REGULAR COUNCIL MEETING
A G E N D A

MARCH 11, 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 DR. W. THOMAS MERCER

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN LYNN

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 February 25, 2013**

2. Proclamation - Earth Hour (March 23, 2013 at 8:30 p.m.)

3. Presentation - Planning, Inspections, and Recreation Annual Report

4. Public Hearing - Proposed Resolution No. 2013-07 Approving Alley Abandonment (Paper) - 235 (Case), 239 (McCabe-Cort), and 243 (Marami Partners) Bayard Avenue

5. Public Hearing/Final Reading - Proposed Ordinance #2013-01

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of January 28, 2013. Copies of the proposed ordinance are available at the entrance of the Council Chambers.

A. AN ORDINANCE AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 22 - AIRPORT ENVIRONS OVERLAY ZONE (AEOZ)

6. Rezoning Request - Public Hearing/Final Reading of Proposed Ordinance #2013-02

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of January 28, 2013. Copies of the proposed ordinance are available at the entrance of the Council Chambers.

A. AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE BOUNDARY OF THE AIRPORT ENVIRONS OVERLAY ZONE (AEOZ) IN ACCORDANCE WITH THE 2010 AIR INSTALLATION COMPATIBLE USE ZONE (AICUZ) STUDY PUBLISHED BY THE DOVER AIR FORCE BASE

7. Utility Committee Report - February 25, 2013

* **A. Annexation Request - 1174 S. Governors Avenue, Owned by Sipple's Used Cars, Inc.**

(Committee Recommended Annexation of the Property and Adoption of Resolution No. 2013-06 Setting the Annexation Referendum)

B. Dedication of Rights-of-Way and Public Infrastructure

b-1. The Village of Cannon Mill - Phase I

*(Committee Recommended Acceptance of Dedication of Rights-of-Way and Public Infrastructure in Phase I of the Village of Cannon Mill Subdivision, Including All of the Referenced Public Improvements)***(Staff Recommends Deferring Action Until March 25, 2013)**

b-2. The Village of Westover - Phase VI

*(Committee Recommended Acceptance of Dedication of Rights-of-Way and Public Infrastructure in Phase VI of the Village of Westover Subdivision, Including All of the Referenced Public Improvements)***(Staff Recommends Deferring Action Until March 25, 2013)**

* **C. Update - Calpine**

(Committee Action Not Required for this Item)

8. Legislative, Finance, and Administration Committee Report - February 25, 2013

A. Proposed Charter Amendments

a-1. Article II - Mayor and Council, Section 13 - Vacancies; Forfeiture of Office; Filling of Vacancies

(Committee Made No Recommendation)

a-2. Article II - Mayor and Council, Section 5 - Council to Be Legislative Body; Size; Districts; Terms of Mayor and Councilmen; Qualifications

(Committee Recommended Approval of the Proposed Charter Amendments and that a Resolution (No. 2013-09) Requesting the General Assembly to Amend the City of Dover Charter be Prepared for Council's Review and Adoption)

a-3. Article I - Powers of the City, Section 1.05 - Procedure to Extend Boundaries

(Committee Recommended Approval of the Proposed Charter Amendments and that a Resolution (No. 2013-10) Requesting the General Assembly to Amend the City of Dover Charter be Prepared for Council's Review and Adoption)

* **B. Disposal of Excess Property - Justice of the Peace (JP) Court 7 and 16**

(Committee Recommended Authorizing the City Manager to Become a Co-Applicant With the State of Delaware on a Site Plan Application to Expand JP Court 7 and 16 Located at the Intersection of Bank Lane and West Street. Once the Amount of Land Necessary to Accommodate the Proposed Expansion is Known, the City Manager Will Return to the Committee with a Recommendation Regarding the Disposal of City Property Necessary to Accommodate the Proposed Expansion)

* **9. Monthly Reports - January 2013**

- **A. Budget**
- **B. Chief of Police**
- **C. City Assessor**
- **D. City Manager**
- **E. City Planner**
- **F. Dover Fire Department**
- **G. Economic Development Office**

10. Setting of Property Assessment Appeals

(Staff Recommends May 20 - May 24, 2013 - 9:00 A.M. Until 4:00 P.M., May 28 - May 31, 2013 - 9:00 A.M. until 4:00 P.M., One Evening (If Needed). The Hearing Times Are Subject to Change)

11. Evaluation of Bids

A. Cannon Mill Paving Improvements Program *(Tabled by City Council During Their Regular Meeting of February 25, 2013)*

*(Staff Recommended Awarding a Unit Price Contract for the Cannon Mill Paving Improvements Program to Harmony Construction Company Based on the Prevailing Wage Unit Prices for Each Work Item Submitted. The Total Work Authorized Under this Contract Will Not Exceed the Available Funding in Conjunction with the Co-Project FY 2013 Street and Alley Program)***(Staff Recommends Deferring Action Until March 25, 2013)**

B. Change Order for NRG Sanitary Sewer Upgrade

(Staff Recommends Approval of Change Order Request Submitted by Tri-State Grouting, LLC, in the Amount of $57,622)

C. Mowing Contract

(Staff Recommends Awarding a Mowing Contract to Priority Services LLC in the Amount of $32,820 for the CY 2013 Mowing Season)

12. Final Reading - Proposed Ordinance #2013-03

The First Reading of Proposed Ordinance #2013-03 was accomplished during the Council Meeting of February 25, 2013. Copies of the proposed ordinance are available at the entrance of the Council Chambers.

A. Staff Substitute #1 for Ordinance #2013-03 - Amending Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings

13. Council Members Announcements

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