REGULAR COUNCIL MEETING
A G E N D A

SEPTEMBER 9, 2013 - 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 REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCILWOMAN WILLIAMS

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

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

* **1. Adoption of Minutes - Regular Council Meeting of August 26, 2013**

2. Certificate of Congratulations - Delaware State News 60th Anniversary

3. Proclamations
- **A. National Preparedness Month**
- **B. Constitution Week**

4. Proposed Resolution No. 2013-23 - Charles L. Witt

5. Public Hearing - Proposed Resolution No. 2013-24 Approving Right-of-Way Abandonment (Unimproved) - Adjacent to 125 and 126 Overlook Place

6. Public Hearing - Appeal of Order to Vacate - 20 North New Street, 29 South New Street, and 37 South New Street, Owned by House of Pride

7. **Public Hearings - Violations of the Dangerous Building Ordinance**

   A. **Property Located at 710 Slaughter Street, Owned by Clarence L. Stevenson and Others**

   (Staff Recommends Declaring this Building and All Accessory Structures on this Property Dangerous; Ordering the Property Repaired or Demolished by October 9, 2013 by the Owner or Equity Owner at Their Own Risk; 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; 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)

   B. **Property Located at 123 Blue Beach Drive (Pool and Pump House), Owned by Deborah Statler**

   (Staff Recommends Declaring the Pool and Pump House on this Property Dangerous; Ordering the Pool and Pump House Demolished by September 24, 2013 by the Owner or Equity Owner at Their Own Risk; Ordering 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; 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 Structures Exist 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)

8. **Public Hearing/Final Reading - Rezoning Requests**

The First Readings of the following proposed ordinances was accomplished during the Council Meeting of July 22, 2013. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

   A. **Proposed Ordinance #2013-12 - Property Located at 1570 N. Dupont Highway (West Side of North Dupont Highway, East of Crawford Carroll Avenue, and North of but Not Adjacent to Rustic Lane), Consisting of 12.6127$^{+/-}$ Acres, Owned by KW Lands. The Property is Currently Zoned RC (Recreation and Commercial) and C-4 (Highway Commercial) with a Portion Subject to the SWPOZ (Source Water Protection Overlay Zone). The Proposed Zoning is IO (Institutional and Office) with a Portion Subject to the SWPOZ (Source Water Protection Overlay Zone).**
   (TAX PARCEL ED-05-057.00-01-05.00-000; PLANNING REFERENCE Z-13-01; COUNCIL DISTRICT 4)

   B. **Proposed Ordinance #2013-13 - Property Known as Walker Woods and Walker Woods Phase 2 Located at 28-152 Harmony Lane, 3-9 Klein Court, and 1357-1383 Walker Road (North Side of Walker Road Adjoining Harmony Lane), Consisting of 9.0722$^{+/-}$ acres, Owned by Walker Woods Properties, LLC and Milford Housing Development Corporation. The Property is Currently Zoned RG-3 (Group Housing) and ROS (Recreational and Open Space). The Proposed Zoning is RG-2 (General Residence).**
   (TAX PARCELS ED-05-067.18-01-12 THROUGH ED-05-067.18-01-45 AND ED-05-067.18-01-47 THROUGH ED-05-067.18-01-66.01; PLANNING REFERENCE Z-13-02; COUNCIL DISTRICT 4)

* **9. Utility Committee Report - August 26, 2013**

A. Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater) (April, May, and June)

(Committee Action Not Required)

* **10. Legislative, Finance, and Administration Committee Report - August 26, 2013**

A. City of Dover Participation in the Commemorative Partner Program

(Committee Recommended That the Mayor Be Authorized to Move Forward in Working with the Veteran Organizations and Approval of the City of Dover's Participation in the Commemorative Partner Program)

B. Proposed Resolution No. 2013-22 With Staff Amendment (SA) #1 - Cessation of Illegal Gang Formation in Dover (Recommended by the Dover Human Relations Commission)

(Committee Recommended Adoption of Proposed Resolution No. 2013-22 with Staff Amendment (SA) #1)

C. Proposed Ordinance #2013-15 - Amending Chapter 58 - Human Relations *(See Item #15)*

(Committee Recommended Adoption of Proposed Ordinance #2013-15 and That the Council President Be Responsible for Appointing Members to the Dover Human Relations Commission (DHRC))

* **11. Safety Advisory and Transportation Committee Report - August 28, 2013**

A. Public Hearing - Left-Turn Restrictions From Loockerman Street Onto Governors Avenue

(Committee Recommended That the Matter Be Referred Back to the City Manager for Further Review)

B. Request of White Oak/Towne Point Civic Association to Limit Parking on Miller Drive to Only One Side of the Street

(Committee Recommended That a Public Hearing Before City Council Be Set for October 14, 2013 at 7:30 p.m. to Consider Prohibiting Parking on the North Side of Miller Drive)

C. Implementation of Security Measures in City Buildings

(Committee Recommended That the Implementation of Security Measures in City Buildings Be Referred to Staff for Their Review and Recommendation)

D. Update on City Ambulance Service

(Committee Action Not Required)

E. Prioritization of City of Dover State Capital Transportation Program (CTP) Projects

(Committee Recommended Approval of the Priority Ranking, as Presented)

F. Updates

(Committee Action Not Required)

* **12. Monthly Reports - July 2013**

A. Budget Report
B. Chief of Police Report
C. City Assessor's Report
D. City Manager's Report
E. City Planner's Report

* **13. Appointment Recommended by Council President Bonar - Parks, Recreation, and Community Enhancement Committee - Councilman James L. Hutchison, Sr. (To Fill the Unexpired Term of Beverly C. Williams - Term to Expire May 2014)**

14. Fee Proposal - Attorney Services for Mediation - International Brotherhood of Electrical Workers (IBEW)

15. <u>First Reading - Proposed Ordinance #2013-15</u>
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 September 23, 2013. 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 #2013-15 Amending Chapter 58 - Human Relations
(Legislative, Finance, and Administration Committee)

16. Council Members' Announcements

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