UTILITY COMMITTEE

The Utility Committee Meeting was held on October 28, 2013 at 5:30 p.m. with Chairwoman Williams presiding. Members present were Mr. Perza, Mr. Slavin, Mr. Blakeman, and Mr. Snaman. Members of Council present were Mr. Dixon, Mr. Hutchison, and Council President Bonar. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Snaman moved for approval of the agenda as presented, seconded by Mr. Slavin and unanimously carried.

Annexation Request - 508 Acorn Lane, Owned by Raul M. Juarez

Mr. Scott Koenig, City Manager, reviewed a Petition to Annex and Zone Property located at 508 Acorn Lane, consisting of 1.315+/- acres, owned by Raul M. Juarez. Mr. Koenig advised members that the property owner had requested annexation, mainly for utility purposes. He explained that this property was designated as a Category 1 - High Priority Annexation Area in accordance with the City's Comprehensive Plan because it represents an in-fill area. Staff recommended annexation of the property in order to further "square up" the City boundaries and provide the sewer utility to this property in the future. He explained that a sewer line was installed on Acorn Lane and that if the property owner connects to the sewer, he would be subject to the assessment associated with that project and would also pay a connection fee as a per foot assessment.

Staff recommended that the City proceed with annexation of the subject property.

Responding to Mrs. Williams, Mr. Koenig stated that Fox Hall Drive was also a Category 1 - High Priority Annexation Area and that the Acorn Lane situation would be similar, if there are failing utility systems and City utilities are needed. He confirmed that the annexation would not only capture an enclave but would eventually build customers.

In response to Mr. Bonar, Mr. Koenig stated that the City's Comprehensive Plan includes an annexation map that shows all Category 1, Category 2, and Category 3 areas that may be considered for annexation. He noted that Category 1 areas, such as Fox Hall Drive, Acorn Lane, and some areas of Governors Avenue, are in-fill areas; Category 2 areas are located at the borders of the City where growth is anticipated; and that the Category 3 designation includes areas that are further out that may potentially be annexed at an undetermined time in the future.

Mr. Blakeman moved to recommend annexation of the property located at 508 Acorn Lane, owned by Raul M. Juarez, seconded by Mr. Snaman and unanimously carried.

Annexation Request - Westerly Side of Acorn Lane, Owned by City of Dover

Mr. Scott Koenig, City Manager, reviewed a Petition to Annex and Zone Property located on the westerly side of Acorn Lane, consisting of .075+/- acres (3,264 SF), owned by the City of Dover. Mr. Koenig advised members that the property was part of an enclave outside the City limits. He noted that the property was currently vacant and was proposed to be zoned R-8, should it be annexed into the City. He explained that anything built on this land and connected to the sewer would be subject to a per foot charge.

Staff recommended that the City proceed with annexation of the subject property.

In response to Mr. Perza, Mr. Koenig confirmed that the City owns other properties outside of the City, such as the Cartanza Substation and various wellheads. He stated that he was unsure of the history of the property being discussed but advised members that it was immediately adjacent to City limits.

Mrs. Williams questioned if enclaves within the City could be bundled and brought in all at one time. Responding, Mr. Koenig stated that he would prefer to bundle them at one time but felt that this would be a "hostile" approach; therefore, the City had adopted a "wait and see" strategy. He advised members that when residents in these areas need utilities, they must request annexation. He estimated that there were at least 50 in-fill properties within the City.

Mr. Snaman moved to recommend annexation of the property located on the westerly side of Acorn Lane, owned by the City of Dover, seconded by Mr. Blakeman and unanimously carried.

Request for Abandonment of Street (Improved) - Harmony Lane

Mr. Scott Koenig, City Manager, advised members that correspondence had been received from Mr. Russell Huxtable, Vice President, Milford Housing Development Corporation (MHDC) proposing to consolidate parcels within the Walker Woods subdivision and renovate this development. The letter included a request for the abandonment of Harmony Lane for a number of reasons, many beneficial to the developer but some beneficial to the City. He explained that Harmony Lane was an improved public street. He referred members to the table previously provided for information regarding the existing infrastructure and the easements associated with the property.

Staff recommended: 1) abandonment of the subject right-of-way with conveyance of sixty feet (60') of said right-of-way to Milford Housing Development Corporation. Abandonment shall be conditioned upon the completion of the Site Development Plan and parcel consolidation plan. Cross access and public utility easements will be required for the existing wastewater pump station and associated force main infrastructure located therein. Ownership shall not be relinquished until such time as the parcel consolidation plan is recorded; 2) abandonment of all stormwater, street, wastewater, and water infrastructure to Milford Housing Development Corporation in conjunction with the abandonment of Harmony Lane. The City shall retain ownership of the existing pump station and associated force main only; and 3) adoption of a resolution by Council setting a public hearing regarding the proposed abandonment for November 25, 2013.

Responding to Mr. Blakeman's inquiries regarding trash pick-up and snow removal, Mr. Koenig explained that trash pick-up currently takes place in the middle of the development. He noted that there were approximately ten 330-gallon trash containers and staff had been struggling for 20 years with collection in this area. Under the proposed re-development, trash pick-up would be converted to private collection using larger dumpsters and more defined areas for collection. Snow collection beyond the right-of-way of Walker Road would also be private.

In response to Mrs. Williams, Mr. Koenig stated that, in his opinion, there would not be confusion or conflict caused by the operation of the Milford Housing Authority in the City of Dover, where the Dover Housing Authority also operates.

Mr. Blakeman moved to recommend: 1) abandonment of Harmony Lane with conveyance of sixty feet (60') of said right-of-way to Milford Housing Development Corporation. Abandonment shall be conditioned upon the completion of the Site Development Plan and parcel consolidation plan. Cross access and public utility easements will be required for the existing wastewater pump station and associated force main infrastructure located therein. Ownership shall not be relinquished until such time as the parcel consolidation plan is recorded; 2) abandonment of all stormwater, street, wastewater, and water infrastructure to Milford Housing Development Corporation in conjunction with the abandonment of Harmony Lane. The City shall retain ownership of the existing pump station and associated force main only; and 3) adoption of a resolution by Council setting a public hearing regarding the proposed abandonment for November 25, 2013, as recommended by staff. The motion was seconded by Mr. Snaman and unanimously carried. ***[****City Clerk's Office Note: In accordance with the City's Procedure for Alley Abandonments, Resolution No. 2013-25 setting a Public Hearing (Attachment #1) will be presented to Council for consideration.****]***

Public Notification - Power Outages

During the Utility Meeting held on September 9, 2013, members considered the existing Electric Outage Public Notification Procedure and the Internal Standing Orders for the City's Electric Department. Members recommended that this matter be referred back to staff for their consideration in implementing the comments and suggestions made by members of the Committee. During the City Council meeting held on September 23, 2013, Council approved the Committee's recommendation.

During the Utility Committee meeting of October 28, 2013, Mr. Scott Koenig, City Manager, explained that staff had investigated several options to try to remedy members' concerns. He indicated that staff did not recommend implementing outage management software at this time due to the costs associated with this option but noted that it might be a viable option in the future. He felt that the City's system was extremely reliable and reported that the City's annual outage statistics for FY 2009 through FY 2013 exceeded the Delaware standard of 295 minutes per customer, set by the Public Service Commission. He indicated that most of the outages were the result of car accidents or animal intrusions rather than wires "burning up."

Mr. Koenig explained that staff did not recommend using Facebook to notify customers of outages as this would involve additional staff resources and the number of customers using this medium was unknown. Current postings on Facebook are done by Kay Dietz-Sass, Public Affairs/Emergency Management Coordinator, whose normal work hours are 8:00 a.m. - 5:00 p.m., Monday through Friday; therefore, after-hours posting would incur costs through compensatory time or overtime for her services, and at this point having Systems Operators post to Facebook had not been discussed because they are a major part of system restoration. Mr. Koenig explained that staff would make an effort to bring in additional staff to answer phone calls and update the phone message system when it is believed that this is needed and that specific thresholds needed to be developed as to how this would occur. Staff would also be evaluating the costs associated with an automated phone/push notification system in future budgets if Council indicated an interest. He noted that reverse 911

calling had been researched previously and recalled that the installation cost was approximately $30,000; however, he cautioned members that the electric system was extensive (approximately 50 square miles) and extends outside of the City limits. Mr. Koenig was unsure if the City should be investing funds in this type of project, reminding members that he and staff were very proud of the reliability of the City's system. He wanted to be sure that information posted was accurate if such a system were installed because inaccurate information may be worse than no information. He indicated that staff would be looking at these types of notification systems in future budgets, but would not plan to include it in the FY15 budget unless asked to do so by Council.

Staff recommended authorization to call in additional resources during outages to assist with phone calls and new phone messages to address the concerns identified by the Committee and to evaluate an automated phone/push notification system to be considered in future budgets.

Mr. Slavin stated that notification via social media could be as easy as directing an email that is already going to be sent out to a Twitter or Facebook account and that this could be sent from a cell phone inside the plant and posted automatically. He suggested that very low-cost solutions that are currently available be considered. He indicated that he would not recommend reverse 911. It was his belief that Capital School District was using those types of calls in abundance and that people were beginning to ignore the calls because they are receiving so many of them.

Responding to Mr. Koenig regarding the level of detail for information to be conveyed during an outage, Mr. Slavin confirmed he was simply looking for a statement that there is an outage in a particular area and an estimate of when it was anticipated that power would be restored.

In response to Mrs. Williams, Steven Enss, Interim Electric Director, indicated that the City's electric system had better reliability than both of its local counterparts.

Mr. Bonar stated that a reliability study for Delmarva Power was being conducted at the State level and that when Delmarva Power's forward-looking rate plan becomes effective, their threshold for outages would drop to 175 minutes per year. He felt that the City was well ahead of the curve compared to other commercial providers.

Mr. Blakeman moved to recommend acceptance of staff's recommendation to authorize staff to call in additional resources during outages to assist with phone calls and new phone messages to address the concerns identified by the Committee and to evaluate an automated phone/push notification system to be considered in future budgets. The motion was seconded by Mr. Snaman.

Mr. Slavin inquired what the costs would be to bring in additional staff and if they would be paid an overtime rate. Mr. Koenig stated that if staff were called in they would receive overtime pay or compensatory time at a reimbursement rate of 1.5 hours per hour. He was unsure of what the dollar value would be.

On a call for the question, the motion to recommend acceptance of staff's recommendation to authorize staff to call in additional resources during outages to assist with phone calls and new phone messages to address the concerns identified by the Committee and to evaluate an automated phone/push notification system to be considered in future budgets carried by a vote of four (4) yes (Williams, Perza, Blakeman, Snaman) and one (1) no (Slavin).

Mr. Blakeman noted that, in previous years, Council members had volunteered to man phones during outages and were not compensated for their service.

Mrs. Williams stated that Council members and other City staff had worked on a volunteer basis during several emergencies.

Rate Classification/Tariff Amendment for Churches

During the Utility Committee meeting held on September 23, 2013, Mr. Scott Koenig, City Manager, reviewed a request from the Presbyterian Church of Dover (the Church) to consider a change in tariff language for the C/C1 (Small Commercial) description. Specifically, he stated that the request was to have the wording "or have instrument rated metering" removed from the C/C1 classification description. At that time, members recommended that this matter be referred back to staff to determine, if the requested change were granted, based on a possible amendment to the tariff that would eliminate the phrase "or have instrument rated metering," what impact it would have on the City in terms of revenue or other unforeseen possibilities; how many customers would be impacted (including other non-profits, churches, commercial customers, etc.); and, historically, how similar changes had been made in the past, for a report back to the Utility Committee by no later than their meeting scheduled for October 28, 2013. The Committee's recommendation was approved by City Council during their meeting held on October, 14, 2013.

During the Utility Committee meeting held on October 28, 2013, Mr. Koenig explained that the request was related to the discussion of the C5 classification assigned to the Church. The demand profile for the Church would allow it to be assigned to the C/C1 classification if it did not have an instrument rated meter. Based on a "look back" period of one (1) year, it was staff's belief that as many as 51 customers could be reclassified if the above referenced language was removed from the C/C1 classification. This was determined based on using an average demand of less than 3,500 kWh/month. He noted that electric use was dynamic; therefore, the actual number of customers could vary from year to year, depending upon when the calculation was made. Using these customers, it was estimated that such a change in the tariff language could result in a loss of revenue of approximately $128,458.00 for this group of customers related to the demand charge. Since electric usage is dynamic in nature, Mr. Koenig estimated the loss of revenue at between $75,000 and $125,000 per year, based on the information available.

Staff indicated to the Church that the Green Energy Grant Fund could assist in making energy efficiency improvements to the facility, such as replacement of the metering infrastructure. Using the Green Energy Fund to improve the facility would achieve the same goal as amending the tariff. The current estimate to improve the facility was less than $5,000.

Amending the tariff would have a direct financial impact on the City's rate structure and could have unanticipated consequences related to rates. Staff recommended against any alterations to the tariff, unless they were altered in the context of a comprehensive rate review that was not scheduled to be considered until future budgets.

Mr. Koenig explained that this information was relayed to Mr. Gary Patterson, Secretary of the Trustees of the Presbyterian Church of Dover, who had asked to postpone action on this item and was unable to attend the meeting. Mr. Koenig noted that staff offered to help church members to

fill out the grant application and shepherd them through the application process, as this would meet the Church's goal to become more efficient and would put the Church in a proper rate classification for its demand profile.

Mr. Slavin stated that he had also received a call from Mr. Patterson, who had asked for more time for discussion between City staff and the Church. He told Mr. Patterson that he would ask for this issue to be tabled until the first meeting in November.

Mr. Slavin moved that the matter be tabled until the Utility Committee meeting of November 12, 2013, seconded by Mr. Blakeman, and unanimously carried.

Quarterly Review of Utility Related to Capital Investment Plan (CIP) Electric and Water/Wastewater (July, August, and September)

Mr. Scott Koenig, City Manager, reviewed the Capital Investment Plan (CIP) Project Tracking Report - September 30, 2013. He noted that much work had been done to complete water, sewer and electric projects. He assured members that staff was working diligently on these projects.

The Committee took no action.

Mr. Blakeman moved for adjournment, seconded by Mrs. Williams and unanimously carried.

Meeting adjourned at 6:01 p.m.

Beverly C. Williams
Chairwoman

BCW/TM/js/dd
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Attachment

Attachment #1 - Draft Council Resolution No. 2013-25 Setting a Date for a Public Hearing Regarding the Abandonment of Harmony Lane

City of Dover

MAYOR AND COUNCIL

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2013-25

A RESOLUTION PROPOSING THE VACATING AND ABANDONMENT OF A CERTAIN IMPROVED STREET SITUATED IN THE CITY OF DOVER.

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

Section 1. The Council of the City of Dover favors the vacating and abandonment of the following street:

Harmony Lane, as specified in Exhibits A and B to this resolution, being all that tract or parcel of land situate, lying and being in East Dover Hundred, Kent County, State of Delaware, and located on the north side of Walker Road and being more particularly described as follows: Beginning for the same at a point at the south easterly corner of the property hereon described; thence running by/with the north side of Walker Road, South 82 degrees 51 minutes 50 seconds West a distance of 110.14' to a point, thence running by/with the east side of "Tract A" an arc to the left with a radius of 25.00' and a length of 40.55' with a chord bearing of North 36 degrees 23 minutes 49 seconds East and a chord distance of 36.25' to a point, thence running by/with the east side of "Tract A" North 10 degrees 04 minutes 00 seconds West a distance of 160.78' to a point, thence running by/with the east side of Lots 1 through 7 an arc to the right with a radius of 199.43' and a length of 135.75' with a chord bearing of North 09 degrees 26 minutes 02 seconds East and a chord distance of 133.15' to a point, thence running by/with the east side of Lots 7 through 9, North 28 degrees 56 minutes 00 seconds East a distance of 40.00' to a point, thence running by/with the east side of Lots 9 and 10 an arc to the left with a radius of 107.99' and a distance of 88.58' with a chord bearing of North 05 degrees 26 minutes 04 seconds and a chord distance of 86.12' to a point, thence running by/with the east side of Lots 10 through 14, North 18 degrees 04 minutes 00 seconds West a distance of 66.35' to a point, thence running by/with east side of Lots 14 through 21 an arc to the right with a radius of 120.19' and a distance of 141.11' with a chord bearing of North 15 degrees 34 minutes 05 seconds East and a chord distance of 133.15' to a point, thence running by/with the south easterly side of Lots 21 through 27, North 49 degrees 12 minutes 00 seconds East a distance of 153.27' to a point, thence running by/with the Lots 27 through 35, an arc to the right with a radius of 50.00' and a distance of 203.44' with a chord bearing of South 14 degrees 14 minutes 06 seconds East and a chord distance of 89.44' to a point, thence running by/with the north side of Lot 35, an arc to the left with a radius of 50.00' and a distance of 46.36' with a chord bearing of South 75 degrees 45 minutes 54 seconds West and a chord distance of 44.72' to a point, thence running by/with north westerly side of Lots 35 through 39, South 49 degrees 12 minutes 00 seconds West and a distance of 73.27' to a point, thence running by/with the west side of Lot 39 an arc to the left with a radius of 60.19' and a distance of 70.67' with a chord bearing of South 15 degrees 34 minutes 05 seconds West with a chord distance of 66.68' to a point, thence running by/with the west side of Lots 39 and 40, South 18 degrees 04 minutes 00 seconds East a distance of 66.35' to a point, thence running by/with the west side of Lots 40 through 46, an arc to the right with a radius of 167.99' and a distance of 137.80' with a chord bearing of South 05 degrees 26 minutes 03 seconds West with a chord distance of 133.97' to a point, thence running by/with the west side of Lots 46 through 48, South 28 degrees 56 minutes 00 seconds West a distance of 40.00' to a point, thence running by/with the west side of Lots 48 through 52 an arc to the left with a radius of 139.43' and a distance of 94.91' with a chord bearing of South 09 degrees 26 minutes 02 seconds West

and a chord distance of 93.09' to a point, thence running by/with the west side of Lot 52 and "Tract B", South 10 degrees 04 minutes 00 seconds East a distance of 166.41' to a point, thence running by/with the south side of "Tract B" an arc to the left with a radius of 25.00' and a distance of 37.99' with a chord bearing of South 53 degrees 36 minutes 05 seconds East and a chord distance of 34.44' to the place of beginning, containing 52,756.46 sq. ft. ($1.21^{+/-}$ acres).

Sixty feet (60') of the subject right of way will be conveyed to the properties specified herein. Abandonment shall be conditional upon completion of the site development plan and parcel consolidation plan. The proposed abandonment shall be void and of no effect if the site development plan is not approved and recorded on or before November 25, 2014. Cross-access and public utility easements will be required for the existing wastewater pump station and associated force main infrastructure located therein. Ownership shall not be relinquished until such time as the parcel consolidation plan is recorded. All stormwater, street, wastewater, and water infrastructure will be abandoned in conjunction with the abandonment of Harmony Lane. The City shall retain ownership of the existing pump station and associated force main only.

Section 2. The Council of the City of Dover will sit on Monday, November 25, 2013, at 7:30 p.m., in the Council Chambers at City Hall, Dover, Delaware, to hear the objections of such residents of the City or owners of the property affected as shall attend, in accordance with the provisions of Section 27 of the Charter of the City of Dover (Chapter 130, Volume 77, Laws of Delaware).

Section 3. The Clerk of Council is hereby directed to post copies of this Resolution in five (5) or more public places in the City of Dover.

ADOPTED: *

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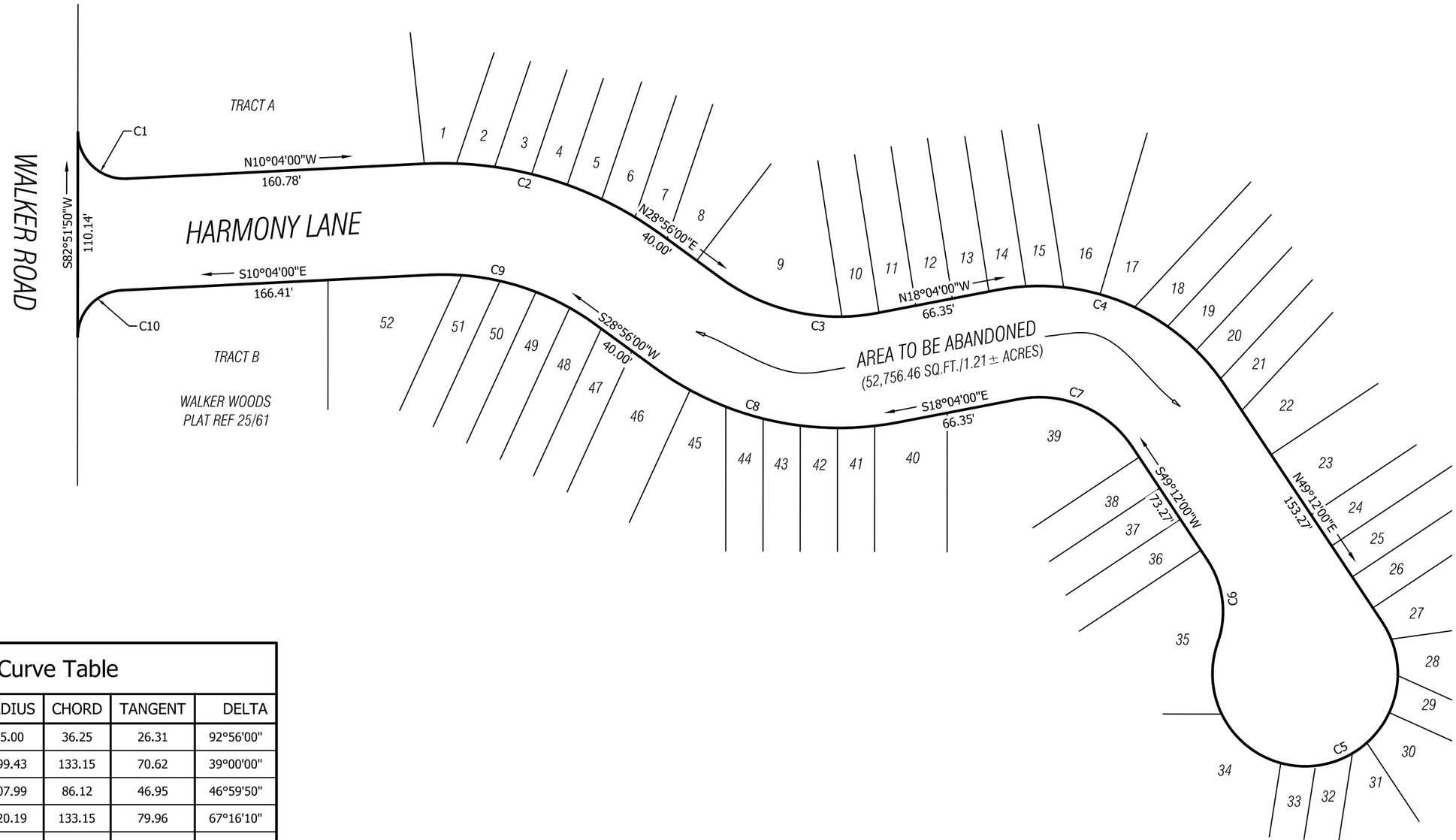
CARLETON E. CAREY, SR.	DAVID L. BONAR
MAYOR	COUNCIL PRESIDENT

Actions History:

November 12, 2013 - Scheduled to be Introduced at City Council

Draft

DE STATE GRID NAD 83



Curve Table					
CURVE	LENGTH	RADIUS	CHORD	TANGENT	DELTA
C1	40.55	25.00	36.25	26.31	92°56'00"
C2	135.75	199.43	133.15	70.62	39°00'00"
C3	88.58	107.99	86.12	46.95	46°59'50"
C4	141.11	120.19	133.15	79.96	67°16'10"
C5	203.44	50.00	89.44	100.00	233°07'50"
C6	46.36	50.00	44.72	25.00	53°07'50"
C7	70.67	60.19	66.68	40.04	67°16'10"
C8	137.80	167.99	133.97	73.04	46°59'50"
C9	94.91	139.43	93.09	49.38	39°00'00"
C10	37.99	25.00	34.44	23.75	87°04'10"

0 60 90 120

GRAPHIC SCALE
1 inch = 60 feet

REVISIONS
DATE | BY

EXHIBIT A

LOCATION: CITY OF DOVER
EAST DOVER HUNDRED ELECTION DISTRICT, KENT COUNTY, DELAWARE

SCALE	DATE	DISTRICT	MAP
1" = 60'	10/31/13	2-05	06718-01

DWG.	JOB NO.	DRAWN BY	PARCEL
S2016_EXHIBIT A	S2016	EDR	N/A

SURVEYING FORESTRY
PARKER & ASSOCIATES
ESTABLISHED 1977
SALISBURY MARYLAND 410-742-3115
CIVIL ENGINEERING INC. SITE PLANNING

EXHIBIT B

Harmony Lane Abandonment

Parcel ID	Parcel Address
ED05-067.18-01-12.00	135 HARMONY LN
ED05-067.18-01-47.00	1361 WALKER RD
ED05-067.18-01-41.00	52 HARMONY LN
ED05-067.18-01-52.00	55 HARMONY LN
ED05-067.18-01-42.00	48 HARMONY LN
ED05-067.18-01-38.00	64 HARMONY LN
ED05-067.18-01-54.00	63 HARMONY LN
ED05-067.18-01-39.00	60 HARMONY LN
ED05-067.18-01-40.00	56 HARMONY LN
ED05-067.18-01-53.00	59 HARMONY LN
ED05-067.18-01-51.00	51 HARMONY LN
ED05-067.18-01-28.00	104 HARMONY LN
ED05-067.18-01-26.00	112 HARMONY LN
ED05-067.18-01-24.00	120 HARMONY LN
ED05-067.18-01-63.00	123 HARMONY LN
ED05-067.18-01-22.00	128 HARMONY LN
ED05-067.18-01-13.00	139 HARMONY LN
ED05-067.18-01-66.01	1357 WALKER RD
ED05-067.18-01-65.00	131 HARMONY LN
ED05-067.18-01-25.00	116 HARMONY LN
ED05-067.18-01-61.00	115 HARMONY LN
ED05-067.18-01-44.00	40 HARMONY LN
ED05-067.18-01-49.00	43 HARMONY LN
ED05-067.18-01-45.00	36 HARMONY LN
ED05-067.18-01-33.00	84 HARMONY LN
ED05-067.18-01-55.00	67 HARMONY LN
ED05-067.18-01-37.00	68 HARMONY LN
ED05-067.18-01-23.00	124 HARMONY LN
ED05-067.18-01-27.00	108 HARMONY LN
ED05-067.18-01-64.00	127 HARMONY LN
ED05-067.18-01-30.00	96 HARMONY LN
ED05-067.18-01-60.00	87 HARMONY LN
ED05-067.18-01-31.00	92 HARMONY LN
ED05-067.18-01-18.00	144 HARMONY LN
ED05-067.18-01-17.00	148 HARMONY LN
ED05-067.18-01-19.00	140 HARMONY LN
ED05-067.18-01-16.00	152 HARMONY LN
ED05-067.18-01-15.00	147 HARMONY LN
ED05-067.18-01-20.00	136 HARMONY LN
ED05-067.18-01-21.00	132 HARMONY LN
ED05-067.18-01-14.00	143 HARMONY LN
ED05-067.18-01-58.00	79 HARMONY LN
ED05-067.18-01-34.00	80 HARMONY LN
ED05-067.18-01-57.00	75 HARMONY LN
ED05-067.18-01-35.00	76 HARMONY LN
ED05-067.18-01-43.00	44 HARMONY LN
ED05-067.18-01-50.00	47 HARMONY LN
ED05-067.18-01-32.00	88 HARMONY LN
ED05-067.18-01-59.00	83 HARMONY LN
ED05-067.18-01-29.00	100 HARMONY LN
ED05-067.18-01-62.00	119 HARMONY LN
ED05-067.18-01-48.00	39 HARMONY LN
ED05-067.18-01-56.00	71 HARMONY LN
ED05-067.18-01-36.00	72 HARMONY LN