REGULAR COUNCIL MEETING

The Regular Council Meeting was held on April 22, 2013 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Dixon, Mr. Lynn, Mr. Perza, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison. Mr. Anderson was absent.

Council staff members present were Police Chief Hosfelt, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief West, 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 Leary declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

The invocation was given by Bishop Thomas L. Holsey of Bibleway Temple Church of God in Christ, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Perza requested the removal of Items #6C, Request of WEAVER (Women Against Violence in Every Relationship) for Placement of a Monument in the North Street and Governors Avenue Pocket Park, and #6D, Pocket Park Design - Corner of North Street and Governors Avenue, from the Consent Agenda.

Mr. Bonar moved for approval of the consent agenda as amended, seconded by Mrs. Williams and carried by a unanimous roll call vote (Anderson absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF APRIL 8, 2013

The Minutes of the Regular Council Meeting of April 8, 2013 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Williams and bore the written approval of Mayor Carey.

PROCLAMATION - CHILD ABUSE PREVENTION MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, according to Services for Children, Youth and Their Families, in 2012 approximately 16,000 calls reporting cases of suspected child abuse or neglect were made to the Delaware Report line; and

WHEREAS, the signs of child abuse and neglect are not always as obvious as a broken bone or bruise; symptoms can include unexplained injuries, changes in behavior, fear of going home, changes in school performance and attendance, and changes in sleeping and eating; and

WHEREAS, children are the embodiment of innocence and hope for the future and every child deserves to be loved, cared for, and protected from verbal, sexual, emotional, and physical abuse and neglect and have the opportunity to grow up in a nurturing environment, free from harm and fear; and

WHEREAS, according to the Child Welfare Information Gateway, by ensuring that parents have the knowledge, skills, and resources they need to care for their children, we can help promote children's social and emotional well-being and prevent child maltreatment. Research shows that when parents possess six protective factors, the risk for neglect and abuse diminish. Those six protective factors are: Nurturing and attachment; Knowledge of parenting and of child and youth development; Parental resilience; Social connections; Concrete supports for parents; and Social and emotional developmental well-being.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of April 2013 as ***Child Abuse Prevention Month*** *in the City of Dover and implore all citizens to commit to learning about the behavioral and physical signs of abuse and to promote and encourage the knowledge, skills, and resources available to aid parents in caring for their children.*

Mayor Carey presented the Proclamation to Ms. Gwen Stubbolo of the Court Appointed Special Advocates (CASA) Program.

Ms. Stubbolo advised members that many of the children who are abused enter the foster care system in Delaware. She noted that the individuals who work with CASA are volunteers who "stand up" and speak for children in the court and community in an effort to help these children move forward with their lives. She also advised members that Mrs. Sophia Russell, former member of City Council, served as an advocate with CASA for over 10 years before her recent passing.

Mr. Lynn advised members that he had recognized Child Abuse Prevention Month each year since becoming a member of City Council. Noting that he was involved with Family Court on a regular basis, he explained his personal knowledge of the people and programs in the community that make a real difference in preventing child abuse and noted that Ms. Stubbolo and CASA had made such a difference.

PROCLAMATION - MILITARY SPOUSE APPRECIATION DAY

The City Clerk read the following Proclamation into the record:

WHEREAS, it is through the strength and resilience of our military spouses that our troops willingly accept their mission to serve and protect our country and loved ones, knowing the relentless courage of their spouses will prevail and that the prayers of not only their spouses but of all their supporters will help them get through the darkest of times; and

WHEREAS, military spouses must endure hardships resulting from separation from their loved ones, including the added responsibilities of maintaining home and family and stress from not knowing the fate of the troops overseas, and military spouses should be applauded for their continued support and patriotism while the difficulties they face show no mercy and do not discriminate among ranks; and

WHEREAS, former President Ronald Reagan established Military Spouse Appreciation Day in 1984 and U.S. Secretary of Defense Casper Weinberger established the Friday before Mother's Day as a nationally recognized day of observance of the powerful difference spouses make in the lives of our service members.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim May 10, 2013 as ***Military Spouse Appreciation Day*** *in the City of Dover and encourage all citizens to be cognizant of the plight of military spouses and show support by offering friendship, empathy and understanding, realizing that they, too, are making daily sacrifices for their country.*

Mayor Carey presented the Proclamation to Mrs. Jeanie Anderson, wife of Councilman David Anderson, and Ms. Patricia Crilley, Delaware National Guard Youth Services Director.

PROCLAMATION - MONTH OF THE MILITARY CHILD

The City Clerk read the following Proclamation into the record:

WHEREAS, there are 1.8 million children with a parent serving in the military, approximately 900,000 with one or both parents deployed and nearly 45,000 who are living with a parent's wound, injury, illness or death; and

WHEREAS, in 1986, Secretary of Defense Caspar W. Weinberger designated each April as "The Month of the Military Child," to recognize the contributions that each military child makes as their parent or parents serve and protect our nation; and

WHEREAS, each April all branches of the U.S. military provide special events and programs to honor and support military families for their continuous courage, sacrifices and resilience; and

WHEREAS, in 2005, Operation Military Kids was originated to connect military children with local resources in order to achieve a sense of community support and enhance their well-being.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim April 2013 as ***Month of the Military Child*** *in the City of Dover and urge all citizens to recognize our military children for their accomplishments and resilience and to focus on supporting them through the struggles they encounter being a part of the military.*

Mayor Carey presented the Proclamation to Rebecca and Levi Anderson, children of Councilman David Anderson.

RESOLUTION NO. 2013-14 - ROBERT HENRY TUDOR, SR.

Council President Leary read proposed Resolution No. 2013-14 in honor of the life of Mr. Robert Henry Tudor, Sr.

By motion of Mr. Bonar, seconded by Mr. Hare, Council unanimously adopted Resolution No. 2013-14, as follows:

WHEREAS, the Mayor and Council of the City of Dover have been greatly saddened by the death of Robert H. Tudor Sr., former Councilman and prominent businessman in the City, who passed away on April 13, 2013; and

WHEREAS, Robert H. Tudor Sr. served as Councilman of the Second District from August 10, 1981 to May 13, 1985 and from June 22, 1992 to May 13, 1996, and, during his years as a Councilman, served on the Utility Committee, the Building, Plumbing, Mechanical, and Fire Prevention Code Appeals Committee, the Parks and Recreation Committee, and as Liaison to Kent County; and

WHEREAS, Robert H. Tudor Sr. was an honorary member of Robbins Hose Company No. 1 and was instrumental in the financing and construction of Fire Station 2; contributed greatly to the Dover community as the owner of several local businesses; and devoted many years to the City of Dover as an outstanding Councilman, a good leader, and friend to the Mayor and Council and to the citizens of Dover; and

WHEREAS, Robert H. Tudor Sr. dedicated his time and attention to the important functions of the City, helping to resolve the complex problems encountered during his years of service, and is remembered by his peers for his honesty and fairness, ensuring consistency in conducting business for the City, valuing the taxpayers' dollars by getting "the best bang for their buck," actively mentoring new Councilmembers and explaining the budget, line-by-line, and always speaking his mind while leaving his colleagues with something positive to think about; and

WHEREAS, Robert H. Tudor Sr. never forgot the people who elected him and served with their best interest at heart, and the City of Dover has sustained a great loss in the death of Robert H. Tudor Sr.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council express their regret for the loss of Robert H. Tudor Sr. and extend their deepest sympathy to the members of his family and hope that they will be consoled by the memories of his exemplary life and commendable achievements.

BE IT FURTHER RESOLVED that the Mayor and Council direct the City Clerk to place this Resolution in the permanent records of the City of Dover in recognition of the many contributions graciously given to the community by Former Councilman Robert H. Tudor Sr.

ADOPTED: APRIL 22, 2013

ANNEXATION/REZONING PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2013-05 - PROPERTY LOCATED AT 1174 SOUTH GOVERNORS AVENUE, (OWNED BY SIPPLE'S USED CARS, INC.)

An annexation referendum was held on April 11, 2013 for property located at 1174 South Governors Avenue, owned by Sipple's Used Cars, Inc.

Annexation Referendum Results

The City Clerk reported that the referendum was held with one (1) vote cast in favor of the annexation, and zero (0) votes cast against the annexation.

Mr. Hare moved to accept the referendum results, seconded by Mrs. Williams and unanimously carried.

Annexation Resolution No. 2013-13

By motion of Mr. Bonar, seconded by Mr. Dixon, Council adopted Resolution No. 2013-13 by a unanimous roll call vote (Anderson absent), as follows:

RESOLUTION NO. 2013-13 APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City after a special election of the qualified voters and real estate owners of the territory proposed to be annexed, and

WHEREAS, the Mayor and Council of the City of Dover deem it in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described within the limits of the City of Dover, and

WHEREAS, the Charter of the City of Dover provides that if a majority of the votes cast in an election held in a territory proposed to be annexed shall be in favor of inclusion of that territory within the limits of the City of Dover, the Council may thereupon adopt a resolution annexing said territory and including same within the limits of the City of Dover.

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

1. That the following described area, situated in East Dover Hundred, Kent County, State of Delaware, shall be annexed to and included within the limits of the City of Dover:

> ALL THAT certain lot, piece or parcel of land and premises, together with the buildings thereon erected, situated on the West side of Governors Avenue extended near the City of Dover, Kent County and State of Delaware, and bounded as follows: on the East by said Governors Avenue, on the South by lands now or formerly of D. Vinal Dragoo and Rosamond M. Dragoo, his wife, on the West by other lands now or formerly of the said Bessie L. Campbell and on the North by lands now or

formerly of William Derrickson, formerly owned by Lydia C. Maloney and Eugene S. Clark, said lot, piece or parcel of land having a front on said Governors Avenue of fifty-five (55) feet and extending back with that width to lands now or formerly of the said Bessie L. Campbell distance of one hundred fifty (150) feet and containing eight thousand two hundred fifty (8,250) square feet of land, more or less.

AND BEING the same lands and premises as were conveyed unto Nathan Sipple, Jr., by deed of Gloria J. Ivory, et al, dated January 3, 2002, and recorded in the Office of the Recorder of Deeds, in and for Kent County, State of Delaware, in Deed Record Book 452, Page 230. Thereafter the said Nathan Sipple, Jr. died testate July 24, 2010, and under the terms of his Will (duly recorded in the Office of the Register of Wills in Kent County) the above described lands and premises, as part of all the rest, residue and remainder of the decedent's estate pursuant to Article VII of said Will, became part of the testamentary trust created therein, David C. Sipple and Nathan Edward Sipple being the Co-Trustees thereof.

SUBJECT, however, to the reservations, restrictions, conditions and covenants of record and subject to such state of facts as an accurate survey and/or inspection of the lands and premises will disclose; the operation and effect of any zoning laws, and building restrictions imposed by public authority; and easements and public utility grants of record.

2. That the above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs, then in force, effective upon such lands being included within the limits of the City of Dover.

3. That the certified copy of the resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 23rd day of April, 2013 at 12:01 a.m.

ADOPTED: APRIL 22, 2013

Rezoning Public Hearing and Final Reading of Proposed Ordinance #2013-05

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 1174 South Governors Avenue, owned by Sipple's Used Cars, Inc. The property is currently zoned BG - General Business (Kent County Zoning Classification) and the proposed zoning is C-2A - Limited Central Commercial (City of Dover Zoning Classification). (TAX PARCEL: ED-00-086.05-01-12.00-000; PLANNING REFERENCE: AX-13-01).

Mrs. Williams moved that the Final Reading of the proposed rezoning ordinance be acknowledged by title only, seconded by Mr. Bonar and unanimously carried. *(The First Reading of this ordinance was accomplished during the Council Meeting of February 11, 2013.)*

Mrs. Ann Marie Townshend, Director of Planning, Community Development, and Recreation, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission.

The Planning Commission recommended that the zoning classification of this property be approved as C-2A upon annexation.

Council President Leary declared the public hearing open. There being no one present wishing to speak, Council President Leary declared the public hearing closed.

Mr. Bonar moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Hutchison, and by a unanimous roll call vote (Anderson absent), Council adopted Ordinance #2013-05, 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 1174 SOUTH GOVERNORS AVENUE

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 BG - General Business (Kent County zoning classification) to C-2A - Limited Central Commercial (City of Dover zoning classification).

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 has been amended by changing the zoning designation from BG - General Business (Kent County zoning classification) to C-2A - Limited Central Commercial (City of Dover zoning classification) on that property located at 1174 South Governors Avenue, consisting of .17 $^{+/-}$ acres, owned by Sipple's Used Cars, Inc. (Tax Parcel: ED-00-086.05-01-12.00-000; Planning Reference: AX-13-01)

ADOPTED: APRIL 22, 2013

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 423 CECIL STREET, OWNED BY JAMES HARRIS

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 423 Cecil Street, owned by James Harris. Mrs. Ann Marie Townshend, Director of Planning, Community Development, and Recreation, advised members that the property is a one (1) story, wood-framed, single-family home. The dwelling was condemned as unfit for human habitation on March 15, 2013 due to the degree of deterioration of the structure. The home had numerous windows and doors boarded, with structural damage to parts of the roof. Currently

the structure was vacant, with no utilities and in a serious state of disrepair. Mrs. Townshend provided a chronological history and presentation on the conditions of the house located at 423 Cecil Street ***(Exhibit #1)***.

Staff recommended that City Council: 1) declare this building and all accessory structures on this property dangerous; 2) order the property repaired or demolished by May 22, 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; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Council President Leary declared the public hearing open. There being no one present wishing to speak during the public hearing, Council President Leary declared the public hearing closed.

Mr. Bonar moved that the structure located at 423 Cecil Street be declared a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mr. Hutchison and carried by a unanimous roll call vote (Anderson absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 427 WEST DIVISION STREET, OWNED BY DORIS A. COOPER AND OTHERS

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 427 West Division Street, owned by Doris A. Cooper and others. Mrs. Ann Marie Townshend, Director of Planning, Community Development, and Recreation, stated that the property is a one (1) story, wood-framed, single-family home. The dwelling was condemned as unfit for human habitation on March 15, 2013 due to the degree of deterioration of the structure. The home had numerous windows and doors boarded. Currently the structure was vacant, with no utilities and in a serious state of disrepair. Mrs. Townshend provided a chronological history and presentation on the conditions of the house located at 427 West Division Street ***(Exhibit #2)***.

Staff recommended that City Council: 1) declare this building and all accessory structures on this property dangerous; 2) order the property repaired or demolished by May 22, 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; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Council President Leary declared the public hearing open.

Mr. Jerry Driggus, property owner, advised members that he was one (1) of the five (5) owners of the property and that they were wanting to sell the property to Holy Trinity Church, who indicated an interest in purchasing it.

Ms. Cornelia Johnson, representative of Holy Trinity Church of the Living God, located at both 425 and 429 West Division Street, introduced Pastor Marcus Smith; Mr. John Smith, the Church's General Contractor; and members of the Executive Board of Trustees. She confirmed that the Church had been talking to the owners regarding the possibility of purchasing the property. She wanted members of Council to know of their interest and to determine the amount of time they would have available to obtain financing for the purchase of the property, as well as time to make any necessary repairs to the property.

Mr. Lynn questioned the length of time that would be necessary for an agreement of sale to be drafted between the Church and the current property owners. Responding, Ms. Johnson felt that 60 days would be necessary.

In response to Mr. Bonar, Ms. Johnson stated that representatives of the Church had been in contact with the property owners and that the most recent conversation was held earlier in the day. She assured members that the current property owners were interested in the sale of the property.

Elaborating on the request of the Church, Mr. John Smith stated that once the purchase was made, they hoped to determine whether to demolish the structure and create a parking lot or make repairs to the structure. They would then return to advise Council of their decision.

Responding to Mrs. Williams, Mr. John Smith stated that if the property were not used for parking and if repairs were made to the structure, it would be their intention to use the property for rental purposes. Since he had been able to inspect only the outside, he was unsure if the structure was worth renovating. It was his feeling that this may be too costly; therefore, he anticipated the property to be used for parking.

There being no one else present wishing to speak, Council President Leary declared the public hearing closed.

Mr. Bonar moved to table action on this item for 60 days to allow members of the Church the opportunity to negotiate a sale; if no sale is in process after the 60 days, the structure located at 427 West Division Street shall be declared a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mr. Dixon and carried by a roll call vote of seven (7) yes (Dixon, Lynn, Bonar, Williams, Hare, Hutchison, and Leary), one (1) no (Perza), and one absent (Anderson).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - APRIL 8, 2013

The Parks, Recreation, and Community Enhancement Committee met on April 8, 2013 with Chairman Bonar presiding.

Review of Revised Active Recreation Plan - Woodmill Apartments

Ms. Janelle Cornwell, City Planner II, reviewed the Revised Active Recreation Plan for Woodmill Apartments. She noted that Woodmill Apartments is not a Planned Neighborhood Development; it is a multi-family residential development, consisting of $14.12862^{+/-}$ acres, located south of Farmview Drive and east of Mifflin Road. She stated that the apartment complex consists of two (2) parcels of land with eight (8) apartment buildings, consisting of a total of 258 units. The property is zoned RG-2 (General Residence Zone). She advised members that the use as garden apartments is a permitted use within the RG-2 zoning district.

Ms. Cornwell advised members that at the time the apartment complex was originally developed, Active Recreation Area was not a requirement. She indicated that the apartment complex was reviewed by the Planning Commission in 1988, 1989, and 1990 and that the swimming pool and clubhouse were added in 2000.

Members were reminded that the requirement for Active Recreation Area under the current Zoning Ordinance is 275 SF per dwelling unit. Based on the 258 dwelling units, 70,950 SF ($1.62879^{+/-}$ acres) of Active Recreation Area is required for the development. There is currently 55,295 SF of Active Recreation Area within the development, which includes a 4,600 SF swimming pool, a 1,800 SF volleyball court, two (2) tennis courts (totaling 13,804 SF), a 2,563 SF playground, and lawn area around the swimming pool, clubhouse, and volleyball and tennis courts.

Ms. Cornwell advised members that the Revised Active Recreation Area Plan indicated that 76,234 SF ($1.75^{+/-}$ acres) of land would be reserved as Active Recreation Area with the elimination of the tennis courts and by creating a park area on the west side of the property. The revision proposed the elimination of the tennis courts on the east side of the property. The clubhouse, swimming pool, and volleyball court on the east side of the property will remain. The revision includes the addition of a picnic table and horseshoe pit on the west side of the property. A play area that contains a playground is located in the area of the proposed horseshoe pit and picnic table. A large lawn area on the west side is central to the revised recreation area.

Ms. Cornwell, stating that the proposal must be considered by the Parks, Recreation, and Community Enhancement Committee for a recommendation prior to by the Planning Commission, reviewed information from the submitted Plan (last updated March 21, 2013).

The Committee recommended acceptance of the Revised Active Recreation Area Plan for Woodmill Apartments as presented and with the inclusion of staff's comments and recommendations.

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

Presentation - Central Delaware Soccer Association

Mr. Brian Ford, President of the Central Delaware Soccer Association (CDSA), introduced Mr. Mike Womer, Vice-President of the CDSA. Mr. Ford began by advising members that there will be a wave of activity coming to the City of Dover and that the CDSA wanted to be sure the City is postured to take advantage of it. They reviewed a presentation entitled "CDSA Soccer Academy - Promoting Today's Teamwork for Tomorrow's Leaders".

Noting that there are multiple sports utilizing the fields at Schutte Park, as well as the general public, Mr. Ford stated that the purpose of the presentation was to examine the space that is available at Schutte Park. He stated that the CDSA has the most kids in a program at that facility and wanted to take the lead and alert the City of the wave of activity that is coming and the demand for the use of the fields. Referring to the presentation, Mr. Ford reviewed some of the schedules and the volume of teams and participants at both the CDSA Park and Schutte Park, noting the revenue that was generated through concessions and referring to revenue that it brings into the City in general through gas purchases, hotel stays, etc. Referring to the presentation, Mr. Ford supported his reference to the potential for revenue by reviewing comparisons with other locations similarly situated to the City of Dover by way of tournaments.

Mr. Ford provided a brief history of the CDSA and advised members that they created a five (5) year strategic plan over a year ago, and that a part of that plan was to get the CDSA to run like a business. He stated that the CDSA has approximately $500,000 worth of value in the Club and that jobs are being created. Mr. Ford referred to the paid positions on page 7 of the Presentation and stated that there have been two (2) additional part-time positions created: Director of Operations, with a salary of $8,000; and Administrative Assistant, with a salary of $6,000.

Mr. Bonar stated that Dover High School will be vacating their current football field and questioned if the CDSA has had any contact with Dover High School regarding the possibility of using that field once it is vacated. Responding, Mr. Ford advised members that the turf field at Dover High School is beyond its lifespan and that within a year or so, it will be in such disrepair that an insurance rider could not be obtained to play on the field. He explained that UV rays deteriorate the turf after approximately 10 years; therefore, there would be a substantial investment required to make necessary repairs for its use. He also noted that the area would only provide three (3) fields, which is not sufficient for the CDSA. Mr. Ford stated there was a possibility of utilizing the fields at the new Dover High School and Schutte Park for a tournament in the future, since they are in close proximity to one another.

In regard to bringing tournaments to the area, Mr. Ford noted the possible economic benefits for the City of Dover by way of individuals purchasing hotel rooms, food, gas, etc. He also noted that Kent County is perfectly situated between New Jersey, Philadelphia, Baltimore, Washington, D.C., and Virginia Beach. He advised members that these regions do not typically play each other in tournaments due to the distances between each; however, tournaments held in Kent County would only be 2 hours and 20 minutes from all locations, which would allow those leagues to participate in tournaments against one another. In addition, the fees for these tournaments are being paid to states other than Delaware because there are no facilities to host such tournaments.

Elaborating, Mr. Womer indicated that a 3v3 tournament for recreational players had 150 teams participate in a single weekend event.

Referring to page 14 of the Presentation, Mr. Ford advised members that the "end game" for the CDSA is to become a Development Academy. He reminded members of the CDSA's strategic placement on the Mid-Atlantic Coast and noted that D.C. United recently affiliated with Beach FC, which is located in Virginia Beach. Mr. Womer noted that Beach FC began small and has grown into a huge organization, similar to what the CDSA is now attempting to create.

Responding to Mr. Bonar, Mr. Ford stated that if there were two (2) turf fields added to Schutte Park and the remaining fields were kept as grass, the CDSA's plan could be accomplished. Mrs. Ann Marie Townshend, Director of Planning, Community Development, and Recreation, stated that the cost of building a turf field would be a minimum of $1M and would have a 10 year life span. Noting that Dover High School has recently gone through the process of obtaining costs, etc. for creating turf fields, Mr. Ford suggested that they be contacted to provide details. Concurring, Mr. Bonar requested that members be provided with this information.

Mrs. Townshend advised members that City staff has included funds in the CIP for next year to begin the land planning at Schutte Park. Further discussions regarding the CDSA can occur during the CIP review process. She indicated that with the current activities at Schutte Park, parking is an issue. If the City is going to consider providing additional fields for the CDSA, consideration must also be given to providing adequate parking and developing a stronger turf management plan. She explained that the charges for renting the fields have been ridiculously low; therefore, there has not been enough revenue generated to cover the costs for maintenance.

In response to concerns of Mrs. Townshend, Mr. Womer noted the possibility of the CDSA and other similar organizations sharing revenues to help support maintenance, explaining that there are certain allocations for running the programs that could help in this way.

Mr. Bonar requested that staff provide additional information to allow for the consideration of assisting the CDSA in the next budget cycle for planning purposes. Responding, Mrs. Townshend assured members that funds for planning have been included in the budget for next fiscal year. She stated that staff has planned to utilize parkland reserve funds and plans to apply for State Grants to be used to offset costs.

Request of WEAVER (Women Empowered Against Violence in Every Relationship) for Placement of a Monument in the North Street and Governors Avenue Pocket Park

Mr. Bonar noted that the City has received a request from WEAVER (Women Empowered Against Violence in Every Relationship) for the placement of a monument in the planned North Street and Governors Avenue Pocket Park. He introduced Representative Darryl Scott.

Ms. Fay Myers, member of WEAVER since 2008 and Board Member of the Delaware Coalition Against Domestic Violence, reviewed the WEAVER brochure and explained that WEAVER is a Task Force of the Delaware Coalition Against Domestic Violence. She advised members that the

goal of WEAVER is to educate the community about the effects of domestic violence. Ms. Myers stated that this is accomplished by working with employers, police departments, government officials, etc. and by speaking at various organizations throughout the community.

Ms. Myers explained the Silent Witness Project, which consists of silhouettes of men, women, and/or children who lost their lives during an act of domestic violence. It was suggested that a pocket park located in the City of Dover be used for the placement of wooden silhouettes, without names, to serve as a reminder that domestic violence exists and that everyone has the ability to do something to help stop it. She assured members that any funds required would be the responsibility of WEAVER.

Mr. Bonar noted that the next agenda item was consideration of the design for the Pocket Park to be located at the corner of North Street and Governors Avenue. He suggested that after the presentation of the Pocket Park Design, Ms. Myers meet with Mr. Greg Moore, Becker Morgan Group, to discuss the possibility of including the request of WEAVER into the design and that it be presented to the committee for further consideration.

Representative Scott stated that, in addition to visiting churches, schools, etc., Ms. Myers is also educating local legislators. He advised members that once every 15 minutes a woman is affected by domestic violence (75%) and that men are also affected. According to a recent survey of 8th graders, he stated that one (1) in every four (4) students indicated witnessing some type of domestic violence. Representative Scott thanked members for their consideration.

(City Clerk's Office Note: Further discussion and action regarding this item took place during consideration of the Pocket Park Design that follows.)

Pocket Park Design - Corner of North Street and Governors Avenue

During their Regular Meeting of October 22, 2012, City Council approved the Legislative, Finance, and Administration Committee's recommendation that a pocket park be established on the property located at 301 South Governors Avenue (on the southeast corner of South Governors Avenue and North Street) once the City holds the title to the property. In developing the park design, it was noted that the City would work with the Downtown Dover Partnership (DDP) to ensure that the design minimizes the maintenance burden through a combination of pavers, mulched landscape areas, and the selection of plants, trees and shrubs that are attractive yet less intensive to maintain.

Mr. Jonathan Street, Civil Designer for Becker Morgan Group, reviewed a Site Plan for the North Street Pocket Park. He advised members that the pocket park would be a continuation of the North Street Improvement Projects and would serve as a gateway to the downtown area from North Street.

In response to Mr. Bonar regarding the request of WEAVER, Mr. Greg Moore, DDP Board President, stated that, although the DDP would be making the improvements, since it is City property, the City would have the final decision regarding the request of WEAVER. However, he felt that the red silhouettes may not be appropriate due to the close proximity to residential properties. He suggested the possibility of placing a placard or some type of appropriate sign board on a masonry column that is planned for the park area.

Mrs. Ann Marie Townshend, Director of Planning, Community Development, and Recreation, noted that the design is consistent with the Transit Center Neighborhood Plan that was developed by the Dover/Kent County Metropolitan Planning Organization and the DDP. The DDP received funds through the State Bond Bill for improvements along North Street between State Street and Governors Avenue. These improvements included the Loockerman Way Plaza, North Street Streetscape and Paving, and the North Street Parking Lot Consolidation. These projects came in below the budgeted amount and the DDP allocated some of the cost savings to the development of a Pocket Park on the property at 301 South Governors Avenue.

Mrs. Townshend explained that since the site will be owned and managed as a City park, the project must be reviewed by the Parks, Recreation and Community Enhancement Committee and ultimately approved by City Council. In addition, the design will require review and approval by the Planning Commission, following a recommendation by the Historic District Commission.

Staff recommended endorsement of the conceptual design, recognizing that a more detailed landscape plan identifying actual plant species will be developed in coordination with the Public Works Department as the plan progresses through the Site Development Plan process.

In response to Mrs. Townshend, several members suggested the possibility of some type of silhouette, dark in color, in order for the WEAVER issue to "stand out." Having no objections to a silhouette, Mrs. Horsey relayed concerns with lighting. She also requested that consideration be given to the adjacent residents and suggested the possibility of providing additional vegetation on the south and west side of the property to provide landscape screening in an effort to improve aesthetic for these residents. She also warned members of skateboarders utilizing the park.

The Committee recommended approval of the pocket park design with the addition of appropriate screening for the adjacent neighbors and an appropriate tribute to victims of domestic violence, as requested by WEAVER.

During the Council Meeting, Mr. Bonar reviewed the Committee's discussion and recommended action regarding the Pocket Park design, as well as the previous agenda item, Request of WEAVER (Women Empowered Against Violence in Every Relationship) for Placement of a Monument in the North Street and Governors Avenue Pocket Park. He stated his understanding that Mr. Perza had removed these items from the Consent Agenda due to the possibility of other individuals or entities having a desire to place a placard or memorial within the park. He relayed no objections to referring the matter back to the Committee and welcoming other interested parties to approach the Committee with their requests.

Mr. Bonar moved to refer the matter back to the Committee for their meeting scheduled for June 10, 2013, seconded by Mr. Dixon.

For clarification, Mr. Perza explained that prior to the City committing to make physical improvements to the park, he felt it would be important to get input as to what other ideas and designs the public may have for the park. It was not a reflection on any concerns regarding the

request of WEAVER particularly; however, he felt that, since it is City land, members should open the subject up to the public to solicit ideas regarding how the City could best use the park for public purposes.

The motion to refer the matter back to the Committee for their meeting scheduled for June 10, 2013 was unanimously carried.

Benchmarks Established for the Economic Development Office

Mr. Bill Neaton, Economic Development Director, reviewed the Benchmarks for the Economic Development Office. He noted that the Benchmarks have been divided into different categories for Downtown Dover Development and the Economic Development Office.

Mr. Neaton reminded members that during the last review of the Benchmarks held in the fall, Mr. Anderson had requested that a survey on merchants and business owners be conducted and the results provided to members. Noting that the survey was conducted in the spring and the results have been provided to members, he highlighted the fact that, of the 41 respondents, 16 were identified as female owned businesses and 12 were identified as minority owned businesses. Mr. Neaton noted that several businesses have been in business in the downtown area for several years. Although most business owners did not feel safe after dark in the downtown area, he noted that the majority felt safe during the day. It was his feeling that this was the result of the Dover Police Department and Downtown Safety Task Force accomplishments during the past year.

Referring to the responses regarding parking accessibility, Mr. Bonar felt that the negative responses were an indication that there is a very deep misunderstanding of the available parking, noting that there are three (3) parking lots located nearby and well within walking distance of any business in the downtown area. Responding, Mr. Neaton indicated a responsibility in advising the merchants of the available parking and suggested the possibility of taking business owners on a tour of the downtown area to point out the various parking spaces.

Mr. Bonar noted that the survey indicated that there are existing businesses planning to close or relocate within the next year, which is very disconcerting. He requested that the City take whatever action possible to assure the businesses remain in the downtown area.

Responding to Mr. Bonar, Mr. Neaton stated that there is a company from Germany interested in a parcel at the Garrison Oak Tract and that the first site visit is scheduled for tomorrow. It is their desire to acquire a ten (10) acre site with the possibility of expanding to (twenty) 20 acres in the future. There is a second site visit tentatively scheduled for next week from a food processing company that is also wishing to acquire a ten (10) acre parcel of land. Mr. Neaton also advised members that he will be focusing on the Garrison Tract, since there is a new Executive Director for the Downtown Dover Partnership.

UPDATE - CDBG PROGRAM

Mrs. Tracey Harvey, Planner I, reviewed the Status of FY12 Community Development Block Grant (CDBG) Projects - March 2013. She provided members with a table depicting the program funds spent for FY 2013. Mrs. Harvey advised members that Habitat for Humanity has acquired their 11th property and already has a buyer, once the property is renovated.

Mrs. Harvey announced that the City of Dover has met the timeliness standard for the expenditure of funds in a timely manner.

For the record, Mr. Bonar announced that Mr. Anderson's official duty as a Committee member is coming to an end for a year since he is being deployed to Afghanistan. He relayed appreciation for Mr. Anderson's contributions to the Committee and, more importantly, the community.

Mr. Bonar moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Dixon and unanimously carried.

UTILITY COMMITTEE REPORT - APRIL 8, 2013

The Utility Committee met on April 8, 2013 with Chairman Bonar presiding.

Presentation by GAI Consultants - City of Dover Electric System Valuation

Mr. Scott Koenig, City Manager, reminded members that there have been discussions regarding the value of the City of Dover Electric System for several months. Last fall, staff worked with Mr. Kirk Betts, the City's power supply attorney, to prepare an RFP for consulting services in conducting an electric system valuation in an effort to determine the value of the assets. He stated that GAI Consultants was selected to perform the electric system valuation services and introduced Mr. Gerald Hartman, Vice-President of GAI.

Mr. Bonar advised members that the City has owned an electric utility for 90 years and that, to everyone's knowledge, a thorough valuation of this type has never been performed.

Mr. Hartman reviewed a Presentation - Electric System Valuation Services Final Report Briefing, noting that the study consists of two (2) parts: A) Valuation of Electric Utility System based on Original Cost, Replacement Cost, and Comparable Sales Analyses; and B) Community Impact Analysis. Referring to Part A, he explained that the income approach was not utilized since it was a not-for-profit utility and was not requested in the scope of services. Referring to Part B, he explained that there are two (2) parts: 1) a financial analysis for the City, which was reviewed considering the various revenue requirements for the City, impacts of a typical purchase and sale, and how those transactions occur; and 2) an evaluation of how it impacts the customers by conducting comparative rate evaluations (present and future).

With reference to page 13 of the presentation, Mr. James Long, 323 Columbia Avenue, Dover, stated that two (2) of the top five (5) providers of power through the retail market in Delaware are out-of-state providers authorized by the Public Service Commission. He noted that this is a very competitive market and we are living with an umbrella that may or may not be here in five (5) years.

Responding to Mr. Bonar, Mr. Hartman confirmed that the regulated, investor-owned, public utilities in the State of Delaware do not have independent condemnation powers and would be required to obtain legislative approval, whereas the City of Dover has independent condemnation powers.

Mr. Hartman noted that the net funds available for lawful purposes total $159,600,000 (page 21 of presentation). As an example, Mr. Hartman explained that if the City put the funds into Jumbo Bonds, which is done in these types of transactions, staggered from 6 to 30 years in maturity, the

coupons, depending on the investments taken, would produce between 4½% and 5.1%; therefore, at year six (6), the City would have $30M in a working capital fund outside of the net proceeds. He explained the importance of these funds, noting that since there would be no utility generating income, it would provide any necessary emergency funds. Depending on the credit worthiness selected (AA, Jumbo, or BBB+), the Bonds would provide an estimated $8.5M to $10M per year investment earnings for years six (6) through 30, in addition to the $30M working capital funds. Considering franchise fees for years six (6) through 30, Mr. Hartman indicated that at 5%, assuming the City remains at $90M per year, there would be approximately $4.5M. Therefore, on the low end, the annual revenue relative to this investment situation would equate to $13M per year, over 30 years. In addition, he stated that the City could institute a utility tax.

In conclusion, Mr. Hartman advised members that the City could have a financially sound transaction and that the City should compliment its stewards, which would be staff, professionals, and elected members in maintaining a good system. He stated that the City being financially sound in this respect is an indication that the City's contract vendors, staff, and elected officials have made fairly good decisions; therefore, the utility system has been managed fairly well and, as a result, the value is pretty good and it would be sustainable.

Referring to the electric rate comparisons (pages 23-31), Mr. Hartman stated that the sale of the City's electric utility would benefit commercial and large users the most, which could be a factor in attracting economic development. However, he noted that residential customers would receive the least benefit, although they could benefit.

Although members may choose not to sell the system, Mr. Hartman assured them that it would be financially sound. He noted that the power market is constantly evolving, changing, and is not constant; therefore, the long-term projections may have a greater variance over time.

In response to Mr. Perza regarding the projected investment values, Mr. Hartman stated that they were provided at the request of Mr. Betts and explained that it was not a part of the scope by GAI Consultants. He explained that GAI Consultants does not serve as an investment banker or attorney but that the numbers serve only as an indication of potential investment values. Regarding the replacement costs for specific components, Mr. Hartman indicated that those types of details are included in the full report in the packet material. It was his opinion that, based on the type of system, it would not be beneficial to break the utilities up in a sale, explaining that the solar contract is currently not very profitable and the City is making approximately $1M off of generation, which is better to be blended in with the transmission/distribution customer base.

Mr. Perza explained that the reason for his question was that certain individuals in the community will oppose the sale of the City's electric utility system regardless of the situation. Therefore, as the system breaks down and needs to be replaced, he questioned what the replacement costs are for certain components to the system and if the City will be able to absorb those costs moving forward. Responding, Mr. Hartman stated that those details would be provided by conducting a renewable replacement study of the assets, which was not a part of the scope for GAI Consultants, explaining that GAI Consultants was requested to value the assets versus what the CIP would be to maintain assets over time. He suggested that Burns and McDonnell Engineering Company, Inc., who serves as the City's engineer, would need to be contacted for such information.

Mr. Bonar suggested that members review the Burns and McDonnell study that was completed a few years ago and, along with the information provided by GAI Consultants, prior to making any final decision.

Mr. James Long noted that there has been only one (1) General Electric LM6000 installed in the area, which was done by the Delaware Municipal Electric Corporation (DEMEC), and that project cost $35M for a 50 megawatt machine. With regard to putting everything into the power house, the current technical experts he has talked to recommend a divided greenfield approach, particularly given the ability to Black Start. The City's VanSant unit and DEMEC's new GE have a Black Start feature. It is argued that it is better to move these close to the load rather than putting them on a brownfield type of arrangement. In reviewing the report provided by GAI Consultants, Mr. Long relayed concerns, noting that the amount of $96.12 listed for Delaware Electric Cooperative (Co-op) (page 23 of the presentation) is incorrect. He stated that the rate is currently at $121 and has never been as low as $96. In addition, Mr. Long stated that there is an amount for the Co-op for Large Commercial rates; however, they do not have any large commercial customers, nor do they have industrial customers. He stated that the Co-op's average residential bill over a year is $1,551 and the Co-op's average commercial bill is $2,100. He felt that GAI Consultants has created the environment where the electric utilities throughout Delaware have competitive rates; however, the Co-op has no customers. He advised members that there are only three (3) utilities that truly provide service to fairly significant commercial customers: Delmarva Power, City of Dover, and Newark (mainly the University of Delaware). Mr. Long stated that the pricing mechanism provided by GAI Consultants leads him to believe that all companies are competitive.

Responding to Mr. Long, Mr. Hartman stated that although many of the utilities depicted do not have the same load in industrial and commercial customer base, they do have rates and charges that they have promulgated. He concurred that the demand charges based on load are great in the Co-op.

Mr. Blakeman questioned if the calculations take into account the competitive nature of the utility in relation to future development and growth. Responding, Mr. Hartman indicated that if the City were to maintain the utility, businesses could be attracted through economic development. Otherwise, if the City were to sell the utility, those types of situations would need to be included in the purchase and sale agreement. The reason the Co-op would want the City's utility is because it would provide them density, noting that they are a rural type utility.

Mr. Bonar clarified that the study conducted by GAI Consultants does not include a firm recommendation, explaining that it was not the intent of the valuation study. He also indicated that there is no motion on the table to entertain the sale of the City's utility, nor has there been any private discussion regarding the sale of the City's utility. The study is simply a mechanism to provide the City a value of what the City's utility brings to the residents and businesses in the City of Dover to help members of City Council make a decision at some point as to whether they wish to sell the utility or not.

Responding to Mr. Long, Mr. Bonar reiterated that no offer has been made by the Co-op for the purchase of the City's utility, nor has such an offer been sought by the City. With reference to the June 27, 2011 Utility Committee Meeting, Mr. Bonar stated it was an informational presentation

provided by the Delaware Electric Cooperative and confirmed that he invited representatives of the Delaware Electric Cooperative.

The Committee recommended acceptance of the City of Dover Electric System Valuation as presented by GAI Consultants.

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

TEA/NAES Reports *(December and January)*

Mr. Scott Koenig, City Manager, reviewed the TEA/NAES Monthly Reports for December 2012 and January 2013, and reminded members that staff reviews this report with TEA on a monthly basis. The report is provided to allow for the monitoring of electric sales and revenues received, which provide a better understanding of any fluctuations that occur and allows the opportunity to make improvements if deemed necessary.

The Committee recommended acceptance of the TEA/NAES Monthly Report for December 2012 and January 2013.

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

UPDATES

Members were provided the following updates:

Garrison Oak Technical Park Project

Mr. Scott Koenig, City Manager, advised members that staff has been working with the Becker Morgan Group on the completion of the subdivision plans for the Garrison Oak Technical Park Project. Becker Morgan Group has made all submissions to agencies such as the Conservation District, DelDOT, and City of Dover Public Works and Planning Departments. Staff is currently working on the final design issues associated with the overall Park. It is expected that the construction plans will be completed and bids let in the next few months for the sanitary sewer system, water tower, and the road and stormwater systems associated with the Park.

Mr. Bonar commended staff for their efforts the last several weeks, noting that there have been weekly conference calls with Calpine (which staff will provide an update on during the latter part of the meeting).

Dover Sun Park

Mr. Scott Koenig, City Manager, reviewed the Electric Revenue Fund FY 13 - White Oak Solar Park Incremental Cost spreadsheet. He noted that the City has paid $124,074 more than it would have paid if bought through hedge or contract purchases through the Energy Authority. Basically, he explained that the City paid a premium of $124,074 for the solar park component of the City's portfolio; however, he reminded members that the renewable component is now a requirement.

Calpine Energy Center

Mr. Scott Koenig, City Manager, reminded members that the Calpine (Garrison) Energy Center is a component of the Garrison Oak Technical Park. He stated that Calpine has issued their full notice to proceed to KVAERNER, which is the contractor that will be conducting the final engineering and design as well as constructing the 309MW power block. As previously mentioned, he stated that there have been weekly conference calls. The Planning and Public Works Departments are working through the final design components of the Garrison Energy Center and have received their necessary approvals from DelDOT because they don't exit out onto a State road. In addition, there have been discussions regarding the issue of the extension of the Eastern Shore gas transmission line from Cheswold to the area. The City is also working on the transmission from the power block back to the City's 230kV tie.

Mr. Koenig relayed appreciation to staff for their hard work and diligence on this project.

Responding to Mr. Hutchison, Mr. Koenig stated that the approval provided by Kent County Levy Court was for access across a piece of Kent County owned land. He stated that discussions with representatives of Kent County will be held soon regarding accessing the Garrison Oak Park and that City staff has a preferred access. He stated that it may be necessary to grant access easements from the City, which will require Council approval. With regards to the gas line, Mr. Koenig stated that he has not had any discussions with the gas company regarding their desires, noting that the majority of the line is outside City limits.

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

QUARTERLY REVENUE REPORT

Mrs. Donna Mitchell, Controller/Treasurer, reviewed the Revenue Report as of March 31, 2013.

Mrs. Williams moved for acceptance of the Quarterly Revenue Report as of March 31, 2013, seconded by Mr. Hutchison and unanimously carried.

SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY

In accordance with Section 46-43 of the City Code, Mr. Scott Koenig, City Manager, performed the required semi-annual inspection of the Dover Fire Department on Tuesday, April 16, 2013 with Chief Patrick West. He met with Chief West at Station #1 and discussed a variety of current issues. According to the Chief, the increased fire activity this year had increased the average number of volunteers responding to each incident. The average response had been 18.3 volunteers per incident. The Chief indicated that all engines have passed the required pump tests and are in good working order. Engine #7, a 1997 Pierce, is the oldest vehicle in service. The Chief also indicated that, to his knowledge, there had been no further issues related to the voice recording system in the building.

Mr. Koenig indicated that the Fire Chief's Assistant position would become vacant in the near future and that Chief West would be submitting a Permission to Recruit form. He noted that the Chief was also interested in possibly hiring more part-time Emergency Fire Dispatch (EFD) certified dispatchers to help fill in for sick/vacation time and to potentially reduce overtime costs.

Mr. Koenig assured members that the Robbins Hose Company continues to provide an outstanding level of service to the City of Dover.

By consent agenda, Mr. Bonar moved for acceptance of the report of the Semi-Annual Robbins Hose Company Inspection, as submitted by the City Manager, seconded by Mrs. Williams and carried by a unanimous roll call vote (Anderson absent).

2013 MUNICIPAL ELECTION RESUTLS

Mrs. Traci McDowell, City Clerk, reported the 2013 Municipal Election results, explaining that, in accordance with Title 15 Del.C. §7555 (j), where the number of qualified candidates for an office is equal to or less than the number of seats up for election, the Board of Elections shall declare the candidate or candidates elected. Therefore, since the At-Large, First District, Second District, Third District, and Fourth District positions were unopposed, the following will be sworn into office for four (4) year terms:

AT-LARGE	-	Timothy A. Slavin
FIRST DISTRICT	-	James L. Hutchison, Sr.
SECOND DISTRICT	-	William F. Hare
THIRD DISTRICT	-	Sean M. Lynn
FOURTH DISTRICT	-	David L. Anderson

In addition, Mrs. McDowell noted that, due to their expected absences during the Annual Meeting scheduled for May 13, 2013, Councilmen Hare and Anderson were administered the oaths of office for this term during the Council Meeting of April 8, 2013.

Mr. Hare moved for approval of the 2013 Municipal Election Results as reported by the City Clerk. The motion was seconded by Mr. Bonar and carried by a unanimous roll call vote (Anderson absent).

FINAL READING - PROPOSED ORDINANCE #2013-06 WITH LF&A #1 AND SA #1

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of April 8, 2013.

Chapter 2 - Administration, Article II - City Council, Division 2 - Meetings (Excused Absences)

Mr. Hare moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Dixon and unanimously carried.

Mr. Hare moved for adoption of LF&A #1. Motion failed due to the lack of a second.

Mr. Lynn moved for adoption of SA #1. Motion failed due to the lack of a second.

Mr. Lynn moved for adoption of Ordinance #2013-06. Motion failed due to the lack of a second.

COUNCIL MEMBERS ANNOUNCEMENTS

Council President Leary announced that May 5th - May 11th is Drinking Water Week. He noted that only tap water delivers public health protection, fire protection, support for our economy, and the quality of life we enjoy. Since everyone in the community is a steward of the City's water infrastructure, upon which future generations depend, he encouraged each citizen to help protect the City's water sources from pollutants and to practice water conservation.

Council President Leary noted that on May 6, 2013, a Special City Council meeting was scheduled for 6:00 p.m. regarding Council President candidates, with the election of the President to take place during the Annual Meeting on May 13, 2013. In addition, a Special City Council meeting was also scheduled for May 6, 2013 at 7:30 p.m. regarding a personnel issue.

Mr. Hare noted that Council President Leary will be celebrating a birthday on April 26th and wished him many more.

Mayor Carey reminded everyone that Old Dover Days would be held on the first weekend in May. He noted that this year marks the 80th Anniversary of Old Dover Days and urged everyone to enjoy the festivities.

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

Meeting adjourned at 8:16 p.m.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of April 22, 2013, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibits
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 423 Cecil Street
Exhibit #2 - Presentation - Violation of Dangerous Building Ordinance - 427 West Division Street

Violation of Dangerous Building Ordinance 423 Cecil Street

Planning & Inspections Department

Dover, Delaware

April 22, 2013

EXHIBIT #1
Regular Council Meeting of 04/22/2013

423 Cecil St
Case History

- 8 code enforcement cases since 2000
  - Exterior code violations / deteriorated wood fascia
  - Missing fascia/barge board / holes in roof
  - Structural damage to parts of roof
- The utilities were terminated on May 6, 2008
- Registered as vacant by the city January 3, 2013
- Condemned by City Staff on March 13, 2013 due to no active utilities, broken windows, boarded windows, boarded doors, structural damage
- Source of neighbor complaints
- Outstanding Charges
  - Vacant Building Fees
  - Outstanding Building Permit Fees

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

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


04/18/2013 08:59


04/18/2013 09:00


423
04/18/2013 09:00


04/18/2013 09:00


04/18/2013 09:01


04/18/2013 09:01


04/18/2013 09:01


04/18/2013 09:02


04/18/2013 09:02


04/18/2013 09:02

Recommended Council Action

- Declare this property dangerous.
- Order the property repaired or demolished by **May 22, 2013** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause the repair or demolition of the property if not completed by the owner **within 10 days of the date established by City Council**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the property 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.

Violation of Dangerous Building Ordinance 427 W Division Street

Planning & Inspections Department

Dover, Delaware

April 22, 2013

EXHIBIT #2
Regular Council Meeting of 04/22/2013

427 W Division St
Case History

- 25 code enforcement cases since 1998
  - Exterior code violations / vandalism to home
  - Interior code violations / no heat source
  - Closing of a vacant building
- The utilities were terminated on October 27, 2010
- Registered as vacant by the city on March 25, 2011
- Condemned by City Staff on March 13, 2013 due to no active utilities, broken windows, boarded windows, boarded doors
- Source of neighbor complaints
- Outstanding Charges
  - Utility Billing
  - Boarding Charges

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

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


04/18/2013 08:55


FIRE
DEPARTMENT
CONNECTION
04/18/2013 08:55


04/18/2013 08:56


04/18/2013 08:56


04/18/2013 08:56


WENCO
STANDARD
04/18/2013 08:57


04/18/2013 08:57


04/18/2013 08:57


04/18/2013 08:57


DANGER
04/18/2013 08:57

Recommended Council Action

- Declare this property dangerous.
- Order the property repaired or demolished by **May 22, 2013** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause the repair or demolition of the property if not completed by the owner **within 10 days of the date established by City Council**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the property 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.