REGULAR COUNCIL MEETING
A G E N D A

JANUARY 27, 2014 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 p.m.)

The "Open Forum" segment is provided to extend the opportunity to the general public to share their questions, thoughts, comments, concerns, and complaints. Discussion of any item appearing on the agenda as a public hearing is prohibited during the Open Forum as an opportunity will be provided during consideration of that item. Citizen comments are limited to three (3) minutes. Council is prohibited from taking action since they are not in official session; however, they may schedule such items as regular agenda items and act upon them in the future.

INVOCATION BY BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN SLAVIN

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

Those items on the Council Agenda which are considered routine and non-controversial shall be marked with an asterisk (*) and will be acted upon by a single roll call vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

* **1. Adoption of Minutes**

- **A. Special Council Meeting of December 2, 2013**
- **B. Regular Council Meeting of January 13, 2014**
- **C. Special Council Meeting of January 13, 2014**

2. Proclamation - Black History Month

3. Public Hearing - Violation of the Dangerous Building Ordinance - Property Located at 27 North New Street, Owned by Joe Burden, Sr.

(Staff Recommends: 1. Declaring this Building and All Accessory Structures on this Property Dangerous; 2. Ordering the Property Repaired or Demolished by February 27, 2014 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.)

* **4. Parks, Recreation, and Community Enhancement Committee Report - January 13, 2014**

A. Semi-Annual Review - Statistics Regarding Jobs and Businesses Gained and Lost in the City of Dover Since July 2013

(Committee Action Not Required)

B. Update - Community Development Block Grant (CDBG) Program

(Committee Action Not Required)

C. Recreational Needs Assessment

(Committee Recommended Authorizing the City's Planning Department, Beginning February 1, 2014, to Perform a Recreational Needs Assessment for the City of Dover, Utilizing City Staff to Conduct Workshops and Other Similar Outreach Efforts Across the City to Inventory Park Infrastructure and Develop the Needs of All of the City Parks for Future Use. The Objective Will Be to Gather the Necessary Information from the Public, Study It, and Make a Needs Assessment Report Back to the Committee by December 1, 2014.)

* **5. Utility Committee Report - January 13, 2014**

A. Request for Abandonment (Improved) - Budd Street - City of Dover

(Committee Recommended: 1. Abandonment of the Subject Right-of-Way with Conveyance of Five Feet (5') of Said Right-of-Way to 5 E. Reed Street, 45 South State Street and Tax Parcel Number ED-05-077.05-04-36.00 on South American Avenue, Currently Owned by the City of Dover, in Conjunction with the Provision of a Public Utility Easement for Each Parcel; and 2. Adoption of Resolution No. 2014-01 Setting a Public Hearing Regarding the Proposed Abandonment for February 10, 2014 at 7:30 p.m.)

B. TEA/NAES Report *(November)*

(Committee Recommended Acceptance of the Report)

C. Garrison Oak Technical Park Project Updates

(Committee Action Not Required)

* **6. Legislative, Finance, and Administration Committee Report - January 13, 2014**

A. Transfer of Davis Estate Donation to the Dover Library Foundation

(Committee Recommended Acceptance of the Donation from the Davis Estate in the Amount of $61,735.80 and That It Be Transferred to the Dover Library Foundation)

(Committee Tabled the Issue of the Policy on Future Donations to the Dover Public Library Until Such Time as the City Manager Can Meet with the Necessary People to Recommend a Policy for Review by the Committee)

B. Proposed Plan to Cover Dangerous Building Demolition Costs

(Committee Recommended Authorizing the City Manager to Transfer Unused Salary and Benefits in the Amount of $20,000 from the Planning Division, as Well as Other General Fund Divisions Throughout the City, to the Demolition Budget. This Authorization Will Increase the Demolition Budget from $140,000 to $250,000 for FY 2014.)

C. Proposed Ordinance #2014-01 - Amendment to Chapter 102 - Taxation, Article IV - Abatement of Real Estate Taxes; Appendix C - Downtown Redevelopment, Article II - Definitions and Article III - Eligibility; and Appendix E - Commercial and Industrial Building Redevelopment, Article II - Eligibility

(Committee Recommended Adoption of Ordinance #2014-01) **(See Item #13-A)**

* **6. Legislative, Finance, and Administration Committee Report - January 13, 2014 (Continued)**

D. Request for Infrastructure Reimbursement - Wesley College

(Committee Recommended Authorizing the City Manager to Reimburse Wesley College for the Expenses Incurred in the City's Right-of-Way ($24,500 per Letter Dated December 20, 2013) Provided That Community Transportation Funds in an Amount Equal to or Greater than $24,500 Can Be Secured from Area Legislators to Replace the Funding Associated with the Reimbursement. The Reimbursement Will Be Issued Using General Fund Dollars Associated with the City's Concrete Construction and Replacement Program (Project # ST1402))

E. Proposed Grant-In-Aid Policy

(Committee Recommended Acceptance of the City of Dover FY 2015 Grant-In-Aid Application and Procedures)

7. Utility Committee Report - January 27, 2014

Except for the following time sensitive issues, the Utility Committee Report from January 27, 2014 will be presented to Council during their Regular Meeting of February 10, 2014 for review and consideration.

A. Permanent Easement and Temporary Workspace Agreements - Eastern Shore Natural Gas

(Staff Recommended Authorizing the City Manager or His Designated Staff to Execute the Easement Agreement and Other Necessary Agreements with Eastern Shore Natural Gas (ESNG) to Facilitate the Construction of the Proposed 16" Natural Gas Pipeline Across Lands Owned by the City of Dover, as Depicted in the Referenced Agreements. Financial Consideration for the Easements Shall Be Delegated to the City Manager and the City Manager Will Notify City Council of the Results.)

B. Easements and Rights-of-Way between City of Dover and Delmarva Power & Light Company

(Staff Recommended Authorizing the City Manager to Execute the Final Versions of All Components of Document "A", Document "B", and Document "C" for the Granting of Easements and Rights-of-Way to Delmarva Power & Light Company for the Proposed Construction, Operation, and Maintenance of Power Lines and Structures Associated with the Transmission of Electric Power from the Garrison Energy Center (GEC) to the Cartanza Substation; and Authorizing the City Manager to Amend the Original Lease Between the City of Dover and the Garrison Energy Center, LLC to Add the Acres Described Within the Documents (A Total of 8.4301 Acres) in Accordance with the Rents Described in the Lease)

8. Quarterly Revenue Report

(Staff Recommends Acceptance of the Report)

9. Evaluation of Bids

A. Garrison Oak Technical Park Sanitary Sewer Improvements

(Staff Recommends Awarding a Unit Price Contract for the Garrison Oak Technical Park Sanitary Sewer Improvements to George & Lynch Inc., in Response to City of Dover Bid #14-0018PW, for the Amount Not to Exceed $2,572,065)

B. Garrison Oak Technical Park Subdivision

(Staff Recommends Awarding a Unit Price Contract for the Garrison Oak Technical Park to A-Del Construction Company, in Response to City of Dover Bid #14-0020PW, for the Amount Not to Exceed $6,214,700)

* **10. Confirmation of Police Pension Election - Ret. Lt. Timothy Mullaney - Three (3) Year Term to Expire January 31, 2017**

11. Rezoning Request/First Reading of Proposed Ordinance #2014-02

The First Reading Is Offered on the Following Proposed Ordinance. It Is Recommended for Referral to the Planning Commission on February 18, 2014 and That a Public Hearing Be Set for March 10, 2014 at 7:30 p.m., At Which Time the Second Reading and Final Action by Council Will Take Place. Copies of the Proposed Ordinance Are Available at the Entrance of Council Chambers or Can Be Obtained from the City Clerk's Office.

A. Property Located at 405 North State Street, Consisting of 11,250$^{+/-}$ Square Feet, Owned by David and Susan Edgell. This Property is Currently Zoned R-8 (One Family Residence) and the Proposed Zoning is RG-1 (General Residence).
(TAX PARCEL: ED-05-068.17-01-72.00-000; COUNCIL DISTRICT: 3; PLANNING REFERENCE: Z-14-02)

12. First Reading - Proposed Ordinances

The First Reading Is Offered on the Following Proposed Ordinances. It Is Recommended That a Public Hearing Be Scheduled Before the Planning Commission on February 18, 2014 at 7:00 p.m. and That a Public Hearing Before City Council Be Set for Monday, March 10, 2014 at 7:30 p.m. at Which Time the Second Reading and Final Action by Council Will Take Place. Copies of the Proposed Ordinances Are Available at the Entrance of Council Chambers or Can Be Obtained from the City Clerk's Office.

A. Ordinance #2014-03 Amending the 2008 Comprehensive Plan, as Amended, by Including Text Addenda to the Transportation and Housing and Community Development Chapters and by Amending Map 12-1: Land Development Plan Map in the Vicinity of College Road and McKee Road

B. Ordinance #2014-04 - Rezoning Request for Property Located at 1205 McKee Road, Consisting of 3.46$^{+/-}$ Acres, Owned by College Road Offices, LLC. The Property Is Currently Zoned CPO (Commercial Professional Office), Subject to COZ-1 (Corridor Overlay Zone), and the Proposed Zoning Is C-2A (Limited Central Commercial), Subject to the COZ-1 (Corridor Overlay Zone).
(TAX PARCEL: ED-05-067.00-02-51.00-000; COUNCIL DISTRICT: 4; PLANNING REFERENCE Z-14-01)

13. First Reading - Proposed Ordinance #2014-01

The First Reading Is Offered on the Following Proposed Ordinance. Final Action by Council Will Take Place During the Second Reading of the Ordinance on February 10, 2014. Copies of All Proposed Ordinances Are Available at the Entrance of the Council Chambers or Can Be Obtained from the City Clerk's Office.

A. Proposed Ordinance #2014-01 - Amendment to Chapter 102 - Taxation, Article IV - Abatement of Real Estate Taxes; Appendix C - Downtown Redevelopment, Article II - Definitions and Article III - Eligibility; and Appendix E - Commercial and Industrial Building Redevelopment, Article II - Eligibility

14. <u>Final Reading - Proposed Ordinance #2013-18</u>
The First Reading of the Proposed Ordinance Was Accomplished During the Council Meeting of January 13, 2014. Copies of the Ordinance Are Available at the Entrance of the Council Chambers.

A. Proposed Ordinance #2013-18 - Budget Amendments for Fiscal Year 2013/14

15. Council Members' Announcements

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