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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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on August 26, 2013 at 7:30 p.m. with Council President Bonar presiding. Council members present were Mr. Dixon, Mr. Lynn, Mr. Perza, Mr. Slavin, Mrs. Williams, and Mr. Hutchison. Mr. Anderson and Mr. Hare were absent.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Carey was also present.

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. Desiree Berry, 1558 Cypress Branch Road, advised members of a recent incident involving her vehicle being vandalized and, since there was profanity, she felt that it should be considered a "hate crime."

After further explanation of the incident, Council President Bonar explained that the property was located outside of the City of Dover limits; therefore, City Council would have no jurisdiction and suggested that she contact the Kent County Levy Court and the Kent County Planning Department.

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

AGENDA ADDITIONS/DELETIONS

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

Mr. Slavin moved for approval of the consent agenda, seconded by Mr. Dixon and carried by a unanimous roll call vote (Anderson and Hare absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF AUGUST 12, 2013

The Minutes of the Regular Council Meeting of August 12, 2013 were unanimously approved by motion of Mr. Slavin, seconded by Mr. Dixon and bore the written approval of Mayor Carey.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - AUGUST 12, 2013

The Parks, Recreation, and Community Enhancement Committee met on August 12, 2013 with Chairman Dixon presiding.

Amendment to the 2013 Community Development Action Plan

Mrs. Tracey Harvey, Planner I, reminded members that the 2013 Community Development Block Grant (CDBG) Action Plan was approved with an estimated allocation due to having not received the actual grant allocation from the U.S. Department of Housing and Urban Development (HUD) until May 29, 2013. This was after the City's submission deadline of May 15th for the Action Plan. She stated that the estimated allocation anticipated a 5% reduction in funding from the prior year,

based on the guidance provided by HUD. The CDBG program was not cut as anticipated; therefore, the actual allocation exceeded the estimate used to develop the Action Plan. She advised members that the difference between the estimated HUD allocation and anticipated program income used to develop the Action Plan ($223,563) and the actual allocation ($244,815) was $21,252. She explained that the additional funding should be allocated among the funded projects, which would result in an amendment to the Action Plan.

Staff recommended increasing the funding for Program Administration to 20% of the allocation and dividing the remainder of the funding among the FY 2013 projects, excluding those projects that were fully funded, as follows:

CDBG FY2013 Funded Projects	**Current Funding Level**	**Recommended Increase**	**Recommended Funding Level**
Program Administration	$44,713	$ 4,250	$48,963
NCALL Research	$ 6,034	$ 2,900	$ 8,934
MHDC Homeowner Rehab	$32,658	$ 7,051	$39,709
Elizabeth W. Murphey School	$32,658	$ 7,051	$39,709
Total		**$21,252**	

The Committee recommended approval of staff's recommendation.

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

Semi-Annual Review - Statistics Regarding Jobs and Businesses Gained and Lost in the City of Dover Since July 2012

Mr. William Neaton, Economic Development Director, reviewed the semi-annual report of employment statistics for the 15 largest employers in the Dover area and reminded members that this information is updated and presented to members on a semi-annual basis. The report provided statistics regarding jobs and businesses gained and lost in the City of Dover since July 2012.

Mr. Neaton noted that Bayhealth Medical Center (Kent General and Milford) was the premier healthcare provider in central Delaware and the second largest healthcare system in Delaware. He stated that as a result of its continued growth, Bayhealth now had over 3,200 employees. In addition to hiring additional employees, he advised members that Kent General Hospital created a "fit out" plan for the shell space on the fourth floor of their new building to increase the number of available beds. Mr. Neaton indicated that gross patient revenue was expected to be close to $1B and net patient revenue was expected to be approximately $500M.

As mentioned previously, Mr. Neaton explained that the decrease in the number of permanent employees of the Hotel and Casino at Dover Downs was the result of competition from surrounding states that had recently approved legalized gambling.

Mr. Neaton advised members that the increase in employees at Kraft Foods was the result of their securing Kool-Aid operations in Dover.

Mr. Neaton stated that a few large, future employers would be coming to Dover, noting that Dick's Sporting Goods was expected to open in October/November 2013 at the Dover Mall, and the Green Turtle was currently renovating a building and would add approximately 60-70 new part-time and full-time jobs, once opened. He also informed members that the final authorization for the sale of Lot #12 at the Garrison Oak Technical Park (GOTP), for a manufacturing facility, was scheduled for consideration by City Council at their meeting being held later in the evening.

Mr. Caldwell noted that concerns were relayed during the last report regarding several large commercial buildings being vacant in the City of Dover. Responding, Mr. Neaton indicated that there had been no changes in regard to this issue. However, he stated that City Council had authorized an incentive for vacant buildings which would allow tax abatement over a ten (10) year period when a certain amount of money is put into a building for improvements. In addition, he stated that the City had the ability to abate 50% of permitting and impact fees. He stated that he meets with commercial realtors on a regular basis and assured members that they are working hard to fill these buildings.

In response to Mr. Caldwell, Mr. Neaton noted that there was an 80% fill rate in the buildings located in the downtown area. In regard to the approximately 300 jobs starting up within the City limits that was reported at the last review, Mr. Neaton stated that these were construction jobs for the Calpine Project and that the minutes of the meeting reflected a $3M to $4M project; however, he stated that the Calpine Project is actually a $300M project. He indicated that this project was currently undergoing active construction and that he recently took executives from the DuPont Company on a tour of the Dover SunPark and to the construction site.

Mr. Caldwell noted that it was previously reported that the ILC Company moved its facilities to Sussex County and questioned why. Responding, Mr. Neaton indicated that the primary reason was that relocation reduced the cost of the facility by one-half. He assured members that the move was not due to tax or utility rates, which he stated were very good in the City of Dover.

Responding to Mr. Dixon, Mr. Neaton explained that the City of Dover had active code enforcement for vacant properties. Elaborating, Mrs. Ann Marie Townshend, Director of Planning and Community Development, confirmed that a City employee was dedicated to vacant building issues. She stated that his primary focus was monitoring the buildings, assuring payment of fees, and registration and management of properties (for example, monitoring grass cutting and building security).

With regard to concerns about the effect that an additional grocery store would have on Food Lion in the Gateway West Shopping Center, Mr. Neaton felt confident that there was enough business on the west side of Dover to accommodate two (2) grocery stores. He noted that Redner's is a new grocery store, located at the Greentree Shopping Center.

No further action was required.

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

UTILITY COMMITTEE REPORT - AUGUST 12, 2013

The Utility Committee met on August 12, 2013 with Chairwoman Williams presiding.

Request for Abandonment of Right-of-Way (Unimproved) - Overlook Place/Adoption of Resolution No. 2013-21 Setting a Public Hearing for September 9, 2013 at 7:30 p.m.

Mr. Scott Koenig, City Manager, advised members that a letter was received from Mr. Michael P. Bouchard, 126 Overlook Place, dated November 13, 2012, requesting the abandonment of an unimproved portion of the Overlook Place right-of-way within the Overlook on Silver Lake Subdivision. He stated that the area extends approximately 30' from the eastern edge of public improvements within the right-of-way and that Mr. Bouchard requested that this area be disposed of in its entirety to his parcel at 126 Overlook Place. Mr. Bouchard indicated that this area is poorly maintained and that it would be a benefit to the community if this area was disposed of to the property owners for proper maintenance. As a result, a letter was sent to the other adjacent property owner, Ms. Chu Pao Robinson of 125 Overlook Place, to determine her interest in participating in the abandonment and having a portion of the right-of-way conveyed to her.

Mr. Koenig stated that both adjacent property owners were interested in participating in the abandonment. Public Works' staff confirmed that this area was unimproved; however, if abandoned, public utility easements would be required for the existing water and wastewater infrastructure located therein. He noted that the right-of-way for Overlook Place is 51' wide and, in accordance with City policy, half of the right-of-way, or 25.5', would be conveyed to the requesting parties. Mr. Koenig assured members that staff had no objections to the abandonment of the subject right-of-way and recommended conveyance of 25.5' of said right-of-way to 125 and 126 Overlook Place with the stipulation that a public utility easement be retained for each parcel. Members were provided a map depicting the right-of-way proposed for abandonment (noted in red).

Staff recommended the following action: 1) abandonment of the subject right-of-way with conveyance of 25.5' of said right-of-way to 125 and 126 Overlook Place, currently owned by Chu Pao Robinson and Michael P. Bouchard, respectively, in conjunction with the provision of a public utility easement for each parcel; and 2) adoption of a resolution by Council setting a public hearing regarding the proposed abandonment for September 9, 2013.

The committee recommended approval of staff's recommendation and adoption of a resolution by Council setting a public hearing regarding the proposed abandonment for September 9, 2013, as recommended by staff.

By consent agenda, Mr. Slavin moved for approval of the Committee's recommendation for the abandonment of the subject right-of-way with conveyance of 25.5' of said right-of-way to 125 and 126 Overlook Place, currently owned by Chu Pao Robinson and Michael P. Bouchard, respectively, in conjunction with the provision of a Public Utility Easement for each parcel and adoption of Resolution No. 2013-21, setting a public hearing before City Council regarding the

proposed abandonment for September 9, 2013. The motion was seconded by Mr. Dixon and by a unanimous roll call vote (Anderson and Hare absent), Council adopted Resolution No. 2013-21, as follows:

A RESOLUTION PROPOSING THE VACATING AND ABANDONMENT OF A CERTAIN RIGHT-OF-WAY 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 right-of-way:

Adjacent to 125 Overlook Place (ED-05-068.09-01-16.00)
Beginning at a point identified as the southeast corner of parcel #ED-05-068.09-01-16.00; thence running South 00 degrees 47 minutes 50 seconds West 25.50 feet along the easterly line of a 51' wide public right-of-way to a point in the same; thence running North 89 degrees 12 minutes 10 seconds West 30.00 feet to a point in the same; thence running North 00 degrees 47 minutes 50 seconds East 25.50 feet to a point in the southerly property line of parcel #ED-05-068.09-01-16.00; thence running South 89 degrees 12 minutes 10 seconds East 30.00 feet to the point and place of beginning and containing 0.0176 acres (765.00 square feet) of land be the same more or less. The above described parcel of land shall be considered a public utility easement, reserving the rights of the City of Dover, their agents or assigns to free access for ingress and egress to these premises and every part thereof at all times for purpose of installing, maintaining and operating its existing public utilities.

Adjacent to 126 Overlook Place (ED-05-068.09-01-48.00)
Beginning at a point identified as the northeast corner of parcel #ED-05-068.09-01-48.00; thence running North 00 degrees 47 minutes 50 seconds East 25.50 feet along the easterly line of a 51' wide public right-of-way to a point in the same; thence running North 89 degrees 12 minutes 10 seconds West 30.00 feet to a point in the same; thence running South 00 degrees 47 minutes 50 seconds East 25.50 feet to a point in the northerly property line of parcel #ED-05-068.09-01-48.00; thence running South 89 degrees 12 minutes 10 seconds East 30.00 feet to the point and place of beginning and containing 0.0176 acres (765.00 square feet) of land be the same more or less. The above described parcel of land shall be considered a public utility easement, reserving the rights of the City of Dover, their agents or assigns to free access for ingress and egress to these premises and every part thereof at all times for purpose of installing, maintaining and operating its existing public utilities.

Section 2. The Council of the City of Dover will sit on Monday, September 9, 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 158, Volume 36, 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: AUGUST 26, 2013

TEA/NAES Report (May)

The TEA/NAES Monthly Report for May 2013 was 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.

Mr. Scott Koenig, City Manager, noted that last year overall power supply costs were $668,296 under budget due to the lower than budgeted cost of energy purchases. He stated that moving into Fiscal Year 2014, the margins and differential were tightening as a result of power supply budgets, hedge purchases, etc.; therefore, the expectation was that there would be a much smaller spread between the budgeted versus actual amounts.

In response to Mrs. Williams regarding the projected hedge variance, Mr. Koenig stated that the numbers being used for financial forecasting were the budgeted amounts for power purchased. He explained that the actual numbers were currently tracking just slightly lower than these figures. Mrs. Donna Mitchell, Controller/Treasurer, indicated that the unhedged amount is included in the PJM charges and, as more hedges are filled in, that number would decrease and the hedge number would increase. She stated that until the hedges are all filled in, the City would not know the final amounts and stated her hope that the hedge ratios would change in the City's favor over time.

Responding to Mr. Blakeman, Mr. Koenig stated that the hedge ratios were locked in at the figures listed in the report through 2015-16 and the portfolio target was to have approximately 80% hedged for the current year. In the past, this percentage had been in the high 80s and possibly up to 90% but had been decreased to take advantage of favorable purchases in the spot market since the City's transition to TEA. He indicated that this matter was being analyzed on a monthly basis.

The Committee recommended acceptance of the TEA/NAES Monthly Report for May 2013.

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

UPDATES

Members were provided the following updates:

Green Energy Funding and Programming

Mr. Scott Koenig, City Manager, reviewed a summary of Green Energy Funding and Programming. He reminded members that this is a continuous, revolving fund since there is a green energy component to each City utility bill; therefore, money is collected and put into this fund for these types of projects. He advised members that the funding reimbursement was lagging behind implementation of some of the projects since the "flow" into the fund is slower than the "flow" out of the fund at times.

No further action was taken by the Committee.

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

Mr. Scott Koenig, City Manager, stated that staff would be meeting with representatives of the Delaware Department of Natural Resources and Environmental Control (DNREC) within the next few weeks to discuss the procedure for renewing the City's permit relative to the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4). He advised members that the current permit expired and DNREC had not issued new permits.

Mr. Koenig stated that future staffing issues for the permit were being reviewed, which would probably include efforts from the Public Works and Planning Departments. He noted that this permit would serve as the foundation document for how the City designs the Street Department and addresses storm sewer cleaning, street construction, and reconstruction, etc., since the permit requires constant review and maintenance relative to the quality of stormwater that falls on road infrastructure and the way it falls through the City's storm sewer infrastructure. He stated that, as a result, staff would need to determine ways to embed the requirements of this permit into the City's daily operations.

Mr. Koenig advised members that a large component of how the City complies at this time involves street sweeping, maintenance of roads to avoid potholes and deterioration, etc. Although Dover does not have large geographic differences in heights that would cause damage from stormwater, some projects, such as the replacement of the Tar Ditch stormwater interceptor, etc., would be worked into the permit in order to comply - not only for maintenance but improvement of the systems. In some instances, it would include pond maintenance and retrofits, how park systems are run, and private property maintenance involving construction controls, etc. Mr. Koenig explained that this is a comprehensive permit that has the ability to dictate how the City conducts business as it relates to construction matters of this nature.

Calpine Energy Center and Garrison Oak Technical Park Project

Mr. Scott Koenig, City Manager, advised members that the City had been participating in weekly meetings and telephone conference calls with the Calpine Energy Center. Most of the review related to the Site Plan approval had been completed. Since this was a component of the Garrison Oak Technical Park, he stated that a meeting was held last week with the Delaware Department of Transportation (DelDOT) to discuss delivery schedules of the large turbine items and other items associated with the Energy Center. He advised members that beginning in late fall, there would be a constant stream of equipment deliveries, some by barge into the Leipsic area as well as by oversized trailer hauling, into the Garrison Tract to begin assembly of the fixed components of the combustion turbine.

Mr. Koenig noted that the City was attempting to finalize the design aspects of the Garrison Oak Technical Park so that the bid package for the street, water main, gravity sewer main, and storm sewer system could be let out to bid. He stated that a meeting was held last week with DelDOT to finalize the tie-ins for the water system on White Oak Road that would occur in the DelDOT right-of-way. While this design was being completed, Penonni Associates was finalizing the design of the sanitary sewer pump station, to be located in the center of the Garrison Tract land, and the force main, to be located south of White Oak Road over to White Oak Station #5.

Mr. Koenig noted that during the City Council Meeting scheduled for later in the evening, Council would consider the final package of sale for Lot #12 at the Garrison Oak Technical Park. If this project were to come to fruition, construction would begin on the west side of Garrison Oak. He stated that discussions had been held with another potential tenant at the Park and that activity at the Park had generated additional interest from buyers and companies wishing to locate their facilities there.

In response to Mrs. Williams, Mr. Koenig stated that when the City begins construction on the road, these efforts will be concentrated on the east side, which is the shortest distance back to the Calpine project. Once the storm sewer, gravity sewer, water main, and road bed are completed on the east side, construction traffic would be switched over to the east side so that construction could begin on the west side without interfering with daily construction traffic. Coordinated efforts would be required between the City, the City's contractor, DelDOT, Calpine, and all delivery contractors to ensure that they do not interfere with each other. It was hoped that there would be evening and weekend work while all the components were being pieced together.

As a result of the delivery route, Mr. Koenig stated that roadway improvements may be made to Route 9 and/or along roadways outside of City limits in order to accommodate the anticipated oversized and supersized loads delivering to Calpine; however, this had not been finalized.

Responding to Mr. Blakeman, Mr. Koenig stated that 85%-90% of the rights-of-way had been acquired to accommodate the transmission line from the energy block at the Garrison Tract to the Cartanza Substation.

In response to Mr. Hutchison, Mr. Koenig indicated that Calpine had acquired almost all permits necessary to complete the project; however, a final Site Plan approval letter from the City would be required, which was almost complete. Although filing with the Federal Energy Regulatory Commission (FERC) would be required, this would be the responsibility of Eastern Shore Natural Gas. He stated that the only remaining issues were the right-of-way alignments for the line going to the 230kV and an Administrative Site Plan from the City to Kent County to amend the 230kV tie to accommodate the expansion of the fence and the new equipment for Delmarva Power. As a result, he felt confident that there were no impediments to obtaining all approvals necessary to finalize the Energy Center. Mr. Koenig anticipated that all pending issues would be finalized prior to the end of the year.

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

MONTHLY BUDGET REPORT - JUNE 2013

By consent agenda, Mr. Slavin moved for acceptance of the Monthly Budget Report for June 2013, seconded by Mr. Dixon and carried by a unanimous roll call vote (Anderson and Hare absent).

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) (APRIL, MAY, AND JUNE)

Members were provided a Project Tracking Report, as of June 30, 2013, for the Capital Investment Plan (CIP).

By consent agenda, Mr. Slavin moved for acceptance of the Quarterly Review of the Capital Investment Plan (April, May, and June), seconded by Mr. Dixon and carried by a unanimous roll call vote (Anderson and Hare absent).

PROPOSED AMENDMENT TO CONTRACT FOR SALE OF LOT #12 - GARRISON OAK TECHNICAL PARK (GOTP)

During their Regular Meeting of August 12, 2013, City Council approved the final authorization for the sale of Lot #12 in the Garrison Oak Technical Park, as outlined and including the conditions set forth in the memorandum dated August 12, 2013, with the stipulation that the sunset on the "clawback" provision would require the company to make the City financially whole at a rate of 100% up to 15 years and at a decreased percentage for each year thereafter (year 16 - 90%, year 17 - 80%, etc.) up to 25 years, and that office space be provided from the City's inventory of available office space, excluding the Dover Public Library.

Mr. Scott Koenig, City Manager, explained that following Council's authorization, he redrafted an Offer Memorandum to the Uzin Utz Manufacturing Corporation of North America and a telephone conference was held with Mr. Utz and his attorney on August 13th to discuss the parameters of the authorization provided by City Council. He stated that Mr. Utz relayed concerns regarding the "clawback" provision as revised by City Council and requested reconsideration of Council's revision. For reference purposes, he provided members a spreadsheet that included a comparison of the "clawback" provision as recommended by the City Manager and City Council, as well as information regarding the tax abatement and estimated utility revenue ***(Exhibit #1)***.

Mr. Koenig advised members that initially, the "clawback" clause discussion began at a 10-year span and was negotiated to 15 years based on mutual discussion. The attorney for Mr. Utz indicated that although a 25-year clause was not unheard of, it was outside the range of a typical "clawback" clause and, as such, had caused Mr. Utz concern with respect to the business transaction. As indicated on the spreadsheet provided, he noted that the value of the "clawback" had been calculated to be approximately $315,044 for the first 15 years. During the first 15 years, he stated that the City would receive property taxes, inclusive of the abatement schedule, in the amount of $200,944. In addition, the City would collect an estimated $1,019,236 in revenue for water, sewer, and electric, based on the projected utility profile. He stated that the City had been requested to consider the value of the original "clawback" provision and reverse the 25-year "clawback" clause to the original proposal of 15 years and execute the transaction as previously negotiated with Mr. Utz. He noted that the declining years, from year 16 through 25, represented a 10% de-escalation over the additional 10-year timeframe.

Mr. Koenig indicated that staff had been diligently working on the development of business relationships with economic development prospects and felt that the negotiation process required a great deal of trust on both sides in order to present a final proposal before City Council. He was not sure what effect the "clawback" provision would have on the final outcome; however, he stated that

it was a matter of much concern for Mr. Utz when discussed with staff during the review of the revised offer. As such, he stated that Mr. Utz had requested that staff request City Council to reconsider that specific issue. Mr. Koenig emphasized that this transaction was much different than that of a private transaction, explaining that in a private sale, the income gained would be based on the land transaction. Although there would be revenue for the City of Dover associated with the land transaction, there were other revenues to be considered, such as property taxes and utilities. He explained that the City's revenue stream would be generated after the land transaction, so while the sale of the land was important to the City, consideration should also be given to the revenues provided by property taxes and utilities. As an example, Mr. Koenig stated that a smart phone service provider will sell the phone itself substantially discounted, with the understanding that the fees for providing the service were the means of generating revenues. He stated his understanding that the attorneys were in the process of preparing the agreement for execution and the "clawback" provision must be resolved before it can be finalized.

Staff recommended that City Council approve the initial 15-year "clawback" provision.

Mr. Hutchison felt that if City Council was working toward economic development and the creation of jobs in the City, members must make some concessions and urged members to support the original 15-year "clawback" provision.

Mr. Slavin moved for approval of staff's recommendation for the 15-year "clawback" provision. The motion was seconded by Mr. Hutchison and carried by a roll call vote of six (6) yes (Dixon, Lynn, Slavin, Williams, Hutchison, and Bonar), one (1) no (Perza), and two (2) absent (Anderson and Hare).

REZONING REQUEST/FIRST READING OF PROPOSED ORDINANCE #2013-14 - 109 EAST DIVISION STREET, OWNED BY LEG HALL, LLC (RHETT RUGGERIO)

A request was received to rezone property located at 109 East Division Street, owned by Leg Hall, LLC (Rhett Ruggerio). The property is located on the north side of East Division Street between Pennsylvania Avenue and Maple Lane. The property is currently zoned RG-1 (General Residence) and H (Historic District) and the requested zoning is RG-O (General Residence and Office) and H (Historic District). In accordance with Article 10 §5.7, of the Dover Code, the RG-O zoning classification is a closed zone except in the Downtown Redevelopment Target Area. It was noted that the property is within the Downtown Redevelopment Target Area as defined in Appendix C of the Dover Code.

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

By motion of Mr. Slavin, seconded by Mr. Hutchison, Council unanimously referred the rezoning request to the Planning Commission on September 16, 2013 and set a public hearing before City Council for October 14, 2013 at 7:30 p.m.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Zoning Ordinance Amendment (Proposed Ordinance #2013-14) as read by the City Clerk, by title only, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 109 EAST DIVISION STREET.

RECONSIDERATION OF AGENDA ITEM #6 - PROPOSED AMENDMENT TO CONTRACT FOR SALE OF LOT #12 - GARRISON OAK TECHNICAL PARK (GOTP)

Mr. Perza requested the opportunity to reconsider Agenda Item #6 regarding the proposed amendment to the contract for the sale of Lot #12 at the Garrison Oak Technical Park (GOTP).

Mr. Lynn moved to reconsider Agenda Item #6, seconded by Mrs. Williams.

Responding to Mr. Perza, Mr. Koenig stated that the only issue being presented to Council relative to the contract for the sale of Lot #12 at the GOTP was the "clawback" provision. All other provisions would remain the same as approved by City Council during their last meeting. Mr. Perza relayed his desire for the City Manager to move forward without having City Council micro-manage the negotiation process. He requested that members provide the City Manager unanimous consent to negotiate on the 15-year "clawback" provision that was originally presented to City Council during their last meeting on August 12, 2013.

On a call for the question by Mr. Lynn, the motion to reconsider Agenda Item #6 was carried by a roll call vote of five (5) yes (Dixon, Lynn, Perza, Williams, and Bonar), two (2) no (Slavin and Hutchison), and two (2) absent (Anderson and Hare).

In response to Mr. Perza, Mr. Koenig stated that Mr. Bill Neaton, Economic Development Director, had held conversations with additional employers interested in having facilities located at the GOTP; however, none of these discussions had reached the City Manager's Office because the negotiations for land transactions had not begun. Although he felt that the other potential purchasers would have an interest in the action that was taken on previous sales, he reiterated that each transaction would be independent, in his opinion. Considering that the sale of Lot #12 was the first land transaction, he felt that the latitude was significant; however, as the GOTP begins to build and there is additional interest, he did not feel that there would be any preconceived expectation that such latitude would extend unless it were the desire of City Council. Mr. Koenig stated that the only flexibility he was provided in the negotiations was related to the cost of the land and any type of "clawback" clause, explaining that the tax abatement and hiring of employees were set by Dover Code and that the utility revenues are based on the City's current rates.

Concurring with the concerns of Mr. Perza, Mrs. Williams felt it was City Council's responsibility to ensure that each land transaction is negotiated in the best interest of the City of Dover with the most benefit to be provided to its citizens.

Mr. Perza moved to approve the City Manager's proposal for the 15-year "clawback" provision, seconded by Mrs. Williams and carried by a roll call vote of seven (7) yes (Dixon, Lynn, Perza, Slavin, Williams, and Hutchison) and two (2) absent (Anderson and Hare).

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Hutchison announced that a public hearing had been scheduled for the Safety Advisory and Transportation Committee meeting scheduled for August 28, 2013 at 5:00 p.m. regarding left-turn restrictions from Loockerman Street onto Governors Avenue.

Mrs. Williams advised members that Aid in Dover, Inc. was planning to partner with the Dover Housing Authority on September 20th and 21st for a sneak peak of a program called "Hot Shots." She explained that the Hot Shots Program was an activity-based program for girls and guys, ages 12-17. The first day would consist of sign-ups from 4:00 p.m. to 7:00 p.m. (September 20th) and instruction in game play with high school basketball rules. Coaches would be instructing the youth on the various positions of play. The tournament was scheduled to begin on September 21st, at 12:00 noon at the Boys and Girls Club gym at Simon Circle. She stated that flyers were available and that anyone interested should contact her.

Mr. Lynn mentioned that it was "Women's Equality Day," which commemorated the ratification of the 19th Amendment to the U.S. Constitution granting women the right to vote. On August 26, 1920, more than 26 million women had their citizenship affirmed and gained a mechanism to empower themselves, their families, and community.

By unanimous consent, the meeting adjourned at 8:00 p.m.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of August 26, 2013, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibit
Exhibit #1 - Spreadsheet of Revenue for Sale of Lot #12 - GOTP

Lot # 12 - GOTP

	City Manager Clawback	City Council Clawback	Property Tax Value	Abatement	Property Taxes Paid	Estimated Annual Utility Revenue
Year 1	**$315,044**	**$315,044**	**$21,152**	**100**	**$0**	**$67,949**
Year 2	**$315,044**	**$315,044**	**$21,152**	**90**	**$2,115**	**$67,949**
Year 3	**$315,044**	**$315,044**	**$21,152**	**80**	**$4,230**	**$67,949**
Year 4	**$315,044**	**$315,044**	**$21,152**	**70**	**$6,346**	**$67,949**
Year 5	**$315,044**	**$315,044**	**$21,152**	**60**	**$8,461**	**$67,949**
Year 6	**$315,044**	**$315,044**	**$21,152**	**50**	**$10,576**	**$67,949**
Year 7	**$315,044**	**$315,044**	**$21,152**	**40**	**$12,691**	**$67,949**
Year 8	**$315,044**	**$315,044**	**$21,152**	**30**	**$14,806**	**$67,949**
Year 9	**$315,044**	**$315,044**	**$21,152**	**20**	**$16,922**	**$67,949**
Year 10	**$315,044**	**$315,044**	**$21,152**	**10**	**$19,037**	**$67,949**
Year 11	**$315,044**	**$315,044**	**$21,152**	**0**	**$21,152**	**$67,949**
Year 12	**$315,044**	**$315,044**	**$21,152**	**0**	**$21,152**	**$67,949**
Year 13	**$315,044**	**$315,044**	**$21,152**	**0**	**$21,152**	**$67,949**
Year 14	**$315,044**	**$315,044**	**$21,152**	**0**	**$21,152**	**$67,949**
Year 15	**$315,044**	**$315,044**	**$21,152**	**0**	**$21,152**	**$67,949**
Year 16		$283,540				
Year 17		$252,035				
Year 18		$220,531				
Year 19		$189,026				
Year 20		$157,522				
Year 21		$126,018				
Year 22		$94,513				
Year 23		$63,009				
Year 24		$31,504				
Year 25		$0				
					$200,944	**$1,019,236**

EXHIBIT #1
Regular Council Meeting of 08/26/2013

CERTIFICATE OF CONGRATULATIONS

Presented to the

Delaware State News

in recognition of

providing the City of Dover and our neighboring communities with 60 years of trustworthy news coverage.

We appreciate the efforts your staff has put forth and hope that you continue to provide this important service for many years to come.

The City of Dover extends its sincere congratulations on your 60th anniversary.

September 9, 2013

Carleton E. Carey, Sr.
Mayor

David L. Bonar
Council President

PROCLAMATION

***WHEREAS**, National Preparedness Month creates an important opportunity for City of Dover residents to prepare their homes, businesses, and communities for potential natural disasters or terrorist attacks; and*

***WHEREAS**, investing in emergency preparedness can reduce injuries, fatalities, and economic devastation in our community and nation; and*

***WHEREAS**, the Federal Emergency Management Agency's "Ready" Campaign, Citizen Corps, and other federal, state, local, private, and volunteer agencies are working to increase public activities to prepare for emergencies and to educate individuals on how to take action; and*

***WHEREAS**, emergency preparedness is the responsibility of every citizen of the City of Dover and all citizens are urged to make preparedness a priority and work together, as a team, to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type, and are encouraged to participate in preparedness activities and to be proactive in establishing sound plans for addressing emergencies.*

***NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE** do hereby proclaim the month of September 2013 as*

NATIONAL PREPAREDNESS MONTH

in the City of Dover, and encourage all citizens, businesses, and organizations to develop their own emergency plan and work together toward creating a more prepared society.

_____

CARLETON E. CAREY, SR.
MAYOR



PROCLAMATION

WHEREAS, *the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a republic dedicated to rule by law; and*

WHEREAS, *September 17th, 2013 marks the two hundred twenty-sixth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and*

WHEREAS, *it is fitting and proper to recognize this magnificent document and the anniversary of its creation and it is appropriate to officially commemorate this occasion with patriotic celebrations, particularly in Delaware, the first state to ratify the Constitution; and*

WHEREAS, *Public Law 915 guarantees the issuance of a proclamation each year by the President of the United States of America which designates September 17th through the 23rd as Constitution Week.*

NOW THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim September 17th through the 23rd, 2013 to be*

CONSTITUTION WEEK

in the City of Dover, and ask our citizens to reaffirm the ideals held by the framers of the Constitution in 1787 by vigilantly protecting the freedoms guaranteed to us in this invaluable document.

_____

CARLETON E. CAREY, SR.
MAYOR

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2013-24

A RESOLUTION VACATING AND ABANDONING A CERTAIN RIGHT-OF-WAY 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 hereby vacates and abandons the following right-of-way:

Adjacent to 125 Overlook Place (ED-05-068.09-01-16.00)
Beginning at a point identified as the southeast corner of parcel #ED-05-068.09-01-16.00; thence running South 00 degrees 47 minutes 50 seconds West 25.50 feet along the easterly line of a 51' wide public right-of-way to a point in the same; thence running North 89 degrees 12 minutes 10 seconds West 30.00 feet to a point in the same; thence running North 00 degrees 47 minutes 50 seconds East 25.50 feet to a point in the southerly property line of parcel #ED-05-068.09-01-16.00; thence running South 89 degrees 12 minutes 10 seconds East 30.00 feet to the point and place of beginning and containing 0.0176 acres (765.00 square feet) of land be the same more or less. The above described parcel of land shall be considered a public utility easement, reserving the rights of the City of Dover, their agents or assigns to free access for ingress and egress to these premises and every part thereof at all times for purpose of installing, maintaining and operating its existing public utilities.

Adjacent to 126 Overlook Place (ED-05-068.09-01-48.00)
Beginning at a point identified as the northeast corner of parcel #ED-05-068.09-01-48.00; thence running North 00 degrees 47 minutes 50 seconds East 25.50 feet along the easterly line of a 51' wide public right-of-way to a point in the same; thence running North 89 degrees 12 minutes 10 seconds West 30.00 feet to a point in the same; thence running South 00 degrees 47 minutes 50 seconds East 25.50 feet to a point in the northerly property line of parcel #ED-05-068.09-01-48.00; thence running South 89 degrees 12 minutes 10 seconds East 30.00 feet to the point and place of beginning and containing 0.0176 acres (765.00 square feet) of land be the same more or less. The above described parcel of land shall be considered a public utility easement, reserving the rights of the City of Dover, their agents or assigns to free access for ingress and egress to these premises and every part thereof at all times for purpose of installing, maintaining and operating its existing public utilities.

Section 2. Since no person has been deprived of property by the vacating and abandoning of the aforesaid right-of-way, no compensation is awarded.

Draft

Section 3. All costs of conveyance shall be borne by the property owners.

Section 4. This resolution shall be effective upon the filing of a revised plot plan of the aforesaid right-of-way.

ADOPTED: *

S:\ABANDONMENTS\2013\126 Overlook Place\2013-24 Resolution Abandoning Right-of-Way-Draft.wpd

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

Actions History:
September 9, 2013 - Introduced at City Council

Draft

Overlook Place
Proposed Right-of-Way Abandonment



0 62.5 125 250 Feet

N

Date Printed: June 31, 2013
File: m:\gis_data\projects/tech_mxds
\st_abandonment_map
Department: Public Services GIS
City of Dover, Delaware

Legend

- Overhead Electric Pole
- Underground Electric Lines
- Overhead Electric Lines
- Water Main
- Hydrant Line
- Hydrants
- Manholes
- Sewer Line
- Dover Parcels
- Overlook Place

MEMORANDUM

Department of Planning and Inspections
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

Date: August 15, 2013

To: City Council

From: Ann Marie Townshend, AICP

RE: 29 & 37 South New Street, 20 North New Street – Violation of Dangerous Building Ordinance

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On July 8, 2013, the Code Enforcement Division and Fire Marshal's Office conducted inspections of 29 South New Street, 37 South New Street, and 20 North New Street. City inspectors identified numerous code violations during these inspections, many of which have been chronic violations found in prior years' inspections. Each year, violations are corrected, only to be found again in subsequent inspections. On these properties, violations were initially reported following inspections on April 24, 2013. Staff allowed sufficient time to correct the violations; however the violations were still present during the July 8, 2013 inspection.

Due to the repeated lack of compliance with code requirements, including life safety requirements, the Department of Planning and Inspections ordered the building to be vacated and closed on July 25, 2013. This action was taken in accordance with Dover Code, Chapter 22 – Buildings and Building Regulations, Article XI – Dangerous Buildings, Section 22-382 (2). The House of Pride has appealed this order to City Council in accordance with Dover Code Chapter 22 – Buildings and Building Regulations, Article XI – Dangerous Buildings, Section 22-384 (5)(d).

City of Dover
Code Enforcement Division
15 Loockerman Plaza
Dover, De 19901

City of Dover
Fire Marshal's Office
15 Loockerman Plaza
Dover, De 19901

City of Dover Planning & Inspections Department
Phone: 302-736-4457
Fax: 302-736-4217

July 25, 2013

Marian Harris
House of Pride
105 S. New Street
Dover, DE 19901

Ref: Vacation and Closure of 20 North New Street, 37 South New Street, and 29 South New Street

Dear Ms. Harris:

As you are aware, Code Enforcement and Fire Marshal inspectors performed scheduled re-inspections of various properties owned and managed by House of Pride on July 8, 2013. As has been noted upon multiple prior inspections, the City of Dover is extremely concerned with the continued disregard and/or inability to sustain compliance with the City Codes specified each year to the House of Pride during the inspections process. The violations noted during the yearly inspections are always similar in nature each year. House of Pride properties seem to only come into compliance after an inspection is conducted by the City of Dover. Management for the House of Pride has continually allowed the properties to fall into disrepair as soon as the properties are corrected following the completion of required inspections. Due to the amount of existing and recurring violations noted at the various House of Pride properties, the City of Dover is very concerned with the ability of the House of Pride to correct outstanding violations identified during the July 8, 2013 inspections and maintain compliance following the closure of the current cases.

The completion of all the items noted by both the Fire Marshal's Office and Code Enforcement Division were required to be corrected by the July 8, 2013 re-inspection. The City of Dover provided ample time to allow for the corrections to be made, following the initial inspection on April 24, 2013. As a result of the re- inspection conducted today, several items were not in compliance within the time allotted.

In addition to the failure to comply with all items noted during the original inspection, it appears that the properties re-inspected on July 8, 2013 were still actively involved in the House of Pride's "residential recovery center" which was to cease operation per a letter from Sandra Dean to the City of Dover dated September 12, 2012 requesting that all conditional use permits be revoked immediately. The document also advised that the properties were going to be used strictly as residential rental properties.

Due to the chronic non-compliance, and in accordance with the Dover Code, Article XI Dangerous Buildings, Section 22-382 (2), the following properties are ordered to be vacated: 20 North New Street, 29 South New Street, and 37 South New Street. According to this section:

> *Vacation.* If the dangerous building is in such a condition or is being used as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated and closed. Buildings ordered closed shall not be reopened until a certificate of occupancy is issued.

These properties will be posted for condemnation on July 29, 2013. A copy of this document will be posted at the House of Pride Main Office located at 105 S. New Street, as well as sent via certified to the property. The tenants/occupants of the property will need to vacate the property by August 12, 2013. A re-inspection of the above mentioned properties will take place August 12, 2013 at 9am to ensure the properties in question have been vacated and secured.

A separate inspection report will be provided by Ron Coburn of the Code Enforcement Division for the property at 16 North New Street.

If there are any questions or concerns regarding the items noted by the two divisions please do not hesitate to contact the City of Dover Planning & Inspections Department at 302-736-7196 to speak with Director Ann Marie Townshend.

Thank you for your attention on this matter,

Ann Marie Townshend

Ann Marie Townshend, AICP
Director of Planning & Community Development

Timothy M. Taraila

Ronald Coburn
Code Enforcement Officer

Timothy Mullaney Jr.

Timothy P. Mullaney Jr.
Deputy Fire Marshal

CC: Electronic File
Dave Truax, Fire Marshal
Tim Taraila, Chief Code Enforcement Officer
Jason Osika, Deputy Fire Marshal
Janelle Cornwell, Planner
William Pepper, City Attorney
Sandra Dean, Attorney: House of Pride
Mary Beth Johnson, Property Manager: House of Pride

Marian L. Harris
Founder/Director

P.R.I.D.E. — People's Rehabilitation & Individual Development Enterprise

Hoppride@aol.com

Dover, Delaware 19904

July 25, 2013

Ann Marie Townsend, AICP
Director of Planning & Community Development
City of Dover

Please consider our request for a formal hearing regarding the actions described in the letter dated July 25, 2013 (ref: Vacation and Closure of 20 North New Street, 37 South New Street, and 29 South New Street) and to show cause pursuant to Article 22 – 385 (1), and we further request that any action by the City be stayed pending a hearing.

Sincerely,
Marian L Harris for Board of Directors
Marian Harris
Executive Director
House of Pride, Inc.

RECEIVED
JUL 29 2013
CITY OF DOVER
INSPECTIONS & PLANNING

House of Pride
Our Foundation is Built on Pride

110 South New Street
(302) 677-0176
(302)-677-0173

105 South New Street
(302) 677-0116
(302)-399-4205

321 Loockerman Street
Fax (302) –677-0234
Email: hoppride@aol.com

ACTION FORM

PROCEEDING: City Council

DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: August 30, 2013

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

SUBJECT: 710 Slaughter Street, Dover, Delaware – Violation of Dangerous Building Ordinance

REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 12-3593 & 13-026

RELATED PROJECT: N/A

APPROVALS: N/A

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

EXPENDITURE REQUIRED: Preliminary estimate is $15,000 $20,000.

AMOUNT BUDGETED: $140,000 Budgeted for all demolitions Citywide in the FY-2014 Budget; $50,917.50 remains in line item as of August 30, 2013.

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

TIMETABLE: As soon as possible.

RECOMMENDED ACTION:

1. Declare this building and all accessory structures on this property dangerous.
2. Order the property repaired or demolished by **October 9, 2013** by the owner or equity owner at their own risk.
3. Order 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. 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.

BACKGROUND AND ANALYSIS

The property is owned by Clarence L Stevenson & Others. The property is a two-story wood-framed single family home. The electrical service was terminated on 10/11/12. During a follow up inspection on 11/26/12, several individuals were found in and around the home. The property was condemned and boarded on 12/4/12. Since that time, boards have been removed and staff has had to search the interior for possible trespassers. The property has been resecured by City staff. There are numerous code violations that exist on the property.

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: August 30, 2013
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 123 Blue Beach Drive, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 12-773
RELATED PROJECT: N/A
APPROVALS:
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $10,000-18,000. **AMOUNT BUDGETED**: $140,000 Budgeted for all demolitions Citywide in the FY-2014 Budget; $50,917.50 remains in line item as of August 30, 2013. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare the pool and pump house on this property dangerous. 2. Order the pool and pump house demolished by **September 24, 2013** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the structures exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Deborah Statler. The in-ground pool is concrete and is located in the rear yard along with the pump-house. The pool and pump-house have twice previously been presented to City Council as a dangerous structure, and there are code violation cases over the past ten years involving the swimming pool. The most recent dangerous building action by City Council was April 23, 2012. After the last Council hearing in April, Ms. Statler did bring the pool into code compliance and properly covered the pool in November of 2012. Since that time, the pool cover has been collecting stagnant water and appears to have a hole in it. The stagnant water is not only a health hazard by attracting larges amounts of misquotes, but is a breeding ground for them. The pump does not appear to be in running order and the pump house continures to deteriorate from lack of maintenance.

This pool has had a long and chronic history of code violations. Any compliance that is achieved has been short-lived. The pool has been a source of neighbor complaints since 2002.

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the City Council
September 9, 2013

Applicants/Owners:	KW Lands (Owner) Delaware State University (Lessee)
Address:	1570 North DuPont Highway
Location:	North DuPont Highway - Former Sheraton Hotel
Tax Parcel ID #:	ED-05-057.00-01-05.00
Size:	12.6127+/- acres
Present Use:	Hotel/Conference Center
Proposed Use:	University/Hampton Inn Hotel
Comprehensive Plan Designation:	Commercial
Present Zoning:	RC (Recreational and Commercial)/C-4 (Highway Commercial)/ SWPOZ (Source Water Protection Overlay Zone)
Proposed Zoning:	IO (Institutional and Office)/SWPOZ (Source Water Protection Overlay Zone)
Reason for Request:	To allow for conversion to university dormitory and other university uses
Recommendation of Planning Commission:	Following a public hearing before the Planning Commission on August 19, 2013, where no members of the public spoke with regard to the application, the Planning Commission voted to recommend approval of the rezoning application as requested.
File Number:	Z-13-01

This rezoning application consists of one parcel of land (currently in the process of subdivision into three parcels) totaling 12.6127 acres ±. The property is currently zoned split zoned RC (Recreational and Commercial Zone) and C-4 (Highway Commercial Zone), a portion subject to the SWPOZ (Source Water Protection Overlay Zone) – Tier 3 Excellent Recharge Area. The proposed zoning classification is IO (Institutional and Office Zone), a portion subject to the SWPOZ (Source Water Protection Overlay Zone) – Tier 3 Excellent Recharge Area. The property is known as the Dover Sheraton property as the Sheraton Hotel occupied the front building on the property until July 2013. The property is owned by KW Lands and is currently under a lease with the Delaware State University. The Tax Parcel Identification Number is ED-05-057.00-01-05.00.

Existing Property:
The subject property consists of one 12.6127-acre parcel that is in the process of being subdivided into three parcels and road right-of-way of the following acreages (SB-13-03).

Lot 1	2.1083 acres±	Hampton Inn
Lot 2	2.0192 acres±	Vacant Lot
Residue Lands	5.9979 acres±	Sheraton Hotel
Land to be Dedicated as ROW	2.4873 acres±	Street ROW

The Subdivision application was reviewed and conditionally approved by the Planning Commission on July 15, 2013. The applicant is still going through the administrative process to finalize the Subdivision Plan. The intent is to use the Sheraton Hotel property for dormitories and other university uses, and to continue to use the Hampton Inn property as a hotel.

Delaware State University has entered into a lease with the property owners for the lot that fronts on DuPont Highway and has been traditionally home to the Sheraton Hotel and Conference Center. As the university uses are not permitted in the RC Zone, the owner and lessee have applied for a rezoning of the property to IO. The lease was scheduled to take effect on July 27, 2013, which is prior to Planning Commission and City Council consideration of the rezoning application. The Planning Office issued a letter, dated July 18, 2013, allowing for a transitional period for Delaware State University to use the Sheraton hotel rooms to house students through May 31, 2014. No other conversion of the hotel and conference center to university uses is permitted unless the rezoning application is approved. If the rezoning application is not approved, the housing of students at this location will be required to cease no later than May 31, 2014.

Surrounding Land Uses:
The surrounding uses are primarily commercial. Immediately north, west and south of the subject property, lands are zoned C-4 (Highway Commercial). These uses include the former Walmart site that is pending redevelopment, Sam's Club, and Schwartz Toyota. Cedar Chase Apartments, zoned RG-2 (General Residence Zone) is north of the former Walmart site. Properties directly across DuPont Highway are in unincorporated Kent County. They include a variety of commercial uses. There is no other property directly adjacent to the subject property that is zoned IO; however, there are a number of properties nearby with IO zoning, including the Wilmington University property located northeast of the subject property across DuPont Highway, the Delaware State Police property southeast of the subject property across DuPont

Highway, and the Delaware State University property located southeast of the subject property along DuPont Highway.

Comprehensive Plan:
In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated March 2012) recommends that this property be used for Commercial Uses. The rezoning request for IO is consistent with the recommendations for Land Use Classification for Commercial Uses.

Request for IO (Institutional and Office Zone)
The types of permitted uses in the IO Zone are given Article 3, Section 10 of the *Zoning Ordinance*. The permitted uses include the following:

Section 10. Institutional and office zone (IO).

10.1 *Uses permitted.* In an institutional and office zone, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

10.11 Business, professional, or governmental offices, and research, design and development laboratories, located entirely within a building on the same lot therewith, including incidental clinics, cafeterias and recreational facilities for the exclusive use of company employees.

10.12 Public and institutional uses including hospitals, sanitariums for general medical care, medical clinics, libraries, police stations, courthouses, transit centers, motor vehicle storage and repair facilities accessory to a public or institutional use, schools, colleges and universities, places of worship, philanthropic and eleemosynary institutions, parks, playgrounds, public indoor recreation centers, civic centers, athletic fields and public utility rights-of-way and structures necessary to serve areas within the city.

10.13 Restaurants accessory to permitted uses located on the same lot.

10.14 Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

10.15 Day care centers, provided they are established in accordance with all applicable state regulations pertaining to child care and provided that they are established and maintained in accordance with article 5, section 14 of this ordinance.

10.16 The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Firearm ranges, prisons and correctional facilities.
(b) Public incinerators.
(c) Hotels and restaurants.

10.2 *Landscaping.* The entire lot, except for areas covered by buildings and surfaced as parking or service areas, shall be suitably landscaped.

10.3 *Ingress and egress.* Driveways shall be not less than 24 or more than 28 feet wide. There shall be no curb cuts or points of vehicular access to the lot, other than for such driveways.

10.31 *Off-street parking.* No parking lot shall be located within the minimum required front yard, nor between the street line and the principal building on the front side of the lot, except that parking lots shall be permitted between the street line and the principal building when all such parking lots are set back at least 100 feet from the street line. For properties which involve more than one street frontage, only that frontage which correlates to the property street address shall be considered the front side for purposes of this subsection. Off-street parking shall be provided in accordance with the provisions of article 4 and article 6 of this ordinance.

10.4 *Site illumination.* Exterior flood lighting or other illumination shall be shielded from the view of all surrounding properties and streets.

SWPOZ (Source Water Protection Overlay Zone)

Portions of the site are located within the SWPOZ (Tier 3: Excellent Recharge Area) found in Article 3 Section 29.7 of the *Zoning Ordinance*. Construction activities on the property will be subject to these provisions which may include limitations on lot coverage especially for the Lot 2 parcel.

Analysis of Compliance with IO Zoning Requirements

An analysis of the compliance of current site improvements with the requirements of the IO Zone was performed to determine what nonconformities might be created by rezoning the subject property, as the lot lines have been shown in the pending subdivision. The proposed zoning and lot configuration comply with the lot size, building setback, and building height requirements.

The following is an analysis of the sites in comparison to floor area ratio (FAR) and lot coverage requirements in Article 4, Section 4.15 of the *Zoning Ordinance.*

Lot	Max FAR	FAR On-Site	Max Lot Coverage	Lot Coverage On-Site
Residue Lot	4.0	.54	85%	89%
Lot 1	4.0	.48	85%	83%
Lot 2	4.0	N/A	85%	26%

All lots comply with the floor area ratio requirements. The “Residue Lot” exceeds the maximum lot coverage, but the other lots comply with the maximum lot coverage requirement.

The hotel use that would continue on the Hampton Inn property (Lot 1) is permitted as a Conditional Use in the IO zone. The existing hotel would be accepted without requiring a Conditional Use application to the Planning Commission; however, any expansion or significant change to this hotel would be subject to Conditional Use review and approval by the Planning Commission.

Parking Requirements

For the property identified as "Residue Lands", parking is calculated based on one space for every three beds related to the dormitory use, and one space per 200 square feet of floor area for non-dormitory areas of the building. Based on this, there are 100 spaces required for the dormitory and 322 spaces required for the remaining building areas. The total minimum number of parking spaces required is 422. There are 381 parking spaces on this parcel, which is 41 fewer spaces than the minimum parking requirement. The parking is an existing non-conformity that will not be increased by the rezoning.

For the property identified as "Lot 1" (Hampton Inn parcel), the parking requirement is calculated based on one space per guest room and one for every 200 square feet of office space. There are 81 guest rooms and 250 square feet of office space. The total minimum number of parking spaces required is 83, and there are 122 parking spaces provided on the site. The maximum amount of parking would be 104 parking spaces. This is existing non-conformity exists under the current zoning and would not be affected by the proposed rezoning.

Because "Lot 1" includes parking over the minimum required and "Residue Lot" includes parking that is less than what is required, the Joint Facilities provisions of the *Zoning Ordinance*, Article 6, Section 3.7 may be utilized if improvements are proposed at a future date that require compliance with applicable parking requirements.

One area of non-compliance that would be created with the approval of the proposed rezoning is the parking location. Under the requirements of the IO Zone, parking is not permitted within the required front yard nor between the street line and the principal structure on the lot. In this case parking would be located within the required front yard and between the principal structures on "Residue Lot" and "Lot 1" and the street lines. The lot identified as "Lot 2" does not have a building, so there is no parking requirement at the present time.

Based on Article 6, Section 3.10 of the *Zoning Ordinance*, twenty-six bicycle parking spaces are required. One of the conditions of the Minor Subdivision Plan approval for S-13-03 was that the bicycle parking be provided in accordance with the requirements of this section.

Recommendation of the Planning Staff and Planning Commission:

Staff recommended to the Planning Commission that the rezoning be granted as requested, as the proposed zoning is consistent with the *Comprehensive Plan* and compatible with the surrounding area. Staff notes that there will be a non-conformity that will be created by the rezoning is it relates to lot coverage on the "Residue Lot." Staff encourages master planning of the area to allow for multi-modal transportation that does not rely entirely on North DuPont Highway for circulation.

The staff recommendation was made prior to the opportunity for public comment. Following a public hearing before the Planning Commission on August 19, 2013, where no members of the public spoke with regard to the rezoning application, the Planning Commission voted in favor of recommending that City Council approve the rezoning request. An excerpt of the draft Planning Commission minutes from August 19, 2013 is attached to the report.

The Planning Staff offered the following advisory comments to the applicant as a part of the Development Advisory Committee report.

1) The Planning Office strongly encourages Delaware State University to work with DelDOT, the City of Dover, and the Dover/Kent County MPO to develop a regional circulation plan that connects the subject property with the Delaware State University campus via bicycle, pedestrian, transit, and vehicle connections that do not rely solely on use of DuPont Highway for access between the subject site and the campus.

2) The Planning Office encourages Delaware State University to work with the City Manager's Office and the Tax Assessment Office to develop a payment in lieu of taxes (PILOT) agreement in anticipation of the potential transfer of the Sheraton property to the University.

3) As a condition of the Minor Subdivision Plan SB-13-03, the required twenty-six bicycle parking spaces and a frontage sidewalk along North DuPont Highway are required prior to issuance of a Certificate of Occupancy for any conversion of use on the subject property.

4) Please see the attached letter of July 18, 2013, regarding the temporary housing of students in the Sheraton Hotel.

5) All signage associated with the sites are subject to Sign Permits issued in accordance with Article 5, Section 4 of the *Zoning Ordinance*.

6) There have been consistent issues with maintaining the grass on the area designated as "Lot 2." Failure to maintain the grass at a height of eight inches or less may result in fines and delays in processing applications associated with the property.

7) Please review the DAC Report for SB-13-03 Lands of KW Lands for the comments and code requirements associated with the Minor Subdivision currently in process.

8) Prior to establishing or changing any use or commencing with any demolition or construction on the subject property, including renovations within the existing buildings, the applicant shall contact the Planning Office so that the appropriate review process can be determined and coordinated with other reviewing entities including the Fire Marshal's Office, Public Works, and the Chief Building Inspector. A Certificate of Occupancy will be required for the establishment of any new use within any of the buildings on the subject property.

9) The applicant shall be aware that approval of any rezoning application does not represent Site Development Plan or Record Plan approval. A separate Site Development Plan must be submitted and approved if development activities are proposed on the property. A separate Record Plan must be submitted and approved if changes to existing property lines are proposed.

10) The applicant shall be aware that approval of any rezoning application does not represent a Building Permit, Sign Permit, or other construction activity permit approval. A separate application submission showing all improvements is required before issuance of permits by the City of Dover.

11) All businesses operating in the City of Dover are required to obtain a City of Dover Business Licenses from the Licensing and Permitting Division located in City Hall. A Rental Dwellings Permit will need to be obtained and certain types of uses also require a Public Occupancy permit.

CITY OF DOVER PLANNING COMMISSION
August 19, 2013
Excerpt from Meeting Minutes - Draft

2) Z-13-01 Lands of KW Lands at 1570 North DuPont Highway: Rezoning from RC and C-4 with SWPOZ to IO with SWPOZ - Public Hearing and Review for Recommendation to City Council on a rezoning application for a 12.6127 acre ± parcel. The property is zoned RC (Recreational and Commercial Zone), C-4 (Highway Commercial Zone) and a portion is subject to the SWPOZ (Source Water Protection Overlay Zone) Tier 3 – Excellent Recharge Area. The proposed zoning is IO (Institutional and Office Zone) with a portion subject to the SWPOZ (Source Water Protection Overlay Zone). The property is located on the west side of North DuPont Highway and east of Crawford Carroll Avenue and north of but not adjacent to Rustic Lane. The owner of record is KW Lands and lessee is Delaware State University. Address: 1570 North DuPont Highway. Tax Parcel: ED-05-057.00-01-05.00-000. Council District 4. Ordinance #2013-12. *This property was the subject of a Minor Subdivision Plan Application SB-13-03 to subdivide the parcel into three parcels of land and right-of-way areas granted conditional approval by the Planning Commission on July 15, 2013.*

Representatives: Mr. Thomas Kramedas, KW Lands; Mr. Garth Jones, Becker Morgan Group

Mr. Holden recused himself from this application. His employer was the engineer of record on this project.

Mrs. Townshend stated that this application is for a rezoning of the property known as the Sheraton property. The property does consist of the Sheraton Hotel, Hampton Inn and a vacant lot south of Hampton Inn. The Sheraton property is zoned RC (Recreational and Commercial Zone). Hampton Inn and the vacant lot south of Hampton Inn is zoned C-4 (Highway Commercial Zone). A portion of the property along the west side is subject to the SWPOZ (Source Water Protection Overlay Zone). The applicant is requesting a rezoning from RC (Recreational and Commercial Zone) and C-4 (Highway Commercial Zone) to IO (Institutional and Office Zone). The property would still be subject to the SWPOZ (Source Water Protection Overlay Zone). During the July 2013 Planning Commission meeting this property came to the Commission for a Minor Subdivision. Currently, it is one large property that is "L" shaped due to the Minor Subdivision not yet being recorded.

Mrs. Townshend stated that in terms of the rezoning application, Staff reviewed based on three (3) lots and looked to determine what, if any non-conformities would be created by the rezoning. In terms of floor area ratio, there are no non-conformities. The one non-conformity that was identified is that the lot coverage of the piece of land referred to as the Sheraton property, closest to the highway would be at 89% lot coverage. There is an 85% maximum lot coverage for this property. This is an existing condition, the applicant would not be required to change this condition. She did want to point it out for the record. The other piece that was identified is that in the IO (Institutional and Office Zone), parking cannot be located between the principal building and the roadway. Obviously that is a conforming situation that would continue with the IO (Institutional and Office Zone) zoning.

Mrs. Townshend stated that Staff looked at the surrounding properties and there is primarily C-4 (Highway Commercial Zone) surrounding the property but again there is IO (Institutional and Office Zone) property in the vicinity, both at Delaware State University and the State of Delaware Police; this would not be an isolated area of IO (Institutional and Office Zone) zoning. This zoning request is tied to the Sheraton conversion to a use for Delaware State University. Essentially, the Delaware State University uses are not permitted in the RC (Recreational and Commercial Zone) which is the reason for the rezoning request. Staff has worked with the applicant to allow the move in of students on an interim basis while the rezoning goes forward; however, if the rezoning is not successful then the property would have to be reverted to its prior use or another conforming use.

Mr. Jones stated that they accept all DAC comments.

Mr. Cregar questioned if the property is rezoned and then wants to go back to a hotel, would the applicant have to come back before the Planning Commission as a Conditional Use in the IO district? Responding to Mr. Cregar, Mrs. Townshend stated yes. The Hampton Inn would be remaining a hotel and that's fine as long as it does not expand. If the Hampton Inn expands then it would have to come back for Conditional Use.

Colonel Welsh stated that he was concerned about the movement of the students from the Sheraton Hotel to Delaware State University. He questioned how Delaware State University planned to do so in a safe manner? Responding to Colonel Welsh, Mr. Kramedas stated that he did not want to speak for Delaware State University but they will have a van and a shuttle to transport students back and forth and the students could also walk.

Mrs. Townshend stated that the Dover Kent County MPO has done a sidewalk estimate to determine the cost of installing sidewalks and there is movement to try and get funds in place to add the sidewalk. Again, in the advisory comments Staff has recommended that this would be an opportunity to explore the Crawford Carroll Avenue connection and how we can get both vehicle and other modes of transportation through that western piece of property so that they are not putting all traffic out on Route 13.

Colonel Welsh further stated that this was his biggest concern. If you look at where the students have to walk from the existing Sheraton Hotel; they have to cross the C F Schwartz parking lot, Lowe's parking lot, Chick-Fil-A parking lot, the hotel parking lot, HH Gregg and CompUSA parking lots before they get to the campus. That is a lot of entrances and exits that he is really concerned about. In looking at the aerial view of this area, it looks like there is room for an extension of Crawford Carroll Avenue to tie into the north end of Delaware State University. He would hope that they at least look at installing a bike path and a pedestrian sidewalk in that area because putting students out on the border of Route 13 is not the thing to do.

Mr. Cregar questioned one of the advisory comments. There is a comment about the Planning Office encouraging Delaware State University to work with the City Manager's Office and the Tax Assessment Office to develop a payment in lieu of taxes agreement. Has this been discussed at all? Responding to Mr. Cregar, Mr. Koenig stated that it has not been discussed in public

session at this point. His understanding is that there is lease period of one or two years so we have some time to work out a potential PILOT with Delaware State University if they were to purchase the property. But we would tend to purse that type of agreement if the land is to transfer.

Mr. Cregar further questioned if the City of Dover has arrangements with other property owners? Responding to Mr. Cregar, Mr. Koenig stated that there is a PILOT payment from the State of Delaware related to their building values in the City. There is also a PILOT payment that is made by Luther Towers. The discussion about expanding the statewide program for PILOT payments included in the draft legislation this past year the values of Delaware State University which are currently excluded. So the PILOT program is an instrument that the City of Dover intends to pursue in the future to compensate for things like public safety.

Colonel Welsh asked Mrs. Townshend to explain to the audience what the PILOT program is.

Mrs. Townshend stated that for the record, PILOT is an acronym for payment in lieu of taxes. The idea is that tax exempt entities make a contribution to the City of Dover in lieu of taxes. Currently, there is no payment in lieu of taxes with Delaware State University. So if we are looking at expanding the land area that would be an opportunity to discuss that happening.

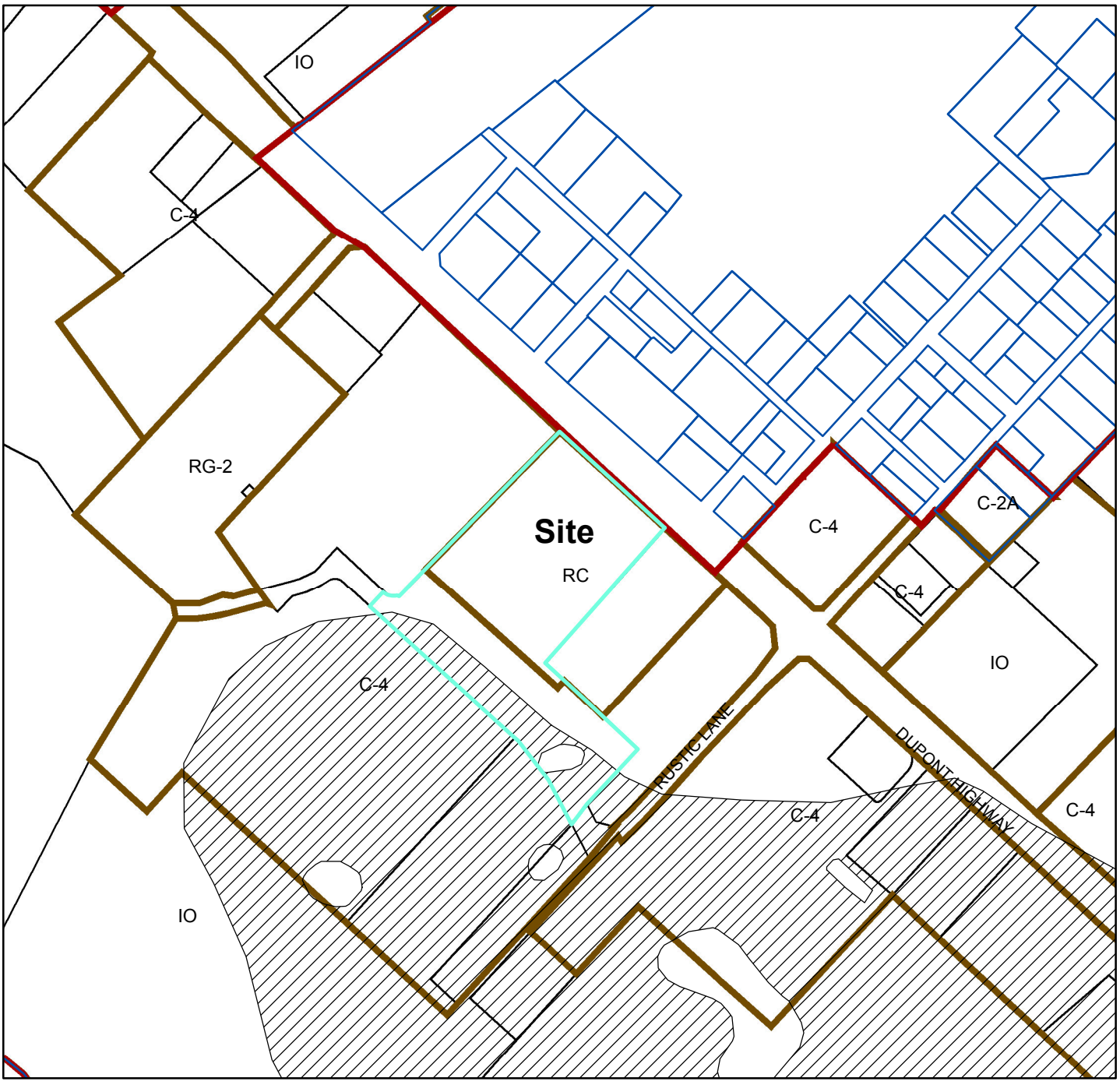
Colonel Welsh opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Ambruso moved to recommend approval to the City Council on Z-13-01 Lands of KW Lands at 1570 North DuPont Highway: Rezoning from RC and C-4 with SWPOZ to IO with SWPOZ, seconded by Mr. Holt and the motion was unanimously carried 7-0 with Mr. Holden recused and Dr. Jones absent.

City of Dover

Department of Planning & Inspections

Application No.: Z-13-01



Plan Title: Lands of KW Lands
Location: 1570 North DuPont Highway
Plan Type: Rezoning
Tax Parcel: ED-05-057.00-01-05.00-000
Current Zoning: RC, C-4 and SWPOZ Tier 3
Proposed Zoning: IO and SWPOZ Tier 3
Owner: KW Lands
Date: 7/9/13

Legend

- Zoning
- SWPOZ Tier 3
- Dover Parcels
- Kent County Parcels
- Dover Boundary

0 300 600 1,200 Feet

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 31, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF KW LANDS AT 1570 N. DUPONT HWY.**

FILE #: **Z-13-01**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Steve Enss - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7070 PUBLIC WORKS – 302-736-7025**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. Our office has no objection to the rezoning of tax parcel number: ED-05-057.00-01-05.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / STORMWATER / SANITATION / GROUNDS

1. None.

STREETS

1. The current plan depicts KW Boulevard and Crawford Carrol Avenue as "Dedicated to Public Use". This note does not constitute dedication to the City of Dover for ownership and maintenance. Please note on the plan that the ownership and maintenance shall be the responsibility of the existing owner.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
AUGUST 2013

APPLICATION: Lands of KW 1570 North DuPont Highway

FILE #: Z-13-01

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to re-zoning plan for the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

1. *If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.*

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 31, 2013

D E L D O T

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APPLICATION: Lands of KW Lands at 1570 North Dupont Hwy
FILE#: Z-13-01 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

1. The Department has no comments for the proposed rezoning, but the applicant must provide a trip generation diagram to the Department for the proposed change of used.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

- The applicant must provide a trip generation diagram and how the property will be utiliae how the building will be used. How access to and from the building by students is going to occur? Will the conference rooms be utilized as classroom, if so, will the classrooms be opened only to students residing in the building

ADVISORY COMMENTS TO THE APPLICANT:

- Per Section 3.6.5 of the Standards and Regulations for Subdivision Streets and State Highway Access Adopted February 15, 2010, a 100-foot wide right-of-way (50-feet from the centerline) is required for a minor arterial. According to the Kent County Classification Maps, KCR 002 (North Dupont Hwy) is classified as a minor arterial road. If the existing right-of-way does not have the proper width along the frontage of the site, the department will require 50-feet of right-of-way dedication from the innermost edge of the through lane for public use.

- In order to be issued a Letter of No Objection (LONO), the department will require the applicant to provide the proper forms, fees, and plans.

- A Traffic Impact Study (TIS) will be required if the proposed business exceeds 50 VPH

(vehicle per Peak Hour) or 400 VPD (vehicle per day). When the study is completed, DelDOT will review it and send recommendations of the improvements to Kent County. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. Please, contact Mr. Troy Brestel at (302) 760-2167 or via e-mail at Troy.Brestel@state.de.us to set up a scoping meeting for this project.

- A pre-submittal meeting with the applicant will be required, if the proposed development generates 200 vehicles per day (VPD).

- The applicant is required to obtain a utility permit from the DelDOT Central District for this project prior to performing any construction works within the right-of-way.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2013-12

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1570 NORTH DUPONT HIGHWAY

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 RC (Recreation and Commercial Zone)/C-4 (Highway Commercial Zone) with a portion subject to the SWPOZ (Source Water Protection Overlay Zone) to IO (Institutional and Office Zone) with a portion subject to the SWPOZ (Source Water Protection 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 RC (Recreation and Commercial Zone)/C-4 (Highway Commercial Zone) with a portion subject to the SWPOZ (Source Water Protection Overlay Zone) to IO (Institutional and Office Zone) with a portion subject to the SWPOZ (Source Water Protection Overlay Zone) on that property located at 1570 N. DuPont Highway (on the 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.
   (Tax Parcel ED-05-057.00-01-05.00-000; Planning Reference Z-13-01; Council District 4)

ADOPTED: *

C:\Users\jstein\Desktop\PDFs\B. 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).wpd

Actions History
September 9, 2013 - Proposed Public Hearing/Final Reading - Council
August 19, 2013 - Review - Planning Commission
July 22, 2013 - First Reading - Council

Draft

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the City Council
September 9, 2013

Applicants/Owners:	Walker Woods Properties, LLC Milford Housing Development Corporation
Address:	Walker Woods
Location:	North side of Walker Road adjoining Harmony Lane
Tax Parcel ID #:	Multiple (See attached Reference List)
Size:	9.0722 ac. +/- (including existing right of way)
Present Use:	Residential
Proposed Use:	Residential
Comprehensive Plan Designation:	Residential High Density
Present Zoning:	RG-3 (Group Housing Zone) and ROS (Recreation and Open Space Zone)
Proposed Zoning:	RG-2 (General Residence Zone)
Reason for Request:	To allow for different residential use
Recommendation of Planning Commission:	Following a public hearing before the Planning Commission on August 19, 2013, where no members of the public spoke with regard to the application, the Planning Commission voted to recommend approval of the rezoning application as requested.
File Number:	Z-13-02

This rezoning application consists of multiple parcels of land totaling 9.0722 acres ±. The property is currently zoned RG-3 (Group Housing Zone) and ROS (Recreation and Open Space Zone). The proposed zoning classification is RG-2 (General Residence Zone). The property known as Walker Woods is situated on the north side of Walker Road adjoining Harmony Lane. The owners of record are Walker Woods Properties, LLC and Milford Housing Development Corporation. There are multiple Tax Parcels associated with this property.

Existing Property:
The subject property consists of fifty-two (52) parcels of land with multi-family townhomes with each townhouse unit on a parcel situated on the property known as Walker Woods. Walker Woods Phase II consists of nineteen (19) parcels of land with multi-family townhouses for a total of seventy-one (71) townhouses on the property. There is also an open space parcel that will be maintained on the property.

Surrounding Land Uses:
The surrounding uses vary. Immediately surrounding this property are residential properties zoned R-7 (One Family Residence Zone) and with properties zoned R-8 (One Family Residence Zone) further to the north. To the southeast of the subject property across Walker Road is zoned R-8 (One Family Residence Zone). This area of single family dwellings is known as Bicentennial Village. To the southwest of this parcel at the intersection of Kenton Road and Walker Road is the Kent Swimming Club zoned R-10 (One Family Residence Zone). To the west of the property is zoned IO (Institutional and Office Zone) where Dover Fire Station #2 and a City water tower are located on Kenton Road. East of the property along Walker Road is a mix of zoning including RM-2 (Medium Density Residence Zone), IO (Institutional and Office Zone), R-8 (One Family Residence Zone) and CPO (Commercial/Professional Office Zone). Other uses in the area include a nursing home, single family dwellings and professional offices.

Comprehensive Plan:
In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated March 2012) recommends that this property be used for High Density Residential Uses. The rezoning request is consistent with the recommendations for Land Use Classification for High Density Residential Uses.

Request for RG-2 (General Residence Zone)
The types of permitted uses in the RG-2 Zone are given Article 3, Section 2 of the *Zoning Ordinance*. The permitted uses include the following:

Section 2. General residence zones (RG-1 and RG-2).

2.1 *Uses permitted.* In a general residence zone, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following:

2.11 Any use permitted in one-family residence zones, except that:

Not more than one professional office or studio, other than accessory to a use otherwise permitted, shall be permitted for each 25 dwelling units or major

fraction thereof on the lot. Such office or studio shall be only on the street floor of any building and on the floor immediately above the street floor only if there [shall] be direct access to such office or studio from outside the building.

2.12 Garden apartments limited to placement within the RG-2 district only.

2.13 Off-street parking accessory to uses located within the central commercial C-2 zone that provide that:

(a) Such parking is situated not more than 150 feet from the C-2 zone.

(b) Parking areas are screened by landscaping from adjoining properties used for residence.

(c) Illumination of parking areas is shielded from the view of adjoining Properties used for residence.

2.14 Reserved.

2.2 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1

2.3 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures. Such approval shall also be required prior to the issuance of certificates of occupancy for a change of use.

Recommendation of the Planning Staff:

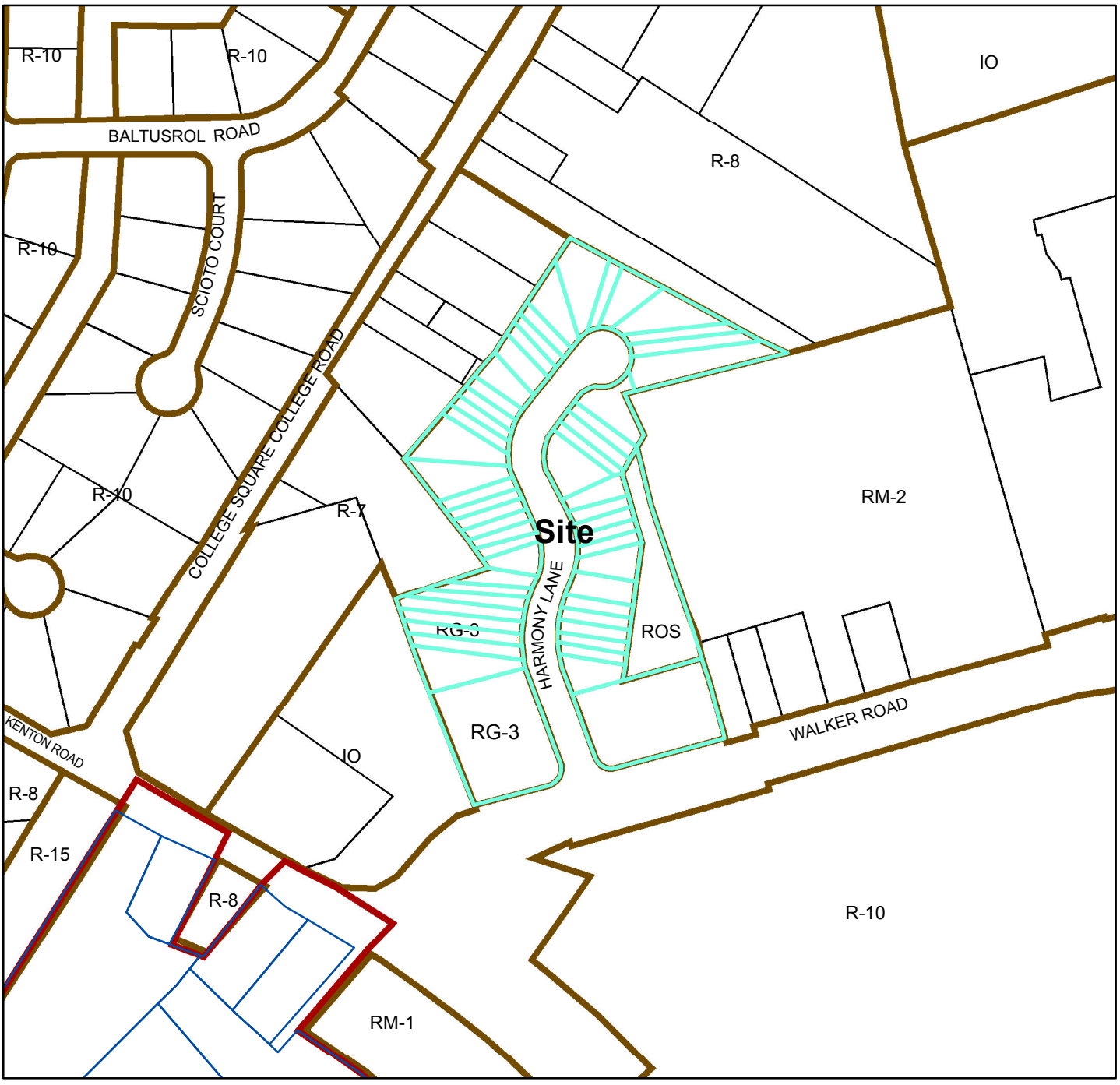
Staff recommended to the Planning Commission that the rezoning be granted as requested, as the proposed zoning is consistent with the *Comprehensive Plan* and compatible with the surrounding area.

The staff recommendation was made prior to the opportunity for public comment. Following a public hearing before the Planning Commission on August 19, 2013, where no members of the public spoke with regard to the rezoning application, the Planning Commission voted in favor of recommending that City Council approve the rezoning request. An excerpt of the draft Planning Commission minutes from August 19, 2013 is attached to the report.

City of Dover

Department of Planning & Inspections

Application No.: Z-13-02



Plan Title: Lands of Walker Woods Properties, LLC and Milford Housing Development Corporation
Location: Walker Woods
Plan Type: Rezoning
Tax Parcels: Multiple
Current Zoning: RG-3 and ROS
Proposed Zoning: RG-2 and ROS
Owners: Lands of Walker Woods Properties, LLC and Milford Housing Development Corporation
Date: 7/9/13

Legend

- Zoning
- Dover Parcels
- Kent County Parcels
- Dover Boundary

N
W
E
S

0 150 300 600 Feet

CITY OF DOVER PLANNING COMMISSION
August 19, 2013
Excerpt from Meeting Minutes - Draft

3) Z-13-02 Lands of Walker Woods Properties, LLC and Milford Housing Development Corporation at Walker Woods: Rezoning form RG-3 and ROS to RG-2 – Public Hearing and Review for Recommendation to City Council on a rezoning application for multiple parcels of land (71 townhouse units) consisting of a total of 9.0722 acres including existing right-of-way area. The properties are currently zoned RG-3 (Group Housing Zone) and ROS (Recreational and Open Space Zone). The proposed zoning classification is RG-2 (General Residence Zone). The properties known as Walker Woods are situated on the north side of Walker Road adjoining Harmony Lane. The owners of record are Walker Woods Properties, LLC and Milford Housing Development Corporation. Addresses: 1357-1383 Walker Road and multiple addresses on Harmony Lane. Tax Parcels: multiple parcels on map ED-05-067.18-01 (See reference list.) Council District 4. Ordinance #2013-13.

Representatives: Mr. Russell Huxtable, Milford Housing Development Corporation; Mr. Tom Ayd, Green Street Housing

Mrs. Harvey stated that the rezoning application consists of multiple parcels of land located on the north side of Walker Road adjoining Harmony Lane known as Walker Woods. The subject property consists of fifty two (52) multi-family townhouses in Walker Woods and nineteen (19) multi-family townhouses in Walker Woods Phase 2 for a total of seventeen one (71) townhouses on the property. The properties are currently zones RG-3 (Group Housing Zone) and ROS (Recreational and Open Space Zone). The proposed zoning classification is RG-2 (General Residence Zone). The owners of the property are Walker Woods Properties, LLC and Milford Housing Development Corporation. In the *2008 Comprehensive Plan*, the Land Development Plan Map 12-1 amended in March 2012, recommends that this property be used for high density residential uses. The rezoning request is consistent with the recommendations for land use classification for high residential uses.

Mr. Huxtable stated that they accepted the DAC comments.

Colonel Welsh opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Ms. Still moved to recommend approval to the City Council on Z-13-02 Lands of Walker Woods Properties, LLC and Milford Housing Development Corporation at Walker Woods: Rezoning from RG-3 and ROS to RG-2, seconded by Mr. Holden and the motion was unanimously carried 8-0 with Dr. Jones absent.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: JULY 31, 2013

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF WALKER WOODS PROPERTIES, LLC AND MILFORD HOUSING DEVELOPMENT CORPORATION OF WALKER WOODS.**

FILE #: **Z-13-02**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Steve Enss - Electric**
Jason A. Lyon – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7070 PUBLIC WORKS – 302-736-7025**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. Our office has no objection to the rezoning of multiple parcels on map: ED05-067.18-01.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741 2600 EXT. 3 • FAX (302) 741 0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
AUGUST 2013

APPLICATION: Lands of Walker Woods

FILE #: Z-13-02

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS:

1. *Kent Conservation District has no objection to re-zoning plan for the above referenced site.*

ADVISORY COMMENTS TO THE APPLICANT:
The Following comments are advisory and apply to the development of a detailed site plan for this project.

1. *If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.*

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: July 31, 2013

D E L D O T

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APPLICATION: Lands of Walker Woods Properties, LLC and Milford Housing Development Corporation at Walker Woods: Rezoning from RG-3 and ROSto RG-2
FILE#: Z-13-02 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

1. The Department has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT FOR THE REZONING:

- A Traffic Impact Study (TIS) will be required if the proposed business exceeds 50 VPH (vehicle per Peak Hour) or 400 VPD (vehicle per day). When the study is completed, DelDOT will review it and send recommendations of the improvements to Kent County. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. Please, contact Mr. Troy Brestel at (302) 760-2167 or via e-mail at Troy.Brestel@state.de.us to set up a scoping meeting for this project.

- A pre-submittal meeting with the applicant will be required, if the proposed development generates 200 vehicles per day (VPD).

- In order to be issued an entrance permit, the department will require the applicant to provide the proper forms, fees, and entrance plans.

- The applicant is required to obtain a utility permit from the DelDOT Central District for this project prior to performing any construction works within the right-of-way.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2013-13

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF THAT 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

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 RG-3 (Group Housing Zone) and ROS (Recreational and Open Space Zone) to RG-2 (General Residence 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 RG-3 (Group Housing Zone) and ROS (Recreational and Open Space Zone) to RG-2 (General Residence Zone) on that 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.
(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)

ADOPTED: *

C:\Users\jstein\Desktop\PDFs\B. Proposed Ordinance #2013-13 - Property Known as Walker Woods and Walker Woods Phase 2.wpd

Actions History
September 9, 2013 - Proposed Public Hearing/Final Reading - Council
August 19, 2013 - Review - Planning Commission
July 22, 2013 - First Reading - Council

Draft

UTILITY COMMITTEE

The Utility Committee Meeting was held on August 26, 2013 at 5:30 p.m. with Chairwoman Williams presiding. Members present were Mr. Perza, Mr. Blakeman, and Mr. Snaman. Mr. Slavin was absent. Members of Council present were Mr. Dixon, Mr. Hutchison, and Council President Bonar. Mayor Carey was also present (departed at 5:45 p.m. and returned at 5:47 p.m.).

AGENDA ADDITIONS/DELETIONS

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

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

Members reviewed a Project Tracking Report, as of June 30, 2013, for the General Fund, Community Transportation & General Fund Street Funds, and Utility (Water/Wastewater and Electric) Related Capital Investment Plan (CIP).

Mr. Scott Koenig, City Manager, advised members that the major project completed in FY2013 for the General Fund was the Library project. He stated that construction had been completed; however, final bills would be processed in the upcoming months and charged against the project. He noted that the Street and Alley Program and the Salt Storage Facility at Schutte Park would be under construction shortly.

Referring to the Community Transportation Fund Projects, Mr. Koenig explained that some of the funds for projects that had not yet begun were being reallocated to projects that were prepared to move forward at this time. He noted that the Robbins Hose Station No. 2 Ramp was complete and the Wesley College Project was near completion. He stated that work remained on the White Oak Tax Ditch as well as the Street Program that was ongoing.

Mr. Koenig advised members that a great deal of work was done last year in the Water/Wastewater Utility related to Inflow and Infiltration (I&I) improvements and that staff continued to work on several water projects associated with the development of a new water source at the Piney Point Well, as well as elevated storage tank projects. He indicated that some older projects were starting to move toward completion. The assignment of some pump station projects to consultant engineers was delayed due to changes in staffing levels and the need for staff to review these projects.

Mr. Koenig assured members that his expectation, as well as that of Ms. Sharon Duca, Director of Public Works, was that projects that had been lagging for the past couple of years would be caught up in FY 14. He explained that it was absolutely critical for the Water/Wastewater Capital Program to move forward in order for the City to maintain its current infrastructure, as well as to be able to expand for business opportunities and residential growth in the future; therefore, many man-hours would be spent working on this CIP in the next three (3) to five (5) years.

Mr. Koenig stated that a considerable amount of staff time and effort had been spent working on reliability issues related to the electric transmission system, including several projects that involved moving overhead lines underground in order to improve reliability. Staff had also been working on various substations to expand their capabilities in order to maintain reliability.

Responding to Mr. Snaman regarding an outage that occurred along Route 8 on Saturday or Sunday (August 24th or 25th) and lasted for approximately 2½ hours, Mr. Koenig stated that he would obtain information, including the cause of the outage, and forward it to members.

In response to Mr. Perza regarding the expected timeline for completion of CIP projects, Mr. Koenig stated that staff had struggled with the completion of projects for any given year. In some cases, he explained that projects are designated as multi-year; otherwise, the expectation is for projects to be completed and money expended as identified at 100% completion.

Responding to Mrs. Williams, Mr. Koenig stated that Municipal Street Aid Grant monies received are credited to the General Fund and are used to offset the cost of street lighting. The actual Capital Street Program was financed through a loan that the City obtained approximately one (1) year ago for the General Fund. The Capital Budget includes a Street and Alley Program which has typically been funded through a combination of General Fund tax money (at levels ranging from $0 to $500,000) and Community Transportation Funds (at levels ranging from $100,000, to $500,000). Mr. Koenig stated that there had been discussion regarding the need to accelerate the funding in the General Fund for street infrastructure; therefore, staff would be presenting a more robust Capital Plan related to street repairs that would directly affect the General Fund. He indicated that this would require a combination of taxation and additional requests for Community Transportation funds from legislators. He stated that as the road network enlarges, there is a larger need for maintenance. He advised members that the cost of asphalt is based on the price of oil and the cost of concrete is based on raw material.

In response to Mr. Perza regarding the Tar Ditch Interceptor Upgrade, Mr. Koenig stated that the design had been completed and that the City would now approach the residents in an attempt to obtain the necessary easements. He anticipated construction to begin in Spring/Summer 2014.

Mr. Koenig explained that there were constant struggles, such as timing, contractors, manpower, weather, etc., in completing projects. He understands the major inconvenience and disruption to the community when work is being done on projects and relayed appreciation for the cooperation of the citizens. He assured members that when water and sewer lines are repaired and/or replaced and roadways repaired, the work would be done in an expeditious manner.

The Committee took no action.

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

Meeting adjourned at 5:49 p.m.

Beverly C. Williams
Chairwoman

BCW/TM/jg/mk/js/dd
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LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on August 26, 2013, at 6:00 p.m. with Chairman Lynn presiding. Members present were Mr. Hare (arrived at 6:21 p.m.), Mr. Rushe, and Mr. Shevock. Mr. Slavin was absent. Members of Council present were Mr. Dixon, Mrs. Williams, Mr. Hutchison, and Council President Bonar. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Rushe moved for approval of the agenda, seconded by Mr. Shevock and unanimously carried.

City of Dover Participation in the Commemorative Partner Program

Members considered a letter from the United States Office of the Secretary of Defense requesting that the City of Dover consider participating in the Commemorative Partner Program. Mayor Carey explained that the Program is designed for federal, state, and local communities, veterans' organizations, and other non-governmental organizations to assist in thanking and honoring Vietnam Veterans and their families. Commemorative Partners are encouraged to participate in the Commemoration of the Vietnam War by planning and conducting events and activities that will recognize and honor the service, valor, and sacrifice made by Vietnam Veterans and their families. He assured members that there would be no costs associated with the City's participation; however, the City would be obligated to conduct two (2) programs per year. He stated that Chapter 850 of the Vietnam Veterans of America had agreed to partner with the City if members of Council wished to participate.

In response to Mr. Lynn, Mayor Carey indicated his understanding that funds would be raised to pay for any costs associated with the two (2) required events; however, he stated that it was anticipated that minimal funds would be required for such events. He also noted the possibility of utilizing current events, such as the Fourth of July Parade and Veterans Day activities. He advised members that the City's involvement would begin in 2015 and the City would be obligated to participate in two (2) events in 2015, 2016, and 2017.

Mayor Carey introduced Mr. Paul Davis, President of the Delaware Vietnam Veterans of America State Council, who would be responsible for managing the program.

Mr. Davis relayed appreciation for including the Delaware Vietnam Veterans of America State Council in the City's partnership with the Commemorative Partner Program. He indicated that hundreds of people have visited the Vietnam Veterans Memorial that was erected in the City. He introduced Mr. Joe Startt, President of Chapter 850 of the Vietnam Veterans of America, and Mr. Dave Skocik, President of the Delaware Veterans Coalition. Mr. Davis assured members that he, along with Mr. Startt and Mr. Skocik, would handle and manage the events on behalf of the City, explaining that the City would simply have to agree to the terms as outlined. He advised members that discussions had been held with the Mayor regarding the possibility of meeting with NASCAR to attempt to have a race dedicated to American Vietnam Veterans. He stated that there had also been discussion regarding the possibility of holding a massive parade that would include Delawareans and others from out of State. He noted that efforts were currently being made to bring to the area "The Moving Wall," a Vietnam Veterans Memorial that travels through the United States and contains the names of 58,000 Vietnam veterans. Mr. Davis stated that the costs for the obligated

events would be minimal; however, a great deal of time and dedication would be required and he assured members that veteran organizations had the desire and means to provide such time and dedication.

Mr. Startt relayed appreciation for the City's consideration of a partnership with Chapter 850 of the Vietnam Veterans of America relative to the Commemorative Partner Program.

Mr. Skocik stated that he was a Vietnam veteran and the fact that a Vietnam War Memorial was recently completed in Dover was an indication of what could be done without spending public money and with the cooperation of the City of Dover. Noting that the City of Dover is a military town, he felt confident that there would be plenty of participation in the events that would be planned.

In response to Mrs. Williams regarding where contributions could be sent, Mr. Skocik indicated that it had been suggested that the City establish a separate account for the acceptance of donations. He announced that the Governor was scheduled to sign the bill that created the Veterans Trust Fund to help post-service veterans. He suggested that any monies raised over and above the costs of the City's obligated events be donated to that Trust Fund, since 100% of those funds go directly to veterans.

As a Vietnam veteran, Council President Bonar relayed appreciation to these organizations for raising awareness in the State of Delaware regarding the Vietnam veterans and the sacrifices they made. He stated his pride in being associated with such organizations and urged members to recommend approval of the request.

Mr. Shevock moved to recommend that the Mayor be authorized to move forward in working with the Veteran organizations and approve the City of Dover's participation in the Commemorative Partner Program. The motion was seconded by Mr. Rushe and unanimously carried.

Proposed Resolution No. 2013-22 With Staff Amendment (SA) #1 - Cessation of Illegal Gang Formation in Dover *(Recommended by the Dover Human Relations Commission)*
Members reviewed Proposed Resolution No. 2013-22, with Staff Amendment (SA) #1, regarding the cessation of illegal gang formation in Dover, as recommended by the Dover Human Relations Commission (DHRC).

Mr. Roy Sudler, Chairman of the DHRC, read the Proposed Resolution into the record.

Mr. Rushe moved to recommend adoption of Proposed Resolution No. 2013-22 with Staff Amendment (SA) #1 *(Attachment #1)*, seconded by Mr. Shevock and unanimously carried.

Proposed Ordinance #2013-15 - Amending Chapter 58 - Human Relations
During the Regular Council Meeting of August 12, 2013, City Council approved the Committee's recommendation of July 22, 2013, authorizing staff to draft an ordinance that would provide for City Council to affirm the need for the Dover Human Relations Commission (DHRC); that the

membership be set at nine (9), with two (2) serving from each Council district and one (1) at-large; that the number of meetings be set at a minimum of five (5) per year, one (1) in each quarter of the year and one (1) to be determined by the Commission and that special meetings may be called by the Chairperson or three (3) members of the Commission; that all meetings be held in accordance with Delaware State Laws regarding the Freedom of Information Act (FOIA) and City of Dover procedures through the City Clerk's Office, to include agendas and minutes to be issued as all other public bodies are handled in the City; that the DHRC report to City Council on a quarterly basis regarding its affairs; and that all of the meetings of the DHRC be held in the City Council Chambers.

As a result of Council's directive, staff submitted Proposed Ordinance #2013-15, Amending Chapter 58 - Human Relations, for the Committee's review and recommendation.

Mr. Lynn noted that members should also make a recommendation for either the Mayor or Council President to be responsible for making the appointments to the DHRC.

Mr. Shevock moved to recommend adoption of Proposed Ordinance #2013-15 ***(Attachment #2)*** **and that the Council President be responsible for appointing members to the DHRC. The motion was seconded by Mr. Hare and unanimously carried.**

By unanimous consent, the meeting adjourned at 6:23 p.m.

Sean M. Lynn
Chairman

SML/TM/jg/js/mk/dd
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Attachments
Attachment #1 - Proposed Resolution No. 2013-22 With Staff Amendment (SA) #1
Attachment #2 - Proposed Ordinance #2013-15

City of Dover

MAYOR AND COUNCIL

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2013-22 WITH SA#1
(SA#1 Indicated in Bold, Blue, Italics (additions) and Red, Bold, Strikeout (deletions)

A RESOLUTION PROPOSING THE CESSATION OF ILLEGAL GANG FORMATION IN DOVER, DELAWARE

~~**Whereas;**~~ ***WHEREAS,*** ~~**T**~~*t*he City of Dover, the State Capital, strives to be a model for all cities in Delaware and the United States~~.~~***; and***

WHEREAS, Chapter 58 - Human Relations, Article II. Human Relations Commission, Sec. 58-31. Purpose, of the Dover Code, states:

> ***The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs: (1) Fairness, respect. Promote and develop an environment of fairness and respect among its citizens; (2) Monitoring. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict; (3) Intergroup relations. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations; (4) Issues. Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and (5) Intergroup conflict. Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict; and***

~~**Whereas;**~~ ***WHEREAS,*** ~~**T**~~*t*he Mayor and City Council have granted ~~**P**~~*p*owers and ~~**D**~~*d*uties to the Dover Human Relations Commission, ~~**P**~~*p*ursuant to ***Chapter 58 - Human Relations,*** Article II. ***Human Relations Commission,*** Sec. 58-3~~1~~***6. Powers and duties, of the Dover Code~~~~.~~***; and***

~~**Whereas; Article II Sec. 58-31 titles (2), (4) and (5) charges the DHRC with developing ways to measure and monitor community relations and offer a range of programs and services that will help Dover residents identify and resolve issues of human relations; anticipating, preparing for, and relieving community tensions arising from intergroup conflict.**~~
~~**(Code 1981, § 2-16; Ord. of 2-11-2002)**~~

~~**Whereas;**~~ ***WHEREAS,*** ~~**T**~~*t*he Dover Human Relations Commission***,*** through open discussion with members of the community and the knowledge of local events***,*** has found that gun possession and illegal gang activity is at an all-time high~~.~~***; and***

~~**Whereas;**~~***WHEREAS, an*** ~~**I**~~*i*llegal gang~~**s are**~~ ***is*** a group of individuals consisting of three or more persons whose demoralizing influence, common interest, attitude***,*** and graffiti signs significantly contribute to ~~**the commission of**~~ disruptive behavior and criminal enterprises in the City of Dover~~.~~***; and***

Draft

~~Whereas;~~ ***WHEREAS,*** ~~T~~*t*he number of illegal gang organizations in Dover and Kent County has increased over the last few years, cultivating an environment of psychic imprisonment, mistrust***,*** and fear among citizens of Dover~~.~~***; and***

~~Whereas;~~ ***WHEREAS,*** ~~I~~*i*llegal gang culture and activities have played a significant role in student dropout rates, drug activity***,*** and random acts of violence, often leaving innocent bystanders paralyzed and traumatized for life~~.~~***; and***

~~Whereas;~~ ***WHEREAS,*** ~~I~~*i*llegal gang graffiti promoting hate, fear***,*** and danger has defaced public and private sector facilities, impeding home and business owner~~'~~s***'*** rights to market or enjoy their propert~~y~~***ies,*** without unwelcome~~d~~ and unauthorized graffiti signs.

~~Therefore, Be it Resolved;~~ ***NOW, THEREFORE, BE IT RESOLVED*** ~~T~~*t*hat the ~~R~~*r*esidents of Dover, Delaware~~,~~***;*** the Mayor~~,~~***;*** City Council~~,~~***;*** Dover Police Department~~,~~***;*** ~~Delaware Department of Justice~~ and the Dover Human Relations Commission have observed with dismay the escalation of gang growth and development in our communities and will merge resources and efforts to intensify the pursuit of ***the*** eliminati~~ng~~***on of*** illegal gang formation, activities, and communication, including the display of graffiti signs in Dover, Delaware.

~~Be it Further Resolved;~~ ***BE IT FURTHER RESOLVED*** ~~T~~*t*hat we will accomplish this goal and establish a New Community and Family Involvement Paradigm for Cessation of Illegal Gang Formation by***:***

1. Cleaning up our streets together, showing resistance to illegal gang formation and unwelcome~~d~~ graffiti signs through unity and clear purpose;

2. Increasing individual~~'s~~ awareness and accountability for reporting known illegal gang activity and~~/~~or formation in your community~~.~~***;***

3. Strengthening parent and family involvement in the childrearing and educational process***es;***

4. Implementing and supporting additional intervention and summer programs; and

5. Providing additional funding to the Dover Police Department through grants and other resources to establish additional police stations in areas with high volumes of crime to protect Dover residents from being ~~a~~ target***s*** of bias-motivated violence in the City of Dover.

ADOPTED: *

S:\RESOLUTIONS-PROCLAMATIONS-TRIBUTES\2013\Draft\2013-22 - Cessation of Illegal Gang Formation in Dover-Draft-w SA #1.wpd

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

Actions History:
August 26, 2013 - Introduced at Legislative, Finance, and Administration Committee

Draft

CITY OF DOVER PROPOSED ORDINANCE #2013-15

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

That Chapter 58 - Human Relations, Article II - Human Relations Commission, be amended by inserting the bold, blue text and deleting the text indicated in bold, red, strikeout as follows:

Sec. 58-31. Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) *Fairness, respect*. Promote and develop an environment of fairness and respect among its citizens;

(2) *Monitoring*. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) *Intergroup relations*. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;

(4) *Issues*. Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and

(5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established*. There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.

(b) *Composition; appointment*. The **members of the human relations** commission shall **be appointed by the mayor** (or president of the council)**, based upon recommendations from and subject to confirmation by the council. The human relations commission shall** consist of ~~15~~ **nine** members, all residents of the city. ~~**Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.**~~ **Two members shall be selected from each council district and one member shall serve from the city at-large.**

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(c) *Representation*. In selecting the membership of the commission, ~~the mayor and president of the council and the council shall take~~ particular care **shall be taken** to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

(d) *Holding other office; removal*. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The mayor **(or the city council** president **of council)** may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.

(e) *Terms of office; vacancies*. A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed ~~and has qualified~~. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(f) *Reappointments*. Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization*. The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.

(b) *Quorum*. A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

(c) *Meetings*. The commission shall hold **at least five meetings per year; one each quarter and one to be determined by the commission.** ~~such meetings as may be deemed necessary for the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission.~~ Special meetings may be called by the chairperson or three members of the commission.

All meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures. The commission will distribute its agendas and minutes through the City Clerk's Office.

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(d) *Rules of procedure*. The commission is also authorized to adopt rules of procedure for the conduct of its meetings.

(e) *Functions limited*. The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

(f) *Agreements*. The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.

(g) *Compensation*. Members of the commission shall receive no compensation.

(h) *Legal counsel*. The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports*. The commission shall ~~make such reports~~ **report** to the ~~mayor and~~ city council ~~as shall be periodically necessary~~ **on a quarterly basis regarding its affairs**. An annual report of its accomplishments and a summary of its recommendations~~, as appropriate,~~ shall be ~~sent~~ **provided** to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. Expenses.

(a) *Budget*. The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.

(b) *Other funding*. The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. Conflicts of interest.

If any member of the human relations commission concludes that ~~he has~~ **they have** a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify ~~himself~~ **themself** from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

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Sec. 58-36. Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) *Recommendations*. Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;

(2) *Intergroup conflicts*. Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;

(3) *Intergroup cooperation*. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(4) *Complaints*. Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;

(5) *Research, education, etc*. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

(6) *Programs*. Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;

(7) *Other functions*. Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)

ADOPTED: *

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SYNOPSIS

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(SPONSORS: LF&A COMMITTEE)

Actions History

August 26, 2013 - Introduced at the Legislative, Finance, and Administration Committee

Draft

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on August 28, 2013, at 5:00 p.m. with Chairman Hutchison presiding. Members present were Mr. Dixon, Mr. Perza (arrived at 5:14 p.m. and departed at 5:47 p.m.), Mr. Davis, and Mr. Keller. Mr. Lynn (arrived at 5:12 p.m. and departed at 5:42 p.m.) and Mayor Carey were also present.

AGENDA ADDITIONS/DELETIONS

Mr. Davis moved for approval of the agenda, seconded by Mr. Dixon and unanimously carried.

Public Hearing - Left-Turn Restrictions from Loockerman Street onto Governors Avenue

During their Regular Meeting of August 14, 2013, City Council approved the July 24, 2013 recommendation of the Safety Advisory and Transportation Committee and set a public hearing for this time and place to receive public comments on proposed left-turn restrictions at Loockerman Street and Governors Avenue. In addition, staff was authorized to properly advertise this public hearing. *(City Clerk's Office Note: Correspondence received regarding this issue was provided to members, as follows: David Louie, dated August 16, 2013, and Jennifer Scacheri, dated August 17, 2013* ***(Attachment #1)****.*

Mr. Anthony J. DePrima, former City Manager, recalled that there were left-turn restrictions from Loockerman Street onto all streets up to Kirkwood Street, including Governors Avenue, during the latter part of the 1990s. He stated that, at that time, he served as the City's Planning Director, principal staff member of the Dover Parking Authority, and a board member to both Main Street Dover and the Downtown Dover Development Corporation (DDDC). It was his recollection that removal of the left-turn restriction from Loockerman Street onto Governors Avenue was complaint driven, explaining that those wanting to make a left turn were required to make a series of right-hand turns in order to get to their destination, which was a nuisance. Mr. DePrima reminded members that this was considered when Main Street had just begun, the Parking Authority was just reconstituted, and the DDDC had recently been established, and many consultants were assisting the City in downtown revitalization. The goal was to improve access to the downtown area and its parking lots. He vividly remembered that one of the consultants indicated that the desire was to allow visitors to access business and parking areas; however, left-turn restrictions on Loockerman Street, were causing vehicular traffic to be "swept" to the right. He stated that merchants were receiving complaints from their customers regarding the inconvenience of accessing parking lots.

Mr. DePrima felt that members must make the decision as to the current function of Loockerman Street, as was done in the latter part of 1990. If its main purpose was to convey traffic from east of State Street to West of Kirkwood Street as fast as possible, then the left-turn restrictions should be in place; however, if members felt that its purpose was to get visitors and residents to the downtown area as directly as possible without confusion, then the left-turn restrictions should not be present. As an example, he stated that if someone wished to go to the hospital and was traveling on Loockerman Street, they would be prohibited from making a left turn onto State Street, as well as Governors Avenue and would be forced to go to New Street. He stated that the decision was made in the 1990s that Loockerman Street should convey visitors to the downtown area as quickly and directly to wherever they were going without confusion and that through traffic would be encouraged

to use North Street or Division Street. At that time, he explained that it was the City's desire for North and Division Streets to serve as funnels for traffic going east and west and Loockerman Street to serve as a direct, easy way to access the downtown area.

Mr. DePrima stated his understanding of the motorists' frustration traveling along Loockerman Street who are behind someone waiting to make a left turn, noting that this could be avoided if the individual making the left turn moved up into the intersection, allowing traffic to go around and continue to flow. He questioned if the intersection could be marked to encourage those wishing to make a left turn to move forward and clear the lane for others to go around. He also advised members that it was his observation that traffic along Loockerman Street seemed extraordinarily bad this past year and that this may have been the result of construction work in the area.

Mr. DePrima suggested that if it were the City's desire to get traffic through Loockerman Street as quickly as possible, then they should consider all of the left-turns along Loockerman Street, explaining that if a left-turn restriction were placed only from Loockerman Street onto Governors Avenue, those wishing to make a left turn would simply move the "problem" down to the next street, New Street.

Ms. Margot Brennan, 32 W. Loockerman Street (residing at the corner of Bradford and Loockerman Streets), urged members to make no changes, explaining that traffic along Loockerman Street was slow and felt that it would always be slow, regardless of restrictions. She noted that the new large parking lot currently only has 18 vacant spaces and that the smaller lot, which is metered, continuously has vacancies and felt that at a cost of only a quarter for an hour, affordable parking was available to the public.

Ms. Jeny Shurtleff, 112 Matthew Court, agreed that if left-turn restrictions were instituted at all streets along Loockerman Street, traffic would be backed up at some point. If the City wished to allow for left-turns to continue from Loockerman Street, she suggested the possibility of installing left-turn signals. She stated that she preferred that left turns be restricted along Loockerman Street in its entirety or that turn signals be installed for left turns, and noted that her co-workers shared her sentiments regarding this issue.

Mr. Louis Colón, Executive Director of the Downtown Dover Partnership (DDP), concurred with the comments made by Mr. DePrima. He noted that visitors traveling along Loockerman Street following Google Maps or a GPS device who were not familiar with the area would not know how to get to the hospital if they were not permitted to make a left-turn onto State Street or Governors Avenue. He felt that the left-turn signals would be beneficial along Loockerman Street. He stated that in speaking with merchants in the area, some prefer the left turns and others prefer left-turn restrictions. He reminded members that any decision made would affect the merchants. Responding to Mr. Hutchison, Mr. Colón stated that five (5) downtown merchants had contacted him and that the number of those in favor and opposed to left-turn restrictions were equal.

Mr. Scott Koenig, City Manager, advised members that the City no longer owned the traffic signal system, explaining that since the action that was taken in the 1990s the system had been owned and maintained by the Delaware Department of Transportation (DelDOT). The study that was recently completed by DelDOT was only in regard to the left-turn restrictions (from 8:00 a.m. to 6:00 p.m.) from Loockerman Street onto Governors Avenue. Referring to the email received from Ms. Scacheri, he explained that her suggestion for a "lead lag condition" signal would require the review of DelDOT and, since it would require a change to overhead signals, would be a major change.

Responding to Mr. Hutchison, Police Chief Hosfelt indicated that police patrol units avoid Loockerman Street altogether, particularly if they are responding to a complaint or an issue in progress since they have to use lights and sirens and there is nowhere for traffic to move to along Loockerman Street. It was his feeling that the addition of left-turn signals would prove beneficial, explaining the difficulties in enforcing left-turn restrictions using signage.

In response to Mr. Davis, Mr. Koenig stated that if left-turn restrictions were instituted, signs indicating those restrictions would be erected on both the pedestal portion of the signal as well as the overhead section.

Mr. Hutchison suggested that DelDOT be requested to conduct a comprehensive review of the entire downtown complex so that the traffic could be reviewed in its entirety rather than piecemeal.

Mr. Perza indicated his observation that, due to the width of the street, it would be an obstacle to have a separate left-turn lane; therefore, he felt that a redesign of the intersection would be required. He suggested consideration of converting Loockerman and North Streets to one (1) way streets.

Mr. Koenig advised members that DelDOT had indicated that instituting the left-turn restriction would bring marginal operational improvements; however, it would most likely simply move the turning issue down to the next street. He stated that this issue could be delayed and discussed and considered in a broader context of the traffic flow downtown, noting that there would be more traffic downtown if there were more construction and more businesses locating to the area.

Mr. Dixon moved to recommend that the matter be referred back to the City Manager for further review, seconded by Mr. Davis and unanimously carried.

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

Mr. Scott Koenig, City Manager, advised members that City staff was in receipt of an email request from the White Oak/Towne Point Civic Association President, Mr. Nelson Hill, to conduct a study of Miller Drive to determine if parking on both sides of the street was safe. Mr. Koenig indicated that although a number of streets in the White Oak/Towne Point Subdivision had parking limited to one (1) side of the street, there were no restrictions along Miller Drive.

Due to current staffing levels in the Department of Public Works, Mr. Koenig requested that staff be provided a 90-120 day time frame to conduct a study and report findings back to the Committee for further consideration. He noted that although staff would review the technical merits associated with the request, input from the community would be necessary if staff were to recommend any parking restrictions, since such restrictions could have a considerable impact on residents of the street.

Mr. Nelson Hill, 888 Townshend Boulevard, stated that the request of the Association was the result of complaints. He recalled that an auction was held approximately one (1) year ago, that essentially "shut" the street down due to parking on both sides of the street. He stated that the street width was 29'7", and having vehicles parked on both sides prevents two (2) cars from traveling on the roadway, forcing motorists to back up and wait for opposing traffic to pass through. As a result, several residents felt that there was a safety issue and that restricting parking to one (1) side would alleviate this concern.

In response to Mr. Hutchison, Mr. Hill stated that approximately 50 homeowners were actively involved in the White Oak/Towne Point Civic Association and estimated that four (4) of those homeowners reside along Miller Drive. He stated that he had not had an opportunity to actually speak directly with those residing along Miller Drive to get a consensus of their desires.

Mr. James Morning, 216 Bradley Road, advised members that he would recommend the side of the street with even house numbers be selected, based on discussions with the residents.

Mr. Lynn felt that the matter should be reviewed as a life safety issue, explaining that by allowing parking on both sides of the street, access to homes by emergency services is deterred. In determining which side of the street should be closed to parking, he suggested that members consider which side of the street had fire hydrants. He noted that regardless of the recommendation, half of the residents would be pleased and the other half would not; however, since this was a safety issue, members would be required to make an ultimate decision.

Referring to Mr. Hutchison's previous questions regarding membership and participation in the Civic Association, Mr. Lynn reminded members that the Association membership was free and available to anyone living in the neighborhood and that its officials are elected. He indicated that residents had the opportunity to relay neighborhood concerns through the Homeowners Association, much like members of City Council who represent the City. Although some of those entitled to vote may choose not to participate, members still have the authority to represent their constituents. He noted that the percentage of voters that elected Mr. Hutchison was approximately the same percentage of the membership of the White Oak/Towne Point Civic Association that reside on Miller Drive.

Mr. Lynn requested that this matter be addressed quickly and that a decision be made as to which side of the street parking would be permitted once the location of the fire hydrants was determined. He felt confident that since this was a fairly simple engineering decision, the City Manager could have a decision within one (1) to two (2) weeks. He suggested that the matter be brought back to the Committee in two (2) weeks for consideration of recommendations by the Engineering Department and Fire Marshal's Office in regard to this issue.

Ms. Tamera Burns-Hill, Membership Coordinator for the White Oak/Towne Point Civic Association, stated that she had brought this matter to the Association's attention due to safety concerns. She explained the difficulty for emergency apparatus, such as a fire truck, to access residences because of the narrow street since parking is permitted on both sides. She questioned why members should wait for a crisis to occur before making a change that could prevent such a crisis.

Responding to Mr. Perza, Ms. Burns-Hill noted that half of the streets in the subdivision have parking restrictions and that those that do not are considered "major" streets within the subdivision because they are wide enough to accommodate parking on both sides of the street.

In reviewing Google Maps, Mr. Perza noted that all fire hydrants along Miller Drive appeared to be located on the north side of the street; therefore, he felt confident that the Fire Marshal would recommend that parking be prohibited on the north side of the street. Since this decision would affect residents along the street, he recommended that they be contacted and advised of the consideration.

Mr. Koenig cautioned members that prohibiting parking on one (1) side of the street would address this safety concern; however, "widening" the roadway, would create another safety issue, explaining that there would be an increase in vehicular speed on the roadway.

Taking into consideration the observation made by Mr. Perza, Mr. Lynn requested that members submit a recommendation to City Council to prohibit parking on the north side of Miller Drive and that the Public Works Department and Fire Marshal's Office address any concerns they may have directly to City Council.

Concurring with Mr. Dixon, Mr. Nelson stated that the Homeowner's Association only requested that a study be done at this time to assure that it would be feasible to limit parking on Miller Drive to one (1) side of the street.

Mr. Perza felt that if this matter were presented to City Council during their first meeting in October (October 14, 2013), this would provide sufficient time for staff to confirm the location of the fire hydrants and provide the Homeowner's Association ample time to go out to the community and obtain any support that may be needed. He explained that the plan would be for a public hearing to be held that night before City Council to hear public testimony for the purpose of determining whether the north side of Miller Drive should have a parking prohibition and if parking should be limited to the south side of Miller Drive.

Mr. Perza moved to recommend 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. The motion was seconded by Mr. Dixon and unanimously carried.

Implementation of Security Measures in City Buildings

Mr. Scott Koenig, City Manager, advised members that as a result of a recent incident that occurred in Pennsylvania, there had been consideration of implementing security measures in City buildings. He stated that staff had obtained an estimate of between $2,500 and $3,000 for the purchase of a

metal detector. Mr. Koenig explained that the problem with this concept was that staff had no means to monitor the metal detector, except for its use at the entrance of the Council Chambers, and when monitored, he questioned what action would be taken if something were detected. He also stated that there were concerns with determining the location for installing such a detector and how it would be installed and used effectively.

Responding to Mr. Hutchison, Police Chief Hosfelt stated that his main concern was that the Council Chambers had several access points at the rear which would need to be secured. If Council were to choose to install a metal detector, he felt that there would be concerns with people accessing the foyer of the Council Chambers and that minimally, two (2) police officers would be required for the operation of a metal detector. However, he stressed the need to secure the access points to the rear of the Council Chambers, which could and should be done immediately.

Mr. Hutchison suggested that the Police Chief and City Manager consider security measures throughout City Hall, focusing beyond the use of the building for City Council meetings, and formulate recommendations to address security issues.

Responding to Mr. Perza, Mr. Hutchison felt that although this matter was discussed specifically in reference to City Hall, referring the matter to staff for their review would allow them to consider security issues and possible solutions for all City buildings.

Mr. Hutchison moved to recommend that the implementation of security measures in City buildings be referred to staff for their review and recommendation. The motion was seconded by Mr. Keller and unanimously carried.

Update on City Ambulance Service

Mr. Scott Koenig, City Manager, reviewed a memorandum containing an Update on City Ambulance Service data. He reminded members that during the budget review last year, there were concerns that serving the City was placing a burden on some of the local ambulance providers and a discussion was held regarding whether additional ambulance service should be procured through the contract with the City's vendor or if the burden could be offset by utilizing local community ambulance providers. It was determined at that time that the City had a bigger influence on the Cheswold and Camden-Wyoming ambulance services than on other surrounding communities. Staff met with both Cheswold and Camden-Wyoming officials late in the budget preparation process and recommended that the City make a donation to both. A formula was developed to determine an amount that was considered adequate to compensate other providers for service and the inconvenience involved in calling their ambulance into the City's service territory.

Mr. Koenig advised members that on a typical day, the City has two (2) ambulances in service, and if they are not available and another call comes in, an additional call is made to Camden-Wyoming or Cheswold. He stated that a donation of $25 per call is granted for calls taken in the City's service territory. Mr. Koenig indicated that for the year 2012, the City donated $9,125 to Cheswold Ambulance Service for 365 runs and $8,125 to Camden-Wyoming Ambulance Service for 325 runs. He explained that these donations were provided in lieu of the City adding another $100,000 to the City's ambulance contract costs while still having an influence on other ambulance service providers during "off shift" hours.

Mr. Koenig indicated that both the Camden-Wyoming and Cheswold Ambulance Service companies were grateful for the City's donations, explaining that both of these providers were having difficulties raising funds and felt that the donations provided by the City were more than adequate to cover the amount of time they spent addressing the City's service territory.

Referring to the Ambulance Data Comparison provided, Mr. Koenig stated that data covering the first six (6) months of 2013 seemed to be comparable to the previous year; therefore, staff recommended that another calculation be completed at the end of 2013 and the result be included in the FY 2015 Budget for the donations. He advised members that the City's current ambulance contract would be effective through June 30, 2015 and explained that the ambulance service required an annual evaluation to ensure that the City was not taxing other service providers to the point that they could not maintain their service levels or territory.

In response to Mr. Hutchison, Mr. Koenig stated that he did not have information regarding response times and reminded members that this was a previous concern; however, it had been discovered that on several occasions, when calls were made to Cheswold and/or Camden-Wyoming, responders were already in the City's service territory since they are often dispatched from the hospital. He stated that, to his knowledge, all response times had been within acceptable parameters and assured members that there had been no violations to service requirements. Mr. Hutchison requested that staff provide details regarding all response times, including paramedics.

Mayor Carey requested that staff also provide details regarding the response location for Cheswold and Camden-Wyoming (whether they were in the City's service territory or their home base) since this could make a difference in the response time. Mayor Carey explained his concerns regarding the ability to respond to 1,000 calls each year. He felt it was the City's responsibility to continue to review this matter to assure the citizens were receiving the service they deserve.

No further action was taken by the Committee.

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

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that each year City Council develops a list of transportation priorities and shares these priorities with the Secretary of Transportation for consideration as the Department of Transportation develops the State's Capital Transportation Plan (CTP). She, along with the City Manager, had reviewed the priorities approved in September 2012 by City Council and developed a priority ranking for the coming year. She reviewed the priorities for the CTP Projects and their ranking, as follows:

1. Garrison Oak Connector Road
2. Construction of Sidewalks within the Walk Zone of the New Dover High School
    a. Mifflin Road
    b. South Side of Route 8 West of Mifflin Road
    c. Kenton Road (must be coupled with Kenton Road Corridor Upgrades)
3. Route 8/Hazlettville Road Connector
4. US Route 13 Sidewalk Construction
5. Crawford Carroll Avenue Extension

6. Kenton Road Corridor Upgrades
7. Loockerman Street/Forest Street Improvements
8. Kings Highway/Route 13 Intersection Improvements
9. US Route 13 Service Road Corridor
10. College Road Corridor Upgrades
11. Dover Transit Hub – Public/Private Partnership for Building

Mrs. Townshend explained that although the West Dover Connector remained a priority (and was included on previous priority lists), it was removed from the 2013 priorities because funding had been allocated and construction was scheduled to begin next year.

In response to Mr. Hutchison, Mrs. Townshend confirmed that staff could draft the letter to the Secretary of Transportation to be presented to City Council along with the list of transportation priorities for their approval ***(Attachment #2)***. She indicated that the letter could include more explanation regarding the projects and their priority placement.

Mr. Davis moved to recommend approval of the prioritization of City of Dover State Capital Transportation Program (CTP) Projects, as presented. The motion was seconded by Mr. Dixon and unanimously carried.

Update - Dover High School Construction

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the construction on the Dover High School Project and monthly coordination meetings continued. She indicated that concerns had been relayed by the Capital School District regarding the availability of funds and it was indicated that the District may need to re-evaluate whether they could construct the east entrance, as previously planned. She explained that if the entrance were removed, the matter would require the review of the Planning Commission and a public hearing. Mrs. Townshend noted that the issuance of a Certificate of Occupancy was anticipated by April/May 2014; therefore, she urged the District to make this determination as soon as possible, since the final decision would be made by the Planning Commission and would not be based on whether or not funds were available. She stated that this had been explained in a letter sent to the Capital School District and it was made clear that until the site complies with the Planning Commission's approvals, the City would not be able to issue a Certificate of Occupancy. She indicated that this matter would be further discussed during the coordination meeting in September.

In addition, Mrs. Townshend stated that the parking shown on the school site plan was significantly less than the parking shown on the plan approved by the Planning Commission. She reiterated that a letter had been sent to the School District explaining the importance of resolving these issues as soon as possible to avoid delays in the issuance of the Certificate of Occupancy and the planned school opening.

Responding to Mr. Davis, Mrs. Townshend confirmed that the east entrance was the planned bus entrance.

Bicycle and Pedestrian Subcommittee

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Bicycle and Pedestrian Subcommittee submitted a Bicycle Friendly Community Application and was scheduled to meet again next week, at which time members would focus more on pedestrian issues. She stated that maps would be provided at the meeting with aerial photographs for members to identify areas where there were pedestrian impediments.

Ms. Margot Brennan, 32 W. Loockerman Street, questioned if the bicycle signage along Loockerman Street could be made larger, explaining that she had been "run over" on several occasions by bicyclists.

Responding, Mr. Hutchison stated that one of the functions of the Bicycle and Pedestrian Subcommittee was to promote educational programs on bicycle and pedestrian safety. As pedestrians, he stated that we must be alert and attentive to bicycle and vehicular traffic.

Mr. Davis moved for adjournment, seconded by Mr. Dixon and unanimously carried.

Meeting adjourned at 6:14 p.m.

James L. Hutchison
Chairman

JLH/JS/jg/dd/tm
S:\AGENDAS-MINUTES-PACKETS\Committee-Minutes\2013\08-28-2013 SA&T.wpd

Attachments

Attachment #1 - Email Correspondence Received - Left-Turn Restrictions from Loockerman Street onto Governors Avenue

Attachment #2 - Draft Letter to Secretary of Transportation - Prioritization of City of Dover State Capital Transportation Program Projects

From: David Louie <nostarch@verizon.net>
Sent: August 16, 2013 2:31 PM
To: City Clerks Office
Subject: left turns

Hey Traci, Since they resurfaced Governors Avenue, they should add a left turn lane from South Governors Avenue (Northbound) at North Street, so cars turning left onto North Street from Governors will have their own lane and the cars going straight on Governors won't have to wait behind these cars.

Thanks,
David Louie, Harry Louie Laundry

From: Koenig, Scott
Sent: August 26, 2013 5:08 PM
To: Jennifer Scacheri
Cc: City Clerks Office
Subject: RE: Loockerman St/Governors Ave traffic issue - traffic light change

Good Afternoon Ms. Scarcheri:

I will forward your comments to the City Clerk's office to incorporate into the record. Thank you for your comments and suggestions.

Best Regards,

Scott D. Koenig, P.E.
skoenig@dover.de.us
City Manager
City of Dover
P.O. Box 475
Dover, DE 19903
302-736-7005 (Voice)
302-736-7002 (Fax)

"Engineering isn't about perfect solutions; it's about doing the best you can with limited resources" *- Randy Pausch*
p. X - Introduction to ***The Last Lecture****.*

This email, including attachments, is confidential and intended only for the designated recipient(s). If you are not an intended recipient, please delete this email. The unauthorized use, dissemination, distribution or reproduction of this e-mail, including attachments, is prohibited and may be unlawful.

From: Jennifer Scacheri [mailto:jennifer.scacheri@comcast.net]
Sent: Saturday, August 17, 2013 3:40 PM
To: Koenig, Scott
Subject: Loockerman St/Governors Ave traffic issue - traffic light change

Dear Mr. Koenig,

I am writing to suggest a possible solution to the Loockerman Street/Governors Avenue traffic problem because I am not able to attend the August 28 public hearing due to medical issues. It has been my observation that traffic backs up on Loockerman Street because cars trying to turn left onto Governors Avenue can't do so because of oncoming traffic, and cars traveling straight through can't do so easily because there is only one west-bound lane which is generally blocked by cars turning left. It might be fairly simple to add to the traffic light at that intersection a left turn arrow that allows west-bound traffic at that intersection to both turn left and go straight before the east-bound traffic begins to cross the intersection. This would quickly clear the west-bound traffic on Loockerman street for all cars turning left or going straight without needing to restrict traffic in any particular direction or adversely affecting the businesses on Loockerman Street.

Jennifer Scacheri

DAVID L. BONAR
Councilman - 3rd District
Council President

COMMITTEES
Civilian Pension Board
Police Pension Board

City of Dover

218 South State Street
Dover, DE 19901
(302) 242-2351 - Cell
(302) 736-7006 - City Office

September 10, 2013

Shailen Bhatt, Secretary
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903

Dear Secretary Bhatt:

As you may know, each year, members of Council submit a prioritization list of transportation projects for the City of Dover to the Secretary, as well as to the Governor and other distinguished delegates for their review and consideration.

This letter serves to inform you that the Dover City Council, at its meeting on September 9, 2013, endorsed the recommendation of its Safety Advisory and Transportation Committee to approve the 2013 Transportation Project Prioritization List (attached).

On behalf of the Mayor and Council, I would request that these items be given priority when considering State/Federal funding for transportation projects.

Sincerely,

David L. Bonar
Council President

DLB/tam
S:\Correspondence\Council Meeting\2013\09-09-2013 - Transportation Project Prioritization List DRAFT.wpd

Attachment
cc: Governor Jack Markell
Senator Robert L. Venables, Sr., Chair Senate Bond Bill Committee
Representative S. Quinton Johnson, Chair, House Capital Infrastructure Committee
Senator Bruce Ennis, 14th District
Senator David Lawson, 15th District
Senator Colin Bonini, 16th District
Senator Brian Bushweller, 17th District
Representative William Carson, 28th District
Representative Darryl M. Scott, 31st District
Representative Andrea Bennett, 32nd District
Representative Donald Blakey, 34th District
Mayor and Council
Barry Benton, (Acting) Chief Engineer, Delaware Department of Transportation
Richard Vetter, Executive Director, Dover/Kent Metropolitan Planning Organization
Judy Diogo, President, Central DE Chamber of Commerce

Draft

MAYOR AND COUNCIL

CITY OF DOVER
2013 TRANSPORTATION PROJECT PRIORITIZATION

1. **Garrison Oak Connector Road** – Due to the increased activity and interest in the Garrison Oak Technical Park, the planning and construction of this connection to Delaware Route 1 is increasingly important.

2. **Construction of Sidewalks within the Walk Zone of the New Dover High School** – With the expected opening of the new Dover High School in Fall 2014, the critical sidewalk gaps that were identified in the Dover High Pedestrian Study performed by the Dover/Kent County MPO become a priority. The critical gaps that are of highest priority to the City and most critical in providing safe access to the school are listed below:

   a. Mifflin Road
   b. South Side of Route 8 West of Mifflin Road
   c. Kenton Road (must be coupled with Kenton Road Corridor Upgrades - Item #6 below)

3. **Route 8/Hazlettville Road Connector** – This is planned to be a north/south access road that was identified in the Delaware 8 Concept Plan and Operations Study. With the construction of the new Dover High School, the construction of this connection is important to providing access to the school without causing additional burden on other roads in the area.

4. **US Route 13 Sidewalk Construction** – Construction of sidewalks along US 13 continues to be a priority.

5. **Crawford Carroll Avenue Extension** – The extension of Crawford Carroll Avenue south toward the Delaware State University Campus becomes a more critical priority with Delaware State University's lease of the Sheraton Hotel property. The extension of Crawford Carroll Avenue will help avoid use of US Route 13 for local trips between the Sheraton property and the Delaware State University Campus.

6. **Kenton Road Corridor Upgrades** – Upgrading Kenton Road, including the addition of sidewalks along the road, continues to be a priority for the City.

7. **Loockerman Street/Forest Street Improvements** – This project has been a priority for the City to help spur redevelopment and improved traffic flow on the west side of Dover. It was initially identified in the West Side Redevelopment study performed in 2001.

8. **Kings Highway/Route 13 Intersection Improvements** – The intersection of Kings Highway, US Route 13, and White Oak Road needs improvement to meet an acceptable level of service standard. The current condition of the intersection hinders redevelopment of properties in this vicinity.

Draft

9. **US Route 13 Service Road Corridor** – The construction of service roads along US Route 13 is a project that will help to alleviate congestion on US Route 13.

10. **College Road Corridor Upgrades** – This project is intended to upgrade College Road to include sidewalks and other road improvements.

11. **Dover Transit Hub** – Public/Private Partnership for Building – The construction of a building at the new Dover Transit Hub continues to be a priority that requires a successful public/private partnership to complete.

**The West Dover Connector was previously on the list and has been removed for the 2013 priorities because funding is allocated and construction is scheduled to begin next year. The City is appreciative of the State's efforts on this project.

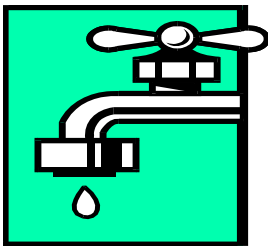
Draft

CITY OF DOVER

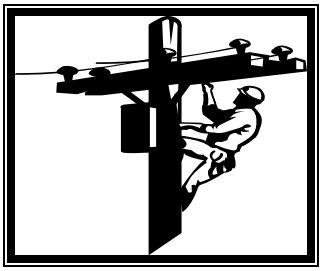
FINANCE

JULY 2013 MONTHLY BUDGET REPORT









PREPARED BY: FINANCE DEPARTMENT

PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER
ACTIVITY REPORTS
July 2013

FINANCE DEPARTMENT ACTIVITY LEVELS

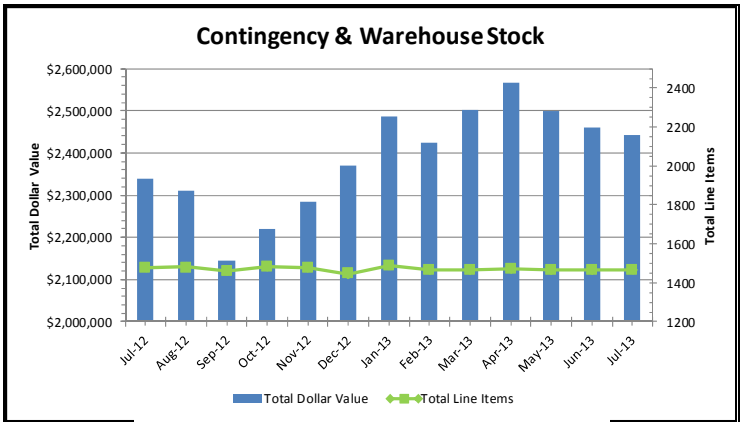
	FY13 YTD			FY14 YTD		
BANK TRENDS						
Number of Deposits Made (Hand, ACH & Wire, Lockbox)	480			566		
Total Amount of All Deposits	$ 21,259,083			$ 19,873,892		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**69,012**	**100.0%**	**$ 1,621,194**	**65,662**	**100.0%**	**$ 1,492,799**
Wages and Hours Worked						
Regular	55,425	80.3%	$ 1,203,663	55,375	84.3%	$ 1,177,403
All over time	3,977	5.8%	$ 179,919	2,684	4.1%	$ 116,132
Other Paid or Unpaid Wages and Hours						
Vacation	5,040	7.3%	$ 130,683	5,075	7.7%	$ 137,509
Sick	1,617	2.3%	$ 39,041	993	1.5%	$ 25,691
Terminal Leave - Retiree Vacation/Sick Payout	1,412	2.0%	$ 30,667	71	0.1%	$ 2,072
Comp Time	797	1.2%	$ 21,705	658	1.0%	$ 18,246
Personal	133	0.2%	$ 3,293	73	0.1%	$ 1,795
Leave Without Pay	549	0.8%	$ -	519	0.8%	$ -
Other (description below)	63	0.1%	$ 12,222	215	0.3%	$ 13,951

Other includes: pay adjustments, military differential pay, committee meetings, worker compensation tracking/adjustments, etc.

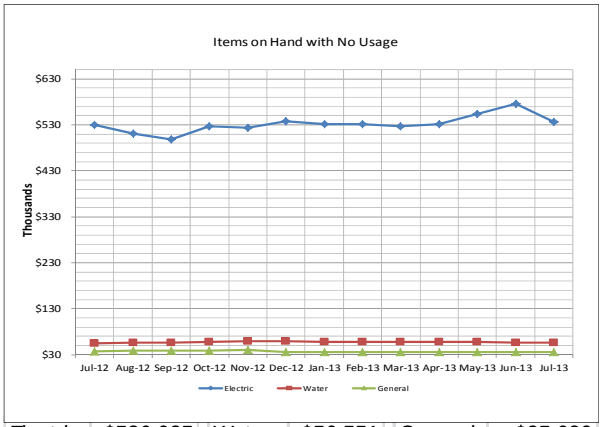
Other Activity		
Number of Pay Periods	2	2
Number of Payroll Checks & Direct Deposits Issued	753	714
Number of Pension Checks Issued	244	259
Total Pension Benefits Paid - Defined Benefit Plan	$ 404,271	$ 429,010

ACCOUNTS PAYABLE		
Number of Check Vouchers	158	270
Number of EFT Vouchers	59	85
Vouchers Dollar Amount Disbursed	$ 2,159,766	$ 2,380,577

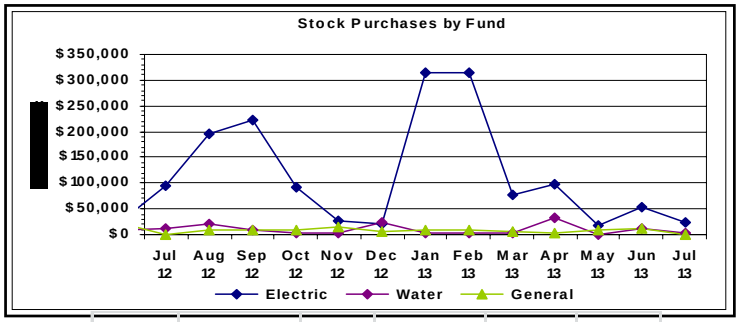
PROCUREMENT & INVENTORY ACTIVITY LEVELS



Value: $2,442,641 Line Items: 1,464



Electric:	$536,025	Water:	$56,551	General:	$35,630



Electric	$ 24,309	Water	$ 2,177	General	$ 741

Fuel Use		
Unleaded:	11,045.4	gallons
Diesel:	6,797.6	gallons
Total Cost:	$ 53,287	

City of Dover
Finance Department
Monthly Report – July 2013
General Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ 3,455,200	$ -	$ 3,455,200	0.0%
Revenues				
Court of Chancery Fees	863,200	-	863,200	0.0%
Fines & Police Revenues	1,316,000	12,809	1,303,191	1.0%
Franchise Fees	606,200	-	606,200	0.0%
Grants	733,500	-	733,500	0.0%
Intrafund Services	4,454,300	287,681	4,166,619	6.5%
Library & Recreation Revenues	599,600	18,597	581,003	3.1%
Licenses & Permits	2,627,500	1,373,558	1,253,942	52.3%
Property Taxes (Includes BID Revenue) (1)	11,169,500	10,709,864	459,636	95.9%
Miscellaneous Revenues	138,300	8,862	129,438	6.4%
Sanitation Revenues	2,676,500	217,466	2,459,034	8.1%
Garrison Farm Rent Revenue	118,500	14,446	104,054	12.2%
Transfers-In from Special Funds & Utilities				
Municipal Street Aid Fund	527,400	-	527,400	0.0%
Civil Traffic Penalties	600,000	-	600,000	0.0%
Transfer Taxes	1,315,500	-	1,315,500	0.0%
Verizon and CI Reserves	32,000	-	32,000	0.0%
Water/Wastewater Fund	500,000	-	500,000	0.0%
Electric Fund	8,000,000	-	8,000,000	0.0%
Total Revenues	36,278,000	12,643,283	23,634,717	34.9%
Total Beginning Balance & Revenues	**$ 39,733,200**	**$ 12,643,283**	**$ 27,089,917**	31.8%
Expenditures				
City Clerk & Council	$ 442,200	$ 31,265	$ 410,935	7.1%
Mayor, City Manager & Human Resources	874,900	44,838	830,062	5.1%
Police & Police Extra Duty	14,331,800	847,677	13,484,123	5.9%
Public Services	4,131,800	256,388	3,875,412	6.2%
Procurement & Inventory, Facilities Mgmt., Vehicle Maint.	1,870,900	84,529	1,786,371	4.5%
Planning & Inspections	2,045,600	103,645	1,941,955	5.1%
Finance, Info Tech & Customer Services	2,676,400	316,031	2,360,369	11.8%
Library & Recreation	2,038,600	141,071	1,897,529	6.9%
Fire Department	692,100	89,845	602,255	13.0%
Assessor	198,300	28,585	169,715	14.4%
Contribution to DDP	162,400	-	162,400	0.0%
Miscellaneous Grant Expense	25,000	-	25,000	0.0%
Other Employment Expenses	400,000	-	400,000	0.0%
Insurance	658,900	263	658,637	0.0%
OPEB - Retiree's Health Care Contribution	1,636,500	-	1,636,500	0.0%
Police Pension Trust Contribution - State Grant	500,000	-	500,000	0.0%
Appropriation to Employee Pension Fund - Unfunded Liability	1,466,500	-	1,466,500	0.0%
Street Lights	836,000	65,944	770,056	7.9%
Debt Service	557,300	313,875	243,425	56.3%
Provision for Uncollectible	10,000	-	10,000	0.0%
Transfers Out				
Capital Projects Fund	1,278,300	-	1,278,300	0.0%
Total Expenditures	36,833,500	2,323,956	34,509,544	6.3%
Budget Balance - Working Capital	2,899,700	-	2,899,700	0.0%
Total Budget Balance & Expenditures	**$ 39,733,200**	**$ 2,323,956**	**$ 37,409,244**	5.8%
Reserve Balances				
Contingency	$ 723,600	$ 734,349		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 7/31/13 is $1,674,381.29 as compared to $1,888,583.45 in July 2012.

City of Dover
Finance Department
Monthly Report – July 2013
Water/Wastewater Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance - Water (unaudited)	$ 770,800	$ -	$ 770,800	0.0%
Beginning Balance - Wastewater (unaudited)	$ 412,600	$ -	$ 412,600	0.0%
Beginning Balance - Kent County Treatment (unaudited)	$ 141,600	$ -	$ 141,600	0.0%
	1,325,000	-	1,325,000	0.0%
Revenues				
Water Fees	4,730,700	411,268	4,319,432	8.7%
Wastewater Fees	3,642,700	325,024	3,317,676	8.9%
Kent County Treatment Fees	2,980,300	268,581	2,711,719	9.0%
Ground Water Inflow Adjustment	1,324,600	120,517	1,204,083	9.1%
Water Tank Leases	333,800	2,965	330,835	0.9%
Interest Earnings - Water	9,100	97	9,003	1.1%
Interest Earnings - Water/Wastewater	14,000	188	13,812	1.3%
Miscellaneous Service Fee	82,000	4,592	77,408	5.6%
Impact Fees - Water	357,000	10,733	346,267	3.0%
Impact Fees - Wastewater	323,000	9,500	313,500	2.9%
Total Revenues	13,797,200	1,153,465	12,643,735	8.4%
Total Beginning Balance & Revenues	**$ 15,122,200**	**$ 1,153,465**	**$ 13,968,735**	7.6%
Expenses				
Water/Wastewater Operating Divisions				
Engineering & Inspection	$ 664,400	$ 27,481	$ 636,919	4.1%
Water	433,900	32,855	401,045	7.6%
Water Treatment Plant	1,501,800	74,884	1,426,916	5.0%
Wastewater	945,100	61,858	883,242	6.5%
Construction	351,400	15,619	335,781	4.4%
Kent County Treatment	3,524,800	439,419	3,085,381	12.5%
Intrafund Service Fees	1,233,400	83,437	1,149,963	6.8%
Pension Unfunded Liability	339,400	-	339,400	0.0%
OPEB - Retiree's Health Care Contributions	200,000	-	200,000	0.0%
Debt Service	1,019,500	34,505	984,995	3.4%
Other Employment Expenses	25,000	-	25,000	0.0%
Transfers Out				
General Fund	500,000	-	500,000	0.0%
Water I & E Fund	1,200,000	-	1,200,000	0.0%
Wastewater I & E Fund	1,330,000	-	1,330,000	0.0%
Total Expenses	13,268,700	770,058	12,498,642	5.8%
Budget Balances				
Budget Balance - Working Capital - Water	1,056,400	-	1,056,400	0.0%
Budget Balance - Working Capital - WW	797,100	-	797,100	0.0%
Total Budget Balances	1,853,500	-	1,853,500	0.0%
Total Budget Balances & Expenses	**$ 15,122,200**	**$ 770,058**	**$ 14,352,142**	5.1%
Reserve Balances				
Contingency-Water	$ 105,600	$ 104,161		
Contingency-Wastewater	$ 191,500	$ 188,350		
Impact Fee Reserve - Sewer	NO BUDGET	$ 3,754,289		
Impact Fee Reserve - Water	NO BUDGET	$ 200,093		
Bond Coverage Ratio (Covenant 1.20)	3.96	4.92		

City of Dover
Finance Department
Monthly Report – July 2013
Electric Revenue Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ 7,152,400	$ -	$ 7,152,400	0.0%
Revenues				
Sales to Customers	76,286,700	7,657,338	68,629,362	10.0%
Utility Tax	1,492,200	120,341	1,371,859	8.1%
Weyandt Hall Rents	251,000	14,292	236,708	5.7%
Miscellaneous Revenues	737,800	62,023	675,777	8.4%
Interest Earned	119,400	786	118,614	0.7%
Transfer from Rate Stabilization	4,000,000	-	4,000,000	0.0%
Intrafund Service Receipts Water/Wastewater	98,500	9,670	88,830	9.8%
Total Revenues	82,985,600	7,864,450	75,121,150	9.5%
Total Beginning Balance & Revenues	**$ 90,138,000**	**$ 7,864,450**	**$ 82,273,550**	8.7%
Expenses				
Power Supply & Generation				
Hedged Energy	$ 23,832,000	$ 3,452,702	$ 20,379,298	14.5%
Power Supply Management	996,000	83,000	913,000	8.3%
Capacity Charges	15,787,200	1,363,483	14,423,717	8.6%
Dover Sun Park Energy	1,565,800	-	1,565,800	0.0%
Solar Renewal Energy Credits	300,000	-	300,000	0.0%
PJM Charges - Energy	12,812,900	2,126,891	10,686,009	16.6%
PJM Charges - Transmission & Fees	4,740,000	-	4,740,000	0.0%
Total Power Supply	60,033,900	7,026,076	53,007,824	11.7%
Plant Operations	6,015,800	313,260	5,702,540	5.2%
Generation Fuels	-	423,721	(423,721)	0.0%
Capacity Credits	(15,079,800)	(1,329,125)	(13,750,675)	8.8%
PJM Spot Market Energy	(230,500)	187,633	(418,133)	-81.4%
PJM Credits	(397,000)	(1,232,806)	835,806	310.5%
Total Generation	(9,691,500)	(1,637,317)	(8,054,183)	16.9%
Total Power Supply & Plant	50,342,400	5,388,759	44,953,641	10.7%
Electric Operating Divisions:				
Transmission/Distribution	3,302,500	-	3,302,500	0.0%
Electrical Engineering	1,192,200	56,415	1,135,785	4.7%
Administration	597,000	17,529	579,471	2.9%
Meter Reading	220,300	18,695	201,605	8.5%
Systems Operations	543,600	33,311	510,289	6.1%
Intrafund Services	3,319,400	213,914	3,105,486	6.4%
Utility Tax	1,492,200	120,341	1,371,859	8.1%
OPEB - Retirees Health Care Contribution	513,300	-	513,300	0.0%
Pension Trust Contribution - Unfunded liability	1,314,200	-	1,314,200	0.0%
Interest on Deposits	27,000	1,678	25,322	6.2%
Green Energy Payment to DEMEC	135,800	12,705	123,095	9.4%
Accounts Receivable Write-Offs	200,000	-	200,000	0.0%
Other Employee Expenses	150,000	-	150,000	0.0%
Contractual Services RFP's	100,000	-	100,000	0.0%
Debt Service	3,301,900	283,155	3,018,745	8.6%
Transfers Out:				
General Fund	8,000,000	-	8,000,000	0.0%
Electric Improvement & Extension Fund	5,448,600	-	5,448,600	0.0%
Total Expenses	81,176,100	6,146,502	75,029,598	7.6%
Budget Balance - Working Capital	8,961,900	-	8,961,900	0.0%
Total Budget Balance & Expenses	**$ 90,138,000**	**$ 6,146,502**	**$ 83,991,498**	0.0%
Reserve Balances				
Contingency Reserve	$ 826,500	$ 814,640		
Insurance Reserve	$ 739,000	$ 733,406		
Rate Stabilization Reserve	$ 13,644,000	$ 17,390,747		
Bond Coverage Ratio (Covenant 1.25)	1.97	7.28		
Megawatt Hours Sold & Purchased				
Sales to Customers MWh (excluding Street Light MWh)	712,675	70,430		9.9%
Sales per MWh	$ 107.043	$ 108.723		0.0%
Purchased/Generated MWh	725,818	80,019		10.7%
All In MWh Supply & Generation	69.36	$ 67.343		0.0%

City of Dover
Finance Department
Monthly Report – July 2013
General Capital Project Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance - Projects (unaudited)	$ 241,200	$ -	$ 241,200	0.0%
Beginning Balance - Library (unaudited)	$ (74,700)	$ -	$ (74,700)	0.0%
Revenues				
State Grant - Other	15,000	-	15,000	0.0%
Interest Earnings	-	1,335	(1,335)	0.0%
Transfer from General Fund for Projects	1,278,300	-	1,278,300	0.0%
Transfer from Parkland Reserve	95,000	-	95,000	0.0%
Total Revenues	1,388,300	1,335	1,386,965	
Total Beginning Balance & Revenue	**$ 1,554,800**	**$ 1,335**	**$ 1,553,465**	0.1%
Expenditures				
Fire	$ 238,500	$ 145,614	$ 92,886	61.1%
Grounds Maintenance	50,100	-	50,100	0.0%
Recreation	95,000	-	95,000	0.0%
Code Enforcement	30,000	-	30,000	0.0%
Police	257,300	-	257,300	0.0%
Streets	251,500	-	251,500	0.0%
Sanitation	402,100	-	402,100	0.0%
Information Technology	7,000	-	7,000	0.0%
Facilities Management	17,800	-	17,800	0.0%
Procurement & Inventory	55,000	-	55,000	0.0%
Total Expenditures	1,404,300	145,614	1,258,686	10.4%
Budget Balance - Projects	150,500	-	150,500	0.0%
Total Budget Balance & Expenditures	**$ 1,554,800**	**$ 145,614**	**$ 1,409,186**	9.4%
Reserve Balances				
Capital Asset Replacement Reserve	$ 512,000	$ 507,559		
Parkland/Recreation	$ 110,000	$ 203,015		

City of Dover
Finance Department
Monthly Report – July 2013
Water/Wastewater Improvement & Extension Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance - Water (unaudited)	$ 1,620,000	$ -	$ 1,620,000	0.0%
Beginning Balance - Wastewater (unaudited)	$ 660,900	$ -	$ 660,900	0.0%
Revenues				
Interest Earned	25,000	3,459	21,541	13.8%
Transfer from Operating Fund for Water	1,200,000	-	1,200,000	0.0%
Transfer from Operating Fund for Wastewater	1,330,000	-	1,330,000	0.0%
Transfer from Impact Fee Reserve - Water	390,000	-	390,000	0.0%
Total Revenues	2,945,000	3,459	2,941,541	0.1%
Total Beginning Balance & Revenues	**$ 5,225,900**	**$ 3,459**	**$ 5,222,441**	0.1%
Expenses				
Water	$ 1,476,800	$ 205,565	$ 1,271,235	13.9%
Wastewater	1,251,000	20,020	1,230,980	1.6%
Water Construction	90,000	-	90,000	0.0%
Total Expenses	2,817,800	225,585	2,592,215	8.0%
Budget Balance - Working Capital - Water	1,655,700	-	1,655,700	0.0%
Budget Balance - Working Capital - Wastewater	752,400	-	752,400	0.0%
Total Budget Balances	2,408,100	-	2,408,100	0.0%
Total Budget Balances & Expenses	**$ 5,225,900**	**$ 225,585**	**$ 5,000,315**	4.3%
Reserve Balances				
Capital Asset Replacement - Water	$ 513,000	$ 505,692		
Capital Asset Replacement - Wastewater	$ 512,300	$ 504,535		

City of Dover
Finance Department
Monthly Report – July 2013
Electric Improvement & Extension Fund Summary

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ 3,091,000	$ -	$ 3,091,000	0.0%
Revenues				
Interest Earnings	25,200	2,017	23,183	8.0%
Transfer from Electric Revenue Fund	5,448,600	-	5,448,600	0.0%
General Service Billing	440,000	-	440,000	0.0%
Total Revenues	5,913,800	2,017	5,911,783	0.0%
Total Beginning Balance & Revenues	**$ 9,004,800**	**$ 2,017**	**$ 9,002,783**	0.0%
Expenses				
Electric Generation	$ 2,117,800	$ 1,420	$ 2,116,380	0.1%
Transmission/Distribution	1,100,000	89	1,099,911	0.0%
Electrical Engineering	2,405,800	89	2,405,711	0.0%
Total Expenses	5,623,600	1,598	5,622,002	0.0%
Budget Balance - Working Capital	3,381,200	-	3,381,200	0.0%
Total Budget Balance & Expenses	**$ 9,004,800**	**$ 1,598**	**$ 9,003,202**	0.0%
Reserve Balances				
Depreciation Reserve	$ 9,977,100	$ 9,860,593		
Future Capacity Reserve	$ 10,131,400	$ 10,009,153		

City of Dover
Finance Department
Monthly Report – July 2013
Community Transportation Improvement Fund

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ -	$ -	$ -	0.0%
Revenues				
Grants Revenue	500,000	-	500,000	0.0%
Interest Earned	500	55	445	11.0%
Total Revenues	500,500	55	500,445	0.0%
Total Beginning Balance & Revenues	**$ 500,500**	**$ 55**	**$ 500,445**	0.0%
Expenses				
Program Expenses	$ 500,000	$ -	$ 500,000	0.0%
Total Expenses	500,000	-	500,000	0.0%
Budget Balance - Working Capital	500	-	500	0.0%
Total Budget Balances & Expenses	**$ 500,500**	**$ -**	**$ 500,500**	0.0%

City of Dover
Finance Department
Monthly Report – July 2013
Police Grant Funds

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ 100	$ -	$ 100	0.0%
Revenues				
Grants Received	413,000	-	413,000	0.0%
Interest Earned	-	63	(63)	0.0%
Total Revenues	413,000	63	412,937	0.0%
Total Beginning Balance & Revenues	**$ 413,100**	**$ 63**	**$ 413,037**	0.0%
Expenses				
Program Expenses/Supplies	$ 191,000	$ 1,518	$ 189,482	0.8%
Computer Hardware	60,000	-	60,000	0.0%
Telephone/Fax	15,000	-	15,000	0.0%
Training/Conf/Food/Travel	36,000	-	36,000	0.0%
Consulting/Audit Fees	1,000	-	1,000	0.0%
Operating Transfers - Out	110,000	-	110,000	0.0%
Total Expenses	413,000	1,518	411,482	0.4%
Budget Balance - Working Capital	100	-	100	0.0%
Total Budget Balances & Expenses	**$ 413,100**	**$ 1,518**	**$ 411,582**	0.4%

City of Dover
Finance Department
Monthly Report – July 2013
Library Grant Fund

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ -	$ -	$ -	0.0%
Revenues				
Grants Received	270,100	-	270,100	0.0%
Total Revenues	270,100	-	270,100	0.0%
Total Beginning Balance & Revenues	**$ 270,100**	**$ -**	**$ 270,100**	0.0%
Expenses				
Program Expenses/Supplies	$ 28,000	$ -	$ 28,000	0.0%
Office Supplies	24,000	1,230	22,770	5.1%
Printing/Duplicating	8,900	-	8,900	0.0%
Postage	100	-	100	0.0%
Books	124,900	-	124,900	0.0%
Furniture	2,000	-	2,000	0.0%
Audio Visual Supplies	74,000	-	74,000	0.0%
Training/Conference/Food/Travel	3,500	115	3,385	3.3%
Office Equipment/Repairs & Maintenance	2,000	-	2,000	0.0%
Computer Hardware	2,700	-	2,700	0.0%
Total Expenses	270,100	1,345	268,755	0.5%
Budget Balance - Working Capital	100	-	100	0.0%
Total Budget Balances & Expenses	**$ 270,200**	**$ 1,345**	**$ 268,855**	0.5%

City of Dover
Finance Department
Monthly Report – July 2013
CDBG Fund

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ -	$ -	$ -	0.0%
Revenues				
Grants Received	223,600	713	$ 222,887	0.3%
Interest Earnings	-	7	$ (7)	0.0%
Total Revenues	223,600	720	222,880	0.3%
Total Beginning Balance & Revenues	**$ 223,600**	**$ 720**	**$ 222,880**	0.3%
Expenses				
Current Year Closing Cost/Down Payment Program	$ 40,000	$ -	$ 40,000	0.0%
Current year Dover Interfaith Ministry	27,500	-	27,500	0.0%
Current Year MHDC Emergency Home Repair	40,000	-	40,000	0.0%
Current Year Elizabeth W Murphey School	32,700	-	32,700	0.0%
Current Year NCALL Research Inc.	6,000	-	6,000	0.0%
Current Year Milford Housing H/O Rehabilation	32,700	-	32,700	0.0%
Current Year Salaries	44,700	-	44,700	0.0%
Total Expenses	223,600	-	223,600	0.0%
Budget Balance - Working Capital	-	-	-	0.0%
Total Budget Balances & Expenses	**$ 223,600**	**$ -**	**$ 223,600**	0.0%

City of Dover
Finance Department
Monthly Report – July 2013
After School Program/Substance Abuse Prevention Fund

	Budget	YTD	Balance	8% of Budget
Beginning Balance (unaudited)	$ -	$ -	$ -	0.0%
Revenues				
Grants Received	55,630	7,008	48,622	12.6%
Recreation Revenue	33,000	900	32,100	2.7%
Total Revenues	88,630	7,908	80,722	8.9%
Total Beginning Balance & Revenues	**$ 88,630**	**$ 7,908**	**$ 80,722**	8.9%
Expenses				
Temporary Help/Benefits	$ 33,000	$ 3,473	$ 29,527	10.5%
Program Expenses/Supplies	55,630	6,478	49,152	11.6%
Total Expenses	88,630	9,951	78,679	11.2%
Budget Balance - Working Capital	-	-	-	0.0%
Total Budget Balances & Expenses	**$ 88,630**	**$ 9,951**	**$ 78,679**	11.2%

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

July 2013

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

August 28, 2013

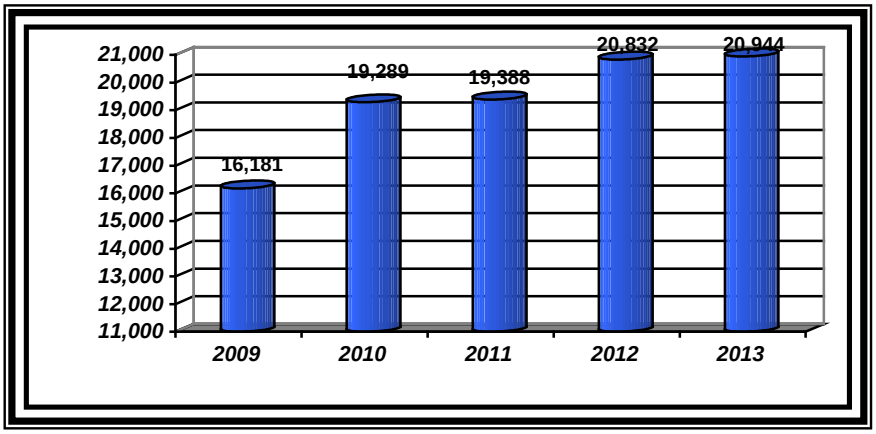
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

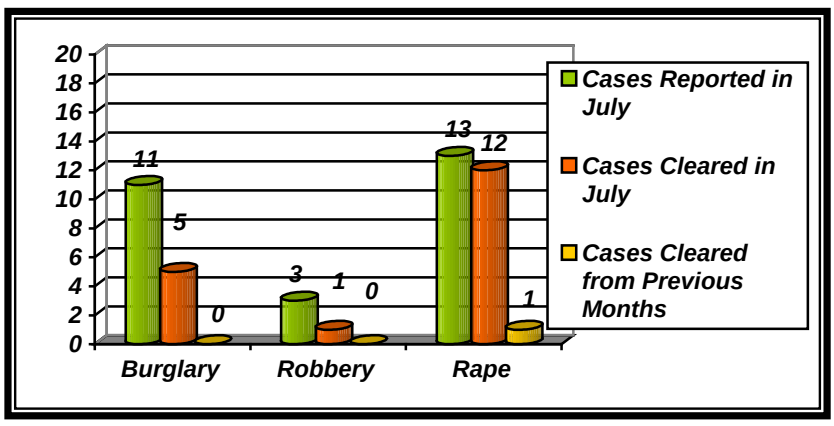
The following is the monthly report for Dover Police Department activities for the month of July 2013:

COMPLAINTS

Total complaints received through July 31, numbered 20,944. This is an increase of 112 complaints over the same time period last year.



CRIMINAL INVESTIGATIONS

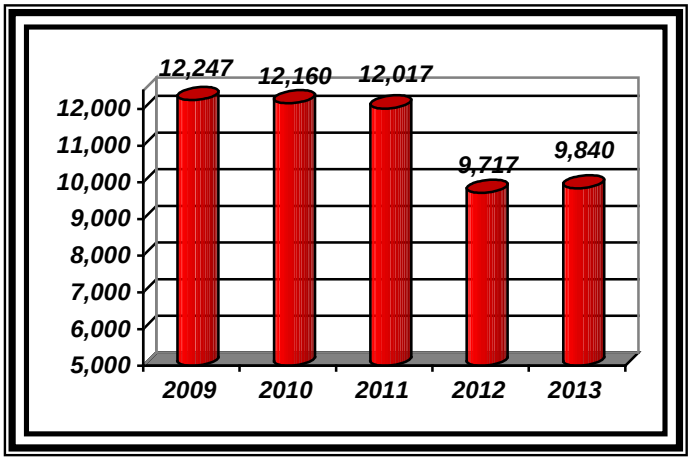


COMMUNITY POLICING/QUALITY OF LIFE SECTION

ENFORCEMENT ACTION	Contacts
ABANDONED VEHICLES	2
ALCOHOL VIOLATIONS/DUI'S	10
ASSIST OTHER	2
WARRANTS ON FILE	0
BIKE ON SIDEWALK	3
CITY PARK VIOLATIONS	10
CRIMINAL ARRESTS	41
DRUG RELATED ARRESTS	8
LOUD MUSIC	4
MISCELLANEOUS VIOLATIONS	23
PARKING VIOLATIONS	7
PEDDLER	0
MEETINGS	71
PROSTITUTION	0
COLLECTION OF DELINQUENT DCO'S	8
WANTED CHECKS/CPC'S	6
TRAFFIC ARRESTS	35
WARNINGS	9
FUGITIVE	7
TOTAL CONTACTS	**246**

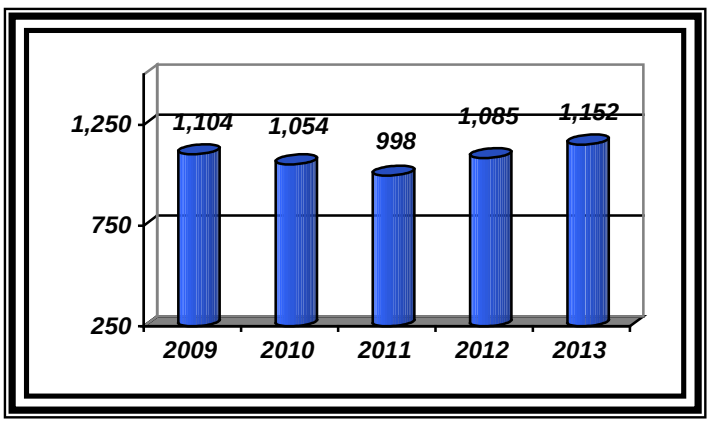
TRAFFIC ARRESTS

The department issued 9,840 traffic citations through this reporting period. This is an increase of 123 citations over the number issued during the same period last year.

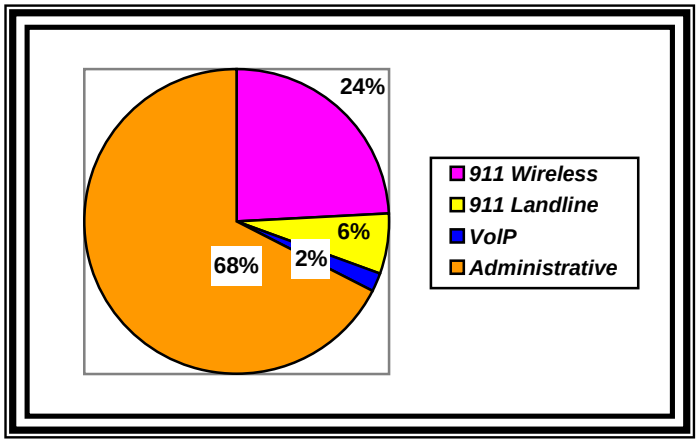


TRAFFIC CRASHES

Through July 31st, Dover Police investigated 1152 traffic crashes. This is an increase of 67 crashes investigated during the same period last year.



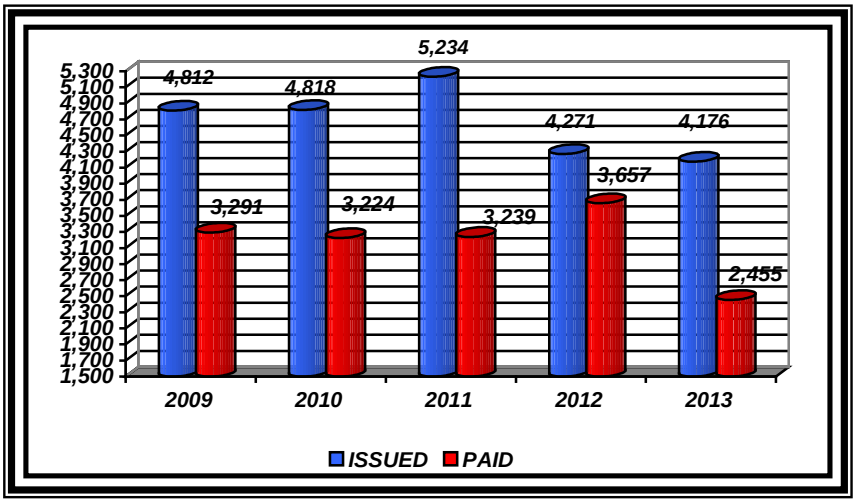
911 CENTER



During the month of July, the Dover Police Department handled a total of 10,384 calls averaging 335 calls per day. Dispatchers handled 2,497 calls on the 911 wireless lines, 670 calls on the 911 landlines, and 194 calls on the Voice Over Internet Protocol lines, the remaining 7,023 were administrative calls.

CITY ORDINANCE SUMMONS

*Through July 31st, we issued 4,176 City ordinance summons, a decrease of 95 summonses over the same period last year. *Note: Of those summonses issued in July, 27 DCO's were issued for handicapped parking violations, 2 for fire lane parking violations, 68 for false alarms (1, for 1-2, 49, for 3-5 alarms, 10, for 6-9 alarms, 3, for 10-15 alarms, and 5 for 16 or more alarms) and 9 for noise violations (9 for vehicle violations and 0 for residence violations).*



Listed below are the major crimes and activities that occurred during the month of July:

- *On June 25, 2013, the Dover Police began an investigation regarding a pregnant 14 year old female victim. The investigation revealed that a 22 year old male had intercourse with the victim on five occasions in Dover. The defendant was apprehended on July 1, 2013 by Dover PD detectives.*

- *On July 5, 2013, the Dover Police Department patrol unit responded to the southwest corner of N. Bradford Street and Mary Street for a report of a fight involving weapons. The investigation revealed that a black male age 28 and a black male age 35 were involved in a physical altercation. During the altercation, the defendant produced a knife and cut the victim in the face causing injuries. The victim was in possession of a starter pistol during the altercation, both subjects were arrested.*

- *On July 8, 2013 at approximately 1830 hours, the Dover Police arrested a thirty six year old black male of Dover, after observing a drug transaction between him and a vehicle stopped in the road. When officers approached defendant, they were able to recover a bag containing 1.8 grams of cocaine in his pants pocket. Officers then stopped the vehicle and arrested a second Defendant, a black sixty one year old female, also of Dover, who was found to have 4.5 grams of marijuana in 2 plastic bags, which she had just purchased. There were 2 children in the vehicle, ages 9 and 1.*

- *On July 10, 2013, an unknown black male suspect, described as heavy set, approximately 45 to 55 years of age, wearing a red baseball hat and yellow pull over sweatshirt, entered the Fulton Street Deli and produced a knife. The suspect demanded money and fled after obtaining an undetermined amount of cash.*

- *On July 11, 2013 between midnight and 0800 hours, an unknown suspect forced entry into a window of E&J Liquors removing numerous bottles of brandy, whiskey, vodka, and rum. The suspect then fled out the same window.*

- *On Saturday July 13, 2013 at approximately 2145 hours, officers observed a seventeen year old black male, whom they knew to be wanted, in a vehicle traveling in Courtney Square. The officers attempted to perform a traffic stop when the vehicle fled. Defendant bailed out of the vehicle in the area of S. Queen St. and Reed St. carrying a book bag which he dropped as he was running from the officers. He was apprehended after a short foot chase and the book bag was recovered and found to have two loaded handguns, one of which was reported stolen. During a search of the vehicle, officers located 46.7 grams of marijuana where the defendant was seated.*

- *On July 14, 2013, Darnell Smith (defendant), a twenty eight year old black male, of Houston, DE, committed a home invasion in the 300 block of W. Division St.. He and another suspect, wearing face wraps and armed with handguns, entered the rear of the residence and encountered 4 victims at the front of the house. One victim was thrown to the ground and another robbed of money. The two suspects fled and were observed going into another residence nearby. Dover Police apprehended defendant, however the other suspect fled and warrants have been obtained.*

- *On July 16, 2013 at approximately 2320 hours, the Dover Police Department received a 911 call that three black males were attempting to break into A&H Uniforms, located at 863 S. Governors Ave. Officers responded to the call and observed the three suspects running. Officers were able to apprehend one nineteen year old black male of Dover, who was charged with burglary, criminal mischief and conspiracy, after officers determined that there was approximately $500.00 damage done to the rear door, ceiling and alarm system of the business.*

- *On July 17th and 18th, 2013, officers from the Dover Police Department, with assistance from Probation and Parole and the Department of Corrections, conducted a fugitive round-up operation to seek individuals wanted on active warrants. During the two day sweep, a total of 25 local fugitives, 10 of which were wanted out of other agencies, were apprehended for a total of 72 criminal charges ranging from felony vehicle theft to burglary.*

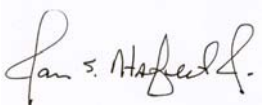
- *On July 20, 2013 the Dover Police arrested a twenty four year old black female of Smyrna, after investigation revealed that she had sex with a 15 year old male on 4 occasions in Dover in June of this year.*

- *On Sunday July 21, 2013 at approximately 1745 hours, the Dover Police Department received a report of shots fired at the intersection of Wyoming Ave and New Burton Rd involving two vehicles. Shortly after, a 20 year old male victim showed up at Bayhealth in Smyrna with a gunshot wound to the leg. An investigation revealed that this was from the incident at the intersection in Dover. The victim had been seated in the passenger seat of the vehicle when he was shot by a black male wearing a white tank top with black shorts, described as having a muscular build with short hair. The suspect was operating a dark colored Ford Crown Victoria with tinted windows. Investigation also revealed that this incident was drug related.*

- *On July 25, 2013 at approximately 1830 hours, a nineteen year old male victim was stabbed by a fourteen year old black male above his right eye at the basketball courts in Capitol Green near Water St. and New Castle Ave. The Defendant was arrested by Dover PD shortly thereafter.*

- *On July 28, 2013 at approximately 0300 hours, a female victim was confronted by two black male suspects with guns, as she was arriving home in the 500 block of N. West St. The suspects entered the residence and gathered the occupants in one room asking repeatedly where the money was. One of the suspects then took a 21 year old female in a bedroom and sexually assaulted her. Both suspects then fled the residence.*

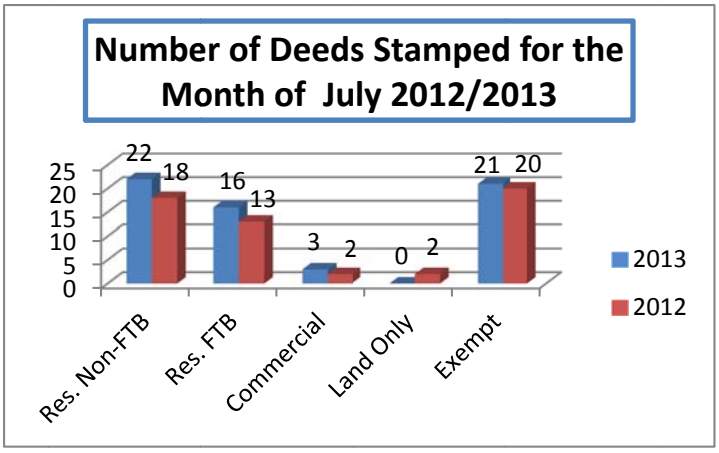
Respectfully Submitted,

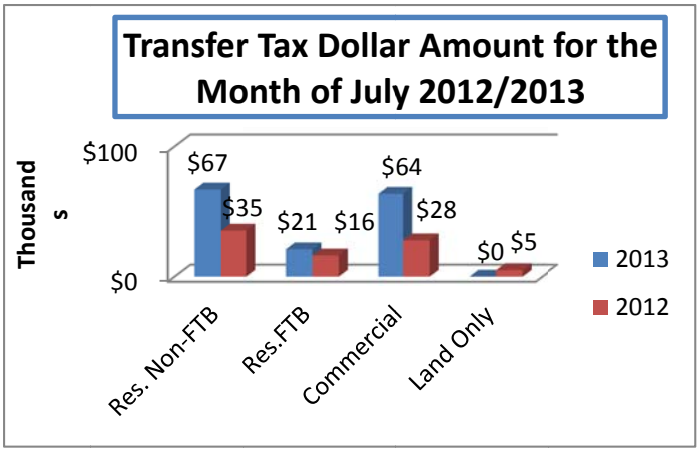


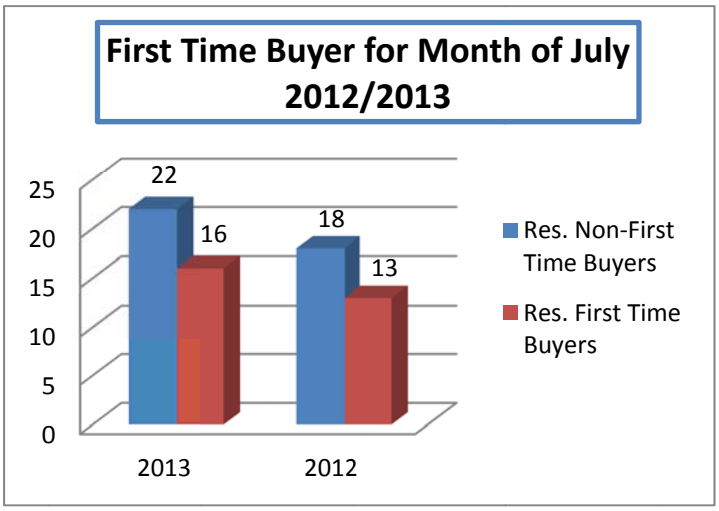
James E. Hosfelt, Jr.
Chief of Police

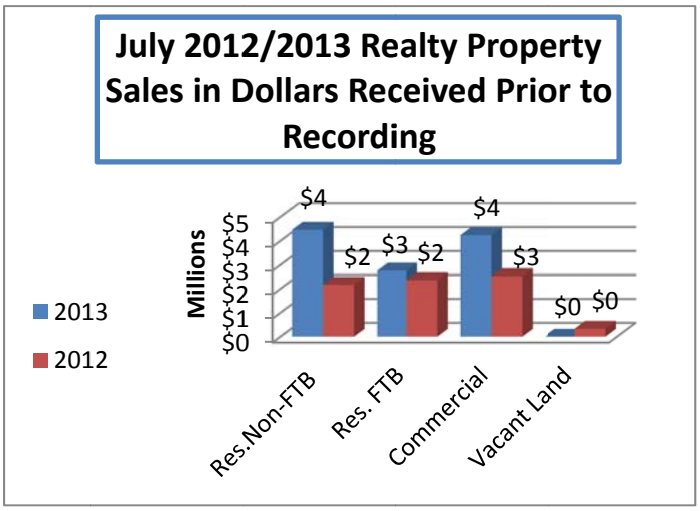
Monthly Report
July 2013

Office of City Assessor









Major Updates

	May- 13	June- 13	July - 13
Assessment Change	$4,007,735	-$3,067,535	-$181,500

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
22	$4,275,800	$3,940,775	1.09	1.02

Ratio – Assessed Value divided by Sale Price.
PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

-All old property record cards are being scanned and indexed into Fortis.

2015 Revaluation

- The Assessor's Office has started the 2015 Revaluation process by visiting various neighborhoods and collecting data, if necessary.

Assessor's Office

- 2013 Tax Bills were generated, printed, sorted and mailed

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-067.01-01-35.00	26A	R10	6 TANZANITE CT		5	2013	2	1622	B	VG	242,000	18-JUL-13	225,930	
ED05-067.01-01-79.00	26A	R10	323 TOPAZ CIR		5	2013	2	2290	B	VG	264,400	29-JUL-13	235,095	
ED05-067.01-01-88.00	26A	R10	422 TOPAZ CIR	1	5	2008	2	2108	B	VG	250,900	26-JUL-13	211,900	
ED05-067.13-01-20.00	3A	R10	34 N PRESTWICK CT	1	5	1979	2	2148	B-	GD	228,400	31-JUL-13	215,000	
ED05-067.15-04-36.00	11	R10	896 WILSON DR	1	16	1971	1	1736	C	AV	157,500	25-JUL-13	167,000	
ED05-067.19-03-65.00	17	R10	9 PATRIOT DR	1	5	1989	2	2370	B	GD	218,800	22-JUL-13	210,000	
ED05-067.20-04-09.00	11B	R10	425 N BRADFORD ST	1	1	1938	2	1904	B	AV	178,300	17-JUL-13	130,000	
ED05-068.10-01-38.00	13	R10	786 MILLER DR	1	16	1968	1	1925	C+	AV	151,200	31-JUL-13	149,000	
ED05-068.13-01-34.00	10	R10	509 N EAST AVE	1	14	1974	1	1300	C	AV	156,700	18-JUL-13	115,000	
ED05-076.03-04-04.00	26C	R10	233 SAXONDALE LN	1	14	2007	1	2029	B+	VG	250,800	01-JUL-13	264,900	
ED05-076.06-03-51.00	17A	R10	203 GREEN BLADE DR	1	8	1983	2	1228	C+	AV	138,200	19-JUL-13	123,500	
ED05-076.06-06-05.00	17B	R10	10 CAROLINE PL	1	13	1985	2	1200	C-	AV	115,500	31-JUL-13	86,000	
ED05-076.09-02-45.00	25	R10	209 WESTOVER DR	1	5	2005	2	2086	B-	AV	185,200	15-JUL-13	190,000	
ED05-076.11-02-49.00	16	R10	1207 S FARMVIEW DR	1	5	1989	2	1739	C+	AV	157,900	31-JUL-13	150,000	
ED05-076.20-04-04.01	5	R10	523 WYOMING AVE	1	5	1930	2	1714	C+	GD	165,900	15-JUL-13	181,250	
ED05-077.13-02-53.00	32	R10	72 SACKARACKIN AVE	1	14	1950	1	1306	C+	AV	159,600	19-JUL-13	148,500	
ED05-077.14-01-12.00	3A	R10	49 LAUREL DR	1	5	1967	2	3181	B-	GD	271,700	28-JUL-13	214,900	
ED05-077.17-01-25.00	5	R10	817 N SUNSET DR	1	16	1959	1	1840	C+	AV	170,700	03-JUL-13	159,900	
ED05-085.06-01-19.00	26D	R10	315 CRICKLE CREEK LN	1	5	2005	2	2078	B	AV	220,500	08-JUL-13	235,000	
ED05-085.08-01-19.00	12	R10	721 OAK LN	1	14	1962	1	2004	C	AV	206,000	17-JUL-13	205,000	
ED05-085.08-03-30.00	12	R10	204 WINTERBERRY DR	1	14	1967	1	1696	C	AV	198,000	01-JUL-13	183,000	
ED05-085.12-04-18.00	12	R10	318 MAYBERRY LN	1	5	1979	2	1946	C+	AV	187,600	10-JUL-13	139,900	

CITY MANAGER'S MONTHLY REPORT



JULY 2013

Monthly Highlights

Customer Services

- As of July 31, 2013, we processed 2,222 credit card payments for the month totaling $633,656.22.
- The outstanding property taxes total as of July 31, 2013 is $1,683,681.31. There are 40 properties in the monition process. At this time the sale date is scheduled for October 2013.

Human Resources

- Continued contract negotiations.

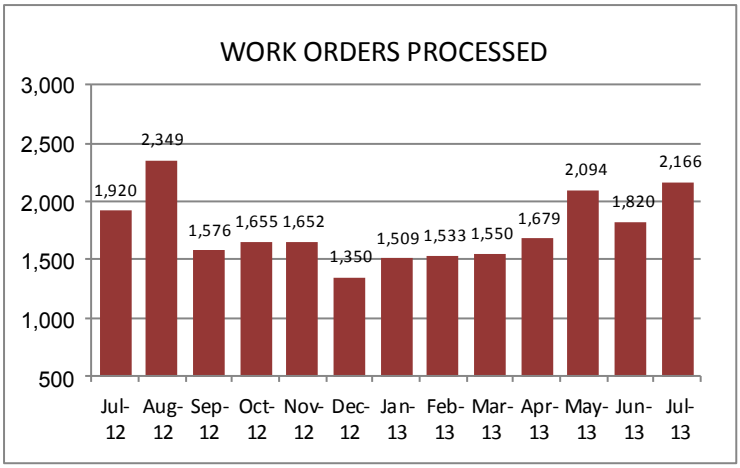
Library

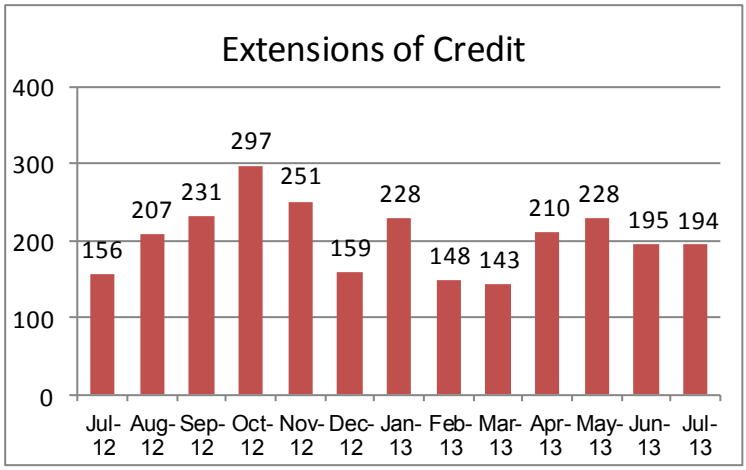
- 243 attended 34 programs for adults.
- 370 attended 29 programs for teens.
- 1,670 attended 56 programs for children.
- 41 volunteers completed 435 hours of service.
- 105 attended 26 programs/classes coordinated through the Job Center.

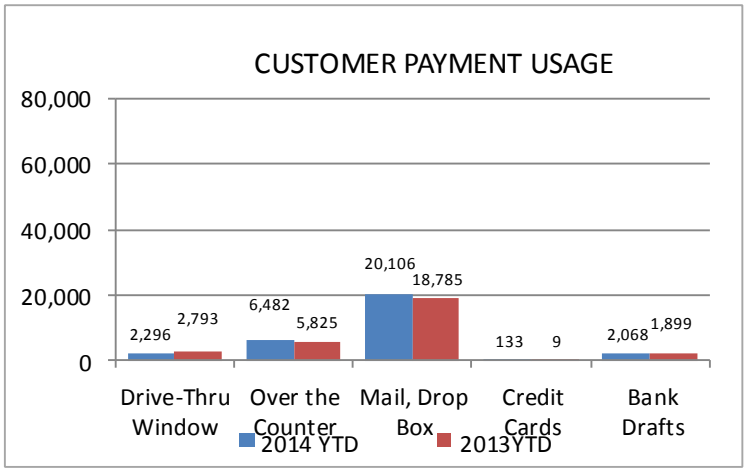
Public Works

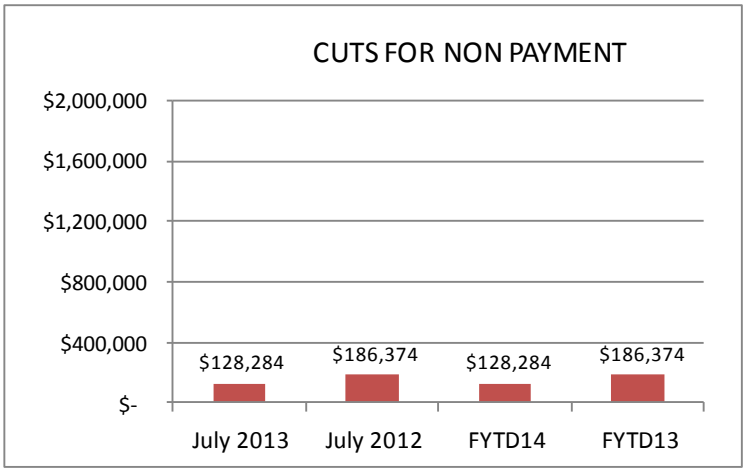
- Working on CIP and additional funding for future street program and other projects.

CUSTOMER SERVICES









Major Program Updates	Jul 2013	Jul 2012	Difference	FY 2014 Year-to-Date	FY 2013 Year-to-Date
Number of Customers Served	26,752	29,744	(2,992)	26,752	29,744
Final Bills	828	744	84	828	744
Estimated Bills	162	148	14	162	148
Penalties Posted	$ 18,851	$ 14,174	4,677	$ 18,851	$ 14,174
Extensions of Credit - Amount Extended	$ 53,784	$ 66,887	(13,103)	$ 53,784	$ 66,887
Balance Transfers	$ 6,591	$ 636	5,955	$ 6,591	$ 636
Utility Collections	$ 27,634	$ 27,426	208	$ 27,634	$ 27,426
Special Assessments	$ -	$ 110	(110)	$ -	$ 110
Miscellaneous Billings	$ 189,380	$ -	189,380	$ 189,380	$ -
CNP through Disconnect Collars	$ 20	$ 30	(10)	20	30
Court Cases	-	-	-	-	-
Tamperings	-	3	(3)	-	3
Taxes Levied	$ 10,884,979	$ 10,901,726	(16,748)	$ 10,884,979	$ 10,901,726
Billing Adjustments	$ 3,405	$ 535	2,869	$ 3,405	$ 535
Total Taxes Collected	$ 10,631,124	$ 9,006,615	1,624,509	$ 10,631,124	$ 9,006,615
Taxes Outstanding	$ 1,683,681	$ 1,895,646	(211,965)	$ 1,683,681	$ 1,895,646
Payments in Lieu	$ 10,000	$ -	10,000	$ 10,000	$ -
Billing Accuracy (on schedule billings)	99.0%	99.0%	-	99.0%	99.0%
Bills Published on Schedule	99.0%	99.0%	-	99.9%	99.9%
Meters Read on Schedule	99.9%	99.9%	-	99.9%	99.9%
Customer Satisfaction Rating	99.9%	99.9%	-	99.7%	99.7%
Delinquent Accounts Collected	99.7%	99.7%	-	99.7%	99.7%

HUMAN RESOURCES

Category	July 2012**	Aug 2012	Sept 12	Oct 12	Nov 12	Dec 12	Jan 13	Feb 13	Mar 13	April 13	May 13	June 13	July 13	Total
Caucasian*	286	282	286	285	283	287	288	291	287	287	283	282	281	N/A
Minorities*	59	58	58	58	57	57	56	56	54	54	53	53	54	N/A
Hired	0	1	5	0	1	6	3	4	0	4	3	1	2	30
Terminated/ Resigned/ Retired/Other	0	5	1	0	4	2	3	1	7	4	8	2	1	38
Transferred/ Promoted	0	0	0	2	2	1	1	4	2	1	1	0	2	16
Jobs Posted	0	4	1	2	4	0	4	1	5	5	5	8	5	44
Workers Comp. Injuries	4	2	2	5	0	4	3	1	2	1	4	3	4	35
Workers Comp. Hours	164	192	160	66	138	341	363	315	259	62	28	0	119	2207
Insurance Claims	3	1	3	3	4	2	5	2	2	2	3	7	4	41

Full-time Employees: 322 Part-time Employees: 14 (3 Pitts Center, 1 Recreation, 10 Library)
-Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.
Positions Hired: Service Center Clerk (part-time), Building Supervisor (part-time)
Positions Transferred: Library Clerk (part-time) to Library Clerk (full time), Office Assistant to Licensing and Permitting Supervisor
Resigned, Retired/Terminated: Civil Engineer II
Positions Posted: Motor Equipment Operator I (Water/Wastewater), Crew Leader (Streets), Communications Operator (Police), LAN Analyst (Police and IT), (3) Civil Engineer I (Engineering & Inspections)

Recruitment Information (Positions Closed in July)

Position	Total	Female	Male	Unknown	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Unknown	In Dover	Out Dover
Utility Maintenance Mechanic II, Water, Wastewater	13	0	13	0	2	9	2	0	0	0	5	8
Library Clerk, part-time	115	89	26	0	40	62	2	1	2	8	70	45
Motor Equipment Operator I, Water/Wastewater	23	1	22	0	6	15	1	0	1	0	5	18
Crew Leader (Streets)	10	0	10	0	7	3	0	0	0	0	1	9
Communication Operator (Police, In-House)	2	0	2	0	0	2	0	0	0	0	1	1

Unfilled/Open Positions by Department*

Unfilled/Open Positions By Department	July 12	Aug 12	Sept 12	Oct 12	Nov 12	Dec 12	Jan 13	Feb 13	Mar 13	April 13	May 13	June 13	July 13
Electric	1	2	2	3	3	3	4	4	4	4	4	4	4
Public Works	9	12	13	12	12	14	11	13	17	19	22	22	20
Police	3	4	5	5	5	4	1	1	2	1	0	1	2
All Other Departments	8	9	6	6	7	7	5.5	6.5	7	7.5	5.5	6.5	6.5
Totals	21	27	26	26	27	26	21.5	24.5	30	30.5	31.5	33.5	32.5

**Not used for Budgeting Purposes* ***Organization Change*

[2]**The following has been updated to reflected the Fiscal 2013-14 Budget**

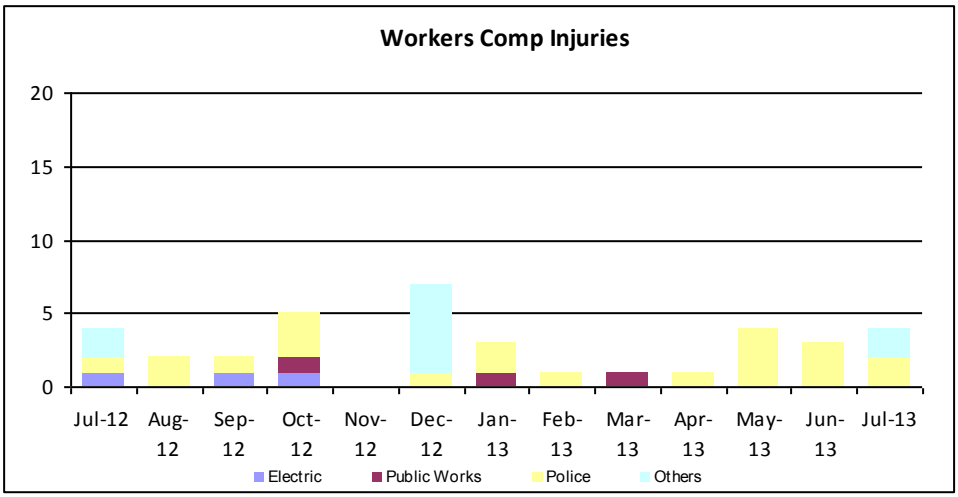
Electric: Electric Director, Electrical Engineer, Senior Lineman, Line Crew Superintendent

Public Works: (3) Utility Maintenance Mechanic I/ Wastewater, Utility Maintenance Mechanic II/Wastewater, Operations -Construction Manager, Building Craftsperson I & II, Motor Equipment Operator III (Streets), (2) Motor Equipment Operators II (Grounds), Motor Equipment Operator I (Water), Motor Equipment Operator I (Sanitation), Motor Equipment Operator III (Sanitation), Public Works Operation Manager, (3) Civil Engineer I, Utility Construction Worker, Laborer II, Crew Leader

Police: Police Officer, Communication Officer

All Other Departments: Office Assistant II (Inspections), (1) Service Center Clerk (part-time), Fire Chief's Assistant (Fire-Department), (2) Library Clerk I, Inspector (Code Enforcement), LAN Analyst, Customer Service Collections (part-time)

HUMAN RESOURCES
continued



Electric: 0 Public Works: 0 Police: 2 All Other Depts.: 2

Turnover Statistics

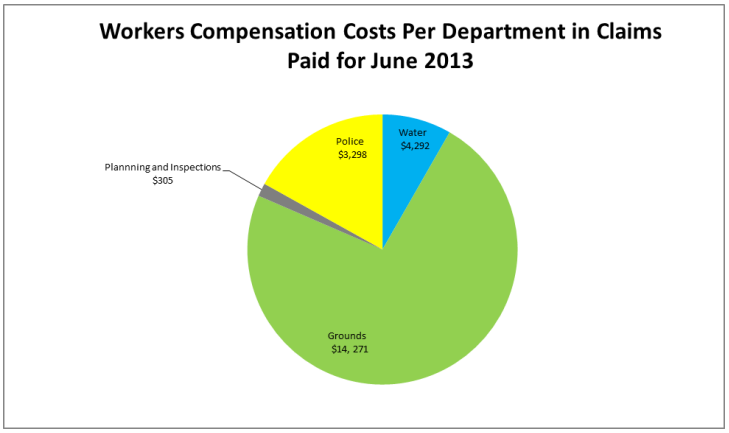
	2010	2011	2012*	2013 * (CYD)
Total Turnover %	5.57	6.75	11.00	8.24
Termination Turnover %	0.27	1.08	0.29	1.47
Resignation Turnover %	2.12	4.05	5.21	2.65
Retirement Turnover %	3.18	1.62	5.50	4.12

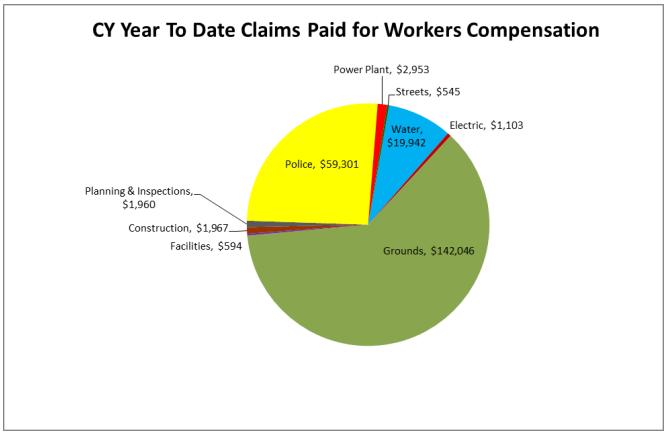
* Healthcare cost sharing implemented

Average Employees

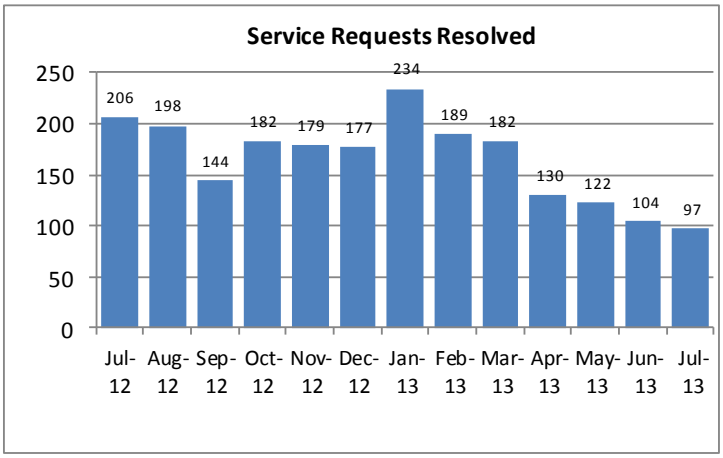
	2010	2011	2012*	2013(YTD)
Total Number of Employees Separating from Service	21	25	38	28
Average Number of Full-time Employees	362	356	333	326
Average Number of Part-time Employees	16	15	12	14

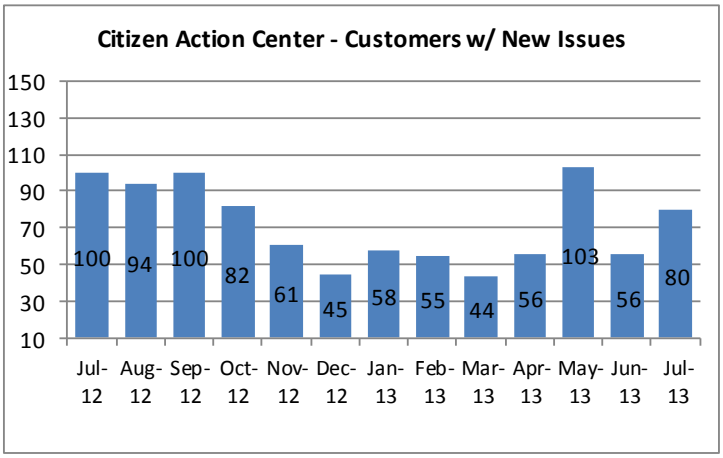
* Healthcare cost sharing implemented

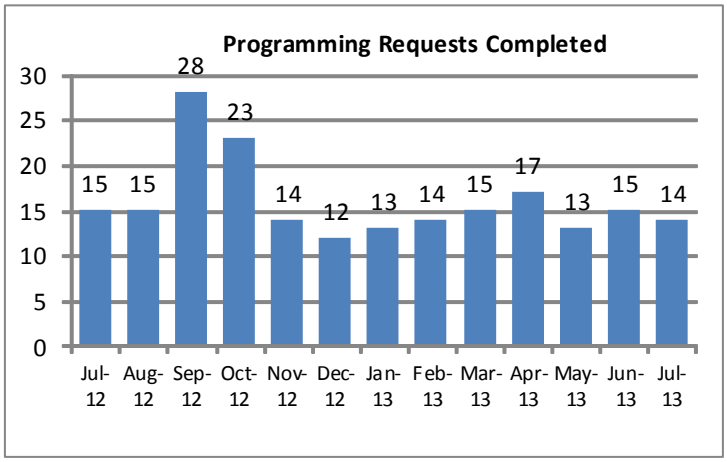


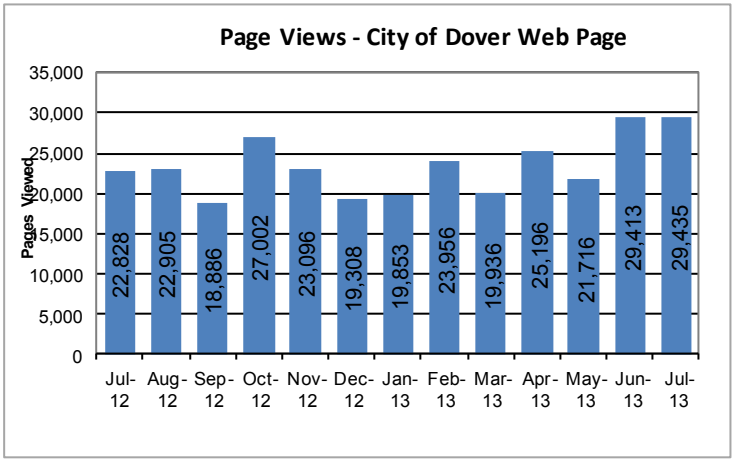


INFORMATION TECHNOLOGY





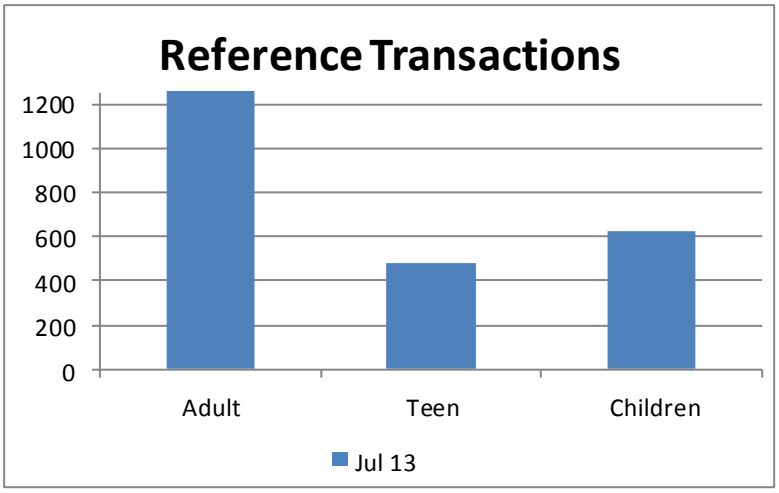




Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	100%	100%	100%
AS/400 Connections *(concurrent/authorized users)*	N/A	N/A	N/A
PCs Supported	360	355	358
Scheduled PCs Replaced	-	-	-
Servers Supported	19	19	13
People Trained	19	46	8

Availability Statistics based on 7:00 AM until 5:00 PM Monday—Friday

LIBRARY



Adults – 891 Teens – 338 Children – 941

Circulation	July 13		FYTD 14		July 12		FYTD 13
Dover residents	23,670		23,670		20,004		20,004
Ebooks	1,237		1,237		820		820
Kent residents*	19,667		19,667		16,212		16,212
Non-county residents	2,987		2,987		2,782		2,782
Registrations							
Dover residents	439		439		245		245
Kent residents*	149		149		67		67
Non-county residents	8		8		1		1
Other							
Visiting Patrons	28,480		28,480		33,186		33,186
Meeting Room Usage	1,740		1,740		20		20
Photocopier Usage	1,877		1,877		1,498		1,498
Computer Printing Usage	3,046		3,046		3,753		3,753
Computer Users	3,604		3,604				
Wireless Computer Users	1,295		1,295				
Holds (Total)	7,548		7,548		7,265		7,265

***Breakout of Kent County Residential Statistics**

Circulation	Registrations
Harrington: 208	Harrington: 1
Milford: 278	Milford: 2
Smyrna: 1,690	Smyrna: 14
Outside City Limits: 17,491	Outside City Limits: 132

Total Registered Users: (Card Holders)

City: 20,794 Kent County: 12,866 Outside Kent County: 953

Other Points of Interest:

Inter/Interlibrary: 69 items loaned out
46 items borrowed

Technical services: 1,791 items added
256 items deleted

Volunteers: 435 hours of service completed

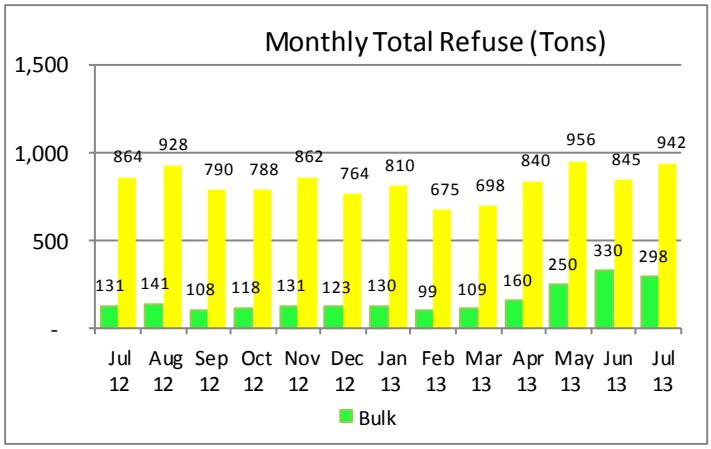
PUBLIC WORKS

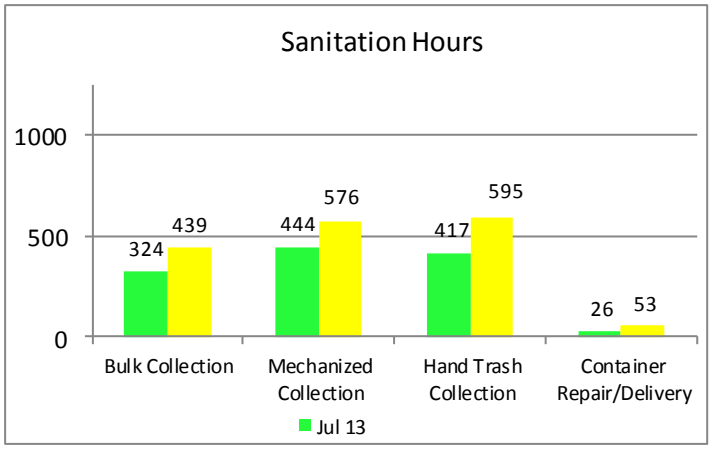
Administration

Administrative review and inspection services continued on all residential and commercial developments. The following residential subdivisions are in various phases of construction:

Oak Shadows	Emerald Pointe	Lexington Glenn
Village of Westover (Phase VI)	Farthing Woods	Eden Hill (Residential)
Patriot Village	Clearview Meadows	Village of Cannon Mill

Sanitation





	JULY 13	FYTD 14	JULY 12	FYTD 13
Trips to DSWA Sandtown Landfill	229	229	173	173
Total Tonnage to DSWA	1,240.02	1,240.02	995.48	995.48
90-Gallon Containers Delivered	12	12	20	20
300-Gallon Containers Delivered	0	0	4	4
Total Man Hours-containers Delivered	26	26	53	53

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVE. LBS.
July 2013	21,176	8,753	310,660	14.67

PUBLIC WORKS
continued

Streets	JULY 13	FYTD 14	JULY 12	FYTD 13
Signed Installed	14	14	23	23
Signs Repaired	6	6	13	13
Curbs Painted Yellow (feet)	108	108	130	130
New Post Installed	7	7	5	5
Storm Catch Basins Repaired	2	2	1	1
Storm Catch Basin Repairing (Hrs.)	11	11	1	1
Storm Catch Basins Cleaned	32	32	23	23
Storm Catch Basins Cleaning (Hrs.)	34	34	48	48
Hot Mix Patching (Tons)	0.5	1	28	28
Hot Mix Patching (Hrs.)	0	0	96	96
Cold Mix Patching Hrs.)	2	2	72	72
Concrete Work (Hrs)	116	116	75	75
Concrete Patching (Cubic Yards)	8	8	0	0
Ditch Work (Hrs).	0	0	0	0
Street and Alley Maintenance (Hrs)	96	96	168	168
Street Sweeping (Miles)	1,626	1,626	997	997
Street Sweeping (Cubic Yards)	330	330	248	248

Grounds

Arborist Crew	JULY 2013	JULY 2012
Trees Trimmed	28	87
Trees Removed	3	22
Stumps Removed	1	0
Root Prunings	7*	0

*Part of the sidewalk replacement program.

- Removed 3 dead trees hung up on the spillway at Silver Lake Park

Beautification Crew

- Completed planting of all annual/perennial beds.
- Put together the spring blooming bulk order to go out on bid.
- Had to replant a number of beds and replace plants that died from excess moisture.
- Maintained all flower beds including edging, weeding, fertilizing scratching and replacing plants.
- Continued to maintain the 76 handing baskets including watering every other day, fertilizing once a week. During temperatures above 95 degrees they need to be watered every day.

Mowing Crew

- Mowing of all areas including parks, around City facilities, ditches, and right-of-ways.

Athletic Field Maintenance

- Dragging the infields of the softball fields and painting the foul lines daily. Spraying the weeds in the warning tracks and under the fence lines. Sprayed 18 gallons of herbicide.
- Added 7 pickup loads of mulch to safety surfaces I several playground equipment locations.
- Performed safety inspections to playground equipment. Moved hockey and field hockey goals as needed.
- Set up and take down of the stage 3 times on The Green for the Spring/Summer Performing Arts programs.

Geographic Information Systems (GIS)

- Printed multiple posters for DDP and Economic Development.
- Updated concrete repair maps.
- Land map for the Clerk's Office.
- Verified voters list for the Clerk's Office.
- Updated handicap parking space feature class.
- Created a proposed grass contractor map.
- Right-of-way abandonment map for the Clerk's office.

Fleet and Facilities Management

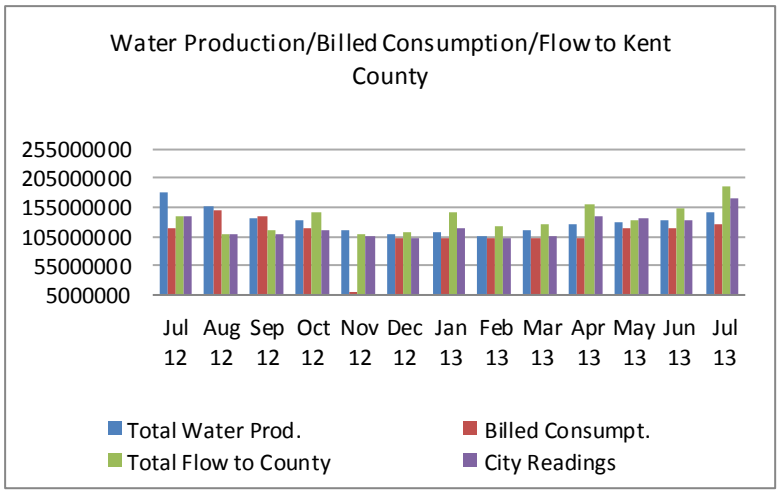
Fleet Maintenance
Work Orders: 49

Major Program Updates

Measure	JULY 2013	JULY 2012	DIFFERENCE
Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	7 out of 32 21.88 % 3 Unscheduled PM's Vehicles Streets. Dept- couldn't get into shop due to break downs. Remaining vehicles were not in shop due to two week vacation, break downs and trucks blocking bay – rescheduled for August	14 out of 30 46.67 %	**- 24.80 %**
Facilities Management			
Routine work orders completed within 5 days *(Quantity and Percentage)*	20 out of 23 86.96%	27 out of 30 90.00%	**- 3.04%**
Emergency work orders completed within 2 days *(Quantity and Percentage)*	4 out of 4 100 %	8 out of 8 100 %	**0 %**

PUBLIC WORKS continued

Water/Wastewater



ENGINEERING SUMMARY

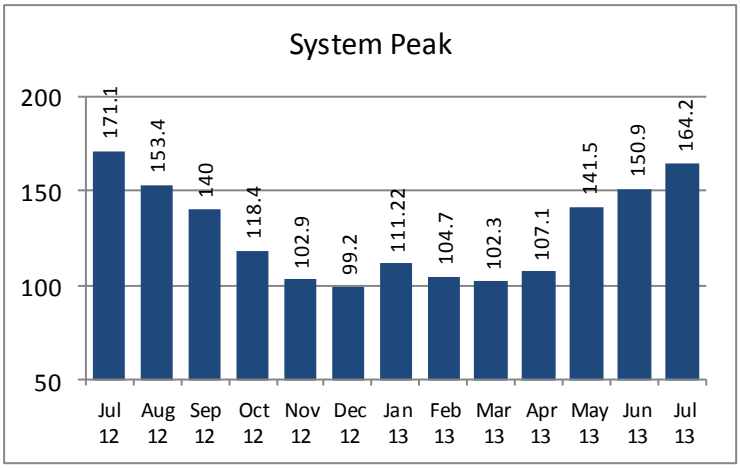
Major Program Updates	JULY 2013	JULY 2013	DIFF	FY14 YTD	FY13
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	17	5	+12	17	5
Plan Review Completed Within 30 days of Submission	12 plan 100%	7 plan 100%	+5	12	7
Field Inspection Response with-in 48 hours of Request	18	22	-4	18	22

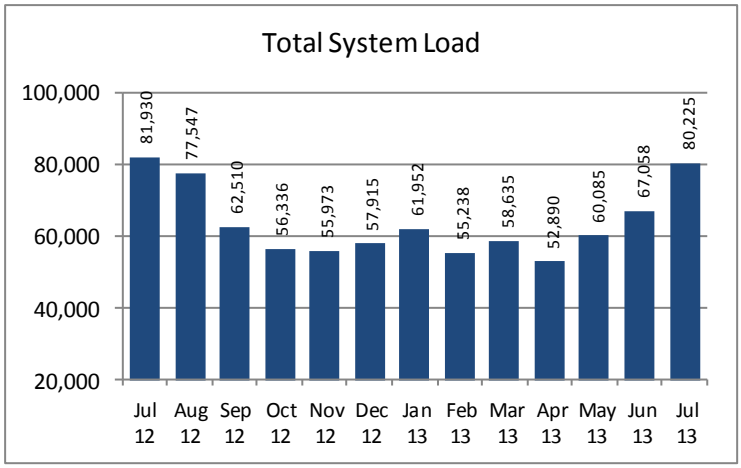
OPERATIONAL SUMMARY

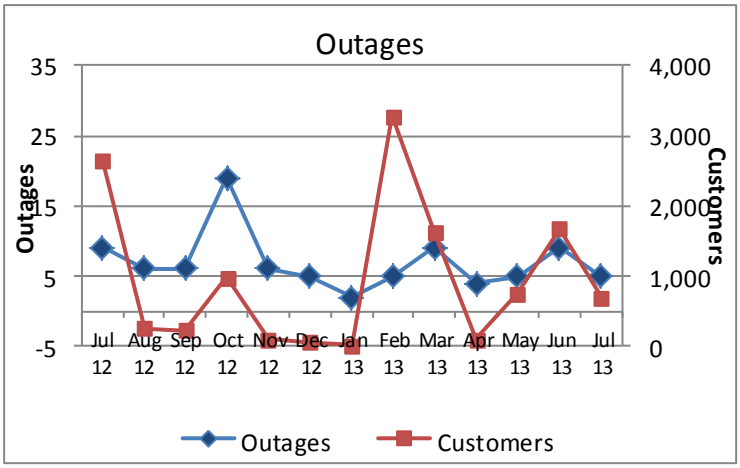
Task	JULY 13	JULY 12	CURRENT FY
Water Production - Daily Average	4,751,226	5,812,419	147,288,000
Average Field Response Time (goal is <30 minutes)	18.44	18.66	18.44
Water Mains Repaired	2	1	2
Water Service Lines Repaired	3	1	3
Wastewater Mains Repaired	0	0	0
Wastewater Service Lines Repaired	1	1	1
Sewer Lines Flushed - linear feet	92,771	98,726	92,771
Sewer Mains Videoed -linear feet	20	25	20
Total Fire Hydrants in Service	1,806	1,789	1,806
Total Water Meters in City Distribution System	14,135	14,046	14,135

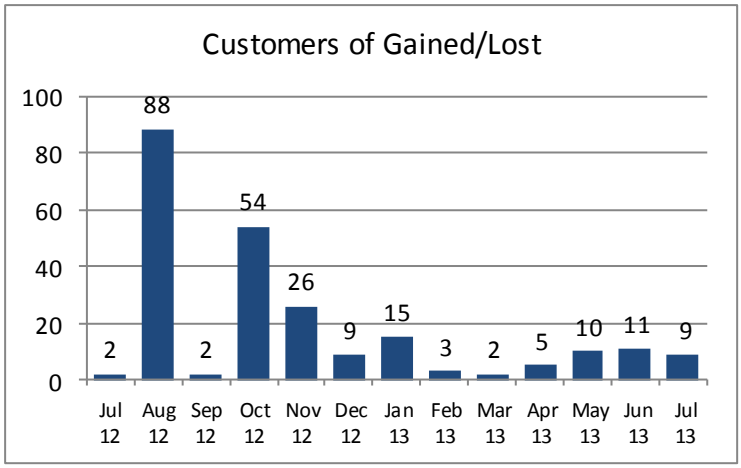
PUBLIC UTILITIES

Electric









Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 14 YTD	FY 14	FY 13
30.25	50.74	39.44

Controllable Outages *Annual goal is less than 40*		**Average Response Time** *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
3	3	27.0 Minutes	27.0 Minutes

PROGRAM UPDATES	JULY 13	JULY 12	FY14 YTD
Tree Trimming	140	248	140
Number of Oil Releases	0	0	0
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	9	2	9
Major Goals Completed in the Past Two Months			
Met All Outage Goals for FY13			

City Planner's Monthly Report

Planning, Inspections & Recreation

JULY 2013

Planning, Inspections & Recreation Highlights



♦**New Planning Commission Member** - Ed Cregar joined the Planning Commission in July. Ed is a former Director of Planning and Inspections and a resident of downtown Dover. His perspective will enhance the Planning Commission's deliberations.

♦**Dover Sheraton** closes and begins transition to Delaware State University dormitory.

♦**Co-Ed Softball** - Congratulations to the co-ed teams of Sharkey's Bail Bonds and Delaware State University teams for winning their respective divisions.



♦**July Sports Camps -** Increased in both registrations and revenue compared to last year. In July 2012, we ran 3 camps with 16 registrations and $640 in revenue. In July 2013, we ran 11 camps with 102 registrations and $ 7,710 in revenue.

♦**Bike Friendly Community** application was submitted to the League of American Cyclists

♦**Super Summer Playground** has also increased in both registrations and revenue with the new weekly registration format. In 2012 we had 40 registrations at $150 each for a total revenue of $6,000 for the entire six (6) program. In July 2013, we hosted 91 Summer Playground participants and three 3 junior camp counselors for an approximate revenue of $5,600.

Personnel and Training Updates

- Tim Mullaney and Jason Osika, attended the Training Vehicle Fire Investigation in Whitehall Pennsylvania on July 31, 2013 through August 2, 2013.
- Dave Truax and Jason Osika attended the Training Fatality Fire Investigations in Abington Pennsylvania on July 15-16, 2013.
- Dawn Melson-Williams attended a Flood Plain Mapping Workshop on July 2, 2013.
- Maretta Purnell and Ann Marie Townshend attended the Manager Self-Service Training on July 3, 2013.
- Kristen Mullaney was promoted to the Licensing and Permitting Supervisor for the Department of Planning and Inspections that was effective on Monday, July 22, 2013.

Planning, Inspections & Recreation Revenue

Revenue Stream	FY '14 Budget		FY '14 Actual (YTD)	
Business License	$1,460,000	$	1,293,278	89%
Trailer License	$20,500	$	12,195	59%
Building Permits	$400,000	$	37,470	9%
Cert. of Occupancy	$9,000	$	530	6%
Public Occupancy	$10,000	$	100	1%
Lodging House	$14,000	$	28	0%
Plumbing/Heating/Air	$75,000	$	9,358	12%
Sprinkler	$25,000	$	1,578	6%
Rental Inspection Fee	$345,000	$	881	0%
Miscellaneous	$20,000	$	3,796	19%
Fire Protection Fees	$31,000	$	5,725	18%
Vacant Building Reg.	$60,000	$	3,000	5%
Total P&I Revenue	**$2,469,500**	**$**	**1,367,937**	55%
Recreation	$133,000		$13,233	10%

Looking Forward…..

- Summer Camp wrap-up and start of After School Program
- Continued progress on Garrison Energy Center and Dover High School
- Construction of Home2 Suites gets underway.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For July 2013, Planning Staff was involved with review of 84 Permits and11 Certificates of Occupancy permits (2013 Year to Date total of 541 Permits and COs compared to 518 year-to-date in 2012). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

In July, the Planning Commission welcomed new member, Ed Cregar. Mr. Cregar's background in planning includes serving as the City's Planning Director in the 1980s.

Planning Staff with assistance from other departments worked to prepare information and complete a questionnaire on activities in the Special Flood Hazard Area (100-year floodplain) in preparation for a Community Assistance Visit from FEMA scheduled for early August. The Community Assistance Visit is part of the City's participation in the National Flood Insurance Program.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- On-going efforts of the Planning Office include participating in planning for the participating in the planning and development design of Garrison Oak Technical Park, the pending updates to the FIRM Maps (Flood Insurance Rate maps) issued by FEMA for flood plains, and research for future ordinance amendments related to the commercial zoning classifications.

New Dover High School Project (C-10-05/S-11-18)

Construction activities related to site improvements and the building construction activities continue at the new Dover High School project site. The Planning Staff is working the Capital School District and DelDOT regarding pedestrian safety concerns for the school project including a HAWK signal design for a pedestrian crossing of Route 8 and a sidewalk construction project on the north side of Route 8. In July, Planning Staff continued the monthly coordination meetings on the project with the various involved departments, agencies and project design professionals and managers. The meeting held on July 25, 2013 was attended by 15 people.

Garrison Energy Center (Master Plan S-12-03/ Phase 1 S-12-17)

The Planning Staff participates in weekly coordination conference calls with Calpine regarding the Garrison Energy Center project at 450 Garrison Oak Drive (Lot 7 of the Garrison Oak Technical Park).The Preliminary Final Site Plan approval for the Garrison Energy Center Phase 1 was granted on March 8, 2013. The project continues to progress towards completion of the Final Site Plan documents related to water and sewer utility planning as technical review by the Planning Office and other City Departments and agencies continues. Foundation Building Permits for the Steam Turbine Generator was reviewed in late July. Planning Staff continues to work with the project regarding a Tree Mitigation Plan and finalization of the utility aspects of the Site Plan.

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on July15, 2013 and took the actions summarized listed below. The next Planning Commission meeting is scheduled for August 19, 2013.

- **C-12-5 Transitional Housing for Dover Interfaith Mission for housing, Inc at 319 West Water Street**

  –Re-evaluation of this Application will be postponed until August 19, 2013 meeting of the Commission to allow for completion of the property inspection and report of findings.

- **C-13-04 Lands of G & J Holdings, LLC at 1-3 and 9 West Loockerman Street** - Approval of a Conditional Use to establish an office use on the first floor within the existing building.
- **SB-13-03 Lands of KW Lands at 1570 North DuPont Highway: Minor Subdivision Plan –** Minor Subdivision to create three (3) parcels of land and right-of-way from the existing 11.258 acre ± parcel. The Minor Subdivision Plan, along with a denial of the waiver request for a reduction in bicycle parking spaces, a denial of the waiver request for the elimination of sidewalk but to defer construction of the sidewalk until such time that there is a change of use and approve the waiver of elimination of the arterial street buffer.

Board of Adjustment

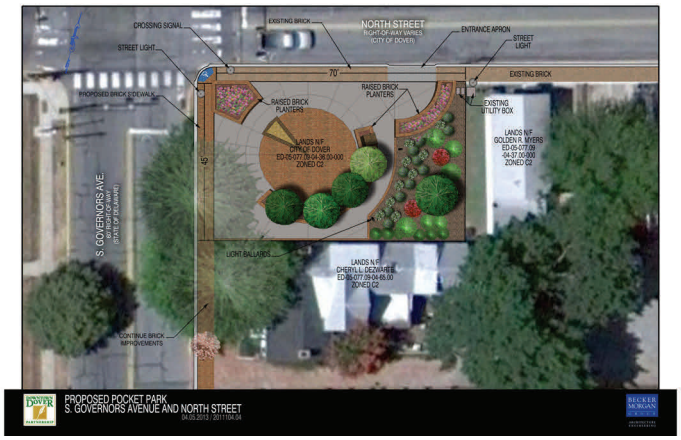
The Board of Adjustment met on July 17, 2013. The next regular scheduled meeting of the Board of Adjustment was scheduled for August 21, 2013. The following application was considered.

- **V-13-09 – 527 William Street—Lands of Roger Dale Casey Jr.**—Variance was denied for failure to prove exceptional practical difficulty.

Historic District Commission

The Historic District Commission met on July 18, 2013. The next Historic District Commission meeting is scheduled for August 15, 2013. The following application was considered.

- **HI-13-05 North Street Pocket Park at 301 South Governors Avenue** –Approval of an Architectural Review Certification to allow for the construction of a park consisting of paving and landscape areas to be located at 301 South Governors Avenue.





COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY12 Projects

Homeownership Assistance Program
Six (6) families were provided settlement assistance to purchase properties in the City of Dover. All funds have been expended.

MHDC Homeowner Rehabilitation Program
CDBG funds will be used to rehabilitate owner occupied homes in the City of Dover found in violation of the City's housing code. The waiting list for this project opened on June 12th and this project is underway.

Dover Interfaith Mission to the Homeless
CDBG funds will be used for operations cost for the shelter.

MHDC Emergency Home Repair Project
Emergency repairs have been completed on 4 homes.

NCALL Research
CDBG funds were used for foreclosure prevention and pre-purchase homeownership counseling services for ten (10) Dover residents.

Serenity Place
CDBG funds will be used for the reconstruction of a treatment facility for persons who suffer from substance abuse that was destroyed in a fire. Funds for this project have been expended.

Elizabeth W. Murphey School
CDBG funds will be used to install a geothermal heating system in one of the facilities that services children that are at risk for homelessness. This project has been completed.

- ***Neighborhood Stabilization Program (NSP)***

The City was awarded $1,426,740 for the acquisition and rehab of foreclosed properties to be sold to qualifying families. A total of $2,000,529 including program income has been expended on the acquisition and renovations for 11 properties. The remaining balance of $66,125 will be utilized for renovations, acquisition and down payment assistance for eligible NSP properties. Eight properties have been sold, one is a lease purchase and one is a rental that serves persons with disabilities. Central Delaware Habitat for Humanity has purchased the eleventh NSP property in the City of Dover and they already have a buyer. Eight (8) first time homebuyers have purchased homes through the NSP Settlement Assistance Program.

218 Ann Avenue (sold)
343 Mimosa Avenue (sold)
907 Woodcrest Avenue (sold)
1430 S. Hancock (group home rental)
1415 S. Hancock (sold)
4 Bennington Street (75% complete)
337 N. Governors Avenue (sold)
254 Green Blade Drive (sold)
302 Stone Brook Place (lease purchase)
11 Westover Drive (sold)
110 Thames Drive (sold)



Serenity Place rebuild gets underway



Dangerous Buildings, Vacant Buildings & Demolitions

- *126 N. Ann Avenue* – Owner is working on repairs to the interior of the property. Staff made contact with the owner who advised that he will pick up the necessary repairs.
- *209 N. New Street* – Minor painting was started and the fence was fixed, but the no further work has been started.
- *312/314 West Division Street* – Sunnyfield Contracting has started the demolition of the structure.
- *423 Cecil Street* — The asbestos survey has been completed and partial abatement of the asbestos within the structure has been done. The abatement will resume once demolition begins and the asbestos contractors can enter the dwelling safely. August 2nd is the tentative date for the start of demolition.
- *427 West Division Street* — Council approved the demolition of the structure. The asbestos survey will be scheduled for after August 15th, unless the home is sold. Bid specifications were sent to Central Services on July 26th, 2013.
- *528 Fulton Street* — Compliance Environmental completed the asbestos survey to the home on July 23rd. No recommendations for abetment have arrived. Bid specifications for the demolition were sent to Central Services on July 25th, 2013.
- *105 S Queen Street*—A residential renovation permit has been obtained and an inspection to the home confirms that work has started.
- *238 Railroad Ave*—The property will be taking to City Council on August 12th to gain approval to award the low bid and to begin the asbestos removal and demolition.
- *123 Blue Beach Drive*—pool is still covered but has stagnant water on top. Next inspection is scheduled for August 7, 2013
- *142 Brandywine Drive*—15 day notice sent to the owners on July 25th to repair or demolish the structure.
- *710 Slaughter Street*—15 day notice sent to the owners on July 25th to repair or demolish the structure.
- *834 S State Street*—Demolition has been started by the homeowner and renovations permits have been obtained.
- *Vacant Buildings*—During the month of July, 19 additional buildings were registered as vacant, and $500.00 in vacant building registration fees were collected.



Code Enforcement Activity—July

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	3	139	33%	97%
No valid Building Permit	4	46	100%	91%
Tall grass and weeds	76	594	63%	82%
Unregistered vehicle	3	51	67%	92%
Abandoned vehicle	6	66	17%	85%
Annual Housing Inspection	28	240	79%	89%
Property Maintenance – Exterior	48	454	52%	89%
Electric Termination	27	159	100%	95%
Dover Code of Ordinances	53	367	70%	72%
Zoning	6	76	83%	79%
Total Cases	**254**	**1940**		
Total # of Inspections For Month	**388**			



92 Orchard Avenue –Detached Garage



Maple Dale Townhouses Project

Fire Marshal's Office, Building Inspections & Licensing Summary

LIFE SAFETY				
Inspections	**JULY 13**	**FYTD 14**	**JULY 12**	**FYTD 13**
Fire Protection Inspections (New & Existing)	10	328	22	22
Fire Code Inspections	50	470	101	101
Inspection Deficiencies	25	180	16	16
Certificate of Occupancy	5	54	2	2
Accidental	$2000	$99,950.0	$0.00	$0.00
Incendiary	$500	$26,600.00	$ 0.00	$0.00
Undetermined	$140,000.00	$231,000.0	$1000.00	$1000.00
PERMITTING AND LICENSING				
Permits Issued	**JULY 13**	**FYTD 14**	**JULY 12**	**FYTD 13**
Administrative Permit	2	2	4	4
Building Addition/Renovation Permits	41	41	40	40
Building Permits	20	20	16	16
Demolition Permits	8	8	3	3
Fence Permits	14	14	10	10
Fire Prevention Permits	11	11	10	10
Mechanical Permits	30	30	63	63
Plumbing Permits	30	30	28	28
Sign Permits	30	276	14	14
Swimming Pool Permits	4	4	8	8
Business Licenses	783	783	426	426
Merchant Licenses	170	170	166	166
Contractor Licenses	429	429	325	325
Lodging House Licenses	0	0	0	0
Mobile Homes	125	125	77	77
Public Occupancy	7	7	7	7
Rental Dwelling	23	23	28	28
BUILDING INSPECTIONS				
Inspections	**JULY 13**	**FYTD 14**	**JULY 12**	**FYTD 13**
Building	297	297	256	256
Plumbing/Mechanical	272	272	422	422
Certificate of Occupancy	11	11	7	7

Fire Marshal's Office—At a Glance

Number of Fires Requiring FM Response for July 2013

- 2 Accidental
- 1 Incendiary
- 1 Undetermined

20 hours of investigation time

Active Fire Investigation— 73 River Chase Dr. Juvenile lighting fires. Juvenile committed with out arrest.

Recreation Division

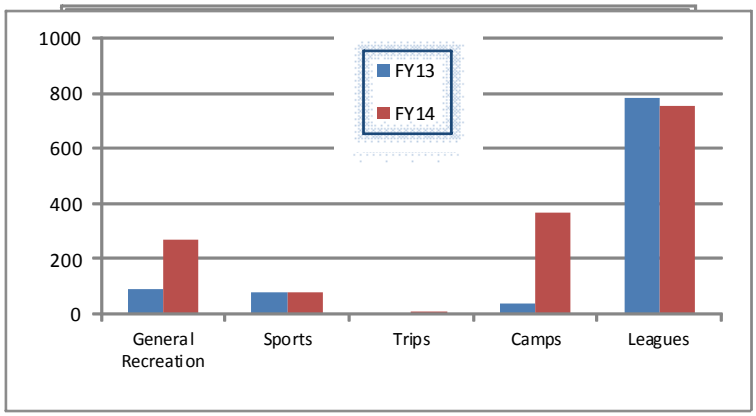


Summer Cheerleading



Card Making Class

Enrollment Summary: July 2012 vs. July 2013

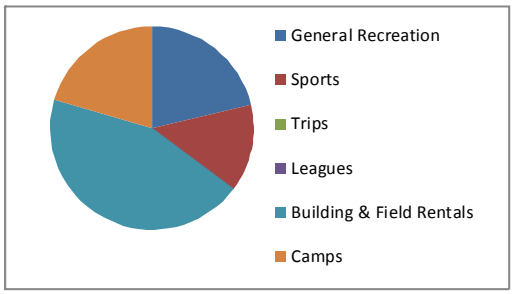


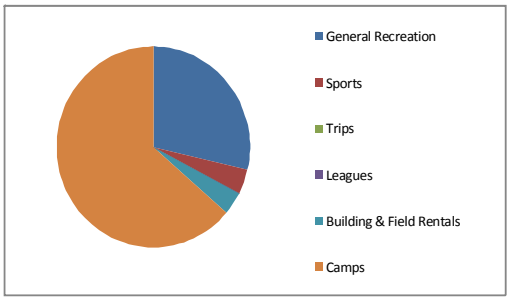
Category	FY13	FY14
General Recreation	92	268
Sports	78	77
Trips	0	9
Leagues	783	753
Camps	40	365

Summer Camp Season Off to a Great Start!

After changing the format of our summer camp program, the Recreation Division has seen great success and customer satisfaction with summer camps. The Super Summer Playground is taking place at the John W. Pitts Center, as well as a number of sports camps. The sports camp offerings included a Wolverine Basketball Camp run by Wesley College coaching staff.

Revenue Breakdown: July 2012 verses July 2013





General Recreation	**668.00**
Sports	**435.00**
Camps	**640.00**
Trips	**0**
Leagues	**0.00**
Building & Field Rentals	**1,385.00**

General Recreation	**3,467.50**
Sports	**500.00**
Trips	**0.00**
Leagues	**0.00**
Building & Field Rentals	**450.00**
Camps	**7,710.00**

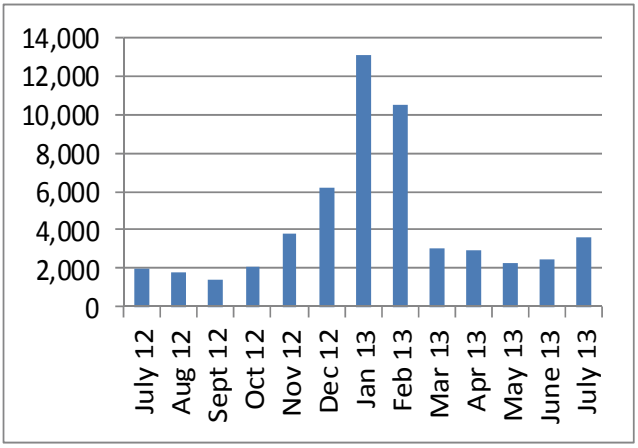




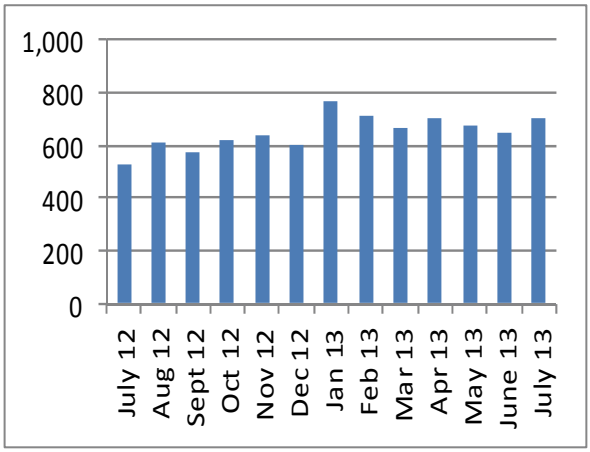


John W. Pitts Recreation Center – July 2013

Total Program Attendance



Facility Usage By The Hour



**

Facility Usage By The Hour	JULY 13		FYTD 14		JULY 12		FYTD 13
Open Gym	219.5		219.5		385		385
Fitness Classes	44.5		44.5		29		29
Leagues	37		37		32		32
Camps	378		378		37		37
Sports Classes	12		12		16		16
Meetings & Rentals	9		9		33		33
Enrichment Classes	2		2		0		0
Total Facility Usage Hours	702		702		532		532

Program Attendance figures includes participants, parents and spectators in the facility.

Daily Program Attendance**	JULY 13		FYTD 14		JULY 12		FYTD 13
Total	3,653		3,653		1,993		1,993
Open Gym	342		342		580		580
Fitness Classes	453		453		184		184
Leagues	1,593		1,593		790		790
Camps	1,018		1,018		206		206
Sports Classes	83		83		134		134
Meetings & Rentals	159		159		94		94
Enrichment Classes	5		5		5		5

Since our opening in late April 2008, we have had 274,897 guests at the John W. Pitts Recreation Center.

Effective April 1, 2013 we began charging Non-City of Dover residents to participate in the Open Gym Sessions.

Packages Sold:	July	YTD
Daily:	31	$93
Individual Quarterly	3	$30
Individual Annual:	0	$0
Family Quarterly:	1	$0
Family Annual:	0	$0
Total Revenue:		**$123**

BAIRD
MANDALAS
BROCKSTEDT LLC

Glenn C. Mandalas
Dover Office
(302) 677-0061
glenn@bmbde.com

August 26, 2013

Mr. Scott Koenig
City Manager
City Hall – 15 Loockerman Plaza
Dover, Delaware 19903

RE: City of Dover Mediation with International Brotherhood of Electrical Workers Local 1238

Dear City Manager Koenig:

Thank you for continuing to select Baird Mandalas Brockstedt, LLC to represent the City of Dover. As you know, labor negotiations with the International Brotherhood of Electrical Workers Local 1238 ("IBEW") have reached an impasse and we are proceeding with mediation. This letter will confirm the specific terms of my firm's engagement, which are as follows:

1. Fees and Hourly Rates: My firm's fee for representing the City through mediation with IBEW, which is anticipated to occur over three mediation days, shall be TEN THOUSAND DOLLARS ($10,000.00). The fee shall be for the limited services aforementioned, expressly exempting arbitration and litigation services. Any additional services including arbitration, appeals to PERB, litigation, and tasks associated with any appeals and litigation, shall be additional services not included in the fee set forth above, and shall be separately invoiced at the hourly rate of $160.00 per hour. I will have primary responsibility for your representation, but I may rely upon other lawyers and legal assistants for additional services, whose services shall also be invoiced at the hourly rate of $160.00 per hour or less.

2. Costs: In addition to fees for legal services we shall be reimbursed for our costs related to this engagement. "Costs" includes any and all out-of-pocket expenses, such as filing fees, postage, faxes, computerized legal research, travel mileage, transcript costs, expert fees, copying costs, courier services, and travel expenses. All costs expended on your behalf will be itemized and billed on each monthly statement. My firm reserves the right to either advance these expenses on your behalf or require that you pay these expenses directly.

3. Billing: My firm will provide you with an invoice that itemizes all fees and costs expended on your behalf on a monthly basis. All invoices are due and payable upon receipt, and any balances which remain outstanding more than 30 days will accrue interest at a rate of 2% per month.

4. Retainer: My firm will not require an advance retainer for this representation. If we receive any money from you that is not for fees earned or costs expended it will be placed into our Rule 1.15 attorney trust account and will be applied to future invoices unless you direct otherwise. Any of those funds remaining in our trust account at the end of this representation will be returned to you.

5. Expedited Matters: Should you require our services on an expedited or emergency basis, we may charge at a higher rate.

6. Termination: You may discharge the Firm at any time, and the Firm may withdraw at any time with your consent or for good cause without your consent. Good cause includes a breach of this agreement (including failure to pay any statement when due), refusal or failure to cooperate with the Firm or any circumstance that would render the Firm's continued representation unlawful or unethical. This engagement is an agreement made in Delaware and will be construed in all respects under Delaware law. The parties agree that exclusive jurisdiction for any suit or judicial proceeding of any kind concerning this engagement shall be in Delaware. In the event we are required to bring suit to collect any past due legal fees, we shall be entitled to payment of any legal fees and costs incurred in bringing such a suit.

7. Miscellaneous. Every effort will be made to keep you well informed as to the progress of all matters at all times. Please feel free to call at any time to discuss the present status or any other aspect of any matter.

If the terms of this engagement are acceptable, please countersign this agreement and return it in the enclosed envelope so that we will have a mutual memorandum of our understanding.

Very truly yours,

GLENN C. MANDALAS

GCM/lss

AGREED AND UNDERSTOOD this _____ day of _____, 2013.

_____
Authorized City Official

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2013-15

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

That Chapter 58 - Human Relations, Article II - Human Relations Commission, be amended by inserting the bold, blue text and deleting the text indicated in bold, red, strikeout as follows:

Sec. 58-31. Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) *Fairness, respect*. Promote and develop an environment of fairness and respect among its citizens;

(2) *Monitoring*. Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) *Intergroup relations*. Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;

(4) *Issues*. Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and

(5) *Intergroup conflict*. Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established*. There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.

(b) *Composition; appointment*. The **members of the human relations** commission shall **be appointed by the mayor** (or president of the council)**, based upon recommendations from and subject to confirmation by the council. The human relations commission shall** consist of ~~15~~ **nine** members, all residents of the city. ~~**Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.**~~ **Two members shall be selected from each council district and one member shall serve from the city at-large.**

Draft

(c) *Representation*. In selecting the membership of the commission, ~~the mayor and president of the council and the council shall take~~ particular care **shall be taken** to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

(d) *Holding other office; removal*. No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The mayor **(or the city council** president **of council)** may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.

(e) *Terms of office; vacancies*. A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed ~~and has qualified~~. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(f) *Reappointments*. Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization*. The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.

(b) *Quorum*. A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

(c) *Meetings*. The commission shall hold **at least five meetings per year; one each quarter and one to be determined by the commission.** ~~such meetings as may be deemed necessary for the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission.~~ Special meetings may be called by the chairperson or three members of the commission.

All meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures. The commission will distribute its agendas and minutes through the City Clerk's Office.

(d) *Rules of procedure*. The commission is also authorized to adopt rules of procedure for the conduct of its meetings.

Draft

(e) *Functions limited*. The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

(f) *Agreements*. The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.

(g) *Compensation*. Members of the commission shall receive no compensation.

(h) *Legal counsel*. The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports*. The commission shall ~~make such reports~~ **report** to the ~~mayor and~~ city council ~~as shall be periodically necessary~~ **on a quarterly basis regarding its affairs**. An annual report of its accomplishments and a summary of its recommendations~~, as appropriate,~~ shall be ~~sent~~ **provided** to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. Expenses.

(a) *Budget*. The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.

(b) *Other funding*. The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. Conflicts of interest.

If any member of the human relations commission concludes that ~~he has~~ **they have** a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify ~~himself~~ **themself** from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

Draft

Sec. 58-36. Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) *Recommendations*. Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;

(2) *Intergroup conflicts*. Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;

(3) *Intergroup cooperation*. Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(4) *Complaints*. Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;

(5) *Research, education, etc*. Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

(6) *Programs*. Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;

(7) *Other functions*. Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)

ADOPTED: *

S:\ORDINANCES\2013\Draft\2013-15 Amending Chapter 58 - Human Relations-1st Reading.wpd

SYNOPSIS

*

(SPONSORS: LF&A COMMITTEE)

Actions History

August 26, 2013 - Introduced at the Legislative, Finance, and Administration Committee

Draft