager to City Council in the 1980s due to a conflict between the then Planning Director and Fire Marshal, who was being given alternative orders. As a result, Council deemed it necessary to move the Fire Marshal and Planning Director to report directly to City Council. Likewise, the Finance Director/Treasurer position was moved from under the City Manager for misreporting numbers and due to coercion to report false information to City Council.

Mr. Hare moved to recommend that this matter be referred to City Council without a recommendation, with the stipulation that they be provided all information regarding Options A, B, and C (Mr. Anderson's amendment to Option A). The motion was seconded by Mr. Shevock.

Mr. Anderson requested that Option C also include the removal of the Deputy Police Chief from appointment by the Mayor, feeling that the Police Chief should make that selection. Mr. Slavin suggested that Mr. Anderson work with the City Clerk in the development of Option C to be presented to City Council for their review and consideration.

The Committee referred this matter to City Council without a recommendation, with the stipulation that they be provided all information regarding Options A, B, and C.

During their Regular meeting of January 12, 2015, Council deferred action on this item.

During the Regular Meeting of City Council on February 9, 2015, Mr. Slavin stated that this item had been discussed by the Legislative, Finance, and Administration Committee numerous times over the past six (6) months. He felt that nothing could be done with the City's form of government without first looking at the 1988 Consent Decree, which governs how the City's government is structured. Mr. Slavin indicated that discussions had been held with members of the State branch of the NAACP and the Central Delaware NAACP. It was his belief that the last action taken indicated that the Council President was to initiate meetings to open a dialog to see if it was time to review the Consent Decree as Council prepared to possibly change the form of government. Mr. Slavin felt it was clear that no action could be taken unilaterally as a Council without first addressing the Consent Decree.

Mr. Bonar stated that a meeting had been requested to discuss this matter, and it had been discussed with Mr. William Pepper, Deputy City Solicitor. He indicated that a formal meeting with the Central Delaware branch of the NAACP would be happening.

Mr. Anderson expressed disagreement, noting that a legal opinion from Mr. Pepper, as well as the reading of the Consent Decree, indicated that Options A, B, and C were all allowed within the Consent Decree. The Consent Decree only applied if it were to be attempted to put the Mayor "back running Council," change the number of Council people, or get rid of the Council President position. Mr. Anderson felt that the Decree did not apply to "who reports to whom." It was his belief that Council still had wide latitude, and Options A, B, and C were all vetted and passed legal muster. Mr. Anderson did not feel that reopening the Consent Decree was necessary and stated that this was confirmed by legal counsel in the minutes of the Regular City Council meeting held on December 8, 2014.

Mr. Hare felt that this matter needed to be discussed; however, he did not believe that this was the night to discuss it since it would be longer than a five (5) or 10-minute conversation. He recommended that this discussion occur in the future, perhaps in a workshop, in a setting where there are not time constraints due to other items.

Referring to Mr. Anderson's comments, Mr. Slavin stated that, while he might not agree with the specifics of Mr. Anderson's interpretation, Options A, B, and C were only three (3) options that were brought forward and there may be more. He stated that although Council may not be required to have a conversation about the Consent Decree with the parties to the Decree, he felt it would be in the best interest of the City to begin there. Mr. Slavin felt this was the diplomatic and respectful thing to do and encouraged Council to take that forward.

Mr. Hutchison expressed his opinion that this matter should be discussed and "the sooner the better." He suggested a series of discussions regarding the desired form of government.

Mr. Hare stated that a discussion of the Consent Decree could occur at the same time as the discussion regarding the form of government and that the City's legal counsel should be present. He felt this should be accomplished in one (1) big meeting, rather than spreading it out, as suggested by Mr. Hutchison.

Mr. Slavin moved to table this matter, seconded by Mr. Dixon and unanimously carried.

Mr. Slavin moved to accept the Legislative, Finance, and Administration Committee report of December 8, 2014, seconded by Mr. Hutchison and unanimously carried.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JANUARY 12, 2015

The Parks, Recreation, and Community Enhancement Committee met on January 12, 2015 with Chairman Dixon presiding.

Mallard Pond Park Concept Plan

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Mallard Pond Park is a six (6) acre, undeveloped park surrounded by Mallard Pond Development, Brandywine Court Condominiums, Fox Hall West Addition, and Heatherfield East. Mrs. Townshend stated that staff identified Mallard Pond Park as a location for new playground equipment for FY 2015 and funds were budgeted for this purpose. She explained that the City's bicycle and pedestrian plans, which are currently under development by the Dover/Kent County Metropolitan Planning Organization (MPO), identify pathway connections through Mallard Pond Park which would connect Fox Hall West Addition and Mallard Pond to Marsh Creek Lane and ultimately Route 8. Mrs. Townshend indicated that this would become a significant pathway connection, as it would provide a safe bicycle and pedestrian route from these neighborhoods to the new Dover High School.

Mrs. Townshend advised members that the Parks and Recreation Department hosted a community meeting at Mallard Pond Park on July 29, 2014 and invited property owners of the surrounding neighborhoods. She explained that, with the feedback received at this community meeting, the pathway and playground were better placed on the property to avoid potential conflicts with the neighbors. Mrs. Townshend stated that residents of Brandywine Court Condominiums indicated that people park in the private parking areas on Par Haven Drive to utilize the park and residents were concerned that parking conflicts would increase with increased activity at the park. Based on this feedback, Mrs. Townshend noted that the concept plan that was developed shows a small parking area off Marsh Creek Lane.

Mrs. Townshend advised members that the concept plan would phase the improvements based on availability of funds. She said the first phase, and likely the only phase within the current fiscal year, would be the construction of a playground.

The second phase would be the construction of the pathway between Mallard Pond and Marsh Creek Lane. Mrs. Townshend explained that staff would work with the Delaware Department of Transportation (DelDOT) and the Dover/Kent County MPO to seek funding for the pathway. The pathway segment which will connect to Fox Hall West Addition would be a future phase, as concurrence from the Fox Hall West Addition and a stream crossing would be required to complete this. Mrs. Townshend indicated that the parking area would be a phase in a future Capital Improvement Program (CIP) for the park.

Mrs. Townshend stated that if the concept plan were approved, the playground contract would be presented to City Council for approval in accordance with the purchasing policy. She explained that the FY 2015 CIP anticipates $33,000 in grant funding to support the playground installation and staff was in the process of applying for these funds.

Staff recommended approval of the improvements identified on the concept plan, noting that all improvements beyond the installation of playground equipment would be subject to funding availability and approval of associated expenditures by City Council.

Responding to Mr. Hutchison, Mrs. Townshend indicated that the size of the property is approximately six (6) acres and, while she was unsure of the number of youth in the target area, she explained that four (4) or five (5) families with children attended the workshop, as well as a family from Westfield. Mrs. Townshend stated that the majority of the people with children came from Mallard Pond.

In response to Mr. Dixon's inquiry regarding the needs of this park versus those of other parks in the City, Mrs. Townshend explained that the City's Recreational Needs Assessment was a separate project. She informed members that money was allocated in the Capital Plan for playground improvements at this particular park; however, the idea was to look at playgrounds, as well as other features, so that a comprehensive improvement could be accomplished instead of piece by piece.

Responding to Mr. Caldwell regarding the parking concerns that were raised by residents, Mrs. Townshend stated that the concern would be primarily resolved by adding a small parking area off Marsh Creek Lane, noting that the bulk of those utilizing the park would be people who walk there from adjacent neighborhoods.

The Committee recommended approval of the improvements identified on the concept plan, noting that all improvements beyond the installation of playground equipment would be subject to funding availability and approval of associated expenditures by City Council.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

Update on Recreation Needs Assessment - Presentation and Discussion of Survey Data

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Recreation Needs Assessment Update - Survey Highlights.

Mrs. Townshend advised members that the Recreation Needs Assessment yielded responses from 506 people, most of whom responded online. She explained that, based on the data received, 52% of respondents indicated they were City residents who noted the neighborhoods they lived in to avoid the misunderstanding of those who think they live inside City limits but actually do not. Of the remaining respondents, 28% were non-city residents and 20% did not disclose their residency.

Mrs. Townshend reviewed those priorities that were ranked the highest, reflecting that 25% or more of the respondents wanted to see these improvements. She noted that although an indoor recreational facility for Dover Park achieved the interest of slightly more than 25% of respondents, indoor restroom facilities and benches at Dover Park and Silver Lake Park ranked higher. Overall, she stated that people supported the idea that the parks and the programs offered by the City should be funded by a mix of fees, grants, and taxes, noting specifically that 74% believed that program fees were the way to fund the programs. Mrs. Townshend said that the comments on the survey indicated people thought there should be more fundraising and business sponsorships, noting that, currently, the only program that seeks business sponsorship is Concerts on the Green.

Mrs. Townshend pointed out that there was significant support for residents to pay a lower fee than non-residents. She noted that 67% of those who responded to that particular question believed that City residents should pay a lower fee. Mrs. Townshend stated that this provision was not currently in place and that this was something to consider in the future as recommendations are developed from the needs assessment. She advised members that the comment portion of the survey suggested that the City could do a better job informing the public about programs provided and, in response, the City will continue to distribute flyers in schools, provide Public Service Announcements (PSA's) and, based on recommendations made in the comment section, could consider doing more paid advertisements. Mrs. Townshend indicated that this would require increasing revenue through sponsorships and business contributions.

Mrs. Townshend stated that another suggestion submitted through the comments section of the survey was for a pickleball field, noting that, although the numbers were not overwhelming in favor of this, the comment field reflected strong interest to include permanent markings, particularly from the senior citizen community. She noted she was not very familiar with pickleball but believes it is similar to tennis and very popular right now, especially among seniors. In addition to pickleball, another topic in the comments section was a dog park, which would not be particularly desirable from the City's perspective for several reasons, including the time and cost

necessary to maintain the turf. However, she noted that there was a very vocal part of the population that would like to have a place to take their dogs to run and socialize with other dogs and this was something to consider.

Summarizing, Mrs. Townshend explained that this information was drawn from the preliminary data. Upon a more thorough review, it was her hope to produce more concrete recommendations within the next month.

Responding to Mr. Anderson regarding indoor bathrooms, Mrs. Townshend explained that Silver Lake is probably the most costly location because the City does not have water run there. She suggested that this may be a two (2) year Capital Improvement Project (CIP), which would allow project design work in the first year with implementation the next year. Mrs. Townshend said the City would seek grant funding under the Delaware Land and Water Trust Fund, which could reimburse up to 50% of the cost. She also stated that, based on the responses received, a skate park would be best located at Schutte Park or Dover Park and a splash pad seemed to be best suited for Silver Lake or Dover Parks.

In response to Mr. Anderson's concerns regarding the lack of skateboarding opportunities, Mrs. Townshend advised members that the information received is still preliminary. She recommended, as the Capital Plan is developed, that a skate park be considered in the next couple of years at Dover Park, ensuring that the best location is selected. Mrs. Townshend suggested planning funding next year for a skate park and restrooms so that things are not put in places that preclude other uses in the future, such as a building. She also noted the importance in the Dover Park planning process to address concerns regarding landscaping that can be maintained in a way that is natural but not too concealing. Mrs. Townshend indicated that this had been a big challenge at Dover Park, noting that people do not feel safe because it is so heavily vegetated. Mrs. Townshend stated that money had already been set aside for Dover Park and expressed her opinion that lighting and safety were important components of the planning process.

Mr. Hutchison suggested obtaining not only a comprehensive survey of what the City is doing but also reaching out to Kent County, the YMCA, the Boys and Girls Club, schools, etc., to get a total overview of the recreational needs. Responding, Mrs. Townshend advised that the Parks and Recreation Department had regularly scheduled meetings with the YMCA, Senior Olympics, Special Olympics, Delaware State University, and the Capital School District. Although churches had not been as involved as she would like, Mrs. Townshend shared that she had recently had discussions with Mr. Dixon and Mr. Anderson regarding the new outreach center being built at the Solid Rock Baptist Church and the consensus was that the center would provide a great opportunity for partnerships and programming at that location. After reaching out to Pastor William Grimes, Mrs. Townshend advised members that the hope was to set up a meeting and talk about the type of programming the City could provide such as yoga, Zumba for seniors (Zumba Gold), babysitting training, first aid training, etc., after ensuring the programs meet the church's objectives.

Mr. Dixon expressed his continued concern for the children on the east side of town, referencing Dover Park and the youth in the community. Mrs. Townshend indicated that Dover Park is a priority that will be addressed with the first detailed park plan for immediate improvements, such as a skate park, indoor restrooms, and plans to reserve space for a potential building, if it is determined that it is needed. She stated that the intent was to "beef up" capital planning in that area in the upcoming year.

Responding to Mr. Anderson, Mrs. Townshend stated that she was not aware of any major donations.

In response to Mrs. Horsey, Mrs. Townshend indicated that heating would be necessary in any indoor bathrooms to protect the pipes.

Mr. Dixon suggested reviewing other parks outside of Delaware to see what kind of bathrooms they have and what would work best for parks in the City of Dover.

By consent agenda, Mr. Hare moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

UTILITY COMMITTEE REPORT - JANUARY 12, 2015

The Utility Committee met on January 12, 2015 with Councilman Perza presiding in the absence of Chairwoman Williams (arrived at 5:24 p.m.).

Dedication of Rights-of-Way and Public Infrastructure - Eden Hill Phase I

Mr. Scott Koenig, City Manager, reminded members that the original developer for the Eden Hill Subdivision went bankrupt and, although there was a letter of credit for this subdivision, the Pettinaro Development Corporation purchased the balance of the Subdivision as well as the obligation to finish the infrastructure. Mr. Koenig advised members that Pettinaro Construction Company, Inc., the responsible party for completing the public infrastructure within the Eden Hill Phase I development, had requested that all public infrastructure improvements be dedicated to the City of Dover for permanent ownership and maintenance.

Referring to the list of public improvements associated with Eden Hill Phase I as well as a map depicting the general location and configuration of the subject rights-of-way, Mr. Koenig informed members that the total construction value of the public improvements was $1,734,706, including roads, water lines, sewer lines, and storm sewer lines.

Mr. Koenig indicated that Pettinaro Construction Company had completed construction of the improvements in accordance with City standards and specifications. After construction was completed, City staff inspected the public improvements and developed a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. All work required by the Public Works Director had been completed and members were advised that a one

(1) year Maintenance Agreement and a Release of Liabilities would be submitted as part of the dedication process. Required as-built drawings of the infrastructure as well as videos of the sanitary sewer mains had been provided to staff.

Staff recommended acceptance of the rights-of-way and public infrastructure for Phase I of the Eden Hill Subdivision with dedication to include all of the referenced public improvements.

Responding to Mr. Slavin, Mr. Koenig confirmed that construction was completed in accordance with City standards and specifications, all of the punch list items had been completed, the required paperwork had been submitted, and Eden Hill Phase I was ready for dedication.

Mr. Perza inquired whether the City's liability would be minimized as a result of the dedication. In response, Mr. Koenig stated that the City's liability would be minimized. He noted that the City would have a one (1) year maintenance bond on the improvements, and if something were to happen in the first year, the developer would be required to complete the repair or the City could call the bond. Mr. Koenig stated that the developer had done a good job in bringing this infrastructure to the dedication process.

Responding to Mr. Hutchison, Mr. Koenig explained that the work had been completed, as depicted in red on the Eden Hill Residential Phase I map. Mr. Koenig indicated that the Committee's recommendation would be considered by City Council during their Regular Meeting on January 26, 2015, and if Council approves the dedication, the City would be responsible for all of the maintenance as of January 26, 2015.

The Committee recommended acceptance of the dedication of rights-of-way and public infrastructure for Phase I of the Eden Hill Subdivision to include all of the referenced public improvements, as recommended by staff.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

TEA/NAES Reports *(September, October, and November)*

The TEA/NAES Monthly Reports for September, October, and November 2014 were provided to members to enable them to monitor electric sales and revenues received, which will provide a better understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Referring to Page 12 of the November 2014 report, Mr. Scott Koenig, City Manager, reviewed the year-to-date expenses through the end of November and noted that Gross Load was slightly under budget; however, the Total - Utilities Cost was approximately $1.98M under budget. He reminded members that this budget had been tracking fairly well throughout the year and was consistently under budget.

Mr. Koenig stated that the City did make some money in generation earlier in the year, and the City's hedges had been performing as expected. Mr. Koenig noted that TEA had added Source and Formula columns to the report to better explain the bill and how it tracks back to the City's PJM bill.

The Committee recommended acceptance of the TEA/NAES Monthly Reports for September, October, and November 2014.

By consent agenda, Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Dixon and carried by a unanimous roll call vote (Mrs. Williams absent).

Updates

Green Energy Funding and Programming

Members reviewed details regarding Green Energy Funding and Programming, as of December 10, 2014.

Mr. Scott Koenig, City Manager, informed members that there was still a moratorium on photovoltaic submissions because of the recommendation from the Delaware Municipal Electric Corporation (DEMEC) that there were some changes to the legislation in progress, and the City did not want to be overwhelmed with applications, considering funding was rather limited at this time. Mr. Koenig stated that a majority of the funding that the City was currently receiving for green energy was going to pay the debt service associated with the improvements that were completed several years ago at the Dover Public Library. He indicated that the balance of the funds was being distributed in accordance with the summary as of December 10, 2014. Mr. Koenig stated that once the City gets beyond the debt service payment, funding would be available for additional green energy projects.

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

Mr. Scott Koenig, City Manager, informed members that staff had submitted documentation to the State of Delaware a few months ago but had not yet received a response. He stated that the City was in the process of recruiting for the Environmental Scientist position that will serve as the permit point of contact in the future, and that staff would be preparing documentation to substantiate the activities that the City had done over the past year to support the permit. Mr. Koenig explained that the Engineering and Planning Divisions of the Public Works Department were working on several storm water activities that would ultimately relate to the MS4 Permit. He noted that in December 2014, the City received a grant from the State of Delaware, as identified in the budget, to determine the feasibility of a potential storm water utility, and staff was beginning work on that document. Additionally, the City had received grant funding related to the replacement of the storm sewer system from the river up through the hospital area. Mr. Koenig stated that this item would be discussed in greater detail as Council and staff move through the budgeting process for future years, noting that, over time, a majority of the Street Division operations and budget would focus on addressing concerns and issues related to the MS4 Permit.

Mrs. Williams questioned if the replacement of the storm sewer system in this area would impact the chronic problems around Water Street. Responding, Mr. Koenig explained that the expectation for the project at old PW2 and Water Street, was that once the City builds an infrastructure improvement it will relieve problems in the area, to the extent that Bayhealth Medical Center would be able to redevelop its property in the future and the City would not have flooding inhibiting the transportation network of Governors Avenue and Water Street. He stated that the City was trying to upgrade the piping all the way to the river, or potentially create more of an open channel flow to the river at some point. However, Mr. Koenig explained that there are environmental issues to deal with, including old infrastructure that would need to be removed at PW2; crossing State Street, which is an expensive crossing; and crossing the hospital property. He indicated that this was a multimillion dollar project and estimated that it could cost between $7M - $15M, depending on the environmental requirements revealed in the initial study. Mr. Koenig stated that this was a major storm water improvement; however, it was absolutely necessary to facilitate the long-term expansion of Bayhealth Medical Center.

Responding to Mrs. Williams regarding the volume of storm water at this location, Mr. Koenig explained that it is significant because it includes the entire Tar Ditch drainage basin which encompasses a substantial portion of the downtown area, extends westward past the Westside Car Wash, and captures part of Eden Hill. Although it is a complicated fix and would be rather expensive, Mr. Koenig stated that it was necessary.

Garrison Oak Technical Park Project Updates

Mr. Scott Koenig, City Manager, provided the following updates:

City Infrastructure

Mr. Koenig reminded members that the City had been working for many months at the Garrison Oak Technical Park (GOTP) on a number of different projects, noting that the City currently had three (3) contractors underway. He stated that George & Lynch, Inc. was in the final stages of completing the Garrison Oak pumping station. Mr. Koenig explained that the electric system was run adjacent to the station last week and staff was hopeful that it would be hooked up by the end of the current week, if the weather permits. He stated that this water would be used to test the piping inside of the Calpine plant, and the City was trying to receive flow from the initial testing operations of Calpine in the next week to 10 days. Mr. Koenig clarified that this would not be actual process water yet, but informed members that the Garrison Energy Center facility was moving quickly to completion, noting that the City was expecting to receive wastewater flow in the next few weeks. Mr. Koenig stated that George & Lynch, Inc. was also working on the gravity sewer connection to the old pump station on White Oak Road, which would be abandoned in the near future.

Mr. Koenig informed members that A-Del Construction Company had just received the tie-in permits for each of the entrances and the water system, so they could now tie in the new water infrastructure into White Oak Road. Additionally, A-Del Construction Company had poured the curbline on the east side of GOTP and were working on building the east entrance. On the west side, A-Del Construction Company completed the box culvert across the White Oak Tax Ditch and, even though they are running a little behind schedule on this project, they were working to get traffic moved over to the east side to finish the construction improvements associated with the Garrison Energy Center.

Mr. Koenig stated that, when they receive the pole delivery in the next four (4) to six (6) weeks, the Electric Department would be working on the realignment of some of the 69kV system to facilitate entering into GOTP.

Mr. Koenig informed members that the one (1) piece of infrastructure currently lagging was the 1.5M gallon water tower. He explained that the foundations were in but there was a 60-day waiting period for the foundations to set before they could be loaded. Mr. Koenig estimated that the contractor would be remobilizing at the beginning of February to start the upward elevation of the stack. Although this project was running slightly behind schedule, Mr. Koenig reminded members that the tower would offer a buffer in the summer months and that the tower was a necessary component to accommodate the full build out of GOTP, which includes the second unit of Calpine.

Calpine Energy Center

Referring to private construction, Mr. Koenig stated that both Uzin Utz and the Calpine Energy Center are substantially moving through construction. He reminded members that the Calpine Energy Center intended to go into commercial operations no later than June 2015; however, he explained that as soon as Calpine begins testing the facility, running water, generating test power, etc., and passes all of their protocols for testing, they will be commercially available for operation. Mr. Koenig stated that it was the hope of Calpine and the City, from the revenue generation standpoint, that Calpine will be able to go into commercial operations ahead of June 2015.

Dover Sun Park

Mr. Scott Koenig, City Manager, reviewed a spreadsheet entitled "City of Dover Electric Revenue Fund - FY 15 - White Oak Solar Park Incremental Cost, noting that the fiscal year to date incremental energy cost was $365,091. Mr. Koenig explained that this cost indicated that the City paid a premium of an additional $365,091 to help meet the goals of the City's regional portfolio standards for renewable energy and, currently, the Sun Park represents approximately 3% of the City's total load. He stated that at its highest performance during the summer, the Solar Park runs a little over 10 megawatts (MW) per day, and these are typically the days that the City needs the most power; therefore, the City's total power demand from the grid has gone

down by roughly 10MW. Although the City pays a little extra for the Solar Park, Mr. Koenig stated that it not only helps the City meet renewable energy requirements but also provides 10MW that the City does not have to buy at the summer peak.

Responding to Mrs. Williams, Mr. Koenig clarified that Kvaerner North American Construction, which has been acquired by Matrix Service Company, is the engineering, procurement and construction (EPC) contractor for Calpine, and Chicago Bridge & Iron Company (CB&I) is the City's contractor for the 1.5M gallon water tower. He confirmed that these are two (2) separate contracts.

Mr. Hutchison questioned whether Mr. Kirk Betts, the City's Utility Attorney, and Calpine were still working together. Responding, Mr. Koenig informed members that Mr. Betts was still working on some options that would provide the City additional negotiating leverage because this is a market based negotiation. Mr. Koenig stated that he did not have a timetable available at this time.

By consent agenda, Mr. Hare moved for acceptance of the Utility Committee Report, seconded by Mr. Dixon and carried by a unanimous roll call vote (Mrs. Williams absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 12, 2015

The Legislative, Finance, and Administration Committee met on January 12, 2015 with Chairman Slavin presiding.

Review of Training, Conference, and Travel Policy

Due to time constraints, consideration of this item was deferred until the next meeting.

Review of Effectiveness of the Safe Communities Ordinance *(Request of Councilman Anderson)*

Due to time constraints, consideration of this item was deferred until the next meeting.

Updates

Certified Local Government Application

Due to time constraints, consideration of this item was deferred until the next meeting.

"Safe Whistles" National Recreation and Park Association Recommended Guidelines for Credentialing Volunteers (Background Screening for Youth Coaches and Sports Officials for All City Recreation Offerings

Due to time constraints, consideration of this item was deferred until the next meeting.

By consent agenda, Mr. Hare moved for acceptance of the Legislative, Finance, and Administration Committee Report of January 12, 2015, seconded by Mr. Dixon and carried by a unanimous roll call vote (Mrs. Williams absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - FEBRUARY 9, 2015

The Legislative, Finance, and Administration Committee met on February 9, 2015 with Chairman Slavin presiding. Except for the following time sensitive issues, the Legislative, Finance, and Administration Committee Report from February 9, 2015 will be presented to Council during their Regular Meeting of February 23, 2015 for Council's review and consideration.

Proposed Ordinance #2015-03 Amending Chapter 102 - Taxation, Article III - Realty Transfer Tax, Section 102-71 - Definitions; Article IV - Abatement of Real Estate Taxes, Section 102-113 - Qualifications; and Article V - Tax Credits for Historic Properties, Section 102-152 - Application Requirements and Section 102-153 - Application Review and Approval

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that proposed Ordinance #2015-03 would implement incentives that the City committed to through its Downtown Development District Application. She explained that the ordinance was related to the taxation section of the code and had three (3) components, as follows:

1) The City currently offers a transfer tax waiver for first-time homebuyers City-wide. Under the proposed ordinance, those who sell properties located in the area between Mary and Loockerman Streets and between Governors Avenue and West Street would also receive this transfer tax waiver if the properties are sold to someone who would be occupying the home as an owner. Mrs. Townshend indicated that the boundary included in the ordinance had been changed to coincide with the Downtown Development District boundary.

2) The City currently offers a tax waiver for owner-occupied houses located in the area between Mary and Loockerman Streets and between Governors Avenue and West Street, and this was expanded in the proposed ordinance to include the entire Downtown Development District. The ordinance would allow for a phase-in of taxes over five (5) years for an owner-occupied home. For the first year, no property taxes would be paid, for the second year 25% of the property taxes would be required, for the third year 50%, for the fourth year 75%, and in the fifth year the owner would begin paying the full tax. An owner who moves out of the district within this five (5) year period would be required to pay taxes back.

Mrs. Townshend stated that this program had been "on the books" and staff had aligned it with the Downtown Development District boundaries.

3) The City currently offers tax credits for renovation of historic properties based on the value of the work done to the exterior of the property, and review of tax credits by the Historic District Commission (HDC) is required. The proposed ordinance would allow for administrative approval of tax credits; however, if the tax credit relates to a project that would have to go to the HDC, the Commission would also be able to comment. This would allow for administrative approval of tax credits for projects such as the painting of a Victorian home, which would not normally come before the HDC. Mrs. Townshend explained that this would simplify and expedite the review process.

Responding to Mr. Shevock as to whether a time frame would be associated with the high priority targeted area, Mrs. Townshend stated that no such time frame was included in the ordinance; however, the State's Downtown Development District designation is a 10-year designation. If the high-targeted area were to shift within this 10-year time frame, it would be necessary to make a change in only one (1) location in the Dover Code, Appendix C - Downtown Redevelopment.

The Committee recommended adoption of Proposed Ordinance #2015-03, as recommended by staff, seconded by Mr. Shevock and unanimously carried.

During the Regular Meeting of City Council on February 9, 2015, Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the proposed ordinance would adopt the incentives that the City committed to in the Downtown Development District. Ordinance #2015-03 would provide amendments to Chapter 102, Taxation, Article III and would amend the boundary for certain homeownership incentives to a larger boundary that coincides with the Downtown Development District. It would also change the tax credits for historic properties so that they can be administratively approved and do not have to go to the Historic District Commission.

Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Dixon and unanimously carried. *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

Proposed Ordinance #2015-04 Amending Appendix C - Downtown Redevelopment

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that Proposed Ordinance #2015-04 would establish a high priority target area in the downtown area. She explained that the code currently has a defined target area for downtown redevelopment. Feedback received from members of Council

regarding the City's Downtown Development District Application indicated that Council did not want staff to reduce the area in which incentives were offered; however, the State wanted the City to have more incentives in the Development District than were available elsewhere in the City. Mrs. Townshend indicated that staff created a high priority target area and the Downtown Development District map was reflected in the language of the Proposed Ordinance. She explained the additional provisions in proposed Ordinance #2015-04, as follows:

1) The impact fee waiver currently applicable only to multi-story, mixed-use construction would no longer have to be a multi-story mixed use within the target. In this way, if a restaurant with many fixtures was opened, an impact fee waiver could be applied for a single-story building. In addition, if someone were to build five (5) houses on what was previously four (4) lots, they would receive credit for impact fees for prior structures but would receive a waiver for the fifth house.

2) A three (3) year waiver of the business license fee would be offered for new businesses and businesses that relocate to the Downtown Development District.

3) A rebate of the buyer's portion of the transfer tax would be offered within the high priority area for properties transferred after March 1, 2015 and receiving a certificate of occupancy within five (5) years of transfer. Mrs. Townshend indicated that this could apply to very large projects, noting that there had been discussion for many years about redeveloping the former Acme site on Governors Avenue. If a developer were to purchase this site and build a new building, they could receive a rebate of the buyer's portion of the transfer tax when a certificate of occupancy is obtained.

4) Mrs. Townshend explained that this section of the Code currently requires applicants to commit to giving 10% of the value of that incentive to the Downtown Dover Partnership (DDP) in order to qualify for City incentives. After discussion with Mr. Gregg Moore, President, DDP, Mrs. Townshend stated that it had been agreed that it would be better to provide a full incentive rather than to require the 10% payment.

Mrs. Townshend advised members that in addition to the above changes included in the proposed ordinance, the DDP had also agreed to offer grants up to $5,000 for architectural services for new businesses in the Downtown Development District.

Responding to Mr. Hare, Mrs. Townshend stated that the incentives would apply to businesses opening in the Downtown Development District. Those who want to open large businesses elsewhere in Dover would not receive these incentives; however, there are other incentives available. She explained that redevelopment in the downtown area is difficult and more expensive than other areas because of the age of the infrastructure and buildings and the tightness of the lots. For this reason, the downtown area needs more help. The Governor budgeted and the legislature approved money for property owners to improve their properties. In exchange for this, local governments participating in the program were asked to provide added incentives in the area. Mrs. Townshend reminded members that this was previously discussed both by the Legislative, Finance, and Administration Committee and Council when the application was brought through the process before submitting it to the State. She noted that opportunities to improve incentives elsewhere could be discussed; however, this particular program was geared to the downtown area.

Mr. Hare expressed his feeling that the City should provide incentives on a case-by-case basis to those willing to develop projects outside the target area, such as the former K-Mart building.

Responding to Mr. Sudler regarding the location of the designated area, Mrs. Townshend explained that the rough boundaries of the Downtown Development District are as follows: the northeast boundary begins at the Mary Street/North Governors Avenue intersection, extending south down Governors Avenue to Fulton Street and east to State Street, extending south down State Street to Water Street, running west on Water Street and extending slightly south to bring in the Dover Transit Center, extending north along the railroad tracks, jutting west to include the eastern side of Lincoln Park, then continuing northward along the railroad tracks back to Mary Street.

Mayor Christiansen commended Mrs. Townshend and Mr. Koenig for their efforts in this regard. He felt this tool would offer retail, mercantile, and residential establishments the opportunity to revitalize downtown. He stated that a lot of resources and attention would be focused in this area and it was hoped that these incentives and grants would stabilize the neighborhood and make it thrive, to the benefit of the entire City.

The Committee recommended adoption of proposed Ordinance #2015-04, as recommended by staff.

During the Regular Meeting of City Council on February 9, 2015, Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained that the proposed ordinance would adopt the incentives that the City committed to in the Downtown Development District. Proposed Ordinance #2015-04 defines in Code what is being called the high priority target area within the City's existing target area for redevelopment, which is the Downtown Development District, and identifies new incentives for that area, namely a waiver of business license fees for new businesses

in the District for a period of three (3) years, an expansion of impact fee waivers from only being allowed on multi-story, mixed use construction to any construction, and a rebate of the buyer's portion of the real estate transfer tax for properties that transfer after March 1st if improvements are made and a certificate of occupancy is issued within five (5) years. It would also remove the requirement for a payment of 10% of the value of the benefits to the Downtown Dover Partnership, and allow for a straight waiver.

Mr. Hare moved for approval of the Committee's recommendation, seconded by Mr. Dixon and unanimously carried. *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

By unanimous consent, Council accepted the Legislative, Finance, and Administration Committee Report of February 9, 2015 (Williams absent).

QUARTERLY REVENUE REPORT

Members were provided the Quarterly Revenue Report as of December 2014.

By consent agenda, Mr. Hare moved for acceptance of the Quarterly Revenue Report as of December 2014, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

CONFIRMATION OF POLICE PENSION ELECTION - RETIRED CORPORAL MARTIN STALLINGS - THREE (3) YEAR TERM TO EXPIRE JANUARY 31, 2018

The term of office of Retired Corporal Martin Stallings on the Police Pension Board expires on January 31, 2015. Pursuant to Chapter 62 - Law Enforcement, Article III - Pension Plan, Division 2 - Retirement Committee, Section 62-102(c)(2), notice of an election was given to all plan members. Only one (1) nomination was received, therefore, no election was held. Chief Bernat nominated Retired Corporal Martin Stallings to serve a three (3) year term, to expire on January 31, 2018.

By consent agenda, Mr. Hare moved for approval of the nomination of Retired Corporal Martin Stallings to serve on the Police Pension Board, for a three (3) year term to expire on January 31, 2018. The motion was seconded by Mr. Dixon and carried by unanimous roll call vote (Williams absent).

MONTHLY REPORTS - DECEMBER 2014

By motion of Mr. Hare, seconded by Mr. Dixon, 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 Reports (*November and December*)
Fire Chief's Report
Police Chief's Report

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) (*OCTOBER, NOVEMBER, AND DECEMBER*)

Members were provided the Quarterly Report for the Capital Investment Plan as of December 31, 2014.

By consent agenda, Mr. Hare moved for acceptance of the Quarterly Report for the Capital Investment Plan as of December 31, 2014, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams).

APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT BONAR

Construction Code Appeals Committee

Council President Bonar requested the appointment of Councilman David L. Anderson to the Construction Code Appeals Committee to fill the unexpired term of Sean M. Lynn, with a term to expire May 2015.

By consent agenda, Mr. Hare moved for approval of the appointment to the Construction Code Appeals Committee, as recommended by Council President Bonar, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library and Other City Properties

Council President Bonar requested the following appointments to the President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library and Other City Properties:

Adam M. Perza
Kenneth Clendaniel

By consent agenda, Mr. Hare moved for approval of the appointments to the President's Counsel on Public/Private Partnerships and the Future of City Hall, Weyandt Hall, Former Dover Library and Other City Properties, as recommended by Council President Bonar, seconded by Mr. Dixon and carried by a unanimous roll call vote (Williams absent).

FIRST READING - PROPOSED ORDINANCES

Council President Bonar reminded the public that copies of the proposed ordinances were available at the entrance of the Council Chambers or could be obtained from the Clerk's Office.

PROPOSED ORDINANCE #2015-01 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that each year in December, staff accepts applications to amend the 2008 Comprehensive Plan. She stated that one (1) request was received from the property owner associated with the rezoning of property located at 801 North State Street and indicated that this would be a Land Development Plan Map Amendment. Mrs. Townshend informed members that there was also an amendment to the

Growth and Annexation Plan chapter of the Comprehensive Plan that would remove the requirement that the Cost Revenue Analysis model be used for all annexations because, at this point, the model is very out of date and would be very costly to update.

Since the ordinance is an amendment to the 2008 Comprehensive Plan, as amended, a public hearing is required. Staff recommended that a that a Public Hearing be scheduled before the Planning Commission on Tuesday, February 17, 2015 at 7:00 p.m. and that a Public Hearing before City Council be set for Monday, March 9, 2015 at 7:30 p.m., at which time the Second Reading and Final Action by Council will take place.

Mr. Hare moved to refer the request to the Planning Commission for a public hearing on February 17, 2015 and to set a public hearing before City Council on March 9, 2015 at 7:30 p.m. The motion was seconded by Mr. Dixon and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2015-01, as read by the City Clerk, by title only, as follows:

➢ #2015-01 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED, BY REPLACING MAP 12-1: LAND DEVELOPMENT PLAN, AND AMENDING CHAPTER 13: GROWTH AND ANNEXATION PLAN

PROPOSED ORDINANCE #2015-02 - REZONING REQUEST FOR PROPERTY LOCATED AT 801 NORTH STATE STREET

A request was received to rezone property located at 801 North State Street consisting of $1.943^{+/-}$ acres, owned by 801 Gold Coast, LLC (Luther D. Shank III). The property is currently zoned RG-3 (Group Housing) and the proposed zoning is C-2A (Limited Central Commercial). Mrs. Ann Marie Townshend, Director of Planning and Community Development, informed members that Ordinance #2015-02 was a rezoning request associated with the 2008 Comprehensive Plan amendment previously discussed. She stated that the current RG-3 (Group Housing) zoning included townhouses.

Prior to amending the zoning ordinance and zoning map of the City of Dover, a public hearing is required.

Mr. Hare moved to refer the request to the Planning Commission for a public hearing on February 17, 2015 and to set a public hearing before City Council on March 9, 2015 at 7:30 p.m. The motion was seconded by Mr. Dixon and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2015-02, as read by the City Clerk, by title only, as follows:

➢ #2015-02 AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 801 NORTH STATE STREET

FIRST READING - PROPOSED ORDINANCES

Council President Bonar reminded the public that copies of the proposed ordinances were available at the entrance of the Council Chambers or could be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of February 23, 2015.

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

- #2015-03 AMENDING CHAPTER 102 - TAXATION, ARTICLE III - REALTY TRANSFER TAX, SECTION 102-71 - DEFINITIONS; ARTICLE IV - ABATEMENT OF REAL ESTATE TAXES, SECTION 102-113 - QUALIFICATIONS; AND ARTICLE V - TAX CREDITS FOR HISTORIC PROPERTIES, SECTION 102-152 - APPLICATION REQUIREMENTS AND SECTION 102-153 - APPLICATION REVIEW AND APPROVAL

- #2015-04 AMENDING APPENDIX C - DOWNTOWN REDEVELOPMENT

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Anderson invited all to a chili cook-off to benefit a local charity. He encouraged those present to bring their favorite chili or a donation. He indicated that the event would benefit the Dog Pound Boxing Club and Mr. Bernard Miller's efforts to reach many children with this free boxing program, which had produced many local champions. Mr. Anderson stated that the event was scheduled for February 20, 2015 at 6:30 p.m. on Lafferty Lane, noting that details could be found on Mr. Anderson's Facebook page, David Anderson for Council, within the next day.

By unanimous consent, the meeting adjourned at 9:08 p.m.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of February 9, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Presentation - Violation of the Dangerous Building Ordinance - 5 Welch Drive

Violation of Dangerous Building Ordinance 5 Welch Drive

Planning & Inspections Department

Dover, Delaware

February 9, 2015

5 Welch Drive
Case History

- 33 code enforcement cases since 2001
  - Exterior code violations – trash, debris in yard
  - Junked cars – operating an illegal daycare
  - Numerous grass violations – parking on the grass
- The utilities were terminated on October 29, 2014
- Condemned by City Staff on October 29, 2014 due to no active utilities, numerous code violations, unlocked doors and subjects gaining entry to the property.
- Source of neighbor complaints – drug activities and numerous complaints for the welfare of the dogs kept at the property.

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*












WELCH
DR


10/29/2014 10:25


10/29/2014 10:25


10/29/2014 10:26


10/29/2014 10:26


MILLER
ENERGYGUIDE
Holiday Style
10/29/2014 10:27


10/29/2014 10:27


10/29/2014 10:27


10/29/2014 10:28


10/29/2014 10:29


10/29/2014 10:29


10/29/2014 10:30

Recommended Council Action

- Declare this building on this property dangerous.
- Order the property repaired or demolished by **March 9, 2015** by the owner or equity owner at their own risk.
- 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**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or 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.