REGULAR COUNCIL MEETING
A G E N D A

SEPTEMBER 10, 2012 - 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 CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

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 27, 2012**

2. Rezoning Request - Public Hearing/Final Reading of Proposed Ordinance #2012-19
The First Reading of the following proposed ordinance was accomplished during the Council Meeting of July 23, 2012. Copies of the proposed ordinance are available at the entrance of the Council Chambers

A. Property located at 870-872 Forest Street (on the south side of Forest Street east of Gibbs Drive), consisting of $0.747^{+/-}$ acres, owned by Bennie Smith. This property is currently zoned C-PO (Commercial/Professional Office Development District) and subject to the COZ-1 (Corridor Overlay Zone) and the proposed zoning is C-1A (Limited Commercial) and subject to the COZ-1 (Corridor Overlay Zone) (TAX PARCEL: ED-05-076.12-01-08.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-12-02)

3. Public Hearing - Violation of the Dangerous Building Ordinance - 126 N. Ann Avenue, Owned by Jesse L. Workmon

* **4. Utility Committee Report - August 27, 2012**

A. Annual Review and Approval of Governing Policy For Energy Commodity Risk Management

(Committee Recommended Approval of the Governing Policy for Energy Commodity Risk Management, as Presented)

B. Updates

(Committee Action Not Required)

* **5. Legislative, Finance, and Administration Committee Report - August 27, 2012**

A. Auditor's Responsibility for Communicating with Audit Committee - Fiscal Year 2012 Audit Program

(Committee Recommended Acceptance of the Presentation)

B. Civilian Pension Board Recommendation - Adjustment to the Minimum Payment for Pension

(Committee Recommended Retaining the Actuary to Determine the Cost of Providing a Minimum Payment of $300, $400, and $500 to All Retirees or Their Surviving Spouses, and That Staff Determine How an Adjustment Would Be Funded)

C. Salary and Benefits Compensation Comparison Committee Report

(Committee Recommended Acceptance of the Salary and Benefits Compensation Comparison Committee Report as Presented)

6. Safety Advisory and Transportation Committee Report - August 29, 2012

* **A. Proposed Ordinance #2012-05 Amending Chapter 46 - Fire Prevention and Protection (See Item #11-A)**

(Committee Recommended Adoption of the Ordinance)

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

(Committee Recommended Approval of the 2012 Transportation Prioritization List)

C. Update - Dover High School Construction

(Committee Action Not Required)

* **D. Briefing on Delaware Department of Transportation (DelDOT) Projects**

(Committee Action Not Required)

* **E. Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects**

(Committee Action Not Required)

7. Legislative, Finance, and Administration Committee Report - September 10, 2012

(*Except for the Following Time Sensitive Issue, the LF&A Committee Report from September 10, 2012 Will Be Presented to Council During Their Regular Meeting of September 24, 2012 for Review and Consideration)*

A. Purchase of Police Department Parking Enforcement System

* **8. Monthly Reports - July 2012**

A. Chief of Police
B. City Assessor
C. City Manager
D. City Planner
E. Dover Fire Department
F. Economic Development

9. Reconsideration of Evaluation of Proposals - Electric Utility Valuation Services

10. Annexation/Rezoning Request - First Reading of Proposed Ordinance #2012-21
The Request is Recommended for Referral to the Utility Committee on September 24, 2012, the Planning Commission on October 15, 2012, and that a Public Hearing Be Set for November 26, 2012 at 7:30 P.M.

A. Properties located at 110 and 136 Rustic Lane, owned by Taililou, LLC. 110 Rustic Lane (ED00-057.02-02-38.00-000) consists of 1.118$^{+/-}$ acres and is currently zoned BG - General Business (Kent County). 136 Rustic Lane (ED00-057.02-02-40.00-000) consists of 0.56986$^{+/-}$acres and is currently zoned RMH - Residential Manufactured Home District (Kent County). The proposed zoning classification for both parcels is C-2A - Limited Central Commercial (City of Dover).
(THIRD COUNCIL DISTRICT; PLANNING REFERENCE: AX-12-01)

11. First Reading - Proposed Ordinance
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 24, 2012. 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. Ordinance #2012-05 Amending Chapter 46 - Fire Prevention and Protection
(Safety Advisory and Transportation Committee)

12. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on August 27, 2012 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mr. Lynn, Mr. Perza, Mr. Bonar, and Mr. Hutchison. Mrs. Russell, Mrs. Williams, and Mr. Hare were absent.

Council staff members present were Police Chief Hosfelt, Mrs. Teal, Mrs. Townshend, Deputy Fire Chief West, Mr. Koenig, Deputy City Solicitor Pepper, 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 Chaplain Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Lynn moved to include Item #8A, Request for Proposals - Banking Services, on the Consent Agenda, seconded by Mr. Bonar and unanimously carried.

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF AUGUST 13, 2012

The Minutes of the Regular Council Meeting of August 13, 2012 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hutchison, and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF AUGUST 13, 2012

The Minutes of the Special Council Meeting of August 13, 2012 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hutchison, and bore the written approval of Mayor Carey.

PUBLIC HEARING/FINAL READING - ORDINANCE #2012-20 - REAPPORTIONMENT OF COUNCIL DISTRICT BOUNDARIES

Council President Leary reminded the public that copies of Proposed Ordinance #2012-20, Reapportionment of Council District Boundaries, were available at the entrance of the Council Chambers or could be obtained from the City Clerk's Office. He reminded members that a public hearing and the First Reading of the Proposed Ordinance took place during the Regular Council Meeting of August 13, 2012 and that a public hearing was duly advertised for this time and place to consider approval of the proposed reapportionment of Council district boundaries.

Mr. Bonar moved that the Final Reading of Proposed Ordinance #2012-20 be acknowledged by title only, seconded by Mr. Hutchison and unanimously carried.

Ms. Janelle Cornwell, Planner II, reminded members that the intent of the redistricting was to create four (4) voting districts with an evenly distributed population and that met the requirements of the 1988 Consent Decree between the Central Delaware Branch of the National Association for the Advancement of Colored People (NAACP)/Cecil Wilson and the City of Dover. She advised members that the 2010 U.S. Census total population for the City of Dover was 36,047 and that, equally divided, the target number for each district would be 9,012 people. Ms. Cornwell stated that the proposed redistricting would distribute the population as follows: District 1 - 8,933 (24.8% of the total population); District 2 - 9,138 (25.3% of the total population); District 3 - 9,076 (25.2% of the total population); and District 4 - 8,900 (24.7% of the total population). She noted that the percentage of population in all four (4) districts would vary by less than 1%. The Consent Decree requires that the City have a minority district with a 65% African American population, a majority of which is of voting age. As presented, Ms. Cornwell stated that District 4 would have an African American population of 70.6%, with 54.5% of voting age, and that both of these percentages exceeded the requirements of the Consent Decree.

Council President Leary declared the public hearing open.

Ms. Roxie Smiley-Carter, resident of Towne Point and President of the Local Chapter of the NAACP, read a statement from Central Delaware Branch #2028 of the NAACP into the record ***(Exhibit #1)***.

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

Mr. Bonar moved for the adoption of the proposed ordinance, seconded by Mr. Hutchison, and by a unanimous roll call vote (Mrs. Russell, Mrs. Williams, and Mr. Hare absent), Council adopted Ordinance #2012-20, as follows:

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

That Chapter 2 - Administration, Article II - City Council, Division 1 - Generally, of the Dover Code be amended by striking Section 2-31 - District Boundaries in its entirety and inserting in lieu thereof a new Section 2-31 to read as follows:

Sec. 2-31. - District boundaries.

In order that the members of the council shall be distributed over the city, the city shall be divided into four representative districts and two members of the council shall be residents of each district. Such districts are to be distributed as follows:

(1) *District 1*. District 1 is defined as the area within the corporate limits of the city contained within the following boundaries:

Beginning at the boundary line of the corporate limits of the city, at a point in the centerline of McKee Road; then running in a westerly direction following the boundary line of the corporate limits of the city to its intersection with the centerline of Hazletville Road; then running in an easterly direction with said line of Hazletville Road to the to its intersection with the centerline of Saulsbury Road; then in a northerly direction with said line of Saulsbury Road to its intersection with the centerline of Walker Road; then in a westerly direction with said line of Walker Road to its intersection with Kenton Road; then in a northerly direction with said centerline of Kenton Road to its intersection with the centerline of College Road; then running in a northeasterly direction with said line of College Road to its intersection with McKee Road; then in a northwesterly direction with said line of McKee Road to the point of beginning, excluding within these given boundaries any areas not within the corporate limits of the city.

(2) *District 2*. District 2 is defined as the area within the corporate limits of the city contained within the following boundaries:

Beginning at the boundary line of the corporate limits of the city, at a point in the centerline of Hazletville Road; then running in an easterly direction with said line of Hazletville Road which becomes North Street, to its intersection with the centerline of West Street; then running in a southerly direction with said line of West Street to its intersection with the centerline of Queen Street; then running in a southwesterly direction with said line of Queen Street to the intersection of the centerline of Westview Terrace; then running in a southeasterly direction with said line of Westview Terrace to its intersection with the centerline of Dover Street; then running in a easterly direction with said line of Dover Street to its intersection with the centerline of New Street; then running in a northerly direction with said line of New Street to its intersection with the centerline of South Street; then running in a easterly direction with said line of South Street to its intersection with the centerline of State Street; then running north with said line of State Street to its intersection of the centerline of Water Street; then running in an easterly direction with said line of Water Street to its intersection with the south west side of Legislative Avenue; then running southerly with said intersection of Water Street and the west line of Legislative Avenue to its intersection with the southeast corner of parcel number ED-05-077.09-05-56.00; then running with said east property line of said parcel to the intersection of the centerline of the Saint Jones River; then running in a southerly direction with said line of the Saint Jones River to its intersection with the centerline of State Route 13; then running northeasterly with said line of State Route 13 to its intersection with the centerline of Court Street; then running in a westerly direction with said line of Court Street to its intersection of the centerline of the Saint Jones River; then running northwest with said line of the Saint Jones River to its intersection with Loockerman Street; then running westerly

with said line of Loockerman Street to its intersection of the centerline of Governors Avenue; then running in a northerly direction with said line of Governors Avenue to its intersection of the centerline of Reed Street; then running in an easterly direction with said line of Reed Street to its intersection of the centerline of State Street; then running in a northerly direction with said line of South State Street to its intersection of the centerline of Division Street; then running in a easterly direction with said line of Division Street to its intersection of the centerline of Kings Highway; then running in a northerly and northeasterly direction with said line of Kings Highway to its intersection of the centerline of White Oak Road; then running in a northeasterly direction with said line of White Oak Road to its intersection of the Willis Road; then running in a southerly direction with said line of Willis Road to its intersection of the centerline of Division Street which becomes North Little Creek Road; then running in an easterly direction with said line of North Little Creek Road to the eastern corporate limits of the city; then running in an easterly and southerly direction with said corporate limits of the city to the place of beginning, excluding within these given boundaries any areas not within the corporate limits of the city.

(3) *District 3*. District 3 is defined as the area within the corporate limits of the city lying within the following boundaries:

Beginning at the boundary line of the corporate limits of the city, at a point in the centerline of North Little Creek Road; then running in a westerly direction with said line of North Little Creek Road which becomes Division Street to its intersection with the centerline of Willis Road; then running in a northerly direction with said line of Willis Road to its intersection with the centerline of White Oak Road; then running in a westerly direction with said line of White Oak Road to its intersection with the centerline of Kings Highway; then running in a southerly direction with said line of Kings Highway to its intersection with the centerline of Division Street; then in a westerly direction with said line of Division Street to its intersection with the centerline of State Street; then running in a southerly direction with said line of State Street to its intersection with the centerline of Reed Street; then running in a westerly direction with said centerline of Reed Street to its intersection with the centerline of Governors Avenue; then running in a northerly direction with said line of Governors Avenue to its intersection with the centerline of Mary Street; then running westerly with the said line of Mary Street to the western edge of the railroad tracks; then running a northwesterly direction with the western edge of the railroad tracks to the intersection of the centerline with Walker Road; then running in a easterly direction with said line of Walker Road to the intersection of State Street; the running in a north easterly direction with the said line of State Street to the centerline of State Route 13; the running in a northwesterly direction with said line of State Route 13 to the southeastern portion of parcel

ED-05-057.01-02-01.00; then running south 57 degrees 05 minutes west 620 feet to the corner of said parcel; then running north 27 degrees 12 minutes west 201.0 feet; then continuing north 27 degrees 12 minutes west to the intersection of the centerline of Scarborough Road; then running southwesterly with said line of Scarborough Road to the intersection of the centerline of McKee Road; then running northerly with said line of McKee Road to the corporate limits of the city; then continuing east and south with the corporate limits of the city to the place of beginning, excluding within these given boundaries any areas not within the corporate limits of the city.

(4) *District 4*. District 4 is defined as the area within the corporate limits of the city lying within the following boundaries:

Beginning at a point in the west edge of State Route 13 and the southeast corner of parcel ED-05-057.01-02-01.00; then running south 57 degrees 05 minutes west 620 feet to the corner of said parcel; then running north 27 degrees 12 minutes west 201.0 feet; then continuing north 27 degrees 12 minutes west to the intersection of the centerline of Scarborough Road; then running southwesterly with said line of Scarborough Road to the intersection of the centerline of McKee Road; then running southerly with said line of McKee Road to the intersection of the centerline of College Road; then running westerly with said line of College Road to the intersection of the centerline of Kenton Road; then running southerly with said line of Kenton Road to the intersection of the centerline of Walker Road; then running north easterly with said line of Walker Road to the intersection of the centerline of Saulsbury Road; then running southerly with said line of Saulsbury Road to the intersection of North Street; then running easterly with said line of North Street to the intersection of West Street; then then running in a southerly direction with said line of West Street to its intersection with the centerline of Queen Street; then running in a south westerly direction with said line of Queen Street to the intersection of the centerline of Westview Terrace; then running in a south easterly direction with said centerline of Westview Terrace to its intersection with the centerline of Dover Street; then running in a easterly direction with said centerline of Dover Street to its intersection with the centerline of Monroe Terrace; the running in a northerly direction with said line of Monroe Terrace to its intersection with South Street; then running in an easterly direction with said centerline of South Street to its intersection with the centerline of State Street; then running in a northerly direction with said centerline of South State Street to its intersection with the centerline of Water Street; then running in an easterly direction with said line of Water Street to its intersection with the west side of Legislative Avenue; then running southerly with said intersection of Water Street and the west line of Legislative Avenue to its intersection with the southeast corner of parcel number ED-05-077.09-05-56.00; then running with said east property line of said parcel to the intersection of the centerline of the Saint Jones River; then

running in a southerly direction with said line of Saint Jones River to its intersection with the centerline of State Route 13; then running northeasterly with said line of State Route 13 to the intersection with the centerline of Court Street; then running in a northwesterly direction with said line of Court Street to the intersection of the Saint Jones River; then running northwest with said line of the Saint Jones River to the intersection with Loockerman Street; then running westerly with said line of Loockerman Street to the intersection of the centerline of Governors Avenue; then running northerly with said line of Governors Avenue to the intersection of the centerline of Mary Street; then running westerly with said line of Mary Street to the western edge of the railroad tracks; then running northwesterly with said western edge of the railroad tracts to the intersection of the centerline with Walker Road; then running in a easterly direction with said line of Walker Road to the intersection of State Street; the running in a north easterly direction with said line of State Street to the centerline of State Route 13; then running in a northwesterly direction with said line of State Route 13 to the beginning point, excluding within these given boundaries any areas not within the corporate limits of the city.

ADOPTED: AUGUST 27, 2012

Several members of Council relayed appreciation to staff for their hard work on this project, noting the difficulty of the redistricting process.

VIOLATION OF DANGEROUS BUILDING ORDINANCE (EMERGENCY CASE) - PROPERTY LOCATED AT 39 PRIMROSE DRIVE, OWNED BY BARBARA PIERCE, WALLACE ZIMMERMAN, DAVID ZIMMERMAN, ROXANNE HORSEMAN, AND JOHN P. ZIMMERMAN

In accordance with Article XI - Dangerous Buildings, Sec. 22-388 - Emergency cases, of the Dover Code, in cases where it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished, the building inspector shall report such facts to the Council, which may cause the immediate repair, vacation, or demolition of such dangerous building.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, provided a chronological history and presentation on the conditions of the house located at 39 Primrose Drive ***(Exhibit #2)***. She noted that the property is a one (1) story, double-wide manufactured home. The dwelling was condemned as unfit for human habitation on June 28, 2012 due to having no utilities and to the state of disrepair. She advised members that a previous resident of the home had been returning to the structure and removing parts of the structure to sell at a recycling center. Staff had all the windows and doors to the property boarded on July 2, 2012. Since that time, someone was gaining entry to the home through the crawl space entrance and up through the floor by a duct opening. As a result, staff returned to the property and secured the crawl space entrance. Mrs. Townshend stated that the structure remained vacant, with no utilities, and was in a serious state of disrepair, and indicated that there continued to be concerns that people had been gaining access to the property.

Staff recommended that City Council: 1) declare this building on this property dangerous; 2) order the property repaired or demolished by September 27, 2012 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.

Ms. Susan Krs, 106 Susan Place, advised members that she serves as the President of the Persimmon Park Place Condominium Council and Homeowners Association. She relayed support for the demolition, noting that the property, as it currently exists, was a hazard to the community, and served as a dangerous eyesore. She advised members that the owners were responsible for unpaid assessments in the amount of $2,297.81, plus attorney and court fees for JP Court 16. In order to protect the community and its residents, she requested that Council approve staff's recommendation.

Responding to Ms. Krs, Mrs. Townshend stated that although the City would incur the costs associated with the demolition, the owners would be billed for these costs and a lien would be placed on the property so that the costs could be recovered at the time of a sale.

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

Mr. Bonar moved to declare the property located at 39 Primrose Drive 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 (Mrs. Russell, Mrs. Williams, and Mr. Hare absent).

Mr. Bonar announced that the City was aware of the issues occurring in the Persimmon Park Place development and was taking proper steps to assure that it did not become another area similar to what Capital Park became over the last several years, noting that Capital Park was " just now starting to "turn around." He relayed a warning to those individuals who are creating such problems throughout the entire City that efforts will be made to locate them.

VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - 38 SOUTH NEW STREET - OWNED BY HOUSE OF PRIDE, INC.

Council President Leary reminded members that a public hearing was held on February 27, 2012 to consider a violation of the Dangerous Building Ordinance at 38 South New Street, owned by House of Pride. At that time, Council tabled the matter to allow staff the opportunity to review the possibility of amending the Clean Hands Ordinance to allow exceptions.

Mr. Anderson moved to remove the matter from the table, seconded by Mr. Bonar and unanimously carried.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that during the public hearing, Ms. Sandra Dean testified on behalf of House of Pride and objected, not to the dangerous building declaration, but to the recommendation to demolish the structure. Mrs. Townshend explained that the City of Dover had demolition liens on two (2) House of Pride properties, and the provisions of the City's Clean Hands ordinance prohibited the City from issuing building permits for House of Pride to make the repairs at the property located at 38 South New Street. Mrs. Townshend provided a chronological history and presentation on the conditions of the property since February 2012 ***(Exhibit #3)***. She advised members that on August 20, 2012, House of Pride obtained a building permit and that the organization had received funds from the insurance company to make the necessary repairs to the property.

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 November 27, 2012 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.

Mr. Bonar moved that the structure located at 38 South New 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 (Mrs. Russell, Mrs. Williams, and Mr. Hare absent).

PUBLIC HEARING - APPEAL OF NOTICE TO VACATE - 110 SOUTH NEW STREET, OWNED BY HOUSE OF PRIDE

Members were provided details regarding an appeal of notice to vacate issued for property located at 110 South New Street, owned by House of Pride.

Mr. Anderson advised members that a meeting had been scheduled for later in the week for the Planning Office, Fire Marshal, and the House of Pride Board and staff to discuss options regarding the property located at 110 South New Street.

Mr. Anderson moved to postpone, until the next Regular Council Meeting scheduled for September 10, 2012, the public hearing on the appeal of notice to vacate the property located at 110 South New Street, owned by House of Pride. The motion was seconded by Mr. Hutchison and failed by a roll call vote of four (4) no, two (2) yes (Mr. Anderson and Mr. Hutchison), and three (3) absent (Mrs. Russell, Mrs. Williams, and Mr. Hare).

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that on July 12, 2012, inspectors from the City Code Enforcement Division and Fire Marshal's Office conducted an inspection of 110 South New Street. During this inspection, numerous life safety code violations were found, many of which had been chronic violations in recent years. Due to the high occupancy of the structure and the repeated lack of compliance with basic life safety

requirements, the Department of Planning and Inspections ordered the building to be vacated and closed on July 19, 2012. Mrs. Townshend explained that this action was taken in accordance with Dover Code, Chapter 22 - Buildings and Building Regulations, Article XI - Dangerous Buildings, Section 22-382(2). House of Pride 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).

Mrs. Townshend provided a chronological history and presentation regarding the property located at 110 South New Street ***(Exhibit #4)***. She noted that one (1) item not listed in the violations was a door that was padlocked from the outside on an apartment located on the third floor, which she stated was a serious concern from a fire code standpoint, explaining that it could prevent someone from escaping in the event of a fire.

Staff recommended that City Council uphold the action of the Department of Planning and Inspections to order the property at 110 South New Street to be vacated and closed.

Responding to Mr. Bonar, Deputy City Solicitor Pepper explained that the terminology "morals," as included in Chapter 22, Article XI, Sec. 22-381 - Definitions. (5), Unfit for habitation, would relate to properties being used as a brothel, crack house, gambling facility, etc. Mrs. Townshend indicated that the matter was being brought forward due to safety and general welfare issues.

Bishop Marion Lott, 218 Reed Street, addressed members as a House of Pride Board Member, relaying concurrence that, during the inspection, the violations existed and the building was dangerous; however, he noted that the violations were such that they could be repaired. He explained that House of Pride is run by volunteers and that some improvements have been made that should enable them to make the necessary repairs to bring the property up to Code and meet the requirements of the City.

Responding to Mr. Lynn regarding elements of the usage of the building that were "grandfathered," Mr. Dave Truax, Fire Marshal, explained that the first floor of the property was office space, which is a business occupancy. The second floor was originally used as apartments but had been transitioned into residential board and care, which would require a sprinkler/fire alarm. If the facility were not being used as residential board and care, it would be considered lodging and rooming, which would also involve a sprinkler/fire alarm, if it were new construction. He stated that these issues had been "grandfathered;" however, in 1993, the State of Delaware required all apartment and multi-residential buildings to have a fire alarm system retrofitted by July 1996, which was accomplished. Mr. Truax indicated his concern that House of Pride had no one on staff who was capable of maintaining requirements, explaining that steps had not been taken to address several of the Fire Marshal's concerns prior to an inspection, even when staff knew that an inspection was to occur. In addition, he stated that no emergency plan or rules had been in place and noted that the Fire Marshal's Office could assist in this matter.

At the request of Mr. Lynn, Mr. Truax confirmed that if Council approved staff's recommendation, House of Pride would be required to re-apply for a certificate of occupancy and would be required to install a sprinkler system in the facility; however, advances in technology would allow various

options to meet this requirement without utilizing City water, such as the use of tanks. He stated that the cost of installing a sprinkler system could range from $10,000 to $20,000; however, he stated that installing a sprinkler system would create cost savings in other areas since some improvements, such as opening of stairways, removal of walls, etc., would not be required.

In response to Mr. Anderson, Mr. Truax explained the importance of not allowing individuals to return to the building until safety measures were taken. He confirmed that during the upcoming meeting scheduled with representative of House of Pride, options would be discussed regarding the measures that must be taken in order to return to the building, obtain financing, etc.

Mr. Anderson noted that, if the appeal were laid on the table by City Council, the current order to vacate would stand until addressed by City Council; therefore, since the building could not be re-occupied, it would not cause people to be in danger.

Mr. Lynn relayed his disappointment in the inaction of House of Pride, explaining that not only had they put their residents at risk of serious injury or death but, if a fire were to occur, they would also be placing adjoining land owners at risk, as well as volunteers of the Fire Department who would respond to a preventable fire. He felt that failure to take action was an indication of House of Pride's recklessness and negligence. However, he understood the significant property right that would be lost by having to reapply for a certificate of occupancy and being required to spend between $10,000 to $20,000 for a sprinkler system.

Mr. Lynn moved to table the matter to allow for the meeting with the Planning Office, Fire Marshal, and House of Pride Board and staff to be held to discuss options regarding the property located at 110 South New Street, seconded by Mr. Anderson and failed by a roll call vote of four (4) no, two (2) yes (Mr. Anderson and Mr. Lynn), and three (3) absent (Mrs. Russell, Mrs. Williams, and Mr. Hare).

Mr. Anderson moved to uphold the action of the Department of Planning and Inspections to order the property at 110 South New Street to be vacated and closed, seconded by Mr. Bonar.

Mr. Anderson indicated his belief that House of Pride would not want any harm to come to anyone, just as he would not, and felt confident that House of Pride would not allow anyone to re-enter the building without the violations being addressed. He suggested that if members of Council did not uphold the appeal, the appropriate actions would take place within the next few days and the safety of the residents would be upheld.

The motion to uphold the action of the Department of Planning and Inspections to order the property at 110 South New Street to be vacated and closed failed by a roll call vote of four (4) yes, two (2) no (Mr. Anderson and Mr. Lynn), and three (3) absent (Mrs. Russell, Mrs. Williams, and Mr. Hare).

Since this matter was not tabled, Deputy City Solicitor Pepper explained that the usually rule is that when the appellant panel fails to reach a definitive conclusion, the judgement below is upheld; therefore, the order of the Building Inspector was upheld.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - AUGUST 13, 2012

The Parks, Recreation, and Community Enhancement Committee met on August 13, 2012 with Acting Chairman Bonar presiding.

Presentation - Affordable Housing

Mrs. Ann Marie Townshend, Director of Planning and Community Development, and Mrs. Tracey Harvey, Planner I, reviewed a presentation entitled "Affordable Housing in the City of Dover". In regard to fair housing, Mrs. Townshend advised members that the Delaware Human Relations Commission would be providing training regarding fair housing to the Planning Commission at the next quarterly workshop scheduled for August 21, 2012 at 4:00 p.m.

Responding to Mr. Bonar, Mrs. Harvey explained that the average time spent on the waiting list to obtain Section 8 vouchers varies depending upon the applicant; however, she estimated a wait time of approximately two (2) to three (3) years. She stated that Section 8 housing is offered through the private market and that the Delaware State Housing Authority has a list of landlords who provide this type of housing. Mrs. Harvey advised members that the State is developing a website to be launched in September that will provide an easier way for individuals/families to determine if they would qualify for Section 8 housing and access a list of participating landlords and houses for consideration. Mrs. Townshend suggested that the library staff be made aware of the website to assist City residents. Mr. Bonar requested that staff ensure that a link to this website is placed on the City's website.

Referring to the Housing Balance issue, Mr. Anderson expressed his concerns regarding zoning designations in the City. He stated that when the Traditional Neighborhood Design (TND) designation was developed 10 years ago, he was concerned that it would not be used beyond the Eden Hill development since there was a flaw in its design related to economic viability. He noted that other developments have a 25% threshold for open space; however, the TND has a 35% threshold, and he felt that this threshold was the reason that several projects have not come to fruition. Mr. Anderson also felt that there were too many sub-zones. He suggested that staff review the TND zoning and other policies included in the Comprehensive Plan for possible amendment.

Mrs. Townshend advised members that staff has made it a priority to meet with the business and real estate communities to review the commercial, office, and industrial zones. She noted the need for a review of the residential zones as well.

In response to Mr. Bonar, Mrs. Townshend stated that the next Comprehensive Plan will be completed by 2013. She noted that shelters are permitted in the Institutional Zone; however, this is not explicitly stated. Mrs. Townshend explained that transitional housing is absent from the Zoning Ordinance and this has created a problem in determining the difference between transitional homes and boarding houses. Staff has had to put non-profit transitional homes through the conditional use process. Mrs. Townshend advised members that she has been working with the Deputy City Solicitor on developing definitions and provisions to address the continuum of housing and hoped to present recommendations to the Committee by October 2012.

When developing rules for transitional housing, Mr. Anderson cautioned staff not to allow them to get in the way of natural transitional housing and suggested that staff ensure that a level of fairness is maintained.

Responding to Mr. Bonar, Mrs. Harvey stated that according to the 2000 Census, the vacancy rate for rental housing was 6½%. Since there continues to be a demand for rental housing, she felt confident that the 2010 Census would reflect a similar percentage. She assured members that she would obtain this information and forward it to them.

Mr. Anderson requested that staff provide members with a breakdown of the average rent versus the average wage to obtain affordable housing parameters for the target area.

In response to Mr. Lewis regarding substandard homes, Mrs. Townshend stated that when staff conducts rental inspections, a list of repairs that are necessary to meet Code requirements is developed. Typically, homeowners are provided 30 days to make any necessary repairs; however, she stated that if there are critical issues, such as no running water or working smoke detectors, a much shorter response time is granted. If repairs are not made within 30 days and no progress is being made, the rental permit is suspended and tenants are given 30 days to relocate. The homeowner would then be charged $100 to reinstate the rental permit.

No further action was taken by the Committee regarding this matter.

Operational Procedures for Altering the Water Level at Silver Lake

As requested during the Open Forum Segment of the Regular Council Meeting on July 23, 2012, Mr. Scott Koenig, City Manager, provided an update regarding the lowering of the water level at Silver Lake. He advised members that during previous years, the operation of the valve in the Silver Lake Dam has been a cooperative effort between the Parks and Recreation Department and the Grounds Division of the Public Works Department. The City does not have a prescriptive written procedure regarding the operation of the valve.

Mr. Koenig reminded members that relatively high temperatures and low rainfall had been experienced since June. He stated that Grounds Division staff visits the park and spillway area daily for trash removal and weekly for landscaping or grass mowing and noticed a significant decline in the amount of water coming over the spillway due to the drought. In years past, Grounds Division staff would work with the Parks and Recreation Department to address such concerns. He advised members that Grounds Division staff visited the lake on Friday, July 6, 2012 and found only a small amount of water coming over the fish ladder and the timber area associated with the spillway. As a result, staff removed one of the boards that are in place to adjust the flow of water to allow water to come over the spillway to oxygenate an area of water below the spillway for the fish. On Monday, July 9th, staff noticed that there were numerous gizzard shad coming to the top of the water below the spillway. Staff felt that there was not enough water flowing to support fish life just below the spillway; therefore, they opened the valve slightly. By Wednesday, July 11th, staff observed mature carp coming to the top of the water, which they felt was an indication that there was an oxygen problem below the spillway. Mr. Koenig stated that by Monday, July 16th, the valve remained halfway open and the level of the lake had dropped significantly over that time period. Staff reduced

the valve to approximately five (5) inches open and then closed it upon direction from the City Manager's Office and Public Works Department on Tuesday, July 17th. He advised members that on July 18th there was a large fish kill; therefore, it was believed that the efforts to oxygenate the fish area below the dam had delayed the fish kill in the area. The City contacted Environmental Compliance to assist in the removal of approximately 3.2 tons of fish, which were taken to the landfill. According to a press release issued by the Delaware Department of Natural Resources and Environmental Control (DNREC), 1,300 to 1,900 fish were killed. On Friday, July 20th, there was a smaller fish kill (200-300 fish), after which the oxygen level appeared to stabilize; however, the level of the lake had been reduced.

Mr. Koenig stated that, since these occurrences, it has been made clear that the City engineers and City Manager's Office need to be involved with the opening/closing of the valve on Silver Lake and that this should be a coordinated effort with DNREC.

Mr. Koenig indicated that the level of Silver Lake dropped approximately three (3) feet; however, it appeared that the lake was rebounding. Water was coming over the board section of the spillway and fish were no longer at the top of the water. He stated that the Silver Lake Commission suggested providing low-cost aeration just below the spillway over the long term so that the valve would not have to be opened. He noted that other recommendations made by various biologists with the State of Delaware included the possibility of an on/off working of the valve.

Mr. Koenig stated that he had been in contact with several adjacent property owners who expressed concern regarding the lack of notification about the lowering of the lake. He assured members that these procedures would be refined.

Mr. Bonar reminded members that Silver Lake was manmade and that sediment has washed into the lake for over a century, it has never been cleaned, and is in horrible need of expensive remediation, at an estimated cost of approximately $8M. He suggested that staff attempt to find funding from foundations and environmental protection organizations to assist the City. Mr. Bonar also noted that there was an aerator at the City Warehouse that has not been used in over two (2) years and felt that it would be beneficial to put it to use, although he noted that, in the past, sediment quickly filled the trap in the aerator, causing it to stop running. He suggested that the City explore a means of remediating not only the St. Jones Watershed but Silver Lake itself. He felt that the citizens deserve a pristine body of water that could be utilized to its fullest extent.

Mr. Koenig advised members that DNREC and the City have worked cooperatively on several projects in the spillway area and downstream and would soon be working on a project involving Mirror Lake. He confirmed that the problems with Silver Lake extend to areas beyond the City's control, including farmland outside City limits.

No further action was taken by the Committee regarding this matter.

Benchmarks Established for the Economic Development Office

Mr. William Neaton, Economic Development Director, reviewed the benchmarks and results that were established for the Economic Development Office, which included the Downtown Dover

Partnership (DDP). With regard to events for which the DDP served as the lead organizer or partner, he noted that the benchmark was for 10 events to be held and 21 events were held. He stated that the DDP continues to work toward their fundraising goal of $25,000 and is becoming proactive and progressive with fundraising activities. Mr. Neaton stated that the DDP continues to monitor downtown merchant satisfaction and felt that this continuously improves. He advised members that the City of Dover Police Department has done an excellent job providing walking security in the downtown area, which has resulted in an increase in merchant satisfaction.

At the request of Mr. Anderson, Mr. Neaton indicated that he would provide members with a copy of the merchant survey and results.

Mr. Neaton stated that the DDP has been working on developing a recruitment strategy to attract new businesses in the downtown area. He stated that staff maintains a list of vacant and available properties for those looking for a place to do business. He stated that a meeting was held recently with ING Direct, who considered the downtown area and assisted the City in identifying areas that are considered highly distressed properties and can use new market tax credits. The DDP met with two (2) developers to discuss properties that are owned by the DDP and have the potential to use new market tax credits to enhance these properties.

Mr. Neaton advised members that EDiS previously had a contract on one (1) of the DDP's properties and requested an extension while conducting due diligence. Although EDiS remained interested in the property, based on the short-term extension offered by the DDP, they elected not to continue with the contract. However, he stated that another developer was interested in the property.

In response to Mr. Anderson, Mr. Neaton indicated that EDiS would still be interested in pursuing the property if the DDP had granted the 180-day extension they requested. The DDP Board offered a 60-day extension.

Responding to comments of Mr. Bonar, Mr. Neaton advised members that several downtown projects will be coming to fruition by the end of the year and, by that time, the downtown area will be a completely different area. These projects include the new Library, Bayard Plaza, North Street Parking, renovation of North Street for burying communication cables, the Loockerman Way Plaza, the Wesley College Connector and Walkable Campus, etc.

Mr. Neaton noted that one (1) of the benchmarks for City-wide economic development includes the Garrison Tract and that work on this project was continuing. He advised members that the City has attracted a second tenant and recently completed negotiating the ground lease with Calpine. He relayed appreciation to members of City Council for their approval of the infrastructure at the Garrison Tract. Mr. Neaton advised members that a partnership has been established with Delaware State University for the development of a marketing plan for the Garrison Tract. However, he relayed the importance of completing the infrastructure in order to move forward with attracting new businesses to the site.

No further action was taken by the Committee.

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

Mr. William Neaton, Economic Development Director, reviewed the semi-annual report of employment statistics for the 14 largest employers in the Dover area and reminded members that this information was updated and presented to the committee on a semi-annual basis. He advised members that he and the Mayor have been meeting with several of the larger businesses. He indicated his impression that the economic climate is changing and that the individuals he has been meeting with now relay a sense of confidence.

Mr. Neaton explained that he and Mayor Carey understood the importance of small and mid-size businesses; therefore, they will begin visiting with these smaller businesses in September and information regarding this will be provided to members in the future.

The Committee recommended acceptance of the Semi-Annual Review of Statistics Regarding Jobs and Businesses Gained and Lost in the City of Dover.

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

UPDATES

The following updates were provided to members:

Planning and Funding for New Library

Ms. Margery Cyr, Library Director, reminded members that the library received a $100,000 donation with a matching challenge pledge and that this challenge pledge had been met, resulting in a total of $200,000. She reiterated that the family who donated the $100,000 requested to remain anonymous at this time.

Ms. Cyr stated that the capital campaign has been successful and that their fundraising goals have been met. She stated that the Dover Library Foundation will remain in existence and, once all bills have been paid for the new library, an endowment fund will be created to provide operational support for the library in the future.

Responding to Mr. Bonar, Ms. Cyr stated that the public meeting room will perform various functions, explaining that as a single room, it can seat 150 people. A divider wall will provide for two (2) separate rooms that will occupy one-third and two-thirds of the total room. The City Manager had recording equipment installed in the room which will allow for City Council to hold meetings that can accommodate more attendees. With regard to video conferencing, Ms. Cyr stated that the State Library received a $3M federal stimulus grant three (3) years ago, and part of that funding was to provide video conferencing for the five (5) anchor libraries in the State; therefore, the library will become a video conferencing center for central Delaware.

Ms. Cyr stated that the library located at 45 South State Street will close to the public on Friday, August 24, 2012. During the period between the closing of the current library and opening of the

new library, the Kent County Bookmobile will be parked at either the current or new location on Fridays to allow individuals the opportunity to return materials and/or check them out.

Ms. Cyr stated that the new Library will be opening on Thursday, September 20, 2012, and that the ribbon cutting for the event is scheduled for 10:00 a.m.

Mr. Scott Koenig, City Manager, advised members that expanded library hours would be offered on Friday nights from 5:00 p.m. to 8:00 p.m. and that Ms. Cyr was working on programming. Elaborating, Ms. Cyr stated that the additional hours would be referred to as "Fabulous Fridays." She explained that this concept began a few years ago when the "In Harmony" Concert Series was held on the first Friday evenings in an effort to support the work of the Downtown Dover Partnership with their "First Friday" program to encourage people to stay in the downtown area after 7:00 p.m. when the "First Friday" program ended. She stated that an event or activity would be planned for every Friday night at the Library year round.

The Committee recommended acceptance of the Update on the Planning and Funding for the New Library.

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

CDBG Program

Mrs. Tracey Harvey, Planner I, reviewed the Status of Community Development Block Grant (CDBG) Projects for FY 2011/2012 and monthly statistics for August 2012.

Housing and Recovery Act of 2008 Funds (Neighborhood Stabilization Fund)

Mrs. Tracey Harvey, Planner I, reviewed the Update on the Housing and Recovery Act of 2008 Funds (Neighborhood Stabilization Program) for Fiscal Year July 1, 2011 through June 30, 2012.

Dover Youth Advisory Committee

There was no update provided for the Dover Youth Advisory Committee.

By consent agenda, Mr. Bonar moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mrs. Russell, Mrs. Williams, and Mr. Hare absent).

UTILITY COMMITTEE REPORT - AUGUST 13, 2012

The Utility Committee met on August 13, 2012 with Chairman Bonar presiding.

Dedication of Rights-of-Way and Public Infrastructure - Clearview Meadow Subdivision, Phase I

Members were advised that the Knollwood Development Corporation, responsible party for completing the public infrastructure within Phase I of the Clearview Meadow Subdivision, has requested that all public infrastructure improvements related to this phase be dedicated to the City

of Dover for permanent ownership and maintenance. Members reviewed a map depicting the general location and configuration of the subject rights-of-way. The Knollwood Development Corporation completed construction of the improvements within Phase I in accordance with City standards and specifications. After construction was completed, staff inspected the public improvements and developed a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. As of this date, all work required has been completed. A one (1) year Maintenance Agreement and associated Bond will be submitted as part of the dedication process. All other requirements of dedication have already been provided to staff.

Staff recommended acceptance of the dedication of rights-of-way and public infrastructure in Phase I of the Clearview Meadow Subdivision, with dedication to include all of the referenced public improvements, as follows:

Sewer Utility Infrastructure (Construction Value = $166,221):		
12" SDR-35 PVC Sanitary Sewer Main	-	252 l.f.
8" SDR-35 PVC Sanitary Sewer Main	-	2,094 l.f.
6" PVC Sanitary Sewer Laterals	-	2,483 l.f. (75 laterals)
4' Diameter Sanitary Sewer Manholes	-	10 ea.
Water Utility Infrastructure (Construction Value = $180,016):		
10"Ductile Iron (Class 52 Cement Lined) Water Main	-	940 l.f.
8" Ductile Iron (Class 52 Cement Lined) Water Main	-	2,363l.f.
6" Ductile Iron (Class 52 Cement Lined) Water Main	-	75 l.f.
1" Type K Copper Water Services	-	2,483 l.f. (75 services)
10" Gate Valves	-	7 ea.
8" Gate Valves	-	9 ea.
Fire Hydrants	-	5 ea.
Storm Water Infrastructure (Construction Value = $85,697):		
Catch Basins Type J	-	18 ea.
Catch Basins Type JJ	-	2 ea.
18" Type III Reinforced Concrete Pipe	-	379 l.f.
15" Type III Reinforced Concrete Pipe	-	958 l.f.

Street Infrastructure (0.7685 miles) (Construction Value = $559,912):		
John Hunn Brown Boulevard	Station 0+00 to Station 12+14	1,214 l.f.
Mer Way	Station 0+00 to Station 7+97	797 l.f.
Lady Bug Drive	Station 0+00 to Station 6+60	660 l.f.
Nob Hill Road	Station 28+00 to Station 33+50	550 l.f.
Babb Drive	Station 2+50 to Station 5+35	285 l.f.
Nob Hill Road South Alley	Babb Drive to JH Brown Blvd.	560 l.f.

Mr. Scott Koenig, City Manager, advised members that the total construction value of the public improvements was $991,846.

The Committee recommended approval of staff's recommendation for the acceptance of the dedication of rights-of-way and public infrastructure for the Clearview Meadow Subdivision Phase I, to include all of the referenced public improvements.

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

Annual Review and Approval of Governing Policy for Energy Commodity Risk Management

Members reviewed the Governing Policy for Energy Commodity Risk Management. Mr. Scott Koenig, City Manager, reminded members that during their meeting of July 23, 2012, Mr. Jamie Mahne, Chief Client Officer for The Energy Authority (TEA), gave a presentation regarding Dover Risk Policy Modifications. As the City's Energy Manager, TEA had recommendations for modifications to the City's Energy Risk Policy. Mr. Koenig indicated that the Governing Policy for Energy Commodity Risk Management was inadvertently omitted from the material presented for consideration during that meeting.

Mr. Koenig advised members that, in accordance with the policy, the Utility Committee must conduct an annual review and approval of the Governing Policy For Energy Commodity Risk Management. He stated that in the future staff would present the policy for review and approval in April or May of each year to coincide with the annual budget process.

In response to Mr. Blakeman regarding minutes of the Executive Risk Management Committee (ERMC), as indicated on Page 5, Mr. Koenig stated that although the minutes are not automatically forwarded to the Utility Committee, they are available upon request. Mr. Bonar requested that he be provided copies of the minutes as well as any presentations. Mr. Koenig indicated that two (2) separate types of meetings are held: 1) Management Committee meetings with North American Energy Services (NAES), TEA, and City staff, and 2) ERMC meetings with City staff and TEA.

Mrs. Donna Mitchell, Controller/Treasurer, explained that the ERMC meetings are not public since counterparties, hedges, etc., are discussed; however, the Management Committee meetings have always been public. She stated that, although minutes are maintained for both committees, the ERMC minutes are not public.

Referring to Page 13, Mr. Blakeman questioned if the limit of $60M was a total limit or applied to each company. Mrs. Mitchell confirmed that the policy mandates that at no time will the City incur a credit exposure with any one (1) counterparty greater than $60M; therefore, the City's credit exposure could be much higher than $60M. However, she explained that the City diversifies the portfolio and tries to obtain more counterparties. She assured members that the City's limit was never that high with any one (1) counterparty and noted that the City did not need that many hedges for its load; therefore, it would never reach the maximum allowed. She stated that the City's credit exposure has never exceeded $10M to $15M for any counterparty. Mr. Blakeman suggested the possibility of revising the limit to a total of $60M (or other amount recommended).

Mrs. Mitchell explained that this matter was negotiated individually by PACE with each counterparty in accordance with the countparties' requirements, so each counterparty may desire a different threshold. She noted that they might not all accept a certain limit.

Responding to Mr. Snaman regarding the cost of producing solar energy, Mr. Koenig stated that members had been provided a spreadsheet that reflected the cost of SunPark activity. Mr. Snaman noted that the data reflected only what the City was charged. He explained that if the Sun Park was being subsidized by the Federal Government and if that subsidy ends, the City would be exposed. He requested that staff determine the City's exposure. For clarification, Mr. Bonar indicated that staff should provide members with the cost of producing one (1) kilowatt of solar energy versus the amount being reimbursed from the Federal Government.

Mrs. Mitchell explained that the solar energy issues are separate from the Policy, since the Policy regulates the City's hedge program and solar is a separate Purchased Power Agreement (PPA).

Mr. Snaman moved to recommend approval of the Governing Policy for Energy Commodity Risk Management. The motion failed for the lack of a second.

In response to Mrs. Williams' concerns, Mr. Koenig indicated that no additional information had been requested that was related to consideration of the Policy, explaining that solar energy was a separate issue. He stated that, as previously explained by Mrs. Mitchell, there is a $60M risk per party; however, since the City needs to purchase only $60M of power per year, the City's risk is only $60M annually.

Mrs. Mitchell stated that the exposure, by counterparty, is included in the Comprehensive Annual Financial Report (CAFR) in the financial disclosure notes.

Mr. Bonar requested that staff respond to the questions and concerns of members during their next meeting scheduled for August 27, 2012.

Review of Utility Related Capital Investment Plan (CIP) ***(Electric and Water/Wastewater)***

Members reviewed a Project Tracking Report, as of June 30, 2012 (preliminary), for the Utility (Electric and Water/Wastewater) Related Capital Investment Plan (CIP).

Responding to Mrs. Williams regarding the Troon Road Pump Station, Mr. Scott Koenig, City Manager, stated that the project was complete, the grass had not grown due to dry weather and would be re-seeded in September, and repaving of the roadway would be a part of a street program.

In response to Mr. Anderson regarding the Lincoln Park Center, Mr. Koenig explained that the project was funded through a planning and transportation grant from the Federal Government. The preliminary engineering phases were complete and the project was now entering the final engineering phase. A report was submitted to the Federal Highway Administration and the City was waiting for a finding of no significant impact so that the City could move on to the final design phase and begin purchasing rights-of-way.

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 the Director of Planning and Community Development indicated that an intern had been working for the City on the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit, to help keep the City permit compliant. He stated that once the new library opens, a lecture and presentation are planned for an informational meeting on the MS4 Permit. In addition, he stated that there were several projects taking place in the watershed related to the MS4, including Delaware Department of Natural Resources and Environmental Control (DNREC) projects and actions being taken by the City to reach compliance. He noted that the City does not have an active permit and is waiting for DNREC to respond to the City's application for a new permit.

Update - Garrison Oak Technical Park Project

Mr. Scott Koenig, City Manager, stated that an air permit hearing was held regarding the Calpine Project and the record has been closed. He advised members that Calpine received comments from the Federal Government as well as LS Power. He noted that during the Council Meeting scheduled for later in the evening, members would be considering revisions to the Engineering Services Agreement to finish design of the sewer system and other land planning related items that were not definitively known at the time the original contract was signed.

Mr. Koenig advised members that Calpine was moving ahead with their project and the City was working on finalizing the City's issues with the project in order to begin construction on or about the same time the Calpine project moves forward.

In response to Mrs. Williams, Mr. Koenig stated that he had spoken with residents of Wild Meadows recently and that the Garrison Oak Technical Park Project was not mentioned. He felt that the majority of the residents were now relatively satisfied with the project and noted that Calpine had made tremendous efforts to interact with the residents and consider their concerns with the project. To his knowledge, Calpine had cleared all of their federal requirements and were working with the Federal Emergency Regulatory Commission (FERC) on the gas line extension.

Mr. Koenig stated that, to the best of his recollection, there would be a certificate or document in approximately October that would solidify what Calpine will need to do for the PJM, which would be their final hurdle. During the air permit hearing, he stated that there was no public testimony against the project; however, LS Power submitted a letter relaying concerns related to the construction of the power plant, dust, water vapors, "film" buildup on solar array, etc. He noted that these concerns were being worked out between LS Power and Calpine.

Responding to Mr. Hutchison, Mr. Koenig stated that Calpine was hoping that all permitting would be completed and planned to obtain a City building permit in January 2013. It was their desire to begin testing in February or March 2015, with full operation to the PJM Grid in June 2015 since that is the auction for which they have bid.

Update - Dover Sun Park

Mr. Scott Koenig, City Manager, noted that members received a summary of Dover Sun Park activity for Fiscal Year 2012 and offered to respond to any questions. As indicated, he stated that the Sun Park cost the City approximately $367,000 more than if the power were purchased off the grid.

Responding to Mrs. Williams, Mrs. Donna Mitchell, Controller/Treasurer, stated that $1.6M was budgeted for purchased power in FY2012, which netted out to be a $366,850 cost for the City. She stated that she would provide members with the budget details.

Mr. Blakeman requested that staff provide members with the cost per kilowatt or megawatt hour for what the City is paying and also the costs for kilowatt or megawatt hour that is being bought off the grid each month. Responding, Mrs. Mitchell indicated that she would forward the requested information to members.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - AUGUST 13, 2012

The Legislative, Finance, and Administration Committee met on August 13, 2012 with Chairman Lynn presiding.

Request for Proposals - Banking Services

Members were advised that the City solicited proposals for bank services and received proposals from four (4) banks. The proposals were evaluated by a team selected from the Finance, Administrative Services, and Information Technology Departments. A considerable amount of information was requested in the Request for Proposals (RFP) and additional information was submitted to the City in response to three (3) addendums. The RFP required each bank to submit their current audited financial statement, including footnotes and the auditor's opinion. It also required each bank to submit their current Securities and Exchange Commission Form 10K or Form 10Q. The submission and review of these statements are imperative to the City of Dover's due diligence to ensure the security of the City's assets. The RFP requested a copy of each bank's SAS 70 [Statement on Auditing Standards No. 70]. This statement is prepared by independent auditors and attests to the bank's internal controls in regard to their online banking tools, which will be utilized by the City of Dover. This last piece of due diligence ensures the City of Dover's funds are safeguarded while being transferred using the bank's online software.

A mix of responses were received in regard to the City's requirement to submit the above reports, and were reflected in a Summary Scoring Sheet. In today's economy, especially with all of the changes occurring in the banking industry, it is critical the City of Dover perform as much due diligence as possible before selecting a bank.

Each bank was also given the opportunity to meet with the City's banking RFP selection team to present their proposal. This provided each potential bank the opportunity to share additional

information that could be helpful in the analysis process. It also gave the team an opportunity to finalize any outstanding questions.

All of the proposals were scored on several factors that included quality, reputation, location of branches, ability to meet the City's cash management requirements, completeness of the proposal, record of performance, technology, future enhancements, government banking experience, and the qualifications of the team assigned to the City of Dover. The pricing score was based on a calculation that included the proposed net earnings using each bank's net service fees and interest rates applied to Calendar Year 2011's average balance and transaction activity. All four (4) banks provided earnings credits or interest, but only one (1) bank guaranteed the interest rate over the life of the contract. One (1) of the banks agreed to waive all monthly bank service fees except for the lockbox fee.

Two (2) ratios taken from each bank's 2011 Annual Report, Tier 1 Capital Ratio and Total Risk Based Capital Ratio were also included. Risk-based capital requirements exist to protect the bank, their investors and customers, and the economy as a whole. Placement of risk-based capital requirements ensures that each financial institution has enough capital to sustain operating losses while maintaining a safe and efficient market.

References were checked for the recommended bank, with good results.

The Finance Department recommended selecting WSFS Bank as the City's banking services provider.

In response to Mr. Shevock, Mrs. Donna Mitchell, Finance Director/Comptroller, stated that the institution selected would replace the City's current provider, Citizens Bank. She indicated the RFP was prompted by receipt of notification from Citizens Bank that they were getting out of government banking services. Mrs. Mitchell explained that all of the banks that submitted proposals charge lockbox fees and offer earnings credit or interest. Based on the City's average balances, WSFS Bank would waive all fees (other than lockbox fees) and still offer an earnings credit. She stated that when the earnings credit was netted against the fees, including the lockbox fees, the rates were as follows: Citizens Bank - $63,641; M & T Bank - $101,861; Wells Fargo - $488,297; WSFS - $4,201. She explained that the waiver of fees and earnings credit offered by WSFS helped to reduce the lockbox fees.

The Committee recommended acceptance of staff's recommendation to select WSFS Bank as the City's banking services provider.

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

By consent agenda, Mr. Bonar moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote (Mrs. Russell, Mrs. Williams, and Mr. Hare absent).

EVALUATION OF PROPOSALS - ELECTRIC UTILITY VALUATION SERVICES

Mr. Scott Koenig, City Manager, advised members that in October 2011, City Council authorized staff to oversee the preparation of a Request for Proposals (RFP) for a Cost of Service Study to determine the valuation of the entire City of Dover Electric System. Due to the technical and legal complexity of the RFP process for this type of request, staff utilized the services of Mr. Kirk Betts, the City's power supply attorney, to develop and prepare the RFP, as well as to review submissions from the consultants who expressed interest in the project.

Mr. Koenig indicated that on June 18, 2012, the City of Dover issued an RFP seeking proposals from qualified independent consultants to provide an opinion and study regarding the value of the City's electric utility system and four (4) proposals were received in response. He explained that the proposal evaluation process included two (2) components: the technical component process, which included compliance with the form and content requirements of the RFP, expertise and experience, valuation approach, comprehensiveness of the work plan and adequacy of analytical procedures; and the second component, which was related to pricing evaluation. Mr. Koenig stated that Betts & Holt, LLP, ranked the proposals as follows: 1) GAI Team; 2) Burns; 3) AERCA Team; and 4) MRV.

Based upon the ranking and the recommendation of Betts & Holt, LLP, staff recommended that the City of Dover award the contract for Electric Utility System Valuation Services to GAI Consultants in the amount of $117,500.

Responding to Mr. Anderson, Mr. Koenig stated that when Council authorized staff to proceed, it was indicated that staff would be authorized to spend up to $150,000 for the study. The funding was included in the budget for this year and would be paid from the Electric Fund.

Mr. Bonar moved to award the contract for Electric Utility System Valuation Services to GAI Consultants in the amount of $117,500, as recommended by staff, seconded by Mr. Hutchison.

Mr. Bonar stated that this action would result in a professional, complete, and thorough evaluation of the value of the City's Electric Department and all of its appurtenances being conducted for the first time in the history of the City. He noted that the City had depended on electric revenues to balance the budget; however, he felt that there may be a time in the future that this would not be possible or rational.

It was Mr. Lynn's opinion that this valuation service was just the first step toward the road of possibly selling the electric utility, which he adamantly opposed. He noted that during the Legislative, Finance, and Administration Committee Meeting held earlier in the evening, members were discussing the need to do what is fair and equitable and until the City takes care of former City of Dover employees, he could not, in good conscience, vote to spend $117,500 to value the City's electric utility. Although he respected Mr. Bonar's opinion on the matter, he felt this action would be frivolous.

Mr. Anderson advised members that, other than crime and economic development, this issue had been the most talked about within his Council District. He stated that his constituents questioned

why the City would want to spend this much money during the current economic climate and indicated that the vast majority (85%) of these individuals were adamant that they did not want the power plant sold. So, although he agreed with staff's recommendation, as a representative of the Fourth District, he could not vote in favor of the motion.

For clarification, Mr. Koenig read the Scope of Work associated with the project, as follows:

"A. Scope of Work

The consultant retained by Dover as a result of this RFP ("Consultant") must prepare and deliver to Dover an opinion and comprehensive study that will estimate the value of the Electric System under various scenarios. The Consultant must also analyze how Dover's loss of control of the Electric System (that is, sale of the Electric System) would affect Dover and its citizens. At a minimum, the study must establish the Electric System's value utilizing a book value approach, a replacement value of assets depreciated approach, and a comparable Electric System asset sales approach. In addition, the study must consider the following factors:

- *Net book value of the Electric System's generation, transmission, and distribution assets and infrastructure;*
- *Replacement cost new depreciated value (RCND) of the Electric System;*
- *Valuation of the Electric System (revenue analysis) as an on-going enterprise to determine range of values over book value;*
- *Net proceeds that Dover would realize from a sale of the Electric System after subtracting funds for refunding of outstanding debt and other expenses;*
- *Comparison of the Electric System's rates with the rates of other retail electric utilities serving customers in Delaware;*
- *Analysis of the replacement cost of electricity for municipal facilities;*
- *Possible tax revenues (i.e., property taxes and franchise fees) that may be realized by sale of the Electric System;*
- *Impact of loss of Electric System revenue on Dover's General Fund;*
- *Impact of long-term solar energy power supply contract and forward energy positions on valuation;*
- *Dover staffing and payroll changes that are likely to result if the Electric System is no longer a Dover responsibility; and,*
- *Other potential values lost or gained, such as economic development, if the Electric System is sold.*"

In response to Mr. Hutchison, Mr. Bonar reiterated that the research he had conducted indicated that such a study had never been done in the history of the City. He stated that the City's electric utility was worth a great deal of money and that the valuation would not only reveal its worth but also enable the City to determine what its attendant business may be worth in terms of adjusting rates. It was his opinion that, although $117,500 would be spent, it would make sense for the City to proceed with the study and noted that the expenditure in the amount of up to $150,000 (approved by Council in 2011), would come from the electric reserve funds. He felt that the information would

allow the City to determine how it could either better serve or receive benefit from the Electric Department.

Responding to Council President Leary, Mr. Koenig estimated that the valuation would take three (3) to six (6) months to complete and stated that he would provide members with a firm time frame. Mr. Bonar estimated that it would take closer to one (1) year.

Mr. Perza questioned if the valuation would be useful only for the year it was accomplished or if it would have value in five (5) or ten years and questioned if it would be better to defer action until the City was ready to make a decision regarding the electric utility. Responding, Mr. Koenig indicated that the valuation would be a "snap shot" based on the year the appraisal was accomplished and if the valuation were reviewed in five (5) years, it would be necessary to consider depreciated values. He stated that this issue had been pushed because of the differential of rates (between the City of Dover and other providers in the area). He reminded members that the City had worked very hard during the past couple of years and, as a result, the cost of power supply had decreased through the City's long-term power purchases, and rates had decreased in the past year; therefore, the differential between the City and other providers had been reduced over time.

In response to Mr. Bonar, Mr. Koenig indicated that the City had approximately 23,000 metered connections. Mr. Bonar stated that by approving staff's recommendation, the City would be requesting the 23,000 customers to share in the expense of $117,500, which would equate to approximately $6-$7 per customer.

Noting that such a study had never been completed, Mr. Lynn questioned what ill had come on the utility as a result of not having such a study done. Responding, Mr. Koenig felt that the only ill would possibly be rate contention.

Council President Leary noted that this issue had a political component and an economic component. He indicated his concurrence with Mr. Anderson's experience on a political level. However, he felt that knowledge was powerful and that spending a relatively small amount of money to determine the worth of the electric utility could prove beneficial. It was his opinion that, since the electric utility serves as the City's "golden goose," the City should find out how much the "golden goose" is worth.

Mr. Bonar reminded members that just because the City has had something for a hundred years which appeared to have worked well, this does not mean that it cannot work better, which he felt was the purpose of the valuation.

On a call for the question by Mr. Bonar, the motion to award the contract for Electric Utility System Valuation Services to GAI Consultants in the amount of $117,500, as recommended by staff, failed by a roll call vote of four (4) yes, two (2) no (Mr. Anderson and Mr. Lynn), and three (3) absent (Mrs. Russell, Mrs. Williams, and Mr. Hare).

Mr. Anderson moved for reconsideration and to have this entered on the minutes for the next Council Meeting, expressing his hope that this issue was important enough to be considered again when the full Council was present. The motion was seconded by Mr. Bonar.

In response to Deputy City Solicitor Pepper's response to a point of order called by Mr. Lynn, Mr. Anderson questioned if the example mentioned was for the "reconsideration" or "reconsideration and have it entered on the minutes," which would have a different effect.

There being no objections, Council President Leary called for a brief recess.

Meeting recessed at 8:54 p.m. and reconvened at 8:58 p.m.

After review of Roberts Rules of Order, Deputy City Solicitor Pepper confirmed that Mr. Anderson's motion for "reconsideration and have it entered on the minutes" was in order.

The motion for reconsideration and to have it entered on the minutes for the next Council Meeting was carried by a roll call vote of five (5) yes, one (1) no (Mr. Lynn), and three (3) absent (Mrs. Russell, Mrs. Williams, and Mr. Hare).

RESCINDING ACTION TAKEN ON FEBRUARY 27, 2012 - CANCELLATION OF COUNCIL AND COMMITTEE MEETINS FALLING IN THE WEEK OF THE FOURTH MONDAY OF EVERY THIRD MONTH (MARCH, JUNE, SEPTEMBER, AND DECEMBER)

During their meeting of February 27, 2012, members approved the Council President's suggestion for the cancellation of the Utility Committee, Legislative, Finance, and Administration Committee, and City Council meetings falling in the week of the fourth Monday of every third month (March, June, September, and December) and moving the Safety Advisory and Transportation Committee meetings falling in those months to the week of the second Monday of that same month.

Council President Leary noted that there was a period of time when there were very short Council and Committee meetings and it was felt that it may be a good idea to attempt to truncate the workload and cancel some meetings every quarter; however, recent history had proven that this was an imprudent move and advised members that there was extra work facing members of Council that would require these meetings.

Responding to Mr. Anderson, Council President Leary stated that action regarding the second meetings scheduled for December would be taken by Council as the date approaches.

Mr. Anderson moved to rescind the action taken on February 27, 2012 which cancelled the Council and Committee meetings falling on the fourth Monday of every third month (March, June, September, and December) and moved the Safety Advisory and Transportation Committee meetings falling in those months to the week of the second Monday of that same month, seconded by Mr. Lynn and unanimously carried.

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. Hutchison advised members that he had the opportunity to spend time on a "ride-along" with City Inspectors and had observed in excess of 450 units that were in some type of declining status. He relayed appreciation to these employees for their work and noted the outstanding database that includes up-to-date information necessary to address these types of issues. He requested that

members of Council be reminded that areas such as New Street and Queen Street were built and designed for single family dwelling residence. The City converted some of those properties to apartments, and the result was that there were more people residing there, which he felt was one of the reasons for the current conditions in these areas. He suggested that members be sensitive to these types of issues.

Council President Leary announced that the Dover Fire Department would hold its Second Annual "Getting Hosed" 5K Run and Walk on September 22, 2012 at Buffalo Wild Wings at 9:00 a.m. He noted that this was a fund raising event and that registration information could be obtained from www.trisportsevents.com or by calling Mrs. Rebecca Rollison at 302-736-4242.

There being no objections, Council President Leary declared the meeting adjourned.

Meeting Adjourned at 9:04 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of August 27, 2012, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibits
Exhibit #1 - Statement from Central Delaware Branch #2028 of the NAACP
Exhibit #2 - Presentation - Violation of Dangerous Building Ordinance - 39 Primrose Drive (Attached to Original Minutes)
Exhibit #3 - Presentation - Violation of Dangerous Building Ordinance - 38 South New Street (Attached to Original Minutes)
Exhibit #4 - Presentation - Appeal of Notice to Vacate - 110 South New Street (Attached to Original Minutes)

NAACP CENTRAL DELAWARE BRANCH #2028
P.O. BOX 133 • DOVER, DELAWARE 19903-0133 • PHONE (302) 674-0180

NAACP STATEMENT

The Central Delaware NAACP has reviewed the City of Dover's proposed Council Districts, with accompanying Census data. The proposed plan includes a District 4 which is a majority black district with majority black voting age population (VAP). This is consistent with paragraph 6 of the Consent Order between the NAACP and Cecil Wilson and the City of Dover in Civil Action No.85-230-JLL. Proposed District 4 has a black voting age population of 54.5%.

In specifying that the majority black district include at least 65% black population and majority black VAP, the Order also requires that the district have equivalent voter registration. The City consulted with the Kent County Department of Elections to try and determine the race of registered voters but was informed that statistics on race/registration are not available. The City did not check with other outside consultants and/or political parties to help it determine equivalent voter registration.

A broader question involves the population shift in the City from 26.43% BVAP citywide in 1980 to 41.8% BVAP in 2010. Despite this growth in BVAP, one-fourth or 25% of district 25% of the district seats (and less than 25% of all seats when the at-large seat is counted) are held by black councilpersons. While traditional redistricting principles employed by the City, we invite the City to work with the NAACP to creatively develop a municipal election system that better reflects the choice of black voters citywide and that is fair to all voters.

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the Dover City Council
September 10, 2012

Applicants/Owners:	Bennie L. Smith
Address:	870-872 Forest Street
Location:	South Side of Forest Street east of Gibbs Drive
Tax Parcel ID #:	ED05-076.12-01-08.00-000
Size:	32,552 +/- Square Feet
Present Use:	Commercial (Vacant & Day Care Center)
Proposed Use:	Commercial (Retail & Day Care Center)
Comprehensive Plan Designation:	Commercial
Present Zoning:	CPO (Commercial and Professional Office Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	C-1A (Limited Commercial Zone)/COZ-1 (Corridor Overlay Zone)
Planning Commission Recommendation:	Following a public hearing held on August 20, 2012, where no members of the public spoke with regards to the rezoning request, the Planning Commission voted unanimously (8-0 with one member absent) to recommend in favor of the rezoning requested.
File Number:	Z-12-02
Ordinance Number:	2012-19

This rezoning application consists of for one parcel of land totaling of 0.747 acres (32,532 S.F.) of area. The property is currently zoned CPO (Commercial/Professional Office Development District Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning classification is C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property known as 870-872 Forrest Street is situated on the south side of Forest Street and east of Gibbs Drive. The owner of record is Bennie Smith. Tax Parcel: ED-05-076.12-01-08.00-000.

Previous Applications:
On September 22, 2003, this property at 870 Forest Street was approved for rezoning by City Council from RG-1 (General Residence Zone) to CPO (Commercial Professional Office Zone) with the property also subject to the COZ-1 (Corridor Overlay Zone 1). Application Z-03-03.

Redevelopment of this parcel of land was then reviewed under Site Plan S-04-01and approved by the Planning Commission on January 20, 2004. The Site Plan proposed that the two existing buildings be utilized as office buildings and include site improvements for parking and landscaping.

On November 15, 2004, a Conditional Use Site Plan C-04-08 was reviewed and granted conditional approval by the Planning Commission to permit the use of the existing Building #2 (rear building addressed as 872 Forest Street) on the property as a Day Care Center. As part of the motion, the Planning Commission set the maximum number of children for this Day Care Center at sixty (60) children. The lessee proposing the daycare center was William Schick and Jennifer. Conditional Use Site Plan (C-04-08) was granted Final Plan approval on June 8, 2005. Construction activities were began to renovate the buildings and complete the site work. During the implementation of the plan a discrepancy between the approved Site Plan and the approved Landscape Plan was identified related to the opaque barrier requirements and as a result the Planning Commission considered and approved a waiver request for the opaque barrier requirements on September 19, 2005.

Existing Property:
The subject property consists of one parcel of land and includes two (2) existing buildings. The front building at 870 Forest Street is registered as a Vacant Building under the provisions of the Vacant Building Ordinance. The rear building at 872 Forest Street currently houses a Day Care Center known as Cindy's Bright Star Learning.

Surrounding Land Uses:
The surrounding uses vary. Immediately surrounding this property are residential properties zoned RG-1 (General Residence Zone) and with properties zoned R-8 (One Family Residence Zone) further to the south. This area of single family dwellings is known as Lincoln Park. To the north of the subject property across Forrest Street (Route 8) is zoned IO (Institutional and Office Zone) and is the location of an elementary and middle school. To the northeast of this parcel at the intersection of Forrest Street and Division Street is a mix of zoning including C-1A (Limited Commercial Zone), and C-3 (Service Commercial Zone). The commercial uses in this area include a laundromat, car wash, and retail store. Further east on Forest Street are two parcels zoned C-1 (Neighborhood Commercial Zone).

Those properties fronting on Forest Street are within the COZ-1 (Corridor Overlay Zone) which requires enhanced design requirements for development activities such as landscaping, setbacks, building placement, parking, buffering, etc. to promote superior urban design.

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 Mixed Use. Specifically, regarding mixed use in the downtown area, the Comprehensive Plan identifies the following goal:

> Enhance the role of Downtown Dover as a major employment, residential and commercial center as well as the symbolic and cultural heart of the community, and recognize its unique heritage and historic resources. Provide for mixed use development allowing greatest variation of uses.

The rezoning request is consistent with this Land Use Classification and the stated goal.

Request for C-1A (Limited Central Commercial Zone)
The types of permitted uses in the C-1A Zone are given Article 3 §12 of the *Zoning Ordinance* and the referenced Article 3 §11 for uses of the C-1 (Neighborhood Commercial Zone). The permitted uses include the following:

Section 12. - Limited commercial zone (C-1A).

12.1 *Uses permitted.* 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:

12.11 All uses permitted in the neighborhood commercial C-1 zone, with no limitation on size of establishments.

12.12 Residences conforming to the regulations set forth in article 3, section 2.

12.13 Banks or businesses, professional or governmental offices.

12.14 Other retail and service establishments, but excluding:

12.141 Gasoline filling stations and motor vehicle storage, repair, or service, except that gasoline pumps shall be permitted as an accessory use, subject to conditional use approval by the planning commission pursuant to article 10, section 1.

12.142 Wholesaling, warehousing or storage.

12.143 The manufacturing, printing, assembling, converting, altering, finishing, cleaning or any other processing of goods on the premises, except as permitted in the C-1 zone.

12.144 Excessive traffic generating uses, such as theaters, drive-ins, bowling alleys and other commercial, recreation, restaurants, etc.

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

12.2 *[Enclosed buildings.]* All permitted uses and all storage accessory thereto, other than off-street parking, shall be carried on in buildings fully enclosed on all sides.

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

12.4 *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 prior to the issuance or certificates of occupancy for any change of use.

Section 11. - Neighborhood commercial zone (C-1).

11.1 *Uses permitted.* In a neighborhood commercial zone (C-1), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or signed to be used, in whole or in part, for any purpose, except the following, which shall be permitted, conditional upon approval as to use by the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1 of this ordinance:

11.11 Convenience retail stores such as drug stores, grocery stores, luncheonettes, variety stores or combinations thereof.

11.12 Personal service stores such as, but not limited to, barbershops, beauty parlors, and tailors, provided that where steam pressure is used in clothes pressing, it shall not exceed 60 pounds per square inch.

11.13 Service establishments furnishings services other than of a personal nature, but excluding gasoline filling stations and motor vehicle storage, repair, or service.

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

11.2 *[Enclosed buildings.]* All permitted uses and all storage accessory thereto, other than off-street parking, shall be carried on in buildings fully enclosed on all sides.

11.3 *[Floor space.]* The total floor space in any one retail or service store or establishment shall not exceed 2,000 square feet.

11.4 *Uses prohibited.* The following uses are prohibited:

Residences, other than living quarters for not more than one family, incidental to each permitted building on each lot, for the use of the owner or caretaker of such building or of the owner or caretaker of the permitted use or uses housed in such building.

Recommendation of the Planning Staff and Planning Commission:
Staff recommends that the rezoning be granted as requested, as the proposed zoning is consistent with the Comprehensive Plan and compatible with the surrounding area.

Staff recommends that the properties remain subject to the COZ-1 (Corridor Overlay Zone) due to their frontage on to Forest Street. The purposes of the COZ-1 are to promote superior urban corridor development; to foster coordination and linkage among corridor properties; to preserve functionality and efficiency of the roadway for traffic movement; and to achieve a visually balanced streetscape environment friendly to the pedestrian and motorist. (*Zoning Ordinance*, Article 3 §27)

The staff recommendation was made prior to the opportunity for public comment on the proposed rezoning. The Planning Commission held a public hearing on August 20, 2012, where no members of the public spoke with regards to the rezoning request. Following the public hearing, the Planning Commission voted unanimously (8-0 with one member absent) to recommend in favor of the rezoning requested.

Excerpt from DRAFT Planning Commission Minutes of August 20, 2012

Z-12-02 Lands of Bennie Smith at 870-872 Forest Street: Rezoning from CPO to C-1A – Public Hearing and Review and Recommendation for a rezoning application for one parcel of land consisting of 0.747 acres (32,532 S.F.) of area. The property is currently zoned CPO (Commercial/Professional Office Development District Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning classification is C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property known as 870-872 Forrest Street is situated on the south side of Forest Street and east of Gibbs Drive. The owner of record is Bennie Smith. Tax Parcel: ED-05-076.12-01-08.00-000. Council District 4.

Representative: Mr. Phillip McGinnis, McGinnis Commercial Real Estate Company, representing Mr. Bennie Smith.

Mrs. Townshend stated that the purpose of the rezoning application is to allow retail on this site. Their property is currently in the CPO zone and retail is not a permitted use. When Staff looked at the existing property, there are two (2) buildings on the property. The building to the rear is a daycare facility that is still in the licensing process and is not currently open. The daycare has operated on and off at this site for a number of years.

Mrs. Townshend further stated that the surrounding zoning in the immediate surroundings is RG-1; however, there is also I/O, C-1 and C-1A in the general vicinity. What the applicant is looking to do is take the vacant property (building) located at the front and be able to use it for retail. The rezoning request is consistent with the *Comprehensive Plan* and in looking at the surrounding zoning Staff believes that it is compatible with the surrounding zoning and would therefore recommend in favor of the rezoning. Other agencies have provided their comments regarding a zoning application and they are advisory only comments.

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

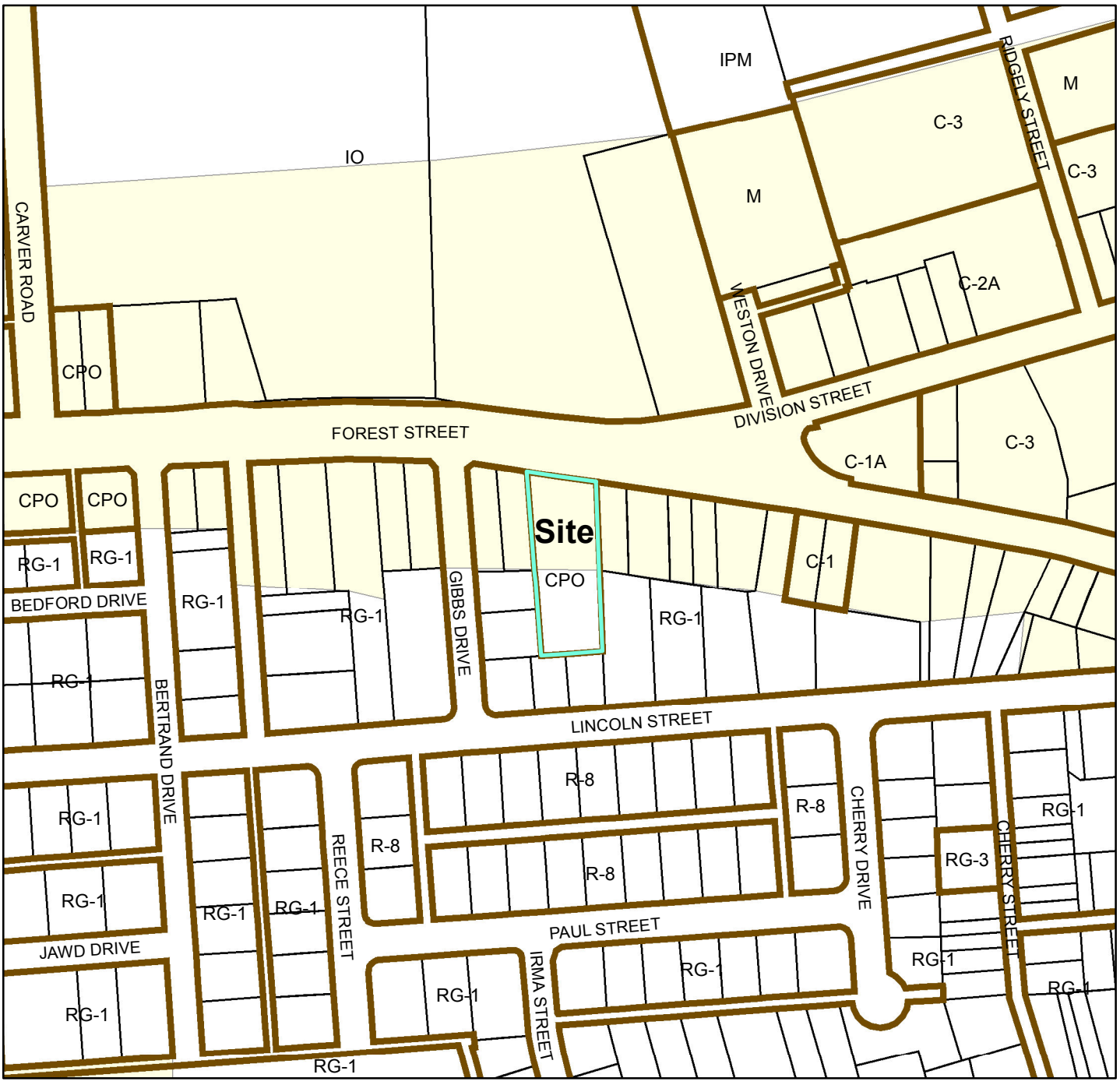
Mr. Holt questioned what type of retail was planned for the site? Responding to Mr. Holt, Mr. McGinnis stated that across the street is the funeral home that has photographers and a florist in that building. He would be able to move those over into this building and get better use of his funeral home space and they would be open to the public.

Mr. Tolbert moved to forward to City Council a recommendation of approval of Z-12-02 Lands of Bennie Smith at 870-872 Forest Street: (Rezoning from CPO to C-1A and subject to the COZ-1), seconded by Mr. Holt and the motion was unanimously carried 8-0 with Mr. Nichols absent.

City of Dover

Department of Planning & Inspections

Application No.: Z-12-02



Plan Title: Lands of Bennie Smith
Location: 870-872 Forest Street
Plan Type: Rezoning
Tax Parcel: ED-05-076.12-01-08.00-000
Current Zoning: CPO, COZ-1
Proposed Zoning: C-1A, COZ-1
Owner: Bennie Smith
Date: 7-13-12

Legend

- Zoning
- Dover Parcels
- Corridor Overlay Zone
- Dover Boundary

0 150 300 600 Feet

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 1, 2012

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF BENNIE SMITH AT 870-872 FOREST STREET**

FILE #: **Z-12-02**

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 the following tax parcel numbers: ED05-076.12-01-08.00-000.

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 2012

APPLICATION: Lands of Bennie Smith

FILE #: Z-12-02

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: August 1, 2012

D E L D O T

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APPLICATION: Lands of Bernie Smith at 870-872 Forrest Street: Rezoning From CPO to C-1A

FILE#: Z-12-02 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:

- A Traffic Impact Study (TIS) will be required if the proposed new development 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 the City. 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 e-mail: 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 department requires the applicant to provide proper forms, fees, and plans in order to re-evaluate and issue an entrance permit.

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 #2012-19

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 870-872 FOREST STREET

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 C-PO (Commercial/Professional Office Development District) and subject to COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to COZ-1 (Corridor 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 C-PO (Commercial/Professional Office Development District) and subject to COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone) on that property located at 870-872 Forest Street (on the south side of Forest Street east of Gibbs Drive), consisting of $0.747^{+/-}$ acres, owned by Bennie L. Smith. (Tax Parcel: ED-05-076.12-01-08.00-000; Planning Reference Z-12-02; Council District 4)

ADOPTED: *

S:\AGENDAS-MINUTES-PACKETS\Council-Packets\2012\09-10-2012\3. Rezoning Request - Public Hearing-Final Reading of Proposed Ordinance #2012-19.wpd

Actions History
September 10, 2012 - Scheduled for Public Hearing/Final Reading by Council
August 20, 2012 - Considered by Planning Commission
July 23, 2012 - First Reading/Referral by Council

Draft

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: August 30, 2012
PREPARED BY: Tim Taraila, Code Enforcement Supervisor; Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 126 N Ann Ave, 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 # 11-1430
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 $10,000-15,000. **AMOUNT BUDGETED**: $150,000 Budgeted for all demolitions Citywide in the FY-2013 Budget **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 10, 2012** 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 Jesse L. Workmon. The property is a one story wood framed single family home. The dwelling was condemned as unfit for human habitation on 4/4/2012 due to the degree of damage to the structure from a fire that occurred on the night of 10/5/2010. Since the fire, numerous windows to the structure have been broken causing the owner to have all windows and doors boarded. Currently the structure is still vacant, with no active utilitie services and in a serious state of disrepair.

UTILITY COMMITTEE

The Utility Committee Meeting was held on August 27, 2012 at 5:30 p.m. with Chairman Bonar presiding. Members present were Mr. Blakeman, and Mr. Snaman. Mr. Perza and Mrs. Williams were absent. Members of Council present were Mr. Lynn and Mr. Hutchison. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Annual Review and Approval of Governing Policy for Energy Commodity Risk Management
(Deferred by Committee on August 13, 2012 Pending Further Information)

During their meeting of August 13, 2012, members reviewed the Governing Policy for Energy Commodity Risk Management. Due to questions and concerns of members, this matter was deferred to allow staff the opportunity to respond. Members reviewed the following documents: 1) Two (2) pages from the 2011 Comprehensive Annual Financial Report (CAFR) for the City of Dover; 2) Counterparty Credit Risk as of 6/29/2012; 3) Dover Monthly Credit Report for August 2012; and 4) Governing Policy for Energy Commodity Risk Management (provided at the August 13, 2012 Utility meeting and included again in this meeting packet).

Referring to Page 13 of the Governing Policy, Mr. Scott Koenig, City Manager, noted the statement, "At no time will the City incur a credit exposure with any counterparty greater than $60,000,000." He explained that the City now has several counterparties (approximately 11) and that the $60M limit was based on having only a few counterparties. He also advised members that in order to obtain a $60M credit limit, a triple A bond rating would be required. As detailed on the information provided regarding the Counterparty Credit Risk, he noted that if those individual amounts were totaled, the City's exposure would be significant. He stated that the amount of power (power hedges) that the City purchased last year totaled approximately $40M and that in years past, the City has purchased as much as $70M-$80M. It was his feeling that since the cost of power was decreasing, the City's exposure on the hedges was coming down, and the per counterparty exposure was decreasing (due to the City developing several counterparty agreements).

Mr. Koenig requested that the $60M limitation remain in the Governing Policy for this year and that the matter be reviewed again in the next year. He anticipated this issue being considered again in April or May of 2013 to prepare for Fiscal Year 2014. He explained that the amounts included in the Governing Policy were based on the risk associated with the counterparty. Mr. Koenig stated that the City's liability per counterparty must be reflected in the CAFR and felt that this was being reported very transparently. He reiterated that staff would review this matter over the next 12 months and would specifically ask The Energy Authority (TEA) if the number should be adjusted in the Policy at that time.

Mr. Blakeman moved to recommend approval of the Governing Policy for Energy Commodity Risk Management *(Attachment #1)*, as presented. The motion was seconded by Mr. Snaman and unanimously carried.

Update - Green Energy Funding and Programming

Mr. Scott Koenig, City Manager, reviewed an update on the Green Energy Funding and Programming. He stated that $802,265.68 had been collected since the City developed the Green Energy component of the bill. He advised members that the program involves an application process, an approval process, and a reimbursement process, and reimbursement often takes a significant amount of time. Mr. Koenig advised members that some applications from 2011 had not been completely paid off. Due to this backlog, the City has not accepted any new grant applications and is waiting for the funding stream to catch up, when grants will be opened to interested parties.

Responding to Mr. Bonar, Mr. Koenig stated that it was his recollection that the waiting list for reimbursement under the program was "a couple of years" and stated that he would obtain the exact timeframe.

Mr. Koenig explained that the second component of the program involved a large sum of money reserved by the City for reimbursement for green energy improvements to the Library. He stated that the City would be making application to the fund. He reminded members that the City made application last fall in the amount of $48,267; half of these funds were available for others who applied for a grant, and the remaining half was reserved (as authorized by the City) for City of Dover projects.

Update - Garrison Oak Technical Park Project

Mr. Scott Koenig, City Manager, stated that the Performance Standards Review Application for the Garrison Energy Center (Calpine Project) was discussed at the Planning Commission meeting held on August 21, 2012 and that, to his knowledge, the project was moving forward. He indicated that there was an ongoing issue between White Oak Solar Energy and the Calpine Project and, although there had not been resolution, meetings had been held regularly and he had heard no statements that related discussions have been negative; therefore, he was hopeful that they were moving toward conclusion.

As previously reported, Mr. Koenig reminded members that the Calpine Project went before the Department of Natural Resources and Environmental Control (DNREC) for air permitting. An objection was filed by White Oak Solar Energy and comments were filed by the Environmental Protection Agency (EPA). It appeared that Calpine was taking action to obtain the necessary permits and design approval so that the project could be delivered to the grid in June 2015.

In response to Mr. Blakeman, Mr. Koenig confirmed that PJM had identified a list of improvements. It was his understanding that meetings were held with PJM and the required improvements had been negotiated. He stated that discussions were held at those meetings and that a final letter would be issued in the Fall (October) that would give Calpine details regarding access to the grid.

Responding to Mr. Hutchison with regard to gas lines, Mr. Koenig stated that, to his knowledge, Eastern Shore Natural Gas was working on alignments with Calpine and that there had been no negative comments regarding the pipeline being delivered in time.

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

Meeting Adjourned at 5:45 P.M.

David L. Bonar
Chairman

DLB/TM/jg/js/dd
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Attachment
Attachment #1 - Governing Policy for Energy Commodity Risk Management

City of Dover, Delaware

Governing Policy

For

Energy Commodity
Risk Management

Effective:

Approved by:

Date:

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PURPOSE OF THE RISK MANAGEMENT POLICY

A. Introduction

The City of Dover ("**City**") and its customers are routinely exposed to energy price risk, volume variability risk, basis risk and credit risk – herein referred to collectively as energy commodity risk - in the normal conduct of serving its electric load requirements. Volatility of energy commodity prices and volumetric uncertainty (either supply/generation or load obligations) impose a substantial and direct risk to the City's financial and operating performance.

By authority of its charter, the City has responsibility for overseeing the City's electricity operations, including the management of its cost of serving Dover's customers. By agreement dated May 6, 2011 and approved by the City (the "**EMA**"), the City has engaged The Energy Authority, Inc. ("**TEA**") to assist the City with Asset Management and Strategic Planning Services, Risk Management Services, and Energy Management Services.

This Policy for Energy Commodity Risk Management ("**Policy**") is established the explicit understanding that the City has retained and delegated responsibilities to TEA to provide Risk Management Services.

Additionally, the City has issued this Policy for dealing with the philosophy, framework and delegation of responsibilities necessary to govern activities related to Dover's energy commodity risk management. As set forth herein, the City has established an organizational structure, delegated responsibility and established internal controls and procedures to ensure that all transactional and oversight activities are conducted in compliance with this Policy and in accordance with the City's normal reporting, legal, financing and regulatory requirements relating to energy assets and transactions.

B. Scope of Policy

This Policy covers all transactions entered into the by the City of Dover designed to meet the City's electric load requirement and the management of risk related to these transactions.

In the event of conflict between this Policy and the EMA, the Policy shall control. This Policy is separate and distinct from enterprise risk management policies and procedures addressing the City's safe operation of its generating stations and energy infrastructure, insurance requirements, permit compliance, employee matters regulatory compliance with laws and regulations of the State of Delaware and Federal

Agencies such as EPA, FERC, NERC and CFTC or other potential risks to the City beyond the purchase and sale of fuel and electric power and its ancillary products.

C. Objectives and Risk Philosophy

The objectives of the Policy are to identify energy commodity price and credit risk exposures and give the City a framework for the quantification and management of these exposures. The Policy will identify the reports needed to convey how the identified risk exposures can potentially impact the City's overall cost of providing electricity service to its customers and report on the risk management of the transactions associated with City's electric load requirements.

Under the Policy, risk management activities will be conducted consistent with the City's overall objective of appropriate risk mitigation. There are several objectives of the Policy which, when taken and executed together, serve to manage the City's energy commodity price exposures. Specifically, the Policy:

- Establishes framework for developing credit limits for counterparties and quantifies and manages the credit exposures related to potential counterparty abrogation
- Quantifies the impact of the above exposures on City's financial results
- Manages the impact of the above exposures in line with the City's identified level of risk tolerance
- Provides clear delineation of responsibilities and authority, outline a separation of duties, and ensure reporting of risk is timely and accurate.
- Ensures that the impact of any action affecting the City's position is consistently quantified, monitored and authorized.

The City's risk management activities will be conducted consistent with its overall objective of appropriate risk mitigation and never for purposes of speculation.

D. Policy Administration

This Policy has been approved by the Executive Risk Management Committee and The Utility Committee of the Dover City Council. The Utility Committee must approve modifications to the Policy with the exception of the appendix information which can be modified with the approval of the Executive Risk Management Committee.

MANAGEMENT AND CONTROLS

This Policy articulates the management and organization of the City and TEA to serve as a control framework outlining delegation of duties and responsibilities.

A. Utility Committee of The City Council

The Utility Committee of The City Council (The Committee) has a responsibility to provide approval of this Policy. With this approval, The Committee also assumes additional duties. They will understand the risks the City is and could be exposed to due to their energy commodity risk management activities. In this role, the Committee will have a responsibility to also understand the City's policies and procedures, internal controls and systems which are used to help manage the City's energy commodity risks.

The Committee will approve any amendments to the Policy or limits within. The Executive Risk Management Committee will update the Committee periodically regarding the Policy and its functions. It will be the Committee's responsibility to:

- Discuss guidelines and strategic policies that govern the process by which the Energy Risk Management Committee assesses and manages risks
- Review and approve the risk policy at least annually
- Approve new members of the Executive Risk Management Committee
- Acknowledge the risk inherent in transactions covered under this Policy

B. Executive Risk Management Committee

An Executive Risk Management Committee ("**ERMC**") has been formed to provide executive management oversight for the City's energy commodity risk management activities. The ERMC is charged with the creation, amendment and administration of this Policy, including acquiring any approvals required by the Utility Committee, and will ensure that all energy commodity risk management activities of the City are performed consistent with this Policy. The ERMC will meet at least monthly to review compliance and conduct its business as described in this Policy.

The ERMC shall be comprised of the following voting members: The City Manager, The Director of Utility, The City's Controller and TEA's Member Service Manager.

The City's ERMC will make decisions following the process outlined in this Policy. TEA's Member Services Manager may include representatives from other areas within TEA in the monthly ERMC meetings who will attend in person or by conference call as non-voting advisors. Other City employees and TEA staff may also be asked to attend meetings from time-to-time, as the ERMC deems necessary. The responsibilities of the ERMC shall include:

- Establish scope and frequency for management reporting to the Utility Committee.
- No less than annually, review the City's Energy Commodity Policies and Procedures for correctness and completeness.

- Review and approve any new risk report or change to an existing risk report provided by TEA to monitor risks outlined in this Policy.
- Understand and approve any models, methodologies, and assumptions used for measuring risks such as volume risk, process risk, counterparty risk and commodity risk.
- Monitor the City's risks and ensure they are within the limits and are being managed according to what is indicated within the City's Policy and associated procedures
- Understand the City's risk management objectives and risk tolerances.
- Review and approve the risk management and trading strategy programs and associated risk. Each program should be reviewed to ensure alignment with Policy objectives and compliance with risk limits within this Policy.
- Periodically review any risk management program approved in light of recent market changes, and ensure continued compliance with its established guidelines
- Review and approve new products, markets, trading counterparties and credit limits
- Review all violations and exceptions to this Policy and report such to the Committee.
- Approve the individuals or companies that engage in the City's commodity transactions and are subject to the limits within this Policy.
- Ensure that the individuals or companies authorized to transact on behalf of the City as well as manage its risks, are appropriately trained and qualified.
- Ensure independence and segregation of duties between front, middle and back office at TEA.

Recommend changes to this Policy to the City's Utility Committee for approval and ensure the Utility Committee understands the City's overall compliance with this Policy and associated procedures

The ERMC will meet at least monthly to review risks identified and reported on by the Policy, this meeting shall be chaired by The City Manager. Minutes of each meeting of the ERMC shall be recorded and reflect any decisions and follow-up action items to be performed. These minutes will be reviewed and approved by the members of the ERMC in a timely manner.

Each member of the ERMC has a unique role as defined below:

1. City Manager

The City Manager is independent of all commercial functions and carries the responsibility of establishment and maintenance of risk management for the City. The City Manager will be a voting member of the ERMC and act as a chair of the ERMC. Other responsibilities include:

- Ensure this Policy is maintained.

- Oversee reviews of the City's energy commodity risks, limits, risk measurement methodologies and models, and programs and recommend changes to the ERMC.
- Ensure potential transactions and their impacts on the City's risks and limits defined within this Policy.
- Develop and monitor the implementation of the Policy, and oversee other risk management processes and procedures established by this Policy or otherwise by the ERMC.

2. Director of the Utility

The Director of the Utility is responsible for all trading, hedging, pricing, structuring, and market and operational risk management activities associated with the City. The Director of the Utility will be a voting member of the ERMC. Other responsibilities include:

- Review the effectiveness of transaction processing systems and procedures relating to risk measurement.
- Recommend operational risk and business risk assessment guidelines.

3. Controller

The Controller is independent of all commercial functions and carries the responsibility of the City's accounting practices. The Controller will be a voting member on the ERMC. Other responsibilities include:

- Perform financial accounting including accounting for hedging and derivatives activities.
- Comply with tax rules and make appropriate tax elections.
- Record realized and unrealized gains and losses.
- Reconcile general ledger, cash transactions and margin accounts.
- Implement tax-hedge accounting policies and other regulatory tax requirements.
- Develop and maintain documentation outlining standard procedures for conducting business.
- Invoice counterparties and resolve billing disputes.
- Perform daily/weekly/monthly transaction checkout with counterparties.
- Develop and maintain documentation outlining standard procedures for conducting business.

4. TEA Member Services Manager

The TEA Member Service Manager roles and responsibilities are defined exhibit B of the EMA between the City and TEA. The TEA Member Service Manager will be a voting member on the ERMC. Other responsibilities include:

- Monitor risk reports between ERMC meetings.
- Report to the Committee and the ERMC on the City's adherence to all limits and functions within this policy.
- Engage the ERMC in discussions regarding events or developments that could expose the company to potential losses.
- Recommend to the ERMC specific risk limits consistent with the City's risk management objectives, risk tolerance, and risk management policy.
- Coordinate and distribute independent market fundamental analysis.
- Provide advisory support and recommendations as specified in Article 5 of the EMA.

DISCUSSION OF RISKS

This Policy covers the management of all material energy market risks faced by the City. A comprehensive list of risks that are or could be relevant to City is shown in Appendix C of the Policy. Among the most critical of these risks are commodity risk, counterparty risk, process risk, volume risk, and budget risk. These risks are measured by the limit structure and controls outlined in the Policy.

Commodity risk represents the potential adverse impacts to the value of the City's portfolio due to changes in the market. Commodity risk encompasses volatility risk, forward price risk, basis risk, correlation risk and liquidity risk.

Counterparty risk represents the potential losses the City could incur due to delivery risk and receivable risk. Delivery risk stems from a supplier or trading counterparty that is unable or unwilling to perform on its commitments including but not limited to delivery or receipt of commodities. Receivable Risk includes the City's risk associated with a counterparty's timeliness of payment for services rendered.

Process risks represents the risks associated with process problems including, but not limited to, inaccurate data capture, untimely trade execution or settlement problems. Controls over process risks are embedded in the organizational structure of TEA through the design processes and operating procedures.

Volume Risk represents the potential for unforeseen changes from projections of excess or shortfall of capacity or energy from the actual needs. When variances are large coupled with large costs to transact and adverse moves in market prices this risk could be realized. In management of this risk, the City must be aware of the fact that unexpected variations in volume are often highly correlated with price movements.

Budget Risk represents the potential to deviate outside of tolerable bounds of the City's budget. Deviations from budget can be caused by forecast error or unforeseeable adverse changes in market prices.

MARKETING AND TRADING PRACTICES

A. Standards of Conduct

Individuals authorized to transact for the City shall not misrepresent, conceal or withhold information regarding energy commodity trading and risk management transactions to any person responsible for the accurate recording and/or reporting of such transactions; participate in any such transaction or similar activity for the benefit of any party other than the City; or hold or be a beneficiary of any financial interest in any entity with which the employee is engaged in trading or other business activity (other than ownership of an interest in a mutual fund managed by another party). Further, no employee authorized to place or execute such transactions may engage in trading power or energy commodities derivative instruments for his or her personal account.

B. Products, Activities and Limitations

Pursuant to achieving the City's core objectives for the purpose of energy commodity risk management, the following limitations shall apply.

- Permissible instruments will be restricted to the products and instruments specified in Appendix A – Approved Products of the Policy;
    - All physical forward transactions shall be governed by the Edison Electrical Institutive (EEI), North American Energy Standards Board (NAESB), or similar agreements with counterparties approved by the City.
    - The City reserves the right to enter into financial hedge transactions to effectuate Policy objectives, but does not authorize TEA to enter into financial hedge transactions on its behalf. Any such financial transactions that the City may enter into shall be governed by ISDA agreements with counterparties as approved by the City.
- The maturity for each permissible instrument will be restricted to the maturity limits specified in the risk limits section of the Policy.
- Transaction volumes for each risk management transaction will be restricted to the amounts specified in the Risk Limits section of the Policy.
- Risk management transactions will be outlined in the ***City of Dover Hedge Program*** which will be approved by the ERMC. Risk management transactions may include the following:
    - Hedging the forward price of purchased power for delivery to the City as needed to meet its electric load requirements.

- Hedging the forward price of natural gas and fuels as needed to generate power to meet the City's electric load requirements.
- Unwinding of hedges to accommodate changes in expected load requirements, or for economic reasons subject to explicit constraints set by the ERMC.

C. Contract Documentation and Confirmations

No over-the-counter transaction may be executed until an EEI, NAESB, or similar agreement has been authorized by the City, approved by the ERMC and fully executed by the parties.

Written confirmations will be required from counterparties, as defined in the Master Service Agreement between the City and counterparty, within one business day or such longer time as required by the contract in question for all risk management transactions. Contemporaneous with any commitments and prior to receipt of written confirmations, verbal commitments shall be memorialized internally as to instrument structure, quantity, relevant time horizon, price and any other relevant terms; such internal documentation shall be time stamped and correlated to the ultimate written confirmation to or from the counterparty. Both the internal documentation as well as the written confirmation from the counterparty shall be provided to TEA's Risk Control Group immediately upon receipt for verification.

In the event that there is a material failure to provide timely documentation or confirmations, then at the City Manager's sole discretion, the offending individual's authorization may be suspended. Similarly, if the failure to provide timely documentation or confirmations is due to the failure of counterparty, then at the discretion of the City Manager, a moratorium may be imposed on transactions with that counterparty. In such cases, the City Manager shall notify the ERMC of the issues leading to the suspension or moratorium shall.

Nothing herein shall inhibit the City Manager from bringing control issues to the TEA's Member Services Manager prior to a decision on materiality or the imposition of a suspension of trading privileges or counterparty moratorium.

D. Training

The ERMC will ensure that all City employees and/or TEA Staff that will execute transactions on behalf of the City will have appropriate training in the markets in which the transactions occur.

E. New Product Protocol

As required to manage the City's energy commodity risk the ERMC shall approve new products provided the requirements of the ***New Product Approval Procedure*** are met.

RISK LIMITS AND RISK MEASUREMENTS

A. Limits

The limit structure is designed to quantify the types of risk in City's energy commodity portfolio. The City will manage and report on its energy commodity market risk using Volume/Maturity/Value Limits, a Cost of Service Limit and a Hedge Loss Limit.

1. Volume/Maturity/Value Limits

Transaction limits for the Individuals Authorized to execute transactions and the maturity limits for each permissible instrument are listed below. Transactions for amounts in excess of those listed may be executed only upon approval of the ERMC. This limit, maturity and value structure is not intended for use when transacting day-ahead and real time in the PJM market.

Volume/Maturity/Value Limits		**Maximum Daily Notional Limits**	
		Volume	**Value ($000)**
Power (MW) Hourly Limit	Balance of the Month through 12 Months	50	20,000
	Between 13 Months and 24 Months	50	20,000
	Between 25 Months and 36 Months	25	10,000
	Between 37 Months and 48 Months	25	10,000
	Between 49 Months and 60 Months	25	10,000
Natural Gas (MMBtu) Monthly Limit	Balance of the Month through 12 Months	30,000	400
	Between 13 Months and 24 Months	30,000	400
	Between 25 Months and 36 Months	10,000	200
	Between 37 Months and 48 Months	10,000	200
	Between 49 Months and 60 Months	10,000	200
#2/#6 Fuel Oil (Bbl) Monthly Limit	Balance of the Month through 12 Months	6,000	400
	Between 13 Months and 24 Months	6,000	400
	Between 25 Months and 36 Months	3,000	200
	Between 37 Months and 48 Months	3,000	200
	Between 49 Months and 60 Months	3,000	200

The amounts in the table above refer to the maximum volume of orders that can be placed in any one day the individuals authorized to conduct trades for the specified time period. On any one day the maximum transaction volume placed can be for up to 50 MegaWatts per hour for every hour during a single calendar month (including both on-peak and off-peak hours), OR 25,000 MMBtu per month for all months pertinent to the natural gas transaction, OR 6,000 Bbl per month for all months pertinent to the oil transaction.

For no reason should a transaction be executed that exceeds the City's electric load requirements. If there is an adjustment to the City's electric load requirements and the existing transactions greater than 100% of the adjusted electric load requirements the ERMC will review and approve the offsetting strategy deployed in sufficient proportion to mitigate the encroachment.

B. Stress Testing and Back Testing

The City's positions shall be periodically stress tested and models shall be back tested. The processes around these tests are outlined in the ***Stress Testing and Back Testing Procedure***.

C. Instances of Exceeding Risk Limits

Should the City or TEA enter into a transaction that causes the portfolio to exceed any above mentioned limits the Director of the Utility shall, in addition to notifying the ERMC, also notify the Chair of The Committee as soon as practicable and shall provide periodic reports to the Chair on the status the transactions for as long as the City is exceeding its limits. The ERMC will review and determine whether any liquidation or offsetting of transactions is warranted. The incident will be documented as a Policy Exception by the Director of the Utility.

CREDIT POLICY

Credit Risk is the risk due to the uncertainty in a counterparty's ability to meet its contractual obligations. The primary objective of this credit policy is to mitigate, to the extent commercially reasonable, the credit risks associated with transactions covered in this Policy while still allowing the City to achieve its objectives.

A. Measuring Credit Risk

The status of credit risk will be measured and reported through reports provided by TEA.

The current credit exposure will be reported at the agreement level via a Counterparty Credit Report provided by TEA. This information will be made available in real time to TEA trading personnel so that it can be checked prior to executing transactions for the City. Those responsible for risk oversight at the City and TEA will have access to this information no less frequently than once per day. The ERMC will monitor overall credit utilization and any credit exceptions at least monthly. When measuring the current credit risk, netting will be applied to the exposure if the City's contract with a counterparty includes provisions for netting.

B. Analysis and Extension of Credit Limits

Physical and financial commodity transactions will be executed with counterparties approved by the ERMC with credit available to support the transactions. The creditworthiness of a counterparty will be determined by both qualitative and quantitative factors. Factors shall include, but not limited to:

- A company's debt credit ratings provided by the rating agencies.
- Financial data such as an analysis of the income statement, balance sheet, and cash flow, as well as liquidity and capital structure.
- Subjective factors such as company's fuel diversity, overall size, risk management policy and internal controls, geographic diversity, and market intelligence.

A credit limit is the amount of unsecured credit granted to a counterparty. Unsecured credit exposure includes amounts owed by the counterparty, whether billed or not, and the mark-to-market differences in value of any collateral which the counterparty has provided the City. Any net exposure above the collateral threshold will require the posting of collateral by a counterparty. Further information on the City's procedure for establishing credit is contained in the ***Counterparty & Credit Review Process***.

Collateral thresholds, term limitations and credit exposure limits will be subject to the maximums indicated in Appendix B, based upon the lower of the S&P and Moody's credit ratings.

At no time will the City incur a credit exposure with any counterparty greater than $60,000,000.

C. Instances of Exceeding Credit Limits

The City and TEA are restricted by the credit limits approved by the ERMC. The ERMC can suspend trading with a counterparty, if that counterparty's credit limit has been reached or exceeded. **The City or TEA traders shall not exceed the Counterparty Credit Limit by executing transactions with any counterparty without approval of the ERMC.**

The ERMC will determine when it's appropriate to require additional collateral if a counterparty's credit exposure exceeds its credit limit. Collateral includes standing letter of credit, cash, and prepayments.

All credit exceptions will be documented and reported to the ERMC and the Committee as Policy Exceptions.

REPORTING

A. Risk Reporting

Preparation of timely reports is critical to monitoring risk. TEA will furnish the required reports on a regular frequency for the City in a format acceptable to the ERMC. In addition, the ERMC and its designees will be provided access to the City's risk reports as updated daily via TEA's secure Web Portal.

Reports required on a monthly basis and for periodic meetings of the ERMC include the following:

- **Profit and Loss Report**

The Profit and Loss (P&L) Report shows the daily realization of transactions at either the transaction price or the market price as transaction roll from unrealized to realized. This report should show volumes, transaction prices and market prices of realized physical and financial power and fuel transactions.

- **Mark to Market Report**

The Mark to Market ("MTM") Report conveys the potential transaction exposure if the energy commodity portfolio was liquidated at the most recent market settlement prices. This report should show volumes, transaction prices and market prices of unrealized physical and financial power and fuel transactions.

- **Activity Report**

The Activity Report presents a summary of all energy commodity risk management activities undertaken, including new transactions taken, existing transactions settled/liquidated, and any transactions unwound.

- **Cost of Service Report**

The City's exposure to energy price risk shall be monitored and reported on a Cost-of-Service basis. All calculations are at the wholesale level. The Cost-of-Service recognizes all prior (expired) months within the Power Year on the basis of actual (incurred) costs, and recognizes all forward (pending) months within the Power Year on the basis of expected forward power and fuel prices and expected forward load-following risks. As defined below, the Cost-of-Service is an aggregation of Forward Energy Commodity Portfolio Cost, the Load Following Cost Expectation and the City's Budget Target for Purchase Power Expense.

  - The Net Purchased Power Cost shows the net cost of all physical and financial transactions related to the City's anticipated commodity requirements for power and fuel and is based on the price of all hedge transactions plus the forward market price of all unhedged transactions valued at current forward prices for

energy commodities, customer-level cost per MWH of all physical and financial transactions related to Dover's actual plus anticipated energy.

- The expected fixed costs defined as load-serving entity (LSE) capacity costs, transmission costs and TEA management fees.
- The Expected Load-Following Cost for a specified power year is defined as the expected cost (or revenue) associated with intra-month load variations due to weather or other events affecting demand. As an interim measure due to lack of necessary market information and the rapid evolution of the PJM RTO market, the ERMC has specified $2.50 per MWH as an estimate of the Load Following Cost to be used for estimating the City's Forward Cost-of-Service Report. The ERMC will update the Expected Load Following estimate while lack of necessary market information persists no less than annually.
- The Budget Target for Purchase Power Expense represents the City's view of expected purchase power expense.

B. Credit Reporting

- **Counterparty Credit Report**

The Counterparty Credit Report conveys the exposure to all counterparties with which the City has credit exposure resulting from its energy commodity risk management activities.

C. Hedge Effectiveness Reporting

If the City's transactions require a hedge effectiveness test, those testing results will be reported to the ERMC no later than one month after the end of the financial reporting period. The report will include a summary of testing methodology, assumptions of the testing and the outcome of results with a pass or fail by transaction.

INFORMATION TECHNOLOGY SYSTEMS

Since information systems play a vital role in The City's trading abilities, the City shall ensure that the information systems and technology used to store all transaction information is maintained and secure. The City's transactions will be stored in TEA's enterprise trading and risk management system. TEA uses the TriplePoint Commodity XL (CXL) system, integrated with Commodity XL for Credit Risk (Credit Risk). TEA has assigned a Database Administrator (DBA) that is charged with the database security and maintenance for the transaction database, CXL.

The following safeguards for data security and backup will be installed:

- Transaction data stored in the system of record will be replicated daily to ensure data redundancy;

- The CXL database will be backed up at least daily after the close of business.

POLICY DISTRIBUTION AND COUNSEL

A. Distribution Outside The City

The City's Policy is restricted to the use of the City and TEA organizations. It shall not be distributed outside these organizations without the consent the ERMC.

B. Designated Counsel

Questions about the interpretation of any matters of this Policy should be referred to ERMC. The ERMC will provide clarification and explanation on any updates to this Policy.

All legal matters stemming from this Policy will be referred to the City's Legal Counsel.

APPENDIX A – Approved Products

The following shall constitute a list of approved forward hedge products to be utilized by TEA to manage the City's energy commodity portfolio:

- Forward Physical Power Peak
- Forward Physical Power Off-Peak
- Forward Physical Power All Hours
- Forward Physical Natural Gas Delivered Dover via Eastern Shore Pipeline
- Forward Physical Residual Fuel Oil (#6) Delivered Dover
- Forward Physical Residual Fuel Oil (#2) Delivered Dover
- Capacity
- Forward Financial Power Peak
- Forward Financial Power Off-Peak
- Forward Financial Power All Hours
- Financial Call Option
- Financial Put Option

The above instruments can be executed by TEA on behalf of the City of Dover for the current and next two successive Power Years (July to June).

APPENDIX B – Approved Counterparties and Threshold Tables

This Appendix establishes approved counterparties and their Collateral thresholds. Collateral thresholds, term limitations and credit exposure limits that are subject to the following maximums based upon the lower of the S&P and Moody's credit ratings:

Credit Thresholds from Dover Extended to the Counterparty

Constellation Energy

Threshold	S&P	Moody's
$ 60,000,000	AAA	Aaa
$ 50,000,000	AA- to AA+	Aa3 to Aa1
$ 50,000,000	A- to A+	A3 to A1
$ 40,000,000	BBB+	Baa1
$ 30,000,000	BBB	Baa2
$ 20,000,000	BBB-	Baa3
$ -	Below BBB-	Below Baa3

Integrys

Threshold	S&P	Moody's
$ 20,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ 1,000,000	BBB-	Baa3
$ -	Below BBB-	Below Baa3

Sempra Energy

Threshold	S&P	Moody's
$ 20,000,000	A or above	A2 or above
$ 20,000,000	A- to A+	A3
$ 15,000,000	BBB+	Baa1
$ 10,000,000	BBB	Baa2
$ -	BBB- or lower	Baa3 or lower

Conectiv

Threshold	S&P	Moody's
Unspecified *	Above BBB+	Above Baa3
$ -	Below BBB-	Below Baa3

*** Conectiv does not have a defined credit threshold, so for planning purposes, a $10,000,000 threshold is imposed as a conservative limit**

Macquarie Cook Power

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

FPL Energy

Threshold	S&P	Moody's
$ 30,000,000	AAA	Aaa
$ 25,000,000	AA- to AA+	Aa3 to Aa1
$ 20,000,000	A- to A+	A3 to A1
$ 15,000,000	BBB+	Baa1
$ 10,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Deutsche Bank

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Barclays Bank

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Credit Thresholds from the Counterparty Extended to Dover

Constellation Energy

Threshold	Fitch	Moody's
$ 40,000,000	AA- or Above	Aa3 or above
$ 30,000,000	A+	A1
$ 20,000,000	A	A2
$ 10,000,000	A-	A3
$ -	BBB or below	Baa1 or below

Integrys

Threshold	Fitch	Moody's
$ 20,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ 1,000,000	BBB-	Baa3
$ -	Below BBB-	Below Baa3

Sempra Energy

Threshold	Fitch	Moody's
$ 27,000,000	A- or above	A3 or above
$ 5,000,000	BBB+	Baa1
$ 1,000,000	BBB	Baa2
$ -	BBB- or lower	Baa3 or lower

Conectiv

Threshold	Fitch	Moody's
Unspecified *	Above BBB+	Above Baa3
$ -	Below BBB-	Below Baa3

***Conectiv does not have a defined credit threshold, so for planning purposes, a $10,000,000 threshold is imposed as a conservative limit**

Macquarie Cook Power

Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

FPL Energy

Threshold	Fitch	Moody's
$ 23,000,000	AAA	Aaa
$ 18,000,000	AA- to AA+	AA3 to Aa1
$ 13,000,000	A- to A+	A3 to A1
$ 8,000,000	BBB+	Baa1
$ 3,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Deutsche Bank

Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Barclays Bank

Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

APPENDIX C – Business Risks

APPENDIX D – Glossary

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on August 27, 2012 at 6:00 p.m. with Chairman Lynn presiding. Members present were Mr. Anderson (arrived at 6:15 p.m.), Mr. Rushe, and Mr. Shevock. Mr. Hare was absent. Members of Council present were Council President Leary, Mr. Bonar, Mr. Hutchison, and Mr. Perza. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

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

Auditor's Responsibility for Communicating with Audit Committee - Fiscal Year 2012 Audit Program

Mrs. Peggy Teal, Assistant Finance Director, reviewed a presentation entitled Auditor's Responsibility for Communicating with Audit Committee. She reminded members that City Council decided that the Legislative, Finance, and Administration Committee would also serve as the City's Audit Committee.

Mr. Shevock moved to recommend acceptance of the presentation, as reviewed by staff, seconded by Mr. Rushe and unanimously carried.

Civilian Pension Board Recommendation - Adjustment to the Minimum Payment for Pension

During the Civilian Pension Board Meeting of August 15, 2012, members considered an adjustment to the minimum payment for pension and recommended approval of Option #1 (Attachment #1), as outlined in the information provided by Mr. Les Blakeman in reference to the Discussion - Adjustment to the Minimum Payment for Pension (Attachment #2), increasing the minimum payment for pension to $500 per month, at the next scheduled City Council meeting, and to order an actuarial study based on $500 per month. *(City Clerk's Office Note: Recommendations of the Civilian Pension Board are forwarded to the Legislative, Finance, and Administration Committee for their review and recommendation to be forwarded to City Council for final action.)*

Mr. Les Blakeman, 209 Falmouth Way, addressed members as an elected member of the Civilian Pension Board and reviewed information related to the discussion regarding an adjustment to the minimum payment for pension including three (3) proposals, along with historical information.

Responding to Mr. Shevock regarding the effect the recommendation would have on the total pension fund, Mr. Scott Koenig, City Manager, stated that a request was submitted to the actuary and read a portion of an email received, as follows: *"On the funding aspect, we would recommend that the entire increase be paid immediately. The funded percentage of the plan is about 40% as of the last study in total, and was only 60% for retirees alone."* He explained that the actuary indicated that there were enough assets at present to cover only 60% of the benefits promised to current retirees and no remaining assets for other members. As a result, he stated that the actuary recommended that if the City wished to approve the proposal, it should be paid all at once, since the plan was underfunded at this time. While the calculated cost was $64,000, Mr. Koenig was unsure of the amount that this would translate to for the actuary.

In response to Mr. Shevock regarding the amount of Social Security benefits paid to pensioners, Mr. Blakeman indicated that it was not possible to obtain specific information; however, he suggested that it could be assumed that these individuals were not receiving very much in the way of Social Security based on the fact that they were not receiving much of a pension.

Responding to Mr. Shevock, Mr. Koenig stated that the source of funds required to pay for the proposed increase would have to be determined by City Council and debated by the Committee. He stated that the Treasurer/Controller had suggested that the increase should be paid by adjusting the pension contributions of current employees.

At the request of Mr. Lynn, Mr. Koenig stated that a copy of the email received from Mr. Scott Porter, the actuary, would be provided for inclusion in the record ***(Attachment #3)***. It was his understanding that the actuary would provide the cost to conduct a study to accommodate the recommendation and that no costs had been incurred to date as a result of the Civilian Pension Board's recommendation.

Mr. Anderson suggested that some pensioners have income from sources other than Social Security and questioned the demographics of the pensioners. Responding, Mr. Blakeman stated his feeling that such information would be impossible to determine.

In response to Mr. Bonar, Mr. Koenig stated that current employees of the General Pension Plan pay 3.5% of their salary into the Plan and employees of the Police Pension Plan pay 7% of their salary into the Police Pension Plan. Noting that the City's Pension Plans are one of its biggest liabilities, Mr. Bonar felt that the time had come for the City to request employees to contribute a larger share to their pension. He suggested that the civilian employees also be required to contribute 7% of their salary to the General Pension Plan. He indicated the importance of the City developing a means of getting the Pension Plans under control, and expressed his feeling that the City could only ask so much of their citizens and that employees should have a role in this regard.

Responding to Mr. Perza, Mr. Koenig stated that staff had no objections to requesting an actuarial study to determine costs and that his personal preference would be to request the members of the General Pension Plan to vote in favor of paying for any increase. He explained the delicacy of this matter as an employer. Staff recommended that the actuarial study be performed to be presented to the Committee for their review and consideration of how an increase would be funded.

Council President Leary noted that the Pension Plan and its benefits were codified many years ago and that the life expectancy of its members had increased since that time, which created a problem with the unfunded pension liability. He felt that any action taken by the City affecting taxpayers would only increase this liability.

In response to Mr. Anderson, Mrs. Peggy Teal, Assistant Finance Director, indicated that the City Manager had already requested details regarding all pensioners, such as years of service (10, 20, 25, etc.). She indicated that although staff had begun to work on this information, it was not yet

complete. She stated that the cost of an actuarial study should be minimal since the actuary already had specific records. Since he was scheduled to conduct an update on the unfunded and funded liabilities this year, he would be "piggy backing" the requested actuarial study.

Referring to the 60% unfunded liability, Mr. Hutchison questioned if the City would be required to increase its funding each year to reduce this liability under new regulations. Responding, Mrs. Teal stated that the American Institute of Certified Public Accountants (AICPA) recently released new information that was currently being reviewed by staff to determine what, if any, impact it would have on the City. Council President Leary indicated that staff had suggested the possibility of a workshop being held with members of City Council to review the extensive new regulations.

In response to Mr. Bonar, Mrs. Teal stated that the 60% unfunded pension liability equated to approximately $40M.

Mr. Koenig reiterated the awkwardness of staff's position in this matter with former employees, noting that they served the City well and that the City would like to take care of them during their retirement years. However, he felt it important that members understood that the information provided did not distinguish between those employees who served 10, 20, or 25 years. He also noted that some employees who worked 10 years, became vested, and then left the City's employment were not on the list, since they had not reached 65 years of age; therefore, the list of retirees was not comprehensive. He explained the importance of obtaining all information prior to making any final decision in this matter. Referring to the Pension Board's recommendation, he requested that the Committee authorize an actuarial study of all three (3) options originally presented to the Board by Mr. Blakeman, or at least obtain the cost to conduct all three (3) options rather than just one (1).

Mr. Koenig stated that if it was Council's desire to consider providing an increase in the minimum payment for pensioners, that members should consider the possibility of requesting pension members to pay for the costs involved so that there would be no effect on the City's budget. He reminded members that the General Pension Plan is a closed plan and that there were employees in the Defined Contribution Pension Plan (401(a) Plan) who were not receiving such consideration. Mr. Koenig stated the need to conduct an actuarial study to determine if the City could afford to fund the proposed increase and what would be the best method with the least impact on the public.

Mr. Shevock moved to recommend that the matter be tabled to allow staff to determine how an adjustment would be funded, seconded by Mr. Rushe.

Mr. Lynn reminded members that Council's authorization would be required for an actuarial study; therefore, if the study were not authorized, staff would not be able to obtain the necessary information to determine the costs of such an adjustment or how the adjustment would be funded.

Mr. Shevock moved to amend the motion to recommend retaining the actuary to determine the cost of providing a minimum payment of $300, $400, and $500 to all retirees or their surviving spouses, and that staff determine how an adjustment would be funded, seconded by Mr. Rushe and unanimously carried.

Salary and Benefits Compensation Comparison Committee Report

Members were provided a Salary and Benefits Compensation Comparison Committee Summary Report - June 2012. As Chairman of the Salary and Benefits Compensation Comparison Committee, Mr. Perza reminded members that City Council established the Committee, consisting of citizens, to compare City of Dover municipal employee salary and benefit packages to the salaries and employee benefits provided by the State of Delaware and other local governments. He explained that the municipalities under review were limited to Delaware, and subgroups within the Committee were provided flexibility to seek out those municipalities most comparable to their assigned employee classifications. He stated that it was the Committee's general observation that the combined salary and benefit compensation packages paid to City of Dover employees compared favorably to other municipalities in Delaware.

Mr. Lynn reminded members that he had argued against the formation of the Salary and Benefits Compensation Comparison Committee from its inception. With no disrespect, he stated his belief that it was flawed not only in its application, but in its poor mandate. Mr. Lynn noted that, as stated by Mr. Perza, the Committee determined that there was no municipality comparable to the City of Dover in the State of Delaware, with the possible exception of the City of Newark; therefore, the mandate given to the Committee by City Council was flawed from its inception. Rather than looking at municipalities which fall within the City's Consumer Price Index (CPI) region, the Committee focused on comparing municipalities within the State of Delaware, none of which are comparable to Dover. In addition, he stated that it was flawed in its application because the Committee solely considered job titles rather than job responsibilities or qualifications. In addition, Mr. Lynn noted that old and/or outdated data (older than two (2) years) was utilized by the Committee to reach its conclusions; therefore, any information provided to members by the Committee (through no fault of their own) was not reliable and should not be given any weight. As a result, Mr. Lynn suggested the rejection of the report.

Mr. Anderson moved to recommend acceptance of the report and thanked the Committee for their work, recognizing there were limitations and, if taken into account, he felt that the information provided was extraordinarily useful. The motion failed due to the lack of a second.

Responding to comments of Mr. Lynn, Mr. Perza stated that the concerns regarding the comparability of Dover to other municipalities in Delaware was addressed by members of the Committee to the best of their ability by removing cities that did not apply, such as those that did not have an electric department. Members discussed the CPI early in the process and this was rejected since members were not concerned with employees leaving the City of Dover to go to municipalities outside of the State of Delaware (such as Annapolis or New Jersey). The Committee's concern was with employees leaving for employment with another municipality within the State of Delaware. Mr. Perza stated that several members actually spoke directly with employees of other municipalities about job titles and felt that it was an overly broad statement to indicate that the research consisted only of a job title comparison.

Responding to Mr. Lynn, Mr. Perza confirmed that there was difficulty in assessing non-bargaining employees, since there was a wide array of duties and responsibilities of the positions.

Mr. Bonar suggested that members accept the report and if desired, members of Council could request the Committee to consider some of the suggestions made by Mr. Lynn and request the Committee to conduct another salary and benefits comparison of other cities of similar size in the region.

Mr. Anderson moved to recommend acceptance of the Salary and Benefits Compensation Comparison Committee Report as presented, seconded by Mr. Rushe and carried, with Mr. Lynn voting no.

Mr. Shevock moved for adjournment, seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 7:05 P.M.

Sean M. Lynn
Chairman

SML/TM/jg/js/dd
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Attachments
Attachment #1 - An Excerpt from the Minutes of the Civilian Pension Board Meeting of August 15, 2012
Attachment #2 - Information Provided by Mr. Blakeman in Reference to the Discussion - Adjustment to the Minimum Payment for Pension (Attachment #1 to the Civilian Pension Board Minutes of August 15, 2012)
Attachment #3 - Email Dated August 18, 2012 From Mr. Scott Porter

An Excerpt from the Minutes of the Civilian Pension Board Meeting of August 15, 2012:

DISCUSSION - ADJUSTMENT TO THE MINIMUM PAYMENT FOR PENSION

On behalf of the elected members of the Pension Board, Mr. Blakeman reviewed information relating to the discussion regarding an adjustment to the minimum payment for pension including three (3) proposals, along with historical information. Considering the current financial condition of the City, Mr. Blakeman suggested that members consider approving Proposal #2, which would increase the minimum pension payment to $400 per month.

Responding to Mrs. Mitchell regarding spouse coverage (periodic death benefits), Mr. Blakeman stated that the intent was that the minimum monthly payment would apply regardless of the type of benefit received (retiree or spouse).

Mr. Koenig noted that the material provided did not reflect a distinction between those who retired at age 50 with 20 years of service, those with 25 years of service, or those at age 65 with 10 years of service. Responding, Mrs. Mitchell stated that these distinctions could be provided and that she could also look into the date provided for periodic death benefits to determine whether this was the date of the employee's retirement or when the spouse benefit began.

In response to Mr. Koenig's concerns, Mrs. Mitchell explained that the actuary would consider the life expectancy table and age to determine the actuarial costs involved. She also confirmed that the actuary would determine not only the true budgetary costs each year, but also how this change would affect the actuarial liability.

Mr. Bonar suggested that staff forward the information, including the three (3) proposals, to the actuary for a report by the next quarterly Board meeting, which would provide staff enough time to include it in the City's budget. Mrs. Mitchell felt that Proposals #2 and #3, when broken down by fund, would not have such a financial impact on the budget that action should be delayed.

Mrs. Hettinger questioned why an actuarial review would be required, noting that a fee would be incurred for conducting such a review and considering that there would only be a minor impact on the budget.

Mrs. Mitchell suggested that just one (1) of the options be chosen and sent to the actuary.

Mrs. Hettinger stated that she preferred Proposal #1.

Mr. Koenig explained his reluctance to support the recommendation, noting that due to the City's current financial situation, he had requested active employees to contribute to their healthcare premiums.

Mr. Lynn moved to recommend adoption of Option #1 (as outlined in the information provided by Mr. Blakeman in reference to the Discussion - Adjustments to the Minimum Payment for Pension) ***(Attachment #1)*****, increasing the minimum payment for pension to $500**

per month, at the next scheduled City Council meeting, and to order an actuarial study based on this amount for Council's consideration, seconded by Mr. Blakeman.

In response to Mr. Koenig, although Mrs. Hettinger felt that the Board's recommendation should be forwarded to the Legislative, Finance, and Administration Committee for their review and recommendation to City Council, Mr. Bonar and Mr. Blakeman indicated that the Board's recommendation would be forwarded directly to City Council.

Responding to Mr. Koenig, Mr. Lynn stated that if the actuarial study were not completed by the time the Board's recommendation was presented to City Council, which would occur during their Regular Meeting of August 27, 2012, City Council could table action until the actuarial study was completed.

The motion to adopt Option #1 (as outlined in the information provided by Mr. Les Blakeman in reference to the Discussion - Adjustments to the Minimum Payment for Pension), increasing the minimum payment for pension to $500 per month, at the next scheduled City Council meeting, and to order an actuarial study based on $500 per month, was carried, with Mr. Koenig, Mrs. Mitchell, and Mr. Bonar voting no.



NOTICE



The following information relates to Agenda Item #6, Discussion - Adjustment to the Minimum Payment for Pension, and was provided to the Clerk's Office by Mr. Les Blakeman on August 7, 2012.

- City Clerk's Office

CIVILIAN PENSION BOARD MEETING AUGUST 15, 2012

Discussion "Increase in minimum monthly Pension Payment"

For consideration and discussion the Elected Members present three proposals

1. Increase the minimum to $500 a month.

   This would impact 29 pensioners at a cost of $5,368.89 a month or $64,426.68 a year.

   This would be of 2% in the total pension cost per year

2. Increase the minimum to $400 a month.

   This would impact 21 pensioners at a cost of $2,209,61 a month or $26,515.44 a year.

   This would be of .8% in the total pension cost per year

3. Increase the minimum to $300 a month.

   This would impact 14 pensioners at a cost of $900.82 a month or $10,809.84 a year.

   This would be of .3% in the total pension cost per year

GENERAL PENSION PLAN
COST OF LIVING ADJUSTMENT
HISTORY
July 1st

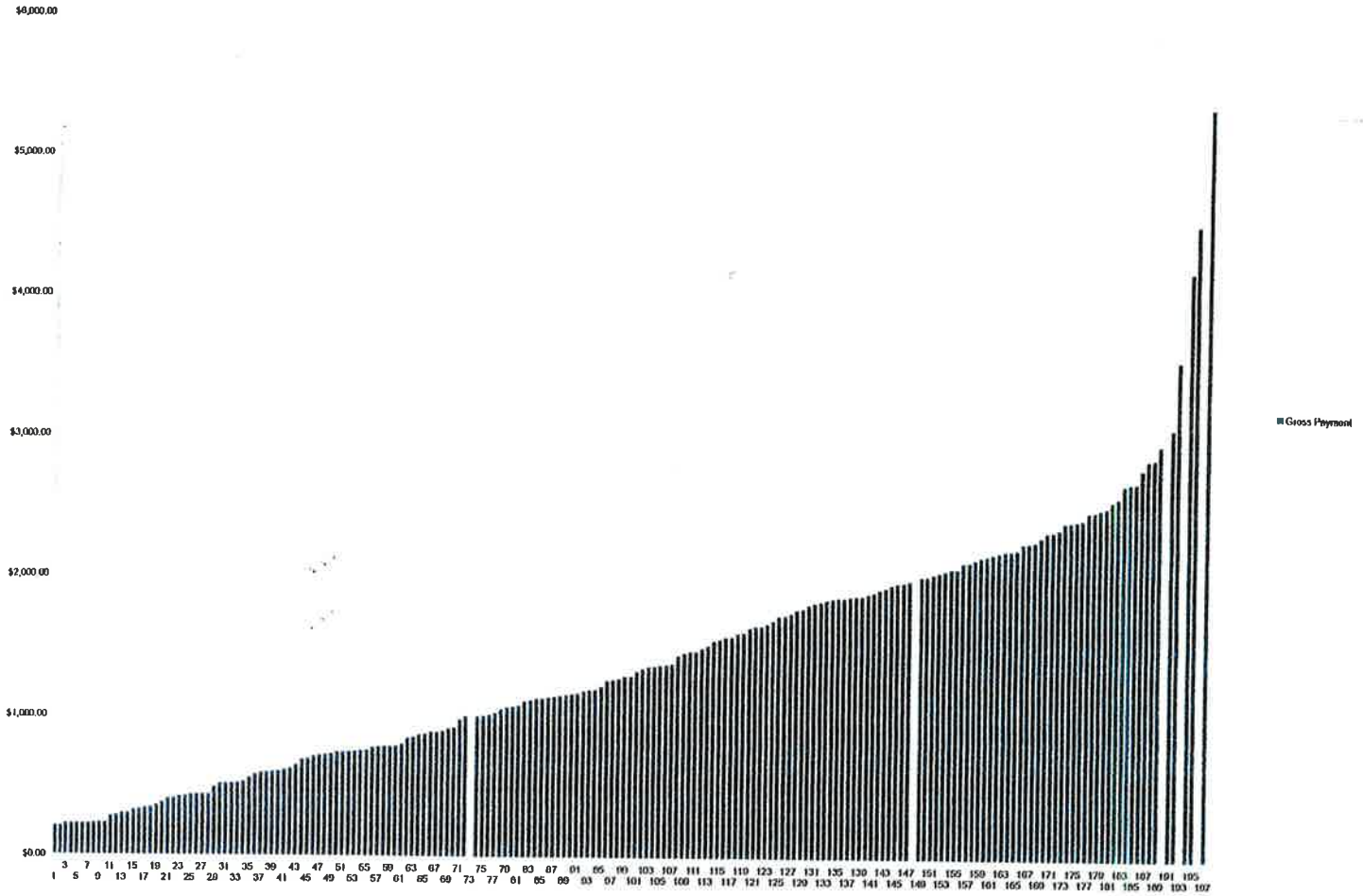
CONSUMER PRICE INDEX	SOCIAL SECURITY COLA	YEAR	
3.22%		1983	0 – 3 years 0%, 3 - 5 years 5.7%, 15+ years 10.5% January 1st
4.30%	3.50%	1984	
3.55%	3.50%	1985	
1.91%	3.10%	1986	all retirees 2%
3.66%	1.30%	1987	
4.08%	4.20%	1988	all retirees prior to 6/30/88 5%
4.83%	4.00%	1989	all retirees prior to 6/30/89 2%
5.39%	4.70%	1990	
4.25%	5.40%	1991	
3.03%	3.70%	1992	
2.96%	3.00%	1993	$60/year – max $600 based on years of service
2.61%	2.60%	1994	
2.81%	2.80%	1995	
2.93%	2.60%	1996	years of service & pension amount – minimum $100
2.34%	2.90%	1997	
1.55%	2.10%	1998	
2.19%	1.30%	1999	
3.38%	2.50%	2000	all retirees $20 per month - increase minimum monthly amount to $200
2.83%	3.50%	2001	
1.59%	2.60%	2002	all retirees prior to December 31, 2000 2%
2.27%	1.40%	2003	all retirees 1.5%
2.68%	2.10%	2004	
3.39%	2.70%	2005	all retirees prior to December 31, 2004 2%
3.24%	4.10%	2006	all retirees prior to January 1, 2006 1%
2.85%	3.30%	2007	None - $75,000 set aside for July 2008
3.85%	2.30%	2008	stipend of $448 to $815 based on age of retiree (not added to pension)
-0.34%	5.80%	2009	
1.64%	0.00%	2010	
3.16%	0.00%	2011	
	3.60%	2012	? - ? - ? - ?

Increase Minimum to $500

	Monthly Gross Payment	Monthly Minimum	Monothly Increase	Annual Gross Payment	Minimum Wage		Payment Type Desc	Retirement Date
1	$200.00	$500.00	$300.00	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	02/21/2008
2	$200.00	$500.00	$300.00	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	04/29/2006
3	$217.59	$500.00	$282.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	10/25/1985
4	$217.59	$500.00	$282.41	$2,611.08	$15,080.00	-$12,468.92	PENSION BENEFIT	07/24/1989
5	$217.59	$500.00	$282.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	01/01/1970
6	$217.59	$500.00	$282.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	05/01/1993
7	$217.59	$500.00	$282.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	06/01/1989
8	$223.84	$500.00	$276.16	$2,686.08	$15,080.00	-$12,393.92	PENSION BENEFIT	08/29/1986
9	$225.91	$500.00	$274.09	$2,710.92	$15,080.00	-$12,369.08	PERIODIC DEATH BENEFIT	10/18/2002
10	$226.37	$500.00	$273.63	$2,716.44	$15,080.00	-$12,363.56	PENSION BENEFIT	07/06/1988
11	$272.45	$500.00	$227.55	$3,269.40	$15,080.00	-$11,810.60	PENSION BENEFIT	12/19/1974
12	$276.21	$500.00	$223.79	$3,314.52	$15,080.00	-$11,765.48	PERIODIC DEATH BENEFIT	12/14/1995
13	$293.06	$500.00	$206.94	$3,516.72	$15,080.00	-$11,563.28	PENSION BENEFIT	02/23/2000
14	$293.39	$500.00	$206.61	$3,520.68	$15,080.00	-$11,559.32	PERIODIC DEATH BENEFIT	01/01/2006
15	$314.79	$500.00	$185.21	$3,777.48	$15,080.00	-$11,302.52	PERIODIC DEATH BENEFIT	10/01/1978
16	$321.01	$500.00	$178.99	$3,852.12	$15,080.00	-$11,227.88	PERIODIC DEATH BENEFIT	08/27/1999
17	$328.71	$500.00	$171.29	$3,944.52	$15,080.00	-$11,135.48	PERIODIC DEATH BENEFIT	05/01/1995
18	$332.04	$500.00	$167.96	$3,984.48	$15,080.00	-$11,095.52	PERIODIC DEATH BENEFIT	11/09/1996
19	$347.81	$500.00	$152.19	$4,173.72	$15,080.00	-$10,906.28	PENSION BENEFIT	08/24/2007
20	$368.99	$500.00	$131.01	$4,427.88	$15,080.00	-$10,652.12	PENSION BENEFIT	03/29/1994
21	$396.50	$500.00	$103.50	$4,758.00	$15,080.00	-$10,322.00	PENSION BENEFIT	03/01/1983
22	$400.35	$500.00	$99.65	$4,804.20	$15,080.00	-$10,275.80	PERIODIC DEATH BENEFIT	07/14/2010
23	$412.26	$500.00	$87.74	$4,947.12	$15,080.00	-$10,132.88	PERIODIC DEATH BENEFIT	10/07/2010
24	$416.76	$500.00	$83.24	$5,001.12	$15,080.00	-$10,078.88	PENSION BENEFIT	05/16/1995
25	$426.75	$500.00	$73.25	$5,121.00	$15,080.00	-$9,959.00	PENSION BENEFIT	02/10/1990
26	$428.00	$500.00	$72.00	$5,136.00	$15,080.00	-$9,944.00	PERIODIC DEATH BENEFIT	10/23/2003
27	$428.13	$500.00	$71.87	$5,137.56	$15,080.00	-$9,942.44	PERIODIC DEATH BENEFIT	12/30/1989
28	$428.48	$500.00	$71.52	$5,141.76	$15,080.00	-$9,938.24	PENSION BENEFIT	10/21/2005
29	$481.35	$500.00	$18.65	$5,776.20	$15,080.00	-$9,303.80	PERIODIC DEATH BENEFIT	03/07/1997
30	$506.45			$6,077.40	$15,080.00	-$9,002.60	PERIODIC DEATH BENEFIT	12/22/2002
31	$508.01			$6,096.12	$15,080.00	-$8,983.88	PENSION BENEFIT	05/06/2001
32	$510.16			$6,121.92	$15,080.00	-$8,958.08	PENSION BENEFIT	04/07/2000
33	$513.48			$6,161.76	$15,080.00	-$8,918.24	PENSION BENEFIT	08/23/1998
34	$518.80			$6,225.60	$15,080.00	-$8,854.40	PENSION BENEFIT	10/27/1987
35	$549.85			$6,598.20	$15,080.00	-$8,481.80	PENSION BENEFIT	09/20/1987
36	$574.39			$6,892.68	$15,080.00	-$8,187.32	PENSION BENEFIT	09/17/1999
37	$589.59			$7,075.08	$15,080.00	-$8,004.92	PERIODIC DEATH BENEFIT	02/01/1999
38	$590.65			$7,087.80	$15,080.00	-$7,992.20	PENSION BENEFIT	01/17/1991
39	$594.79			$7,137.48	$15,080.00	-$7,942.52	PERIODIC DEATH BENEFIT	08/01/2003
40	$600.64			$7,207.68	$15,080.00	-$7,872.32	PERIODIC DEATH BENEFIT	09/01/2002
41	$608.99			$7,307.88	$15,080.00	-$7,772.12	PERIODIC DEATH BENEFIT	11/17/2003
42	$618.73			$7,424.76	$15,080.00	-$7,655.24	PENSION BENEFIT	10/03/1992
43	$643.24			$7,718.88	$15,080.00	-$7,361.12	PENSION BENEFIT	10/16/2006
44	$685.08			$8,220.96	$15,080.00	-$6,859.04	PENSION BENEFIT	04/14/1995
45	$689.39			$8,272.68	$15,080.00	-$6,807.32	PERIODIC DEATH BENEFIT	05/15/2010
46	$708.19			$8,498.28	$15,080.00	-$6,581.72	PERIODIC DEATH BENEFIT	06/16/1999
47	$715.09			$8,581.08	$15,080.00	-$6,498.92	PENSION BENEFIT	05/04/1994
48	$718.66			$8,623.92	$15,080.00	-$6,456.08	PENSION BENEFIT	05/25/1995
49	$727.08			$8,724.96	$15,080.00	-$6,355.04	PENSION BENEFIT	09/25/1991
50	$739.01			$8,868.12	$15,080.00	-$6,211.88	PENSION BENEFIT	09/26/1993
51	$739.48			$8,873.76	$15,080.00	-$6,206.24	PENSION BENEFIT	06/30/1990
52	$742.61			$8,911.32	$15,080.00	-$6,168.68	PENSION BENEFIT	06/24/2011
53	$743.81			$8,925.72	$15,080.00	-$6,154.28	PERIODIC DEATH BENEFIT	01/23/1988
54	$751.64			$9,019.68	$15,080.00	-$6,060.32	PENSION BENEFIT	12/20/2003
55	$753.26			$9,039.12	$15,080.00	-$6,040.88	PENSION BENEFIT	01/04/2006
56	$771.09			$9,253.08	$15,080.00	-$5,826.92	PENSION BENEFIT	01/04/1995
57	$777.70			$9,332.40	$15,080.00	-$5,747.60	PENSION BENEFIT	06/01/1993
58	$779.58			$9,354.96	$15,080.00	-$5,725.04	PENSION BENEFIT	10/18/1984
59	$780.00			$9,360.00	$15,080.00	-$5,720.00	PERIODIC DEATH BENEFIT	06/02/2010
60	$785.98			$9,431.76	$15,080.00	-$5,648.24	PENSION BENEFIT	02/05/2000
61	$797.59			$9,571.08	$15,080.00	-$5,508.92	PENSION BENEFIT	04/24/1986
62	$840.68			$10,088.16	$15,080.00	-$4,991.84	PENSION BENEFIT	01/01/1993
63	$846.63			$10,159.56	$15,080.00	-$4,920.44	PENSION BENEFIT	05/22/1990
64	$865.40			$10,384.80	$15,080.00	-$4,695.20	PENSION BENEFIT	09/25/1987
65	$869.30			$10,431.60	$15,080.00	-$4,648.40	PENSION BENEFIT	01/04/1995
66	$885.37			$10,624.44	$15,080.00	-$4,455.56	PENSION BENEFIT	08/13/1991
67	$887.54			$10,650.48	$15,080.00	-$4,429.52	PENSION BENEFIT	07/01/1996
68	$892.48			$10,709.76	$15,080.00	-$4,370.24	PENSION BENEFIT	12/23/2006
69	$911.86			$10,942.32	$15,080.00	-$4,137.68	PENSION BENEFIT	01/06/1997
70	$917.25			$11,007.00	$15,080.00	-$4,073.00	PENSION BENEFIT	04/11/1993
71	$979.19			$11,750.28	$15,080.00	-$3,329.72	PENSION BENEFIT	01/03/2008
72	$999.80			$11,997.60	$15,080.00	-$3,082.40	PENSION BENEFIT	10/31/1996
1	$1,002.06			$12,024.72	$15,080.00	-$3,055.28	PENSION BENEFIT	01/04/2005
2	$1,005.20			$12,062.40	$15,080.00	-$3,017.60	PENSION BENEFIT	06/21/2002
3	$1,011.23			$12,134.76	$15,080.00	-$2,945.24	PERIODIC DEATH BENEFIT	10/12/2010
4	$1,026.46			$12,317.76	$15,080.00	-$2,762.24	PENSION BENEFIT	10/16/1987
5	$1,055.58			$12,666.96	$15,080.00	-$2,413.04	PERIODIC DEATH BENEFIT	11/30/1999
6	$1,066.61			$12,799.32	$15,080.00	-$2,280.68	PENSION BENEFIT	01/01/2008
7	$1,073.00			$12,876.00	$15,080.00	-$2,204.00	PENSION BENEFIT	05/04/1995
8	$1,080.13			$12,961.56	$15,080.00	-$2,118.44	PERIODIC DEATH BENEFIT	06/01/2009
9	$1,111.05			$13,332.60	$15,080.00	-$1,747.40	PENSION BENEFIT	11/22/1984
10	$1,121.94			$13,463.28	$15,080.00	-$1,616.72	PENSION BENEFIT	06/15/1996
11	$1,130.60			$13,567.20	$15,080.00	-$1,512.80	PENSION BENEFIT	12/04/1998
12	$1,132.09			$13,585.08	$15,080.00	-$1,494.92	PENSION BENEFIT	03/26/1999
13	$1,142.54			$13,710.48	$15,080.00	-$1,369.52	PENSION BENEFIT	10/08/1993
14	$1,149.11			$13,789.32	$15,080.00	-$1,290.68	PENSION BENEFIT	09/01/1988
15	$1,153.62			$13,843.44	$15,080.00	-$1,236.56	PENSION BENEFIT	06/17/1993
16	$1,162.32			$13,947.84	$15,080.00	-$1,132.16	PENSION BENEFIT	10/11/1996
17	$1,166.43			$13,997.16	$15,080.00	-$1,082.84	PENSION BENEFIT	03/13/1999
18	$1,172.18			$14,066.16	$15,080.00	-$1,013.84	PENSION BENEFIT	03/20/1995
19	$1,188.40			$14,260.80	$15,080.00	-$819.20	PENSION BENEFIT	09/18/2009
20	$1,198.10			$14,377.20	$15,080.00	-$702.80	PENSION BENEFIT	11/01/2008
21	$1,198.80			$14,385.60	$15,080.00	-$694.40	PENSION BENEFIT	07/21/2007
22	$1,221.72			$14,660.64	$15,080.00	-$419.36	PENSION BENEFIT	04/02/2002
23	$1,266.82			$15,201.84	$15,080.00	$121.84	PENSION BENEFIT	05/17/2002
24	$1,272.39			$15,268.68	$15,080.00	$188.68	PENSION BENEFIT	08/09/2001
25	$1,280.43			$15,365.16	$15,080.00	$285.16	PENSION BENEFIT	05/27/2010
26	$1,297.40			$15,568.80	$15,080.00	$488.80	PENSION BENEFIT	09/04/2003
27	$1,299.32			$15,591.84	$15,080.00	$511.84	PENSION BENEFIT	03/30/1999
28	$1,331.62			$15,979.44	$15,080.00	$899.44	PENSION BENEFIT	01/03/2002
29	$1,349.75			$16,197.00	$15,080.00	$1,117.00	PENSION BENEFIT	03/30/2001
30	$1,365.80			$16,389.60	$15,080.00	$1,309.60	PENSION BENEFIT	10/30/2004

31	$1,368.88		$16,426.56	$15,080.00	$1,346.56	PENSION BENEFIT	04/24/1993
32	$1,379.04		$16,548.48	$15,080.00	$1,468.48	PENSION BENEFIT	11/01/1996
33	$1,383.40		$16,600.80	$15,080.00	$1,520.80	PENSION BENEFIT	07/07/2009
34	$1,386.25		$16,635.00	$15,080.00	$1,555.00	PENSION BENEFIT	11/11/2004
35	$1,443.68		$17,324.16	$15,080.00	$2,244.16	PENSION BENEFIT	05/20/2000
36	$1,463.89		$17,566.68	$15,080.00	$2,486.68	PENSION BENEFIT	09/10/1991
37	$1,475.60		$17,707.20	$15,080.00	$2,627.20	PENSION BENEFIT	06/03/2005
38	$1,476.79		$17,721.48	$15,080.00	$2,641.48	PENSION BENEFIT	03/01/2001
39	$1,497.18		$17,966.16	$15,080.00	$2,886.16	PENSION BENEFIT	07/17/1993
40	$1,514.26		$18,171.12	$15,080.00	$3,091.12	PENSION BENEFIT	06/01/2004
41	$1,553.00		$18,636.00	$15,080.00	$3,556.00	PENSION BENEFIT	11/30/2007
42	$1,562.24		$18,746.88	$15,080.00	$3,666.88	PENSION BENEFIT	02/03/1992
43	$1,576.10		$18,913.20	$15,080.00	$3,833.20	PENSION BENEFIT	01/14/1994
44	$1,579.57		$18,954.84	$15,080.00	$3,874.84	PENSION BENEFIT	06/21/2003
45	$1,603.91		$19,246.92	$15,080.00	$4,166.92	PENSION BENEFIT	02/02/2002
46	$1,611.84		$19,339.68	$15,080.00	$4,259.68	PENSION BENEFIT	11/21/2009
47	$1,645.64		$19,747.68	$15,080.00	$4,667.68	PENSION BENEFIT	02/10/2003
48	$1,656.74		$19,880.88	$15,080.00	$4,800.88	PENSION BENEFIT	05/04/2000
49	$1,657.93		$19,895.16	$15,080.00	$4,815.16	PENSION BENEFIT	09/08/1993
50	$1,675.09		$20,101.08	$15,080.00	$5,021.08	PENSION BENEFIT	04/15/2005
51	$1,700.89		$20,410.68	$15,080.00	$5,330.68	PENSION BENEFIT	08/23/1998
52	$1,731.62		$20,779.44	$15,080.00	$5,699.44	PENSION BENEFIT	07/19/2000
53	$1,736.19		$20,834.28	$15,080.00	$5,754.28	PENSION BENEFIT	01/01/1999
54	$1,752.17		$21,026.04	$15,080.00	$5,946.04	PENSION BENEFIT	05/19/1999
55	$1,781.69		$21,380.28	$15,080.00	$6,300.28	PENSION BENEFIT	01/28/2010
56	$1,786.69		$21,440.28	$15,080.00	$6,360.28	PENSION BENEFIT	05/19/1994
57	$1,816.03		$21,792.36	$15,080.00	$6,712.36	PENSION BENEFIT	06/30/1995
58	$1,829.05		$21,948.60	$15,080.00	$6,868.60	PENSION BENEFIT	02/02/1998
59	$1,837.87		$22,054.44	$15,080.00	$6,974.44	PENSION BENEFIT	06/25/2011
60	$1,849.02		$22,188.24	$15,080.00	$7,108.24	PENSION BENEFIT	07/15/1998
61	$1,860.54		$22,326.48	$15,080.00	$7,246.48	PENSION BENEFIT	09/25/2004
62	$1,864.47		$22,373.64	$15,080.00	$7,293.64	PENSION BENEFIT	06/26/2010
63	$1,865.02		$22,380.24	$15,080.00	$7,300.24	PENSION BENEFIT	08/02/2004
64	$1,873.23		$22,478.76	$15,080.00	$7,398.76	PENSION BENEFIT	03/19/1988
65	$1,877.84		$22,534.08	$15,080.00	$7,454.08	PENSION BENEFIT	01/18/2000
66	$1,881.24		$22,574.88	$15,080.00	$7,494.88	PENSION BENEFIT	01/25/2003
67	$1,894.79		$22,737.48	$15,080.00	$7,657.48	PENSION BENEFIT	05/13/1996
68	$1,903.91		$22,846.92	$15,080.00	$7,766.92	PENSION BENEFIT	08/16/1991
69	$1,926.60		$23,119.20	$15,080.00	$8,039.20	PENSION BENEFIT	03/07/2009
70	$1,937.52		$23,250.24	$15,080.00	$8,170.24	PENSION BENEFIT	08/01/2009
71	$1,957.26		$23,487.12	$15,080.00	$8,407.12	PENSION BENEFIT	08/15/1997
72	$1,968.82		$23,625.84	$15,080.00	$8,545.84	PENSION BENEFIT	02/22/2009
73	$1,974.60		$23,695.20	$15,080.00	$8,615.20	PENSION BENEFIT	10/10/2009
74	$1,986.48		$23,837.76	$15,080.00	$8,757.76	PENSION BENEFIT	02/01/2008
1	$2,016.04		$24,192.48	$15,080.00	$9,112.48	PENSION BENEFIT	01/03/2001
2	$2,018.84		$24,226.08	$15,080.00	$9,146.08	PENSION BENEFIT	03/29/2008
3	$2,037.12		$24,445.44	$15,080.00	$9,365.44	PENSION BENEFIT	11/01/1993
4	$2,046.68		$24,560.16	$15,080.00	$9,480.16	PENSION BENEFIT	08/06/2009
5	$2,059.72		$24,716.64	$15,080.00	$9,636.64	PENSION BENEFIT	01/24/1999
6	$2,073.34		$24,880.08	$15,080.00	$9,800.08	PENSION BENEFIT	12/20/2004
7	$2,074.50		$24,894.00	$15,080.00	$9,814.00	PENSION BENEFIT	11/22/2007
8	$2,116.87		$25,402.44	$15,080.00	$10,322.44	PENSION BENEFIT	10/28/1997
9	$2,121.50		$25,458.00	$15,080.00	$10,378.00	PENSION BENEFIT	01/01/2010
10	$2,141.64		$25,699.68	$15,080.00	$10,619.68	PENSION BENEFIT	01/01/2005
11	$2,157.52		$25,890.24	$15,080.00	$10,810.24	PENSION BENEFIT	12/10/2002
12	$2,168.57		$26,022.84	$15,080.00	$10,942.84	PENSION BENEFIT	01/05/2010
13	$2,181.21		$26,174.52	$15,080.00	$11,094.52	PENSION BENEFIT	08/01/1998
14	$2,187.85		$26,254.20	$15,080.00	$11,174.20	PENSION BENEFIT	11/21/2002
15	$2,204.47		$26,453.64	$15,080.00	$11,373.64	PENSION BENEFIT	04/01/1996
16	$2,205.60		$26,469.60	$15,080.00	$11,389.60	PENSION BENEFIT	08/29/2009
17	$2,216.09		$26,593.08	$15,080.00	$11,513.08	PENSION BENEFIT	09/26/2009
18	$2,257.57		$27,090.84	$15,080.00	$12,010.84	PENSION BENEFIT	05/01/2010
19	$2,263.20		$27,158.40	$15,080.00	$12,078.40	PENSION BENEFIT	04/01/2010
20	$2,268.55		$27,222.60	$15,080.00	$12,142.60	PENSION BENEFIT	08/08/1995
21	$2,305.67		$27,666.04	$15,080.00	$12,586.04	PENSION BENEFIT	03/27/2010
22	$2,340.69		$28,088.28	$15,080.00	$13,008.28	PENSION BENEFIT	03/01/2000
23	$2,345.58		$28,146.96	$15,080.00	$13,066.96	PENSION BENEFIT	10/16/1991
24	$2,364.32		$28,371.84	$15,080.00	$13,291.84	PENSION BENEFIT	09/06/2000
25	$2,412.70		$28,952.40	$15,080.00	$13,872.40	PENSION BENEFIT	04/25/1998
26	$2,417.42		$29,009.04	$15,080.00	$13,929.04	PENSION BENEFIT	11/17/2010
27	$2,424.92		$29,099.04	$15,080.00	$14,019.04	PENSION BENEFIT	07/15/2000
28	$2,433.50		$29,202.00	$15,080.00	$14,122.00	PENSION BENEFIT	05/17/2006
29	$2,487.75		$29,853.00	$15,080.00	$14,773.00	PENSION BENEFIT	07/02/2000
30	$2,494.11		$29,929.32	$15,080.00	$14,849.32	PENSION BENEFIT	09/18/2003
31	$2,510.14		$30,121.68	$15,080.00	$15,041.68	PENSION BENEFIT	04/15/2000
32	$2,521.26		$30,255.12	$15,080.00	$15,175.12	PENSION BENEFIT	03/19/2005
33	$2,566.91		$30,802.92	$15,080.00	$15,722.92	PENSION BENEFIT	06/01/2001
34	$2,589.53		$31,074.36	$15,080.00	$15,994.36	PENSION BENEFIT	04/24/2000
35	$2,679.89		$32,158.68	$15,080.00	$17,078.68	PENSION BENEFIT	06/01/2000
36	$2,694.96		$32,339.52	$15,080.00	$17,259.52	PENSION BENEFIT	03/01/2007
37	$2,697.85		$32,374.20	$15,080.00	$17,294.20	PENSION BENEFIT	06/01/2001
38	$2,797.51		$33,570.12	$15,080.00	$18,490.12	PENSION BENEFIT	05/17/2000
39	$2,864.80		$34,377.60	$15,080.00	$19,297.60	PENSION BENEFIT	01/04/2003
40	$2,873.57		$34,482.84	$15,080.00	$19,402.84	PENSION BENEFIT	08/01/1989
41	$2,971.21		$35,654.52	$15,080.00	$20,574.52	PENSION BENEFIT	09/30/2006
1	$3,090.78		$37,089.36	$15,080.00	$22,009.36	PENSION BENEFIT	02/10/2003
2	$3,578.61		$42,943.32	$15,080.00	$27,863.32	PENSION BENEFIT	09/01/2011
					$0.00		
1	$4,212.43		$50,549.16	$15,080.00	$35,469.16	PENSION BENEFIT	01/03/2001
2	$4,551.87		$54,622.44	$15,080.00	$39,542.44	PENSION BENEFIT	01/29/2005
1	$5,393.20		$64,718.40	$15,080.00	$49,638.40	PENSION BENEFIT	06/11/2011
	$267,934.97	$5,368.89	$3,215,219.64				
		$64,426.68					

MONTHLY PENSIONS



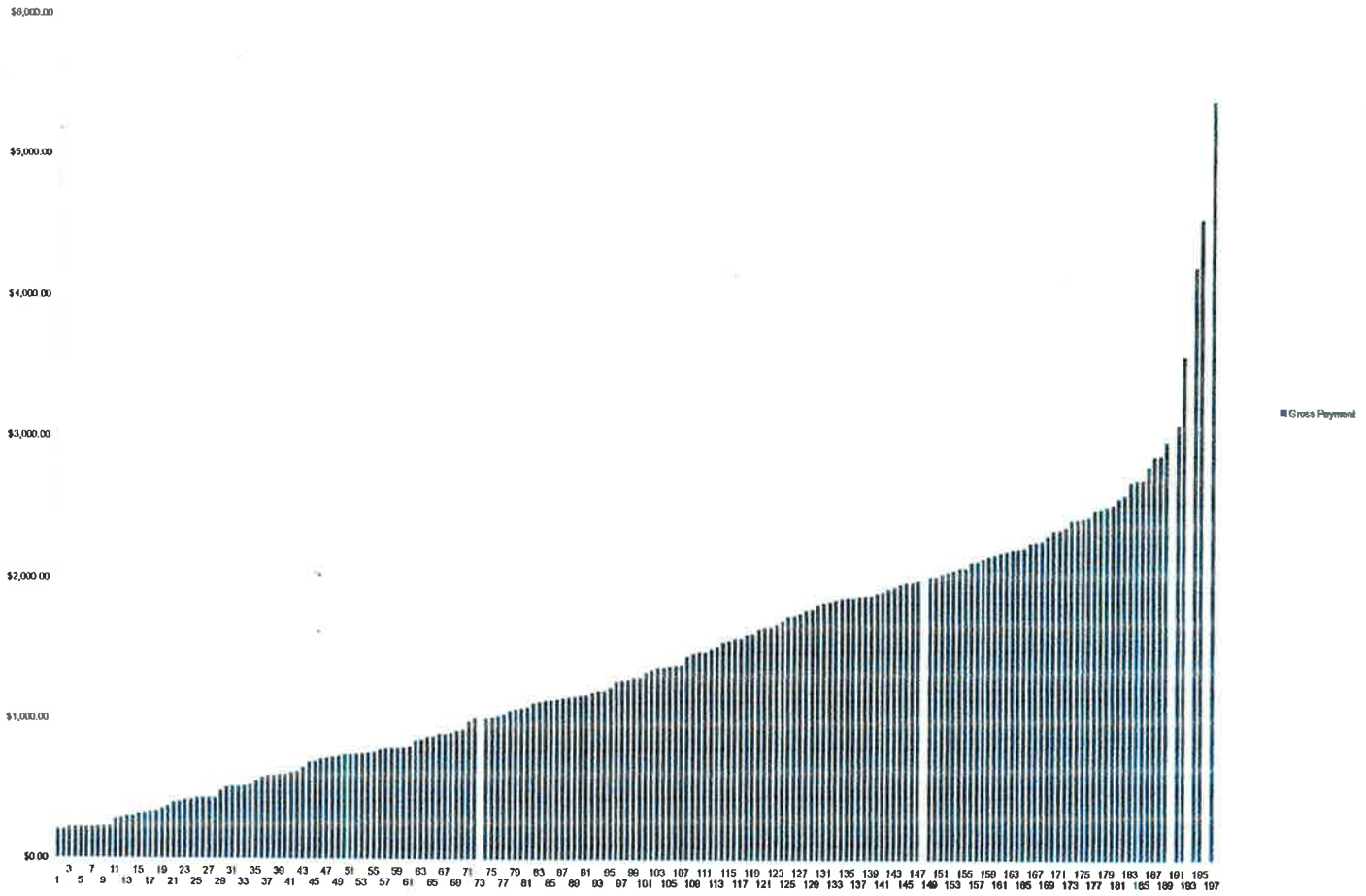
Increase Minimum to $400

	Monthly Gross Payment	Monthly Minimum	Monothly Increase
1	$200.00	$400.00	$200.00
2	$200.00	$400.00	$200.00
3	$217.59	$400.00	$182.41
4	$217.59	$400.00	$182.41
5	$217.59	$400.00	$182.41
6	$217.59	$400.00	$182.41
7	$217.59	$400.00	$182.41
8	$223.84	$400.00	$176.16
9	$225.91	$400.00	$174.09
10	$226.37	$400.00	$173.63
11	$272.45	$400.00	$127.55
12	$276.21	$400.00	$123.79
13	$293.06	$400.00	$106.94
14	$293.39	$400.00	$106.61
15	$314.79	$400.00	$85.21
16	$321.01	$400.00	$78.99
17	$328.71	$400.00	$71.29
18	$332.04	$400.00	$67.96
19	$347.81	$400.00	$52.19
20	$368.99	$400.00	$31.01
21	$396.50	$400.00	$3.50
22	$400.35		
23	$412.26		
24	$416.76		
25	$426.75		
26	$428.00		
27	$428.13		
28	$428.48		
29	$481.35		
30	$506.45		
31	$508.01		
32	$510.16		
33	$513.48		
34	$518.80		
35	$549.85		
36	$574.39		
37	$589.59		
38	$590.65		
39	$594.79		
40	$600.64		
41	$608.99		
42	$618.73		
43	$643.24		
44	$685.08		
45	$689.39		
46	$708.19		
47	$715.09		
48	$718.66		
49	$727.08		
50	$739.01		
51	$739.48		
52	$742.61		
53	$743.81		
54	$751.64		
55	$753.26		
56	$771.09		
57	$777.70		
58	$779.58		
59	$780.00		
60	$785.98		
61	$797.59		
62	$840.68		
63	$846.63		
64	$865.40		
65	$869.30		
66	$885.37		
67	$887.54		
68	$892.48		
69	$911.86		
70	$917.25		
71	$979.19		
72	$999.80		
1	$1,002.06		
2	$1,005.20		
3	$1,011.23		
4	$1,026.48		
5	$1,055.58		
6	$1,066.61		
7	$1,073.00		
8	$1,080.13		
9	$1,111.05		
10	$1,121.94		
11	$1,130.60		
12	$1,132.09		
13	$1,142.54		
14	$1,149.11		
15	$1,153.62		
16	$1,162.32		
17	$1,166.43		
18	$1,172.18		
19	$1,188.40		
20	$1,198.10		
21	$1,198.80		
22	$1,221.72		
23	$1,266.82		
24	$1,272.39		
25	$1,280.43		
26	$1,297.40		
27	$1,299.32		
28	$1,331.62		
29	$1,349.75		
30	$1,365.80		

	Annual Gross Payment	Minimum Wage		Payment Type Desc	Retirement Date
II	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	02/21/2006
II	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	04/29/2006
II	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	10/25/1985
II	$2,611.08	$15,080.00	-$12,468.92	PENSION BENEFIT	07/24/1989
II	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	01/01/1970
II	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	05/01/1993
II	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	06/01/1989
II	$2,686.08	$15,080.00	-$12,393.92	PENSION BENEFIT	08/29/1986
II	$2,710.92	$15,080.00	-$12,369.08	PERIODIC DEATH BENEFIT	10/18/2002
II	$2,716.44	$15,080.00	-$12,363.56	PENSION BENEFIT	07/06/1988
II	$3,269.40	$15,080.00	-$11,810.60	PENSION BENEFIT	12/19/1974
II	$3,314.52	$15,080.00	-$11,765.48	PERIODIC DEATH BENEFIT	12/14/1995
II	$3,516.72	$15,080.00	-$11,563.28	PENSION BENEFIT	02/23/2000
II	$3,520.68	$15,080.00	-$11,559.32	PERIODIC DEATH BENEFIT	01/01/2008
II	$3,777.48	$15,080.00	-$11,302.52	PERIODIC DEATH BENEFIT	10/01/1978
II	$3,852.12	$15,080.00	-$11,227.88	PERIODIC DEATH BENEFIT	08/27/1999
II	$3,944.52	$15,080.00	-$11,135.48	PERIODIC DEATH BENEFIT	05/01/1995
II	$3,984.48	$15,080.00	-$11,095.52	PERIODIC DEATH BENEFIT	11/09/1996
II	$4,173.72	$15,080.00	-$10,906.28	PENSION BENEFIT	08/24/2007
II	$4,427.88	$15,080.00	-$10,652.12	PENSION BENEFIT	03/29/1994
II	$4,758.00	$15,080.00	-$10,322.00	PENSION BENEFIT	03/01/1983
II	$4,804.20	$15,080.00	-$10,275.80	PERIODIC DEATH BENEFIT	07/14/2010
II	$4,947.12	$15,080.00	-$10,132.88	PERIODIC DEATH BENEFIT	10/07/2010
II	$5,001.12	$15,080.00	-$10,078.88	PENSION BENEFIT	05/16/1995
II	$5,121.00	$15,080.00	-$9,959.00	PENSION BENEFIT	02/10/1990
II	$5,136.00	$15,080.00	-$9,944.00	PERIODIC DEATH BENEFIT	10/23/2003
II	$5,137.56	$15,080.00	-$9,942.44	PERIODIC DEATH BENEFIT	12/30/1969
II	$5,141.76	$15,080.00	-$9,938.24	PENSION BENEFIT	10/21/2005
II	$5,776.20	$15,080.00	-$9,303.80	PERIODIC DEATH BENEFIT	03/07/1997
II	$6,077.40	$15,080.00	-$9,002.60	PERIODIC DEATH BENEFIT	12/22/2002
II	$6,096.12	$15,080.00	-$8,983.88	PENSION BENEFIT	05/06/2001
II	$6,121.92	$15,080.00	-$8,958.08	PENSION BENEFIT	04/07/2000
II	$6,161.76	$15,080.00	-$8,918.24	PENSION BENEFIT	08/23/1998
II	$6,225.60	$15,080.00	-$8,854.40	PENSION BENEFIT	10/27/1987
II	$6,598.20	$15,080.00	-$8,481.80	PENSION BENEFIT	09/20/1987
II	$6,892.68	$15,080.00	-$8,187.32	PENSION BENEFIT	09/17/1999
II	$7,075.08	$15,080.00	-$8,004.92	PERIODIC DEATH BENEFIT	02/01/1999
II	$7,087.80	$15,080.00	-$7,992.20	PENSION BENEFIT	01/17/1991
II	$7,137.48	$15,080.00	-$7,942.52	PERIODIC DEATH BENEFIT	08/01/2003
II	$7,207.68	$15,080.00	-$7,872.32	PERIODIC DEATH BENEFIT	09/01/2002
II	$7,307.88	$15,080.00	-$7,772.12	PERIODIC DEATH BENEFIT	11/17/2003
II	$7,424.76	$15,080.00	-$7,655.24	PENSION BENEFIT	10/03/1992
II	$7,718.88	$15,080.00	-$7,361.12	PENSION BENEFIT	10/16/2006
II	$8,220.96	$15,080.00	-$6,859.04	PENSION BENEFIT	04/14/1995
II	$8,272.68	$15,080.00	-$6,807.32	PERIODIC DEATH BENEFIT	05/15/2010
II	$8,498.28	$15,080.00	-$6,581.72	PERIODIC DEATH BENEFIT	06/16/1999
II	$8,581.08	$15,080.00	-$6,498.92	PENSION BENEFIT	05/04/1994
II	$8,623.92	$15,080.00	-$6,456.08	PENSION BENEFIT	05/25/1995
II	$8,724.96	$15,080.00	-$6,355.04	PENSION BENEFIT	09/25/1991
II	$8,868.12	$15,080.00	-$6,211.88	PENSION BENEFIT	09/26/1993
II	$8,873.76	$15,080.00	-$6,206.24	PENSION BENEFIT	06/30/1990
II	$8,911.32	$15,080.00	-$6,168.68	PENSION BENEFIT	06/24/2011
II	$8,925.72	$15,080.00	-$6,154.28	PERIODIC DEATH BENEFIT	01/23/1988
II	$9,019.68	$15,080.00	-$6,060.32	PENSION BENEFIT	12/20/2003
II	$9,039.12	$15,080.00	-$6,040.88	PENSION BENEFIT	01/04/2006
II	$9,253.08	$15,080.00	-$5,826.92	PENSION BENEFIT	01/04/1995
II	$9,332.40	$15,080.00	-$5,747.60	PENSION BENEFIT	06/01/1993
II	$9,354.96	$15,080.00	-$5,725.04	PENSION BENEFIT	10/18/1984
II	$9,360.00	$15,080.00	-$5,720.00	PERIODIC DEATH BENEFIT	06/02/2010
II	$9,431.76	$15,080.00	-$5,648.24	PENSION BENEFIT	02/05/2000
II	$9,571.08	$15,080.00	-$5,508.92	PENSION BENEFIT	04/24/1986
II	$10,088.16	$15,080.00	-$4,991.84	PENSION BENEFIT	01/01/1993
II	$10,159.56	$15,080.00	-$4,920.44	PENSION BENEFIT	05/22/1990
II	$10,384.80	$15,080.00	-$4,695.20	PENSION BENEFIT	09/25/1987
II	$10,431.60	$15,080.00	-$4,648.40	PENSION BENEFIT	01/04/1995
II	$10,624.44	$15,080.00	-$4,455.56	PENSION BENEFIT	08/13/1991
II	$10,650.48	$15,080.00	-$4,429.52	PENSION BENEFIT	07/01/1996
II	$10,709.76	$15,080.00	-$4,370.24	PENSION BENEFIT	12/23/2006
II	$10,942.32	$15,080.00	-$4,137.68	PENSION BENEFIT	01/06/1997
II	$11,007.00	$15,080.00	-$4,073.00	PENSION BENEFIT	04/11/1993
II	$11,750.28	$15,080.00	-$3,329.72	PENSION BENEFIT	01/03/2008
II	$11,997.60	$15,080.00	-$3,082.40	PENSION BENEFIT	10/31/1996
II					
II	$12,024.72	$15,080.00	-$3,055.28	PENSION BENEFIT	01/04/2005
II	$12,062.40	$15,080.00	-$3,017.60	PENSION BENEFIT	06/21/2002
II	$12,134.76	$15,080.00	-$2,945.24	PERIODIC DEATH BENEFIT	10/12/2010
II	$12,317.76	$15,080.00	-$2,762.24	PENSION BENEFIT	10/16/1987
II	$12,666.96	$15,080.00	-$2,413.04	PERIODIC DEATH BENEFIT	11/30/1999
II	$12,799.32	$15,080.00	-$2,280.68	PENSION BENEFIT	01/01/2008
II	$12,876.00	$15,080.00	-$2,204.00	PENSION BENEFIT	05/04/1995
II	$12,961.56	$15,080.00	-$2,118.44	PERIODIC DEATH BENEFIT	06/01/2009
II	$13,332.60	$15,080.00	-$1,747.40	PENSION BENEFIT	11/22/1984
II	$13,463.28	$15,080.00	-$1,616.72	PENSION BENEFIT	06/15/1996
II	$13,567.20	$15,080.00	-$1,512.80	PENSION BENEFIT	12/04/1998
II	$13,585.08	$15,080.00	-$1,494.92	PENSION BENEFIT	03/26/1999
II	$13,710.48	$15,080.00	-$1,369.52	PENSION BENEFIT	10/08/1993
II	$13,789.32	$15,080.00	-$1,290.68	PENSION BENEFIT	09/01/1988
II	$13,843.44	$15,080.00	-$1,236.56	PENSION BENEFIT	06/17/1993
II	$13,947.84	$15,080.00	-$1,132.16	PENSION BENEFIT	10/11/1996
II	$13,997.16	$15,080.00	-$1,082.84	PENSION BENEFIT	03/13/1999
II	$14,066.16	$15,080.00	-$1,013.84	PENSION BENEFIT	03/20/1995
II	$14,260.80	$15,080.00	-$819.20	PENSION BENEFIT	09/18/2009
II	$14,377.20	$15,080.00	-$702.80	PENSION BENEFIT	11/01/2008
II	$14,385.60	$15,080.00	-$694.40	PENSION BENEFIT	07/21/2007
II	$14,660.64	$15,080.00	-$419.36	PENSION BENEFIT	04/02/2002
II	$15,201.84	$15,080.00	$121.84	PENSION BENEFIT	05/17/2002
II	$15,268.68	$15,080.00	$188.68	PENSION BENEFIT	08/09/2001
II	$15,365.16	$15,080.00	$285.16	PENSION BENEFIT	05/27/2010
II	$15,568.80	$15,080.00	$488.80	PENSION BENEFIT	09/04/2003
II	$15,591.84	$15,080.00	$511.84	PENSION BENEFIT	03/30/1999
II	$15,979.44	$15,080.00	$899.44	PENSION BENEFIT	01/03/2002
II	$16,197.00	$15,080.00	$1,117.00	PENSION BENEFIT	03/30/2001
II	$16,389.60	$15,080.00	$1,309.60	PENSION BENEFIT	10/30/2004

31	$1,368.88		$16,426.56	$15,080.00	$1,346.56	PENSION BENEFIT	04/24/1993
32	$1,379.04		$16,546.48	$15,080.00	$1,466.48	PENSION BENEFIT	11/01/1996
33	$1,383.40		$16,600.80	$15,080.00	$1,520.80	PENSION BENEFIT	07/07/2009
34	$1,386.25		$16,635.00	$15,080.00	$1,555.00	PENSION BENEFIT	11/11/2004
35	$1,443.68		$17,324.16	$15,080.00	$2,244.16	PENSION BENEFIT	05/20/2000
36	$1,463.89		$17,566.68	$15,080.00	$2,486.68	PENSION BENEFIT	09/10/1991
37	$1,475.60		$17,707.20	$15,080.00	$2,627.20	PENSION BENEFIT	06/03/2005
38	$1,476.79		$17,721.48	$15,080.00	$2,641.48	PENSION BENEFIT	03/01/2001
39	$1,497.18		$17,966.16	$15,080.00	$2,886.16	PENSION BENEFIT	07/17/1993
40	$1,514.26		$18,171.12	$15,080.00	$3,091.12	PENSION BENEFIT	06/01/2004
41	$1,553.00		$18,636.00	$15,080.00	$3,556.00	PENSION BENEFIT	11/30/2007
42	$1,562.24		$18,746.88	$15,080.00	$3,666.88	PENSION BENEFIT	02/03/1992
43	$1,576.10		$18,913.20	$15,080.00	$3,833.20	PENSION BENEFIT	01/14/1994
44	$1,579.57		$18,954.84	$15,080.00	$3,874.84	PENSION BENEFIT	06/21/2003
45	$1,603.91		$19,246.92	$15,080.00	$4,166.92	PENSION BENEFIT	02/02/2002
46	$1,611.64		$19,339.68	$15,080.00	$4,259.68	PENSION BENEFIT	11/21/2009
47	$1,645.64		$19,747.68	$15,080.00	$4,667.68	PENSION BENEFIT	02/10/2003
48	$1,656.74		$19,880.88	$15,080.00	$4,800.88	PENSION BENEFIT	05/04/2000
49	$1,657.93		$19,895.16	$15,080.00	$4,815.16	PENSION BENEFIT	09/08/1993
50	$1,675.09		$20,101.08	$15,080.00	$5,021.08	PENSION BENEFIT	04/15/2005
51	$1,700.89		$20,410.68	$15,080.00	$5,330.68	PENSION BENEFIT	08/23/1998
52	$1,731.62		$20,779.44	$15,080.00	$5,699.44	PENSION BENEFIT	07/19/2000
53	$1,736.19		$20,834.28	$15,080.00	$5,754.28	PENSION BENEFIT	01/01/1999
54	$1,752.17		$21,026.04	$15,080.00	$5,946.04	PENSION BENEFIT	05/19/1999
55	$1,781.69		$21,380.28	$15,080.00	$6,300.28	PENSION BENEFIT	01/28/2010
56	$1,786.69		$21,440.28	$15,080.00	$6,360.28	PENSION BENEFIT	05/19/1994
57	$1,816.03		$21,792.36	$15,080.00	$6,712.36	PENSION BENEFIT	06/30/1995
58	$1,829.05		$21,948.60	$15,080.00	$6,868.60	PENSION BENEFIT	02/02/1998
59	$1,837.87		$22,054.44	$15,080.00	$6,974.44	PENSION BENEFIT	06/25/2011
60	$1,849.02		$22,188.24	$15,080.00	$7,108.24	PENSION BENEFIT	07/15/1998
61	$1,860.54		$22,326.48	$15,080.00	$7,246.48	PENSION BENEFIT	09/25/2004
62	$1,864.47		$22,373.64	$15,080.00	$7,293.64	PENSION BENEFIT	06/26/2010
63	$1,865.02		$22,380.24	$15,080.00	$7,300.24	PENSION BENEFIT	08/02/2004
64	$1,873.23		$22,478.76	$15,080.00	$7,398.76	PENSION BENEFIT	03/19/1988
65	$1,877.84		$22,534.08	$15,080.00	$7,454.08	PENSION BENEFIT	01/18/2000
66	$1,881.24		$22,574.88	$15,080.00	$7,494.88	PENSION BENEFIT	01/25/2003
67	$1,894.79		$22,737.48	$15,080.00	$7,657.48	PENSION BENEFIT	05/13/1996
68	$1,903.91		$22,846.92	$15,080.00	$7,766.92	PENSION BENEFIT	08/16/1991
69	$1,926.60		$23,119.20	$15,080.00	$8,039.20	PENSION BENEFIT	03/07/2009
70	$1,937.52		$23,250.24	$15,080.00	$8,170.24	PENSION BENEFIT	08/01/2009
71	$1,957.26		$23,487.12	$15,080.00	$8,407.12	PENSION BENEFIT	08/15/1997
72	$1,968.82		$23,625.84	$15,080.00	$8,545.84	PENSION BENEFIT	02/22/2009
73	$1,974.60		$23,695.20	$15,080.00	$8,615.20	PENSION BENEFIT	10/10/2009
74	$1,986.48		$23,837.76	$15,080.00	$8,757.76	PENSION BENEFIT	02/01/2008
1	$2,016.04		$24,192.48	$15,080.00	$9,112.48	PENSION BENEFIT	01/03/2001
2	$2,018.84		$24,226.08	$15,080.00	$9,146.08	PENSION BENEFIT	03/29/2008
3	$2,037.12		$24,445.44	$15,080.00	$9,365.44	PENSION BENEFIT	11/01/1993
4	$2,046.68		$24,560.16	$15,080.00	$9,480.16	PENSION BENEFIT	08/06/2009
5	$2,059.72		$24,716.64	$15,080.00	$9,636.64	PENSION BENEFIT	01/24/1999
6	$2,073.34		$24,880.08	$15,080.00	$9,800.08	PENSION BENEFIT	12/20/2004
7	$2,074.50		$24,894.00	$15,080.00	$9,814.00	PENSION BENEFIT	11/22/2007
8	$2,116.87		$25,402.44	$15,080.00	$10,322.44	PENSION BENEFIT	10/28/1997
9	$2,121.50		$25,458.00	$15,080.00	$10,378.00	PENSION BENEFIT	01/01/2010
10	$2,141.64		$25,699.68	$15,080.00	$10,619.68	PENSION BENEFIT	01/01/2005
11	$2,157.52		$25,890.24	$15,080.00	$10,810.24	PENSION BENEFIT	12/10/2002
12	$2,168.57		$26,022.84	$15,080.00	$10,942.84	PENSION BENEFIT	01/05/2010
13	$2,181.21		$26,174.52	$15,080.00	$11,094.52	PENSION BENEFIT	08/01/1998
14	$2,187.85		$26,254.20	$15,080.00	$11,174.20	PENSION BENEFIT	11/21/2002
15	$2,204.47		$26,453.64	$15,080.00	$11,373.64	PENSION BENEFIT	04/01/1996
16	$2,205.80		$26,469.60	$15,080.00	$11,389.60	PENSION BENEFIT	08/29/2009
17	$2,216.09		$26,593.08	$15,080.00	$11,513.08	PENSION BENEFIT	09/26/2009
18	$2,257.57		$27,090.84	$15,080.00	$12,010.84	PENSION BENEFIT	05/01/2010
19	$2,263.20		$27,158.40	$15,080.00	$12,078.40	PENSION BENEFIT	04/01/2010
20	$2,268.55		$27,222.60	$15,080.00	$12,142.60	PENSION BENEFIT	08/08/1995
21	$2,305.67		$27,668.04	$15,080.00	$12,586.04	PENSION BENEFIT	03/27/2010
22	$2,340.69		$28,088.28	$15,080.00	$13,008.28	PENSION BENEFIT	03/01/2000
23	$2,345.58		$28,146.96	$15,080.00	$13,066.96	PENSION BENEFIT	10/16/1991
24	$2,364.32		$28,371.84	$15,080.00	$13,291.84	PENSION BENEFIT	09/06/2000
25	$2,412.70		$28,952.40	$15,080.00	$13,872.40	PENSION BENEFIT	04/25/1998
26	$2,417.42		$29,009.04	$15,080.00	$13,929.04	PENSION BENEFIT	11/17/2010
27	$2,424.92		$29,099.04	$15,080.00	$14,019.04	PENSION BENEFIT	07/15/2000
28	$2,433.50		$29,202.00	$15,080.00	$14,122.00	PENSION BENEFIT	05/17/2006
29	$2,487.75		$29,853.00	$15,080.00	$14,773.00	PENSION BENEFIT	07/02/2000
30	$2,494.11		$29,929.32	$15,080.00	$14,849.32	PENSION BENEFIT	09/18/2003
31	$2,510.14		$30,121.68	$15,080.00	$15,041.68	PENSION BENEFIT	04/15/2000
32	$2,521.26		$30,255.12	$15,080.00	$15,175.12	PENSION BENEFIT	03/19/2005
33	$2,566.91		$30,802.92	$15,080.00	$15,722.92	PENSION BENEFIT	06/01/2001
34	$2,589.53		$31,074.36	$15,080.00	$15,994.36	PENSION BENEFIT	04/24/2000
35	$2,679.89		$32,158.68	$15,080.00	$17,078.68	PENSION BENEFIT	06/01/2000
36	$2,694.96		$32,339.52	$15,080.00	$17,259.52	PENSION BENEFIT	03/01/2007
37	$2,697.85		$32,374.20	$15,080.00	$17,294.20	PENSION BENEFIT	06/01/2001
38	$2,797.51		$33,570.12	$15,080.00	$18,490.12	PENSION BENEFIT	05/17/2000
39	$2,864.80		$34,377.60	$15,080.00	$19,297.60	PENSION BENEFIT	01/04/2003
40	$2,873.57		$34,482.84	$15,080.00	$19,402.84	PENSION BENEFIT	08/01/1989
41	$2,971.21		$35,654.52	$15,080.00	$20,574.52	PENSION BENEFIT	09/30/2006
1	$3,090.78		$37,089.36	$15,080.00	$22,009.36	PENSION BENEFIT	02/10/2003
2	$3,578.61		$42,943.32	$15,080.00	$27,863.32	PENSION BENEFIT	09/01/2011
					$0.00		
1	$4,212.43		$50,549.16	$15,080.00	$35,469.16	PENSION BENEFIT	01/03/2001
2	$4,551.87		$54,622.44	$15,080.00	$39,542.44	PENSION BENEFIT	01/29/2005
1	$5,393.20		$64,718.40	$15,080.00	$49,638.40	PENSION BENEFIT	06/11/2011
	$267,934.97	$2,209.62	$3,215,219.64				
		$26,515.44					

MONTHLY PENSIONS



Increase Mininum to $300

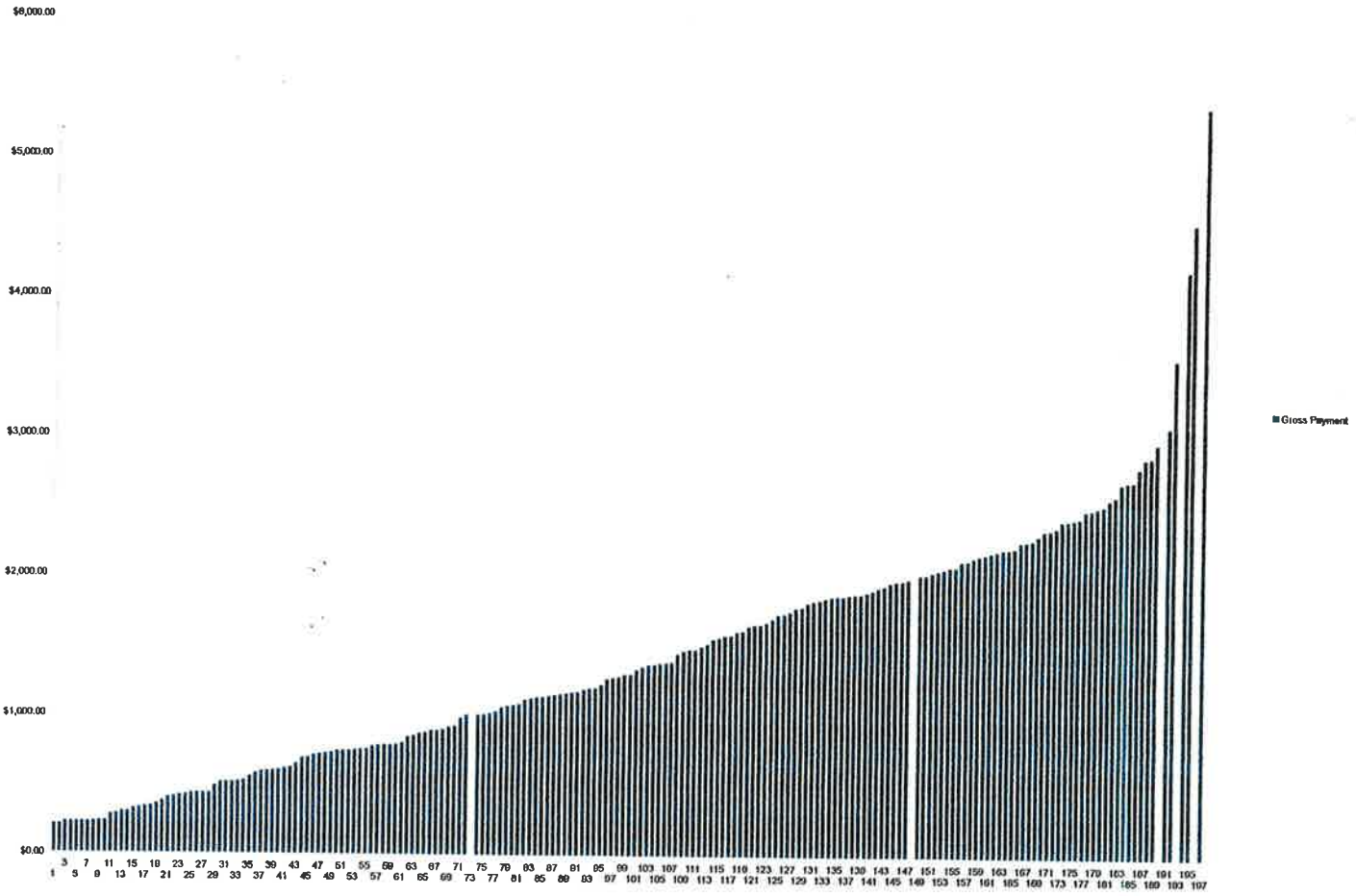
Sheet3

	Monthly Gross Payment	Monthly Minimum	Monothly Increase	Annual Gross Payment	Minimum Wage		Payment Type Desc	Retirement Date
1	$200.00	$300.00	$100.00	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	02/21/2008
2	$200.00	$300.00	$100.00	$2,400.00	$15,080.00	-$12,680.00	PERIODIC DEATH BENEFIT	04/29/2006
3	$217.59	$300.00	$82.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	10/25/1985
4	$217.59	$300.00	$82.41	$2,611.08	$15,080.00	-$12,468.92	PENSION BENEFIT	07/24/1989
5	$217.59	$300.00	$82.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	01/01/1970
6	$217.59	$300.00	$82.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	05/01/1993
7	$217.59	$300.00	$82.41	$2,611.08	$15,080.00	-$12,468.92	PERIODIC DEATH BENEFIT	06/01/1989
8	$223.84	$300.00	$76.16	$2,686.08	$15,080.00	-$12,393.92	PENSION BENEFIT	08/29/1986
9	$225.91	$300.00	$74.09	$2,710.92	$15,080.00	-$12,369.08	PERIODIC DEATH BENEFIT	10/18/2002
10	$226.37	$300.00	$73.63	$2,716.44	$15,080.00	-$12,363.56	PENSION BENEFIT	07/06/1988
11	$272.45	$300.00	$27.55	$3,269.40	$15,080.00	-$11,810.60	PENSION BENEFIT	12/19/1974
12	$276.21	$300.00	$23.79	$3,314.52	$15,080.00	-$11,765.48	PERIODIC DEATH BENEFIT	12/14/1995
13	$293.06	$300.00	$6.94	$3,516.72	$15,080.00	-$11,563.28	PENSION BENEFIT	02/23/2000
14	$293.39	$300.00	$6.61	$3,520.68	$15,080.00	-$11,559.32	PERIODIC DEATH BENEFIT	01/01/2008
15	$314.79			$3,777.48	$15,080.00	-$11,302.52	PERIODIC DEATH BENEFIT	10/01/1978
16	$321.01			$3,852.12	$15,080.00	-$11,227.88	PERIODIC DEATH BENEFIT	08/27/1999
17	$328.71			$3,944.52	$15,080.00	-$11,135.48	PERIODIC DEATH BENEFIT	05/01/1995
18	$332.04			$3,984.48	$15,080.00	-$11,095.52	PERIODIC DEATH BENEFIT	11/09/1996
19	$347.81			$4,173.72	$15,080.00	-$10,906.28	PENSION BENEFIT	08/24/2007
20	$368.99			$4,427.88	$15,080.00	-$10,652.12	PENSION BENEFIT	03/29/1994
21	$396.50			$4,758.00	$15,080.00	-$10,322.00	PENSION BENEFIT	03/01/1983
22	$400.35			$4,804.20	$15,080.00	-$10,275.80	PERIODIC DEATH BENEFIT	07/14/2010
23	$412.26			$4,947.12	$15,080.00	-$10,132.88	PERIODIC DEATH BENEFIT	10/07/2010
24	$416.76			$5,001.12	$15,080.00	-$10,078.88	PENSION BENEFIT	05/16/1995
25	$426.75			$5,121.00	$15,080.00	-$9,959.00	PENSION BENEFIT	02/10/1990
26	$428.00			$5,136.00	$15,080.00	-$9,944.00	PERIODIC DEATH BENEFIT	10/23/2003
27	$428.13			$5,137.56	$15,080.00	-$9,942.44	PERIODIC DEATH BENEFIT	12/30/1989
28	$428.48			$5,141.76	$15,080.00	-$9,938.24	PENSION BENEFIT	10/21/2005
29	$481.35			$5,776.20	$15,080.00	-$9,303.80	PERIODIC DEATH BENEFIT	03/07/1997
30	$506.45			$6,077.40	$15,080.00	-$9,002.60	PERIODIC DEATH BENEFIT	12/22/2002
31	$508.01			$6,096.12	$15,080.00	-$8,983.88	PENSION BENEFIT	05/06/2001
32	$510.16			$6,121.92	$15,080.00	-$8,958.08	PENSION BENEFIT	04/07/2000
33	$513.48			$6,161.76	$15,080.00	-$8,918.24	PENSION BENEFIT	08/23/1998
34	$518.80			$6,225.60	$15,080.00	-$8,854.40	PENSION BENEFIT	10/27/1987
35	$549.85			$6,598.20	$15,080.00	-$8,481.80	PENSION BENEFIT	09/20/1987
36	$574.39			$6,892.68	$15,080.00	-$8,187.32	PENSION BENEFIT	09/17/1999
37	$589.59			$7,075.08	$15,080.00	-$8,004.92	PERIODIC DEATH BENEFIT	02/01/1999
38	$590.65			$7,087.80	$15,080.00	-$7,992.20	PENSION BENEFIT	01/17/1991
39	$594.79			$7,137.48	$15,080.00	-$7,942.52	PERIODIC DEATH BENEFIT	08/01/2003
40	$600.64			$7,207.68	$15,080.00	-$7,872.32	PERIODIC DEATH BENEFIT	09/01/2002
41	$608.99			$7,307.88	$15,080.00	-$7,772.12	PERIODIC DEATH BENEFIT	11/17/2003
42	$618.73			$7,424.76	$15,080.00	-$7,655.24	PENSION BENEFIT	10/03/1992
43	$643.24			$7,718.88	$15,080.00	-$7,361.12	PENSION BENEFIT	10/16/2006
44	$685.08			$8,220.96	$15,080.00	-$6,859.04	PENSION BENEFIT	04/14/1995
45	$689.39			$8,272.68	$15,080.00	-$6,807.32	PERIODIC DEATH BENEFIT	05/15/2010
46	$708.19			$8,498.28	$15,080.00	-$6,581.72	PERIODIC DEATH BENEFIT	06/16/1999
47	$715.09			$8,581.08	$15,080.00	-$6,498.92	PENSION BENEFIT	05/04/1994
48	$718.66			$8,623.92	$15,080.00	-$6,456.08	PENSION BENEFIT	05/25/1995
49	$727.08			$8,724.96	$15,080.00	-$6,355.04	PENSION BENEFIT	09/25/1991
50	$739.01			$8,868.12	$15,080.00	-$6,211.88	PENSION BENEFIT	09/26/1993
51	$739.48			$8,873.76	$15,080.00	-$6,206.24	PENSION BENEFIT	06/30/1990
52	$742.61			$8,911.32	$15,080.00	-$6,168.68	PENSION BENEFIT	06/24/2011
53	$743.81			$8,925.72	$15,080.00	-$6,154.28	PERIODIC DEATH BENEFIT	01/23/1988
54	$751.64			$9,019.68	$15,080.00	-$6,060.32	PENSION BENEFIT	12/20/2003
55	$753.26			$9,039.12	$15,080.00	-$6,040.88	PENSION BENEFIT	01/04/2006
56	$771.09			$9,253.08	$15,080.00	-$5,826.92	PENSION BENEFIT	01/04/1995
57	$777.70			$9,332.40	$15,080.00	-$5,747.60	PENSION BENEFIT	06/01/1993
58	$779.58			$9,354.96	$15,080.00	-$5,725.04	PENSION BENEFIT	10/16/1984
59	$780.00			$9,360.00	$15,080.00	-$5,720.00	PERIODIC DEATH BENEFIT	06/02/2010
60	$785.98			$9,431.76	$15,080.00	-$5,648.24	PENSION BENEFIT	02/05/2000
61	$797.59			$9,571.08	$15,080.00	-$5,508.92	PENSION BENEFIT	04/24/1986
62	$840.68			$10,088.16	$15,080.00	-$4,991.84	PENSION BENEFIT	01/01/1993
63	$846.63			$10,159.56	$15,080.00	-$4,920.44	PENSION BENEFIT	05/22/1990
64	$865.40			$10,384.80	$15,080.00	-$4,695.20	PENSION BENEFIT	09/25/1987
65	$869.30			$10,431.60	$15,080.00	-$4,648.40	PENSION BENEFIT	01/04/1995
66	$885.37			$10,624.44	$15,080.00	-$4,455.56	PENSION BENEFIT	08/13/1991
67	$887.54			$10,650.48	$15,080.00	-$4,429.52	PENSION BENEFIT	07/01/1996
68	$892.48			$10,709.76	$15,080.00	-$4,370.24	PENSION BENEFIT	12/23/2006
69	$911.86			$10,942.32	$15,080.00	-$4,137.68	PENSION BENEFIT	01/06/1997
70	$917.25			$11,007.00	$15,080.00	-$4,073.00	PENSION BENEFIT	04/11/1993
71	$979.19			$11,750.28	$15,080.00	-$3,329.72	PENSION BENEFIT	01/03/2008
72	$999.80			$11,997.60	$15,080.00	-$3,082.40	PENSION BENEFIT	10/31/1996
1	$1,002.06			$12,024.72	$15,080.00	-$3,055.28	PENSION BENEFIT	01/04/2005
2	$1,005.20			$12,062.40	$15,080.00	-$3,017.60	PENSION BENEFIT	06/21/2002
3	$1,011.23			$12,134.76	$15,080.00	-$2,945.24	PERIODIC DEATH BENEFIT	10/12/2010
4	$1,026.48			$12,317.76	$15,080.00	-$2,762.24	PENSION BENEFIT	10/16/1987
5	$1,055.58			$12,666.96	$15,080.00	-$2,413.04	PERIODIC DEATH BENEFIT	11/30/1999
6	$1,066.61			$12,799.32	$15,080.00	-$2,280.68	PENSION BENEFIT	01/01/2008
7	$1,073.00			$12,876.00	$15,080.00	-$2,204.00	PENSION BENEFIT	05/04/1995
8	$1,080.13			$12,961.56	$15,080.00	-$2,118.44	PERIODIC DEATH BENEFIT	06/01/2009
9	$1,111.05			$13,332.60	$15,080.00	-$1,747.40	PENSION BENEFIT	11/22/1984
10	$1,121.94			$13,463.28	$15,080.00	-$1,616.72	PENSION BENEFIT	06/15/1996
11	$1,130.60			$13,567.20	$15,080.00	-$1,512.80	PENSION BENEFIT	12/04/1998
12	$1,132.09			$13,585.08	$15,080.00	-$1,494.92	PENSION BENEFIT	03/26/1999
13	$1,142.54			$13,710.48	$15,080.00	-$1,369.52	PENSION BENEFIT	10/08/1993
14	$1,149.11			$13,789.32	$15,080.00	-$1,290.68	PENSION BENEFIT	09/01/1988
15	$1,153.62			$13,843.44	$15,080.00	-$1,236.56	PENSION BENEFIT	06/17/1993
16	$1,162.32			$13,947.84	$15,080.00	-$1,132.16	PENSION BENEFIT	10/11/1996
17	$1,166.43			$13,997.16	$15,080.00	-$1,082.84	PENSION BENEFIT	03/13/1999
18	$1,172.18			$14,066.16	$15,080.00	-$1,013.84	PENSION BENEFIT	03/20/1995
19	$1,188.40			$14,260.80	$15,080.00	-$819.20	PENSION BENEFIT	09/18/2009
20	$1,198.10			$14,377.20	$15,080.00	-$702.80	PENSION BENEFIT	11/01/2008
21	$1,198.80			$14,385.60	$15,080.00	-$694.40	PENSION BENEFIT	07/21/2007
22	$1,221.72			$14,660.64	$15,080.00	-$419.36	PENSION BENEFIT	04/02/2002
23	$1,266.82			$15,201.84	$15,080.00	$121.84	PENSION BENEFIT	05/17/2002
24	$1,272.39			$15,268.68	$15,080.00	$188.68	PENSION BENEFIT	08/09/2001
25	$1,280.43			$15,365.16	$15,080.00	$285.16	PENSION BENEFIT	05/27/2010
26	$1,297.40			$15,568.80	$15,080.00	$488.80	PENSION BENEFIT	09/04/2003
27	$1,299.32			$15,591.84	$15,080.00	$511.84	PENSION BENEFIT	03/30/1999
28	$1,331.62			$15,979.44	$15,080.00	$899.44	PENSION BENEFIT	01/03/2002
29	$1,349.75			$16,197.00	$15,080.00	$1,117.00	PENSION BENEFIT	03/30/2001
30	$1,365.80			$16,389.60	$15,080.00	$1,309.60	PENSION BENEFIT	10/30/2004

31	$1,368.88		$16,426.56	$15,080.00	$1,346.56	PENSION BENEFIT	04/24/1993
32	$1,379.04		$16,548.48	$15,080.00	$1,468.48	PENSION BENEFIT	11/01/1996
33	$1,383.40		$16,600.80	$15,080.00	$1,520.80	PENSION BENEFIT	07/07/2009
34	$1,386.25		$16,635.00	$15,080.00	$1,555.00	PENSION BENEFIT	11/11/2004
35	$1,443.68		$17,324.16	$15,080.00	$2,244.16	PENSION BENEFIT	05/20/2000
36	$1,463.69		$17,566.68	$15,080.00	$2,486.68	PENSION BENEFIT	09/10/1991
37	$1,475.60		$17,707.20	$15,080.00	$2,627.20	PENSION BENEFIT	06/03/2005
38	$1,476.79		$17,721.48	$15,080.00	$2,641.48	PENSION BENEFIT	03/01/2001
39	$1,497.18		$17,966.16	$15,080.00	$2,886.16	PENSION BENEFIT	07/17/1993
40	$1,514.26		$18,171.12	$15,080.00	$3,091.12	PENSION BENEFIT	06/01/2004
41	$1,553.00		$18,636.00	$15,080.00	$3,556.00	PENSION BENEFIT	11/30/2007
42	$1,562.24		$18,746.88	$15,080.00	$3,666.88	PENSION BENEFIT	02/03/1992
43	$1,576.10		$18,913.20	$15,080.00	$3,833.20	PENSION BENEFIT	01/14/1994
44	$1,579.57		$18,954.84	$15,080.00	$3,874.84	PENSION BENEFIT	06/21/2003
45	$1,603.91		$19,246.92	$15,080.00	$4,166.92	PENSION BENEFIT	02/02/2002
46	$1,611.84		$19,339.68	$15,080.00	$4,259.68	PENSION BENEFIT	11/21/2009
47	$1,645.64		$19,747.68	$15,080.00	$4,667.68	PENSION BENEFIT	02/10/2003
48	$1,656.74		$19,880.88	$15,080.00	$4,800.88	PENSION BENEFIT	05/04/2000
49	$1,657.93		$19,895.16	$15,080.00	$4,815.16	PENSION BENEFIT	09/08/1993
50	$1,675.09		$20,101.08	$15,080.00	$5,021.08	PENSION BENEFIT	04/15/2005
51	$1,700.89		$20,410.68	$15,080.00	$5,330.68	PENSION BENEFIT	08/23/1998
52	$1,731.62		$20,779.44	$15,080.00	$5,699.44	PENSION BENEFIT	07/19/2000
53	$1,736.19		$20,834.28	$15,080.00	$5,754.28	PENSION BENEFIT	01/01/1999
54	$1,752.17		$21,026.04	$15,080.00	$5,946.04	PENSION BENEFIT	05/19/1999
55	$1,781.69		$21,380.28	$15,080.00	$6,300.28	PENSION BENEFIT	01/28/2010
56	$1,786.69		$21,440.28	$15,080.00	$6,360.28	PENSION BENEFIT	05/19/1994
57	$1,816.03		$21,792.36	$15,080.00	$6,712.36	PENSION BENEFIT	06/30/1995
58	$1,829.05		$21,948.60	$15,080.00	$6,868.60	PENSION BENEFIT	02/02/1998
59	$1,837.87		$22,054.44	$15,080.00	$6,974.44	PENSION BENEFIT	06/25/2011
60	$1,849.02		$22,188.24	$15,080.00	$7,108.24	PENSION BENEFIT	07/15/1998
61	$1,860.54		$22,326.48	$15,080.00	$7,246.48	PENSION BENEFIT	09/25/2004
62	$1,864.47		$22,373.64	$15,080.00	$7,293.64	PENSION BENEFIT	06/26/2010
63	$1,865.02		$22,380.24	$15,080.00	$7,300.24	PENSION BENEFIT	08/02/2004
64	$1,873.23		$22,478.76	$15,080.00	$7,398.76	PENSION BENEFIT	03/19/1988
65	$1,877.84		$22,534.08	$15,080.00	$7,454.08	PENSION BENEFIT	01/18/2000
66	$1,881.24		$22,574.88	$15,080.00	$7,494.88	PENSION BENEFIT	01/25/2003
67	$1,894.79		$22,737.48	$15,080.00	$7,657.48	PENSION BENEFIT	05/13/1996
68	$1,903.91		$22,846.92	$15,080.00	$7,766.92	PENSION BENEFIT	08/16/1991
69	$1,926.60		$23,119.20	$15,080.00	$8,039.20	PENSION BENEFIT	03/07/2009
70	$1,937.52		$23,250.24	$15,080.00	$8,170.24	PENSION BENEFIT	08/01/2009
71	$1,957.26		$23,487.12	$15,080.00	$8,407.12	PENSION BENEFIT	08/15/1997
72	$1,968.82		$23,625.84	$15,080.00	$8,545.84	PENSION BENEFIT	02/22/2009
73	$1,974.60		$23,695.20	$15,080.00	$8,615.20	PENSION BENEFIT	10/10/2009
74	$1,986.48		$23,837.76	$15,080.00	$8,757.76	PENSION BENEFIT	02/01/2008
1	$2,016.04		$24,192.48	$15,080.00	$9,112.48	PENSION BENEFIT	01/03/2001
2	$2,018.84		$24,226.08	$15,080.00	$9,146.08	PENSION BENEFIT	03/29/2008
3	$2,037.12		$24,445.44	$15,080.00	$9,365.44	PENSION BENEFIT	11/01/1993
4	$2,046.68		$24,560.16	$15,080.00	$9,480.16	PENSION BENEFIT	08/06/2009
5	$2,059.72		$24,716.64	$15,080.00	$9,636.64	PENSION BENEFIT	01/24/1999
6	$2,073.34		$24,880.08	$15,080.00	$9,800.08	PENSION BENEFIT	12/20/2004
7	$2,074.50		$24,894.00	$15,080.00	$9,814.00	PENSION BENEFIT	11/22/2007
8	$2,116.87		$25,402.44	$15,080.00	$10,322.44	PENSION BENEFIT	10/28/1997
9	$2,121.50		$25,458.00	$15,080.00	$10,378.00	PENSION BENEFIT	01/01/2010
10	$2,141.64		$25,699.68	$15,080.00	$10,619.68	PENSION BENEFIT	01/01/2005
11	$2,157.52		$25,890.24	$15,080.00	$10,810.24	PENSION BENEFIT	12/10/2002
12	$2,168.57		$26,022.84	$15,080.00	$10,942.84	PENSION BENEFIT	01/05/2010
13	$2,181.21		$26,174.52	$15,080.00	$11,094.52	PENSION BENEFIT	08/01/1998
14	$2,187.85		$26,254.20	$15,080.00	$11,174.20	PENSION BENEFIT	11/21/2002
15	$2,204.47		$26,453.64	$15,080.00	$11,373.64	PENSION BENEFIT	04/01/1996
16	$2,205.80		$26,469.60	$15,080.00	$11,389.60	PENSION BENEFIT	08/29/2009
17	$2,216.09		$26,593.08	$15,080.00	$11,513.08	PENSION BENEFIT	09/26/2009
18	$2,257.57		$27,090.84	$15,080.00	$12,010.84	PENSION BENEFIT	05/01/2010
19	$2,263.20		$27,158.40	$15,080.00	$12,078.40	PENSION BENEFIT	04/01/2010
20	$2,268.55		$27,222.60	$15,080.00	$12,142.60	PENSION BENEFIT	08/08/1995
21	$2,305.67		$27,668.04	$15,080.00	$12,588.04	PENSION BENEFIT	03/27/2010
22	$2,340.69		$28,088.28	$15,080.00	$13,008.28	PENSION BENEFIT	03/01/2000
23	$2,345.58		$28,146.96	$15,080.00	$13,066.96	PENSION BENEFIT	10/16/1991
24	$2,364.32		$28,371.84	$15,080.00	$13,291.84	PENSION BENEFIT	09/06/2000
25	$2,412.70		$28,952.40	$15,080.00	$13,872.40	PENSION BENEFIT	04/25/1998
26	$2,417.42		$29,009.04	$15,080.00	$13,929.04	PENSION BENEFIT	11/17/2010
27	$2,424.92		$29,099.04	$15,080.00	$14,019.04	PENSION BENEFIT	07/15/2000
28	$2,433.50		$29,202.00	$15,080.00	$14,122.00	PENSION BENEFIT	05/17/2006
29	$2,487.75		$29,853.00	$15,080.00	$14,773.00	PENSION BENEFIT	07/02/2000
30	$2,494.11		$29,929.32	$15,080.00	$14,849.32	PENSION BENEFIT	09/18/2003
31	$2,510.14		$30,121.68	$15,080.00	$15,041.68	PENSION BENEFIT	04/15/2000
32	$2,521.26		$30,255.12	$15,080.00	$15,175.12	PENSION BENEFIT	03/19/2005
33	$2,566.91		$30,802.92	$15,080.00	$15,722.92	PENSION BENEFIT	06/01/2001
34	$2,589.53		$31,074.36	$15,080.00	$15,994.36	PENSION BENEFIT	04/24/2000
35	$2,679.89		$32,158.68	$15,080.00	$17,078.68	PENSION BENEFIT	06/01/2000
36	$2,694.96		$32,339.52	$15,080.00	$17,259.52	PENSION BENEFIT	03/01/2007
37	$2,697.85		$32,374.20	$15,080.00	$17,294.20	PENSION BENEFIT	06/01/2001
38	$2,797.51		$33,570.12	$15,080.00	$18,490.12	PENSION BENEFIT	05/17/2000
39	$2,864.80		$34,377.60	$15,080.00	$19,297.60	PENSION BENEFIT	01/04/2003
40	$2,873.57		$34,482.84	$15,080.00	$19,402.84	PENSION BENEFIT	08/01/1989
41	$2,971.21		$35,654.52	$15,080.00	$20,574.52	PENSION BENEFIT	09/30/2006
1	$3,090.78		$37,089.36	$15,080.00	$22,009.36	PENSION BENEFIT	02/10/2003
2	$3,578.61		$42,943.32	$15,080.00	$27,863.32	PENSION BENEFIT	09/01/2011
					$0.00		
1	$4,212.43		$50,549.16	$15,080.00	$35,469.16	PENSION BENEFIT	01/03/2001
2	$4,551.87		$54,622.44	$15,080.00	$39,542.44	PENSION BENEFIT	01/29/2005
1	$5,393.20		$64,718.40	$15,080.00	$49,638.40	PENSION BENEFIT	06/11/2011
	$267,934.97	$900.82	$3,215,219.64				
		$10,809.64					

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MONTHLY PENSIONS



Koenig, Scott

From: Scott Porter <scott.porter@milliman.com>
Sent: Saturday, August 18, 2012 8:34 PM
To: Mitchell, Donna
Subject: RE: Civilian Pension Board - Proposal to Increase Minimum Pension Payment - Les Blakeman
Attachments: DISCUSSION - MINIMUM PEN_20120807144042.pdf

Donna,

If I understand the proposal, you would like to introduce a minimum pension equal to either $300, $400 or $500 per month. Based on your analysis, it appears that it will impact mostly survivor benefits immediately. One question – if the member's benefit is $300 and the minimum is set to $500, would the survivor's pension be $150, $250, or $500?

We can estimate the cost without all of the data updated for the 2012 valuations. We will need the list of all members less than the minimum or less than two times the minimum if it applies to future survivors. The list should include date of birth and spouse's date of birth in addition to benefit amount.

On the funding aspect, we would recommend that the entire increase be paid immediately. The funded percentage of the plan is about 40% as of the last study in total, and was only 60% for retirees alone. Thus, you only have enough assets to cover 60% of the promised benefits to current retirees and no remaining assets for other members.

I will give you a call Monday to discuss further.

Scott

Scott F Porter | FSA, Principal and Consulting Actuary | scott.porter@milliman.com
Milliman | 1550 Liberty Ridge Drive, Suite 200 | Wayne, PA 19087-5572 | USA
Tel +1 610 975 8070 | Fax +1 610 687 4236 | milliman.com

Milliman

From: Mitchell, Donna [mailto:DMitchell@dover.de.us]
Sent: Friday, August 17, 2012 4:25 PM
To: Scott Porter
Subject: FW: Civilian Pension Board - Proposal to Increase Minimum Pension Payment - Les Blakeman

Scott,

Can you please call me about this on Monday?

Thank you,

Donna S. Mitchell, CPA
Controller/Treasurer
(Not in public practice)
City of Dover
5 E. Reed Street
Weyandt Hall, Suite 300

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on August 29, 2012 at 5:00 p.m. with Chairman Hutchison presiding. Members present were Mr. Davis and Mr. Keller. Mr. Perza and Mrs. Russell were absent. Councilman Lynn (arrived at 5:13 p.m.) and Mayor Carey (arrived at 5:15) were also present.

AGENDA ADDITIONS/DELETIONS

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

Proposed Ordinance #2012-05 Amending Chapter 46 - Fire Prevention and Protection

Mr. Dave Truax, Fire Marshal, advised members that Proposed Ordinance #2012-05 would amend Chapter 46 - Fire Prevention and Protection and Appendix F - Fees and Fines to clarify existing language and create new subsections which would make it unlawful for any person to tamper with or impair any fire protection system from operating as designed; specify the authority of the Fire Marshal; prohibit open burning, commercial barbecuing, and unattended outdoor fireplaces at any time and authorize the Fire Marshal, code official, fire officer, or police to order the open burning extinguished; and remove the requirement for fire alarm installation reports. It would also create new sections to address fire hydrants and Fire Department connections; reporting of fires and spreading of alarms; unlawful regulations or orders; maintaining records for inspections; and marking rated walls. Mr. Truax explained that staff met with representatives of the Kent County Association of Realtors and the Central Delaware Chamber of Commerce to receive input on the proposed ordinance.

Staff recommended that the Committee forward Proposed Ordinance #2012-05 to City Council with a recommendation for adoption.

In response to Mr. Davis regarding Lines 250 - 252 of the proposed ordinance, Mr. Truax explained that in some cases building managers have issued verbal advisories or posted written orders that instruct residents to delay notification of the Fire Department when an alarm sounds, stating that the establishment's staff would make sure there was a fire and then notify the Fire Department. Mr. Truax stated that such orders would defeat the purpose of a fire alarm. He also noted that repeated soundings of a fire alarm can alert the Fire Marshal's Office that an alarm system is not being maintained properly.

Responding to Mr. Hutchison in regard to community education about the ordinance, Mr. Truax stated that the ordinance would be posted to the City's website and that the press often publicizes such ordinances. He explained that typically when new provisions are implemented, such as the requirement to keep a log of all fire inspections, staff would not issue a summons or fine for violations during the first year but would use these opportunities to educate those affected regarding the new provisions.

Mr. Hutchison suggested that a summary of the changes be prepared and distributed to larger apartment complexes and day care centers in the City. Mr. Truax stated that the information would be posted on the City's website and that staff would do whatever must be done to get the information out to the public.

Mr. Keller moved to recommend adoption of Proposed Ordinance #2012-05 Amending Chapter 46 - Fire Prevention and Protection, as recommended by staff, seconded by Mr. Davis and unanimously carried.

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

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the City develops a list of transportation project priorities and submits them in the form of a letter to the Secretary of Transportation annually. She noted that she and Mr. Scott Koenig, City Manager, reviewed the priorities submitted last year and, in light of more recent discussions and issues, reordered them and included additional projects. Mrs. Townshend reviewed the 2012 Transportation Prioritization List, noting that Project #1, the West Dover Connector, was on track and moving forward. She indicated that Project #2, Sidewalks on Route 8 in the Vicinity of the New Dover High School, had been added to the list for 2012 and that this project should be given very high priority. She stated that she has been very outspoken about concerns regarding the need for signalization and pedestrian access during regular coordination meetings held in connection with the construction of the school. Mrs. Townshend noted that the Route 8/Hazlettville Road Connector project had been placed as Priority #3 and that the Delaware Department of Transportation (DelDOT) had postponed this project, with design now planned to begin in 2017. She expressed concern that traffic problems would occur if this project was not moved forward, since the new high school was scheduled to open in 2014. Mrs. Townshend stated that the Garrison Oak Connector Road was listed as Project #4 and Project #11, Kings Highway/Route 13 Intersection Improvements, was added to the 2012 list. She explained that the cost of transportation improvements needed at the intersection had hindered potential development projects, in particular at the former Playtex site at the southwest side of the intersection. She indicated that this intersection had been assigned a DelDOT Level of Service (LOS) grade of F, which would require improvements for large or small projects at that location. Mrs. Townshend stated that discussions had been held with DelDOT regarding the adoption of a resolution by City Council that would establish the intersection as a study area for transportation planning. She anticipated that the City would be working with DelDOT to bring forward what the County terms a "Transportation Improvement District" (TID), whereby a defined area would be studied and developers would pay into a fund for associated improvements, rather than bearing the entire cost of improvements. She noted that staff felt it important to get this project on the "radar screen."

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO), noted that DelDOT was in the process of creating its own TID model and it was anticipated that this would be available by the end of 2012. He stated that the State would begin by working with TIDs developed by the County.

In response to Mr. Hutchison regarding the number of failing intersections (are rated LOS F on the DelDOT grading system) in the City that connect with Route 13, Mr. Koenig advised members that some intersections fail only during rush hour and others fail throughout the day. He stated that the Kings Highway/Route 13 intersection fails "a couple of times per day." Mr. Koenig explained that there are a number of small properties at that location (Dunkin Donuts, Capital Cleaners, and Rita's

Water Ice) and that expansion of the intersection (except at the Rite Aid property) would involve not only acquiring the right-of-way but buying and relocating the businesses. Mr. Koenig stated that it would not be possible to upgrade many of the Route 13 intersections to LOS A, B, or C because of area restrictions and the fact that large intersections are not desirable there (if not needed) because they create difficulty in crossing the highway. He felt that some intersections that were identified as either failing or almost failing would necessarily be present as part of the transportation system and that a balance must be found between the function and the level of service required. It was his recollection that the City had determined to accept a LOS D for intersections in the Comprehensive Plan.

Mrs. Townshend concurred; however, she noted that this intersection was rated below LOS D.

Mr. Koenig noted that additional information was needed to determine if only certain aspects of the intersection were failing, such as the turning angles.

Mr. Hutchison noted the importance of economic development at the intersection of Kings Highway and Route 13 and felt that options should be explored.

Mrs. Townshend stated that the other projects included on the 2012 Transportation Prioritization List had been in the queue for a number of years and noted that there were more projects than funds available; however, she felt it important that they remain "on the radar screen."

Responding to Mr. Davis, Mrs. Townshend stated that improvements could be made to the Kings Highway/Route 13 intersection prior to knowing the exact type of development that would occur because some assumptions could be made regarding the type of development expected based on the zoning and the market, and work could begin within those parameters. She noted that since the intersection was constrained, the area could be improved only to a certain point. Priorities would include making the intersection run straight across Route 13 and providing two (2) turn lanes to allow a smoother flow of traffic. She noted that the City could also consider improving Maple Parkway, which is a City street; however, she felt that most businesses at that location would want direct access to Kings Highway and Route 13.

Mr. Davis moved to recommend approval of the 2012 Transportation Prioritization List (*Attachment #1*), as recommended by staff, seconded by Mr. Keller and unanimously carried.

Update - Dover High School Construction

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that she recently attended a Dover High School construction coordination meeting and that the remaining concerns related primarily to signalization and pedestrian access at the school. She reminded members that on June 27, 2012 the Committee recommended that City Council send a letter to the Delaware Department of Transportation (DelDOT) regarding these issues and that this letter was sent on July 9, 2012. She stated that the Secretary of Transportation responded on August 7, 2012, stating that DelDOT could not support the signalization and the sidewalk was not

in their capital program; however, a cost estimate could be developed. Mrs. Townshend provided members with correspondence from Natalie Barnhart, Chief Engineer, Delaware Department of Transportation (DelDOT) dated August 29, 2012 ***(Attachment #2)*** which included a cost estimate of $600,500. Mrs. Townshend stated that staff would work with the Dover/Kent County Metropolitan Planning Organization (MPO) to prepare a Transportation Improvement Program (TIP) amendment, explaining that the project must be included in the MPO TIP before it can be submitted to the State Capital Transportation Plan (CTP). She felt that the City should work concurrently with legislators, possibly through the Transportation Enhancement Program, to see if the project could be addressed outside the CTP process, which would likely take at least two (2) years to obtain funding.

Mr. James Galvin, Principal Planner, Dover/Kent County MPO, stated that the Transportation Enhancement Program (TEP) has been discontinued under new federal highway legislation and that projects that previously competed only with other TEP submissions would now compete with all road projects.

Mrs. Townshend stated that the City would continue to bring this issue up and that other sources of funding could be explored, such as the Nemours Foundation.

Mr. Hutchison stated that student safety should be given the highest priority and that this should be emphasized with DelDOT.

Mrs. Townshend stated that if safe pedestrian access were not provided, more parents would be driving their children, requiring more cars on the road. She understood that traffic engineering models dictate how things work; however, she felt that the City must stay on the record stating this must be done correctly because this project differs from other projects in that it is a school and is built around the needs of children.

In response to Mr. Hutchison, Mrs. Townshend was unsure how many children would be walking to school; however, noted bus transportation would not be provided for students residing within two (2) miles of the school.

In response to Mr. John Gaines, Project Manager, Delaware Department of Transportation (DelDOT), Mrs. Townshend stated that high schools were ineligible for DelDOT's Safe Routes to School Program.

Mr. Davis noted that a Certificate of Occupancy would be denied to a restaurant with unsafe conditions and inquired if this were a possible course of action for the new high school.

Responding to Mr. Davis regarding the position of the Capital School District, Mr. Koenig stated that the District had a study performed which indicated that a light was not needed immediately at the east entrance of the school, and the DelDOT engineer who reviewed the project specified the amount of sidewalk that was required and the District had complied. The sidewalk being discussed

was beyond the limits of the District's property and was, therefore, an offsite improvement. He indicated that members of the Capital School District have maintained that the new school is a community facility and if the infrastructure around the facility must be expanded to accommodate it, this was not their financial responsibility. Mr. Koenig stated that District members did not consider the District to be a developer and they felt that the District's community mission was to build a school and support the function of the school, not the transportation network.

Mr. Hutchison expressed his opinion that the City's function was to review and make recommendations to DelDOT, who is ultimately responsible. He noted that the City's primary concern was the safety of the students in the school and the traffic pattern.

Mr. Lynn stated his belief that, in Delaware, developers are responsible for the causative effects of projects on the surrounding community. He noted that several heavily litigated ordinances had been set forth by Kent County Levy Court and it was determined that developers are responsible for the effect they have on their surrounding community. He felt that the Capital School District was a developer and had a responsibility to the area infrastructure.

Responding to Mr. Lynn regarding the measures that the City could take to pursue this issue, Mrs. Townshend indicated that the City should begin to appeal to the Capital School Board, maintaining that they are a developer, they have a responsibility in this matter, and these are their students that the City is attempting to get safely to their facility. She felt that the City should work with the School District to "get them vocal" on the issue and to determine if they have funds that could be brought to the table. Mrs. Townshend indicated that the five (5) years that may be required to get the project through the CTP process would be too late. She felt that the District was willing to put the signal in, so the City could not hold them responsible because DelDOT would not allow signalization. Regarding the sidewalk, she suggested that the School District may be able to assist in obtaining funding from legislators.

In response to Mr. Lynn, Mrs. Townshend stated that the project plans submitted did not indicate the light; however, all discussions included two (2) signalized intersections. Staff realized early in the project that because of the location and the scale of the project, this would be one of the most important projects that they would deal with, and the Planning Commission and the Capital School Board held a joint meeting before the application was submitted and specifically discussed signalization at that time. While staff was aware that the warrants were required, staff received the sense that this was almost a formality and was given no impression from DelDOT that there was a low likelihood that the signal would be approved.

Mr. Lynn inquired if the City could require DelDOT to install the light or shut the project down.

Mr. Koenig stated that the City would not want to withhold inspections because a massive lawsuit for damages would likely be received from the individual contractors associated with the project; however, the City did have authority to withhold a Certificate of Occupancy. In addition, he noted that there are unusual occurrences of traffic lights within the City, for example, at Gibbs Drive and

Route 8,which has little sidestreet traffic. He questioned why this light met the warrants but the area in question did not. He felt that the City should advise the Capital School District about the possibility of not being able to open because of this concern.

Mr. Hutchison suggested reaching out to the President of the Capital School District Board of Education and the District Superintendent to ask them to attend next month's meeting to determine their position on this issue.

Mr. Koenig noted that the new Dover High School was a huge project that would instantaneously change that area of the City on the day that it opens.

Mr. Hutchison requested that staff obtain information from the School District regarding the number of students expected to be walking to the new high school.

Mr. Hutchison requested and members agreed that the President of the Capital School District Board of Education and the District Superintendent be asked to attend the next meeting to discuss signalization and sidewalks on Route 8 in the vicinity of the new Dover High School.

Briefing on Delaware Department of Transportation (DelDOT) Projects

Mr. John Gaines, Delaware Department of Transportation (DelDOT), provided members a briefing on DelDOT Projects, as follows:

DelDOT Repaving Project

The Delaware Department of Transportation (DelDOT) Repaving Project encompasses seven (7) locations. The first two (2) projects, College Road and Walker Road, are complete. The method of construction involves three (3) steps, including: 1) concrete work (such as islands, sidewalks, American Disabilities Act (ADA) curbs, and curb ramps); 2) any necessary intersection improvements; and 3) milling, paving, and striping. The first two (2) steps of the Forrest Avenue and Governors Avenue projects are complete, so milling of Forrest Avenue will start the first week of September (depending on weather), followed by paving during the second week, and milling on Governors Avenue will begin during the second week of September, followed by paving. He stated that, ideally, Forrest Avenue and Governors Avenue should be complete in September and DelDOT would then move forward with the remaining three (3) projects.

West Dover Connector

Semi-final right-of-way and construction plans for the West Dover Connector were submitted two (2) weeks ago, which Mr. Gaines stated was a major milestone. The next major milestone would be finalization of the right-of-way plans, which was scheduled for November. Once the final right-of-way is complete, he estimated that it would take DelDOT's real estate acquisition section approximately two (2) years to acquire properties on Charles Polk Road to clear the right-of-way. He advised members that appraisals had already been performed on these properties. Mr. Gaines stated that the project was funded for construction in FY 2015-2017 and indicated that there would be no additional update information before the semi-final and final right-of-way phases were concluded.

Route 8/Hazlettville Road Connector

Mr. Gaines stated that the Route 8/Hazlettville Road Connector project was "pushed out" and was funded for preliminary engineering in 2017. Mr. Gaines stated that this project was included in the Community Transportation Plan; however, due to a breakdown in the procedure, the environmental process was never conducted. He stated that the major landowner who would be affected by the project was not in favor of it, and without an environmental document to support acquisitions, the project could not be approved. He stated his belief that this project may have been postponed in order to work on this step of the process.

Responding to Mr. Hutchison, Mr. Gaines stated that he did not expect to attend future Committee meetings on a regular basis but was asked by DelDOT to provide an update since he was knowledgeable about the projects being discussed.

Briefing on Dover/Kent County Metropolitan Planning Organization (MPO)

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO), stated that the Dover Pedestrian Bike Path planned for the downtown area was originally planned to extend along the St. Jones down to Public Safety Boulevard using funding identified by the Governor for bicycle routes. He indicated that the portion of the project behind Legislative Hall from the St. Jones, down Court Street to Route 13, and along Route 13 to the traffic light at the intersection of Public Safety Boulevard had been funded. This section was currently in the design phase, which should be complete by January 2013, and it was hoped that construction would begin in the Spring of 2013. He indicated that a meeting had been arranged with the City to discuss this first phase. Mr. Galvin advised members that future phases of the project would include the area along Park Drive to Legislative Hall and Court Street (behind the Delaware Public Archives) and a connection from Court Street to the former sewage treatment plant and continuing along the river as far as possible and ultimately connecting with Pine Street.

In addition, Mr. Galvin advised members that the Dover/Kent County MPO was in the process of amending the Transportation Improvement Program (TIP), and one (1) of the items included was approval of additional funding for extending Clarence Street from North Street to Forest Street. He reviewed a plan for the project that was developed by Century Engineering, approved by DelDOT, and was presented through public workshops ***(Attachment #2)***. An additional $1.4M was being sought which would cover final design into the right-of-way phase, although it would not allow for acquiring all of the necessary right-of-way or for construction of the project. He noted that the route runs through a tar ditch, goes around an industrial warehouse and buildings that are accessible from Lincoln Street, and runs through two (2) houses on Forest Street, and the net real affect would be on these two (2) houses. Mr. Galvin stated that additional funding was being sought in the TIP to pay for the project to move forward within the next year.

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

Meeting Adjourned at 5:57 P.M.

James L. Hutchison
Chairman

JLH/JS/dd/tm
S:\AGENDAS-MINUTES-PACKETS\Committee-Minutes\2012\08-29-2012 SA&T.wpd

Attachment
Attachment #1 - 2012 Transportation Prioritization List
Attachment #2 - Correspondence from Natalie Barnhart, DelDOT, dated August 29, 2012
Attachment #3 - Plan - Clarence Street Extension

MEMORANDUM

City of Dover
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7010 Fax: 302.736.4217

Date: August 20, 2012

To: Safety Advisory and Transportation Committee

From: Ann Marie Townshend, AICP, Director of Planning & Community Development
Scott D. Koenig, P.E., City Manager

RE: 2012 Transportation Prioritization

Each year, the 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. We have reviewed the priorities approved in September 2011 by City Council, and we recommend the following priority ranking for the coming year.

1. West Dover Connector
2. Sidewalks on Route 8 in Vicinity of New Dover High School (new)
3. Route 8/Hazlettville Road Connector
4. Garrison Oak Connector Road
5. US Route 13 Sidewalk Construction
6. Loockerman Street/Forest Street Improvements
7. Dover Transit Hub – Public/Private Partnership for Building
8. US Route 13 Service Road Corridor
9. Kenton Road Corridor Upgrades
10. College Road Corridor Upgrades
11. Kings Highway/Route 13 Intersection Improvements (new)
12. Crawford Carroll Avenue Extension

We look forward to discussing this prioritization with the Committee on August 29th.

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
800 BAY ROAD
P.O. BOX 778
DOVER, DELAWARE 19903

SHAILEN P. BHATT
SECRETARY

August 29, 2012

Mr. Thomas Leary
Council President, City of Dover
P.O. Box 475
Dover, DE 19903

Dear Mr. Leary,

Reference is made to DelDOT's August 7, 2012 correspondence to you responding to traffic and safety concerns in the vicinity of the new Dover High School. As indicated in that letter, DelDOT prepared a cost estimate to construct the sidewalks you requested. I attached a narrative and cost estimate for your use.

As explained in our correspondence, currently there is no funding programmed in our capital transportation program to develop or construct this project. We encourage you to work with your Metropolitan Planning Organization and/or local legislators to prioritize this project against other needs in the city and Kent County in order to add this project to the 6 year capital program.

Should you have any questions, or require additional information, please fee l free to contact me at (302)760-2305 or Natalie.Barnhart@state.de.us.

Sincerely,

Natalie Barnhart

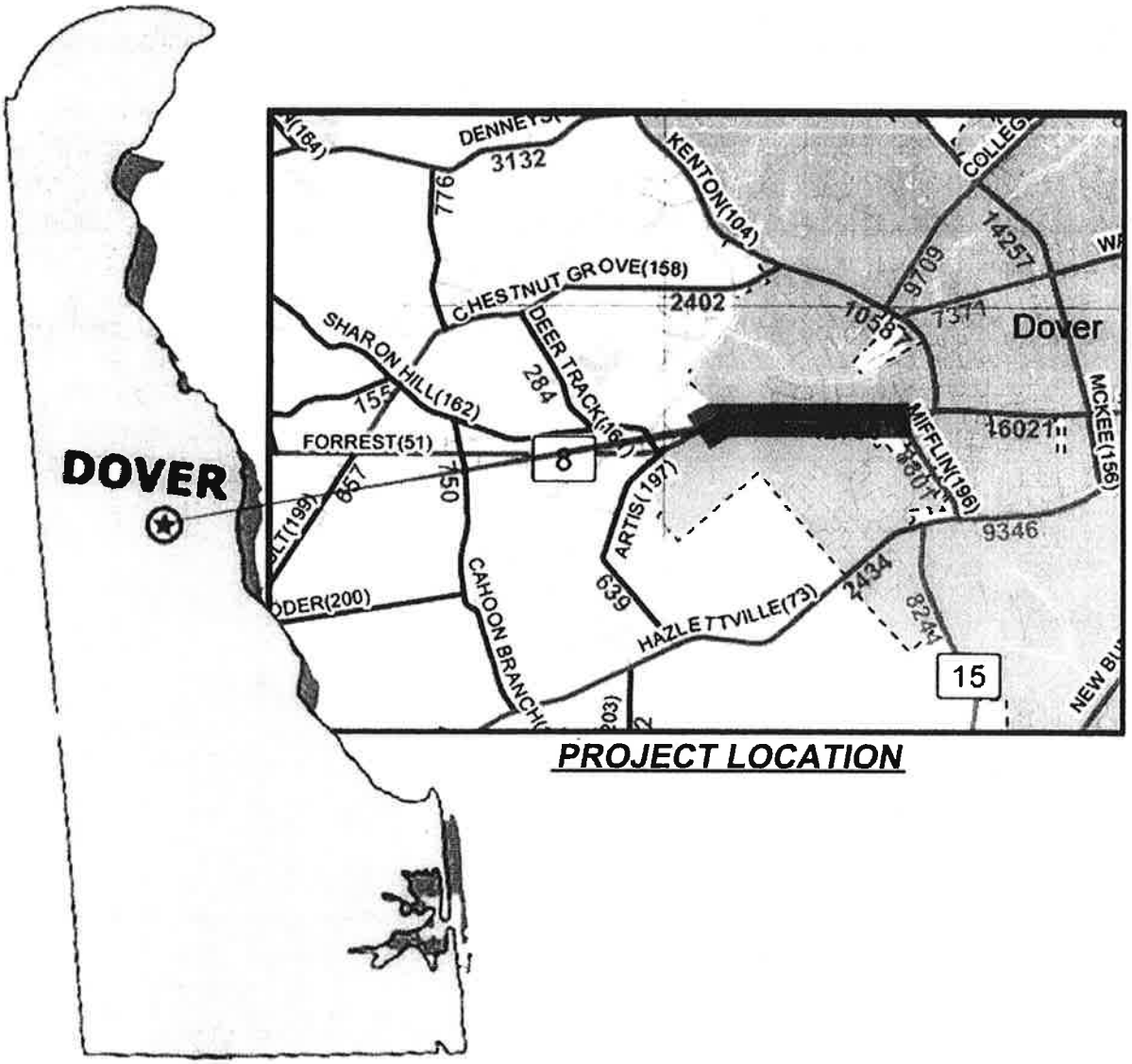
Natalie Barnhart, P.E.
Chief Engineer

NB
Attachments
cc w/attachments:
Senator Brian Bushweller
Representative Darryl Scott
Shailen Bhatt, Secretary
Nicole Majeski, Acting Chief of Staff
Joseph Wright, Director, Maintenance & Operations
Geoff Sundstrom, Director, Public Relations
Michael Simmons, Assistant Director, Project Development, South
Brian Urbanek, Assistant Director, Transportation Engineering
Tina Shockley, Legislative Liaison
Scott Koenig, City Manager, City of Dover
Ann Marie Townshend, Director of Planning and Community Development, City of D

DelDOT

Dover High School on SR8 Sidewalk Improvements

This project involves the construction of new pedestrain improvements on SR8 from .12 miles west of Mifflin Rd. continuing .8 miles west to the proposed entrance for the new Dover High School. The project will include the construction of sidewalks, replace non ADA compliant curb ramps and sidewalks and cross walk striping. There are minor drainage impacts on this project.There is anticipated right of way acquisition and utility relocations for this project.



PROJECT LOCATION

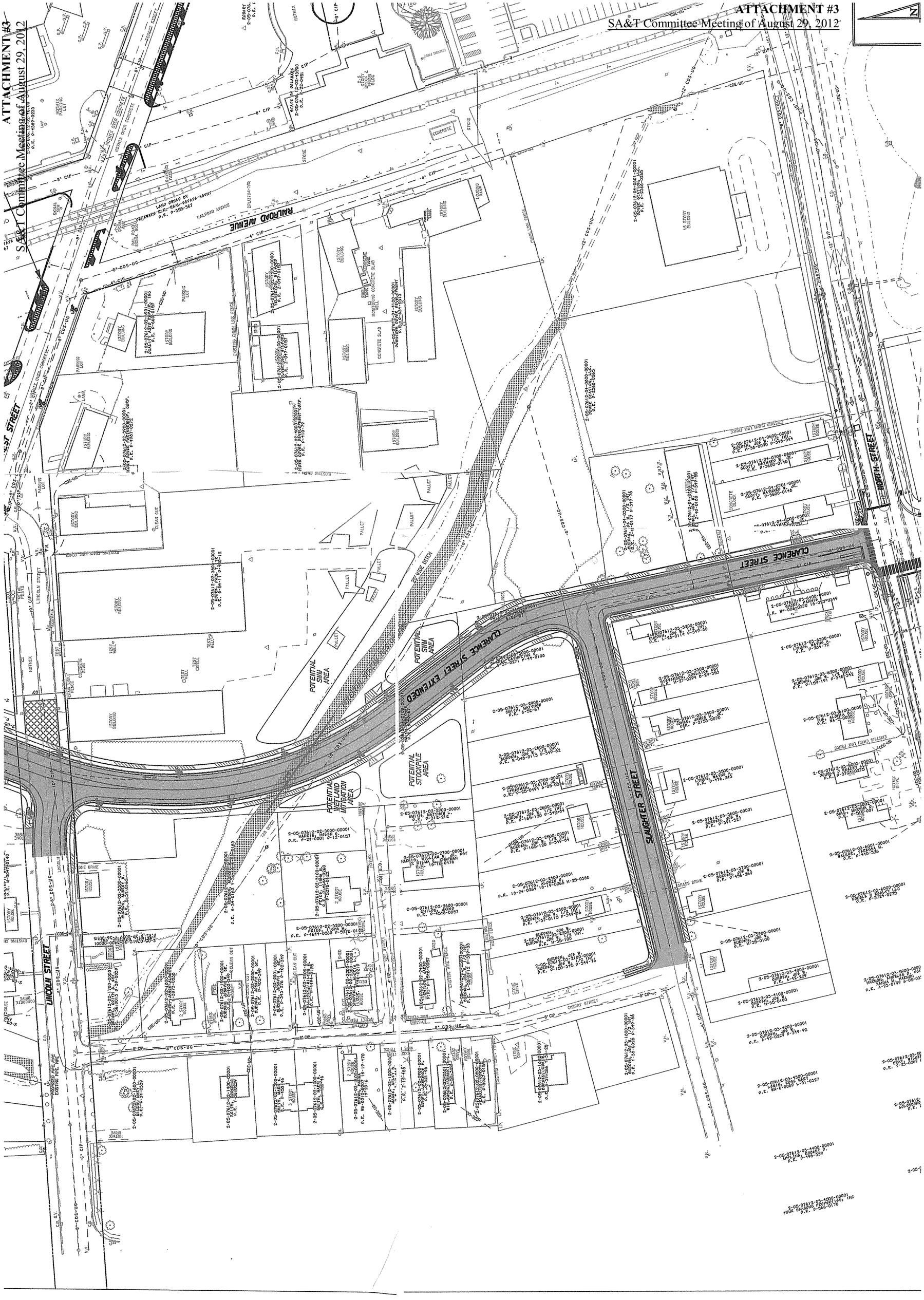
Cost Estimate Summary
Dover High School Sidewalks

Contractor Items*	$270,000.00		
Const. Contingency	$13,500.00	@	5.00%
CE**	$42,000.00	@	15.56%
Traffic	$0.00		
Utilities	$55,000.00		
QA/QC for HMA	$0.00		
Asphalt Cost Adj	$0.00		
Total Construction:	$380,500.00		

** CE costs consist of the following:	
Advertisement	$1,000.00
Construction inspection services	$10,000.00
Construction engineering services	$10,000.00
E&S Inspection services	$14,000.00
Pipe Video Inspection Services	$2,000.00
Materials and Research Insp. Services	$5,000.00

Preliminary Engineering:	$50,000.00
Right-of-Way:	$170,000.00
Construction:	$270,000.00
Contingency	$13,500.00
CE	$42,000.00
Utilities	$55,000.00
Total Project Estimate:	**$600,500.00**

ATTACHMENT #3
SA&T Committee Meeting of August 29, 2012



ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Police	**DATE SUBMITTED:** 8/21/12
PREPARED BY: Captain Robert Scott / Administrative Division Commander	
SUBJECT: Purchase of Police Department Parking Enforcement System	
REFERENCE: Grant Funding	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Controller/Treasurer	
EXHIBITS: None	
EXPENDITURE REQUIRED: $50,000.00	**PROJECT BUDGET:** $50,000.00
FUNDING SOURCE (Dept./Page in CIP & Budget): Justice Assistance Grant & SALLE Grant	
TIMETABLE: Upon receipt of council approval, the system hardware & software will be ordered.	
RECOMMENDED ACTION:	The Legislative and Finance Committee approve the purchase and recommend approval by the Council.

BACKGROUND

This Committee/Council action form is submitted to obtain approval for the sole vendor purchase of a new parking enforcement system for the Police Department from Cardinal Tracking, Inc.

The system currently in use is obsolete and cannot be updated to include the features needed to implement the recent changes incorporated by the city. Data cannot be queried to allow retrieval of necessary information to support scofflaw (repeat/habitual offenders) reporting which is vital to implementing the city's new Vehicle Immobilization law. The limitations of the old system do not permit the effective collection of unpaid debts. The new system allows for customized queries, enabling our agency to retrieve data in almost any form. The old system does not have this capability. The new parking enforcement system will also update both the hardware and software components and eliminate the need for employing an outside collections agency. The new handheld computer units feature integrated cameras, eliminating the need for enforcement personnel to carry digital cameras, and the images will automatically flow with the violation data. A point-of-sale component in the Records Unit will allow for the immediate posting of payments to accounts. The cost also includes the conversion of current data, as well as on-site system set-up, installation and training.

FUNDING

The purchase will be funded by the US Department of Justice, Office of Justice Programs, Justice Assistance Grant (JAG) Program ($47,125.00) and State Aid to Local Law Enforcement (SALLE) Grant funds ($2,875.00).

ACTION REQUESTED

The Legislative and Finance Committee approve the purchase and recommend approval by the Council.

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

July 2012

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 15, 2012

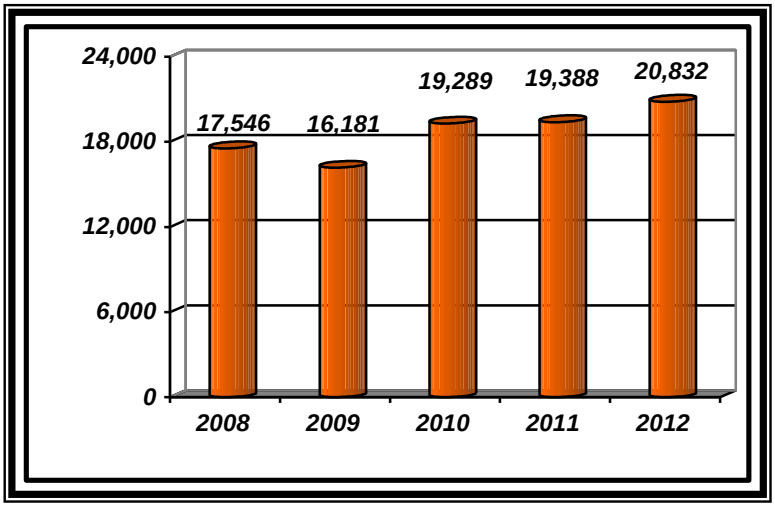
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

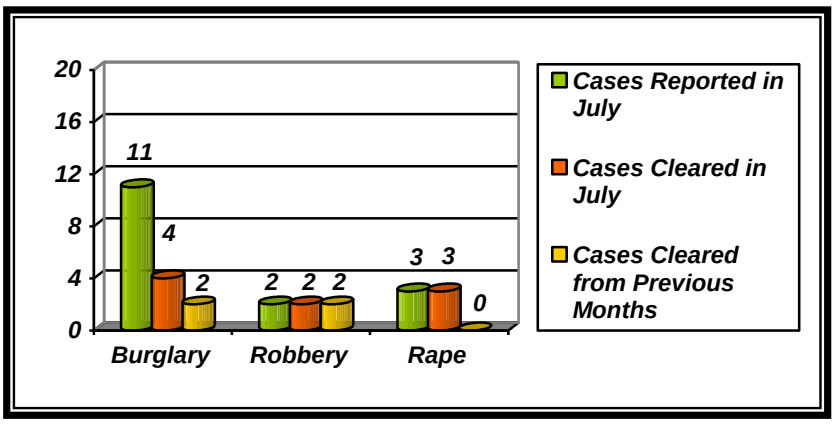
The following is the monthly report for Dover Police Department activities for the month of July 2012:

COMPLAINTS

Total complaints received through July 30th numbered 20,832. This is an increase of 1,444 complaints over the same time period for last year.



CRIMINAL INVESTIGATIONS

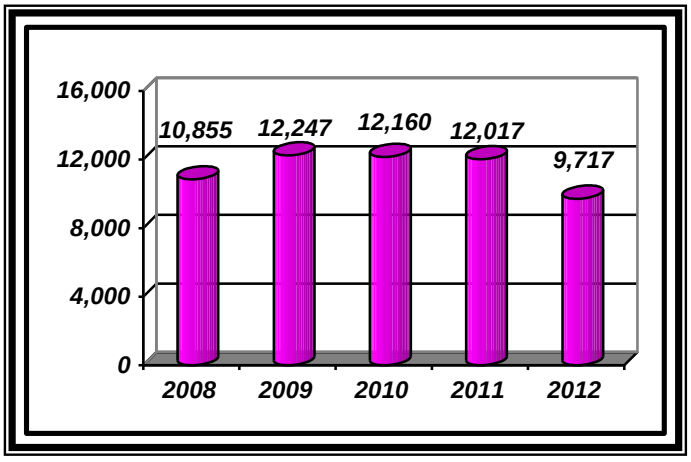


COMMUNITY POLICE SECTION

ENFORCEMENT ACTION	*ARRESTS*
ABANDONED VEHICLES	*0*
ALCOHOL VIOLATIONS/DUI'S	*1*
ASSIST OTHER	*0*
WARRANTS ON FILE	*0*
BIKE ON SIDEWALK	*2*
CITY PARK VIOLATIONS	*1*
CRIMINAL ARRESTS	*14*
DRUG RELATED ARRESTS	*5*
LOUD MUSIC	*1*
MISCELLANEOUS VIOLATIONS	*2*
PARKING VIOLATIONS	*2*
PEDDLER	*0*
MEETINGS	*22*
PROSTITUTION	*0*
COLLECTION OF DELINQUENT DCO'S	*9*
WANTED CHECKS/CPC'S	*20*
TRAFFIC ARRESTS	*36*
WARNINGS	*20*
FUGITIVE	*4*
TOTAL ARRESTS	***139***

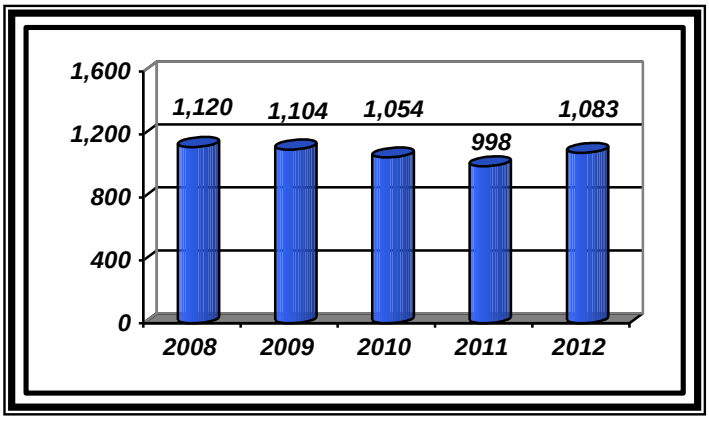
TRAFFIC ARRESTS

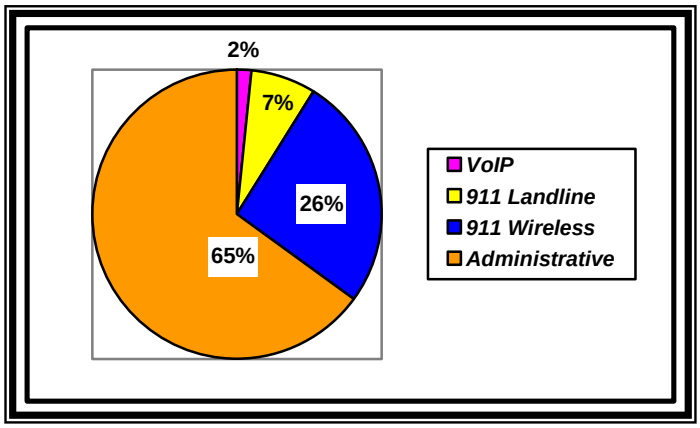
The department issued 9,717 traffic citations through this reporting period. This is a decrease of 2,300 citations over the number issued during the same period last year.



TRAFFIC CRASHES

Through July 31st, Dover Police investigated 1,083 traffic crashes. This is an increase of 85 crashes investigated during the same period last year.



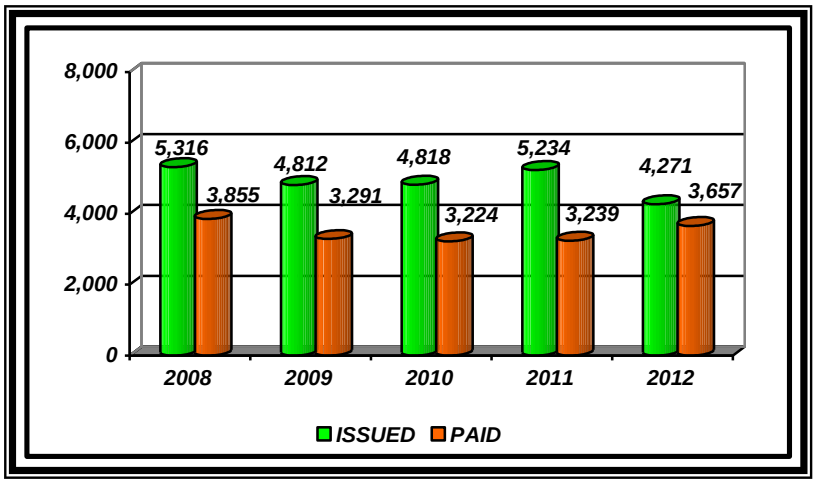


911 CENTER

During the month of July, our 911 Center handled a total of 10,257 calls averaging 331 calls per day. Dispatchers handled 2,674 calls on the 911 wireless lines, an average of 87 calls per day, 731 calls on the 911 landlines, an average of 24 calls per day, and 174 calls on the Voice Over Internet Protocol lines an average of 6 calls per day.

CITY ORDINANCE SUMMONS

*Through July 31st, we issued 4,271 city ordinance summons, a decrease of 963 summons over July of last year. *Note: of those summonses issued in July, 110 were issued for handicapped parking violations, 47 for fire lane parking violations, 277 for false alarms (203 for 3-5 alarms, 58 for 6-9 alarms, 15 for 10-15 alarms, and 0 for 16 or more alarms) and 109 for noise violations (66 for vehicle violations and 43 for residence violations).*



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

- *The Criminal Investigations Unit is currently investigating a burglary to a residence in the unit block of Vondaway Drive. The burglary occurred on Monday, July 9, 2012 between 0930 hours and 1215 hours. The unknown subject entered the residence through a rear door. Once inside, the subject removed a firearm, ammunition and money before fleeing. On July 15, 2012, the Delaware State Police apprehended the subject, a white male 45, of Smyrna, after an attempted robbery in Hartly, DE. The subject had active warrants with the Dover Police and was later arrested for the burglary which occurred at Vondaway Drive and other related charges. He was committed to James T. Vaughn Correctional Center.*

- *The Criminal Investigations Unit is currently investigating a burglary to a residence in the 1100 block of Long Point Road. The burglary occurred on Wednesday, July 11, 2012 between 1015 hours and 1421 hours. The unknown subject entered the residence after damaging the rear door. Once inside, the subject removed miscellaneous jewelry before fleeing.*

- *On Thursday July 12, 2012, at approximately 0515 hours, Dover Officers responded to a reported home invasion in the unit block of Village Drive in the Hamlet Subdivision. Upon arrival, officers located the victim whom had been assaulted. Dover Police Detectives responded and learned that the subjects had entered the victim's residence through a rear door and assaulted him as he was sleeping on his sofa. He was struck numerous times in the face. The subjects then removed money from the victim and fled the residence on foot. The victim refused treatment for his facial injuries. The subjects were described as three black males.*

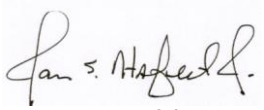
- *On July 7, 2012, at approximately 1230 hours, Dover Officers responded to a complaint of a shooting that occurred in the 100 block of South New Street. The officers located a 27 year old male and it was determined that while seated in his vehicle with his three children, he was approached by a black male subject. The subject displayed a handgun and struck the victim several times in the face with the gun causing numerous lacerations. During the assault, the subject fired one round into the vehicle where the children were seated. He then fled the area with the handgun. Minutes later, the subject's brother was contacted by officers and found to be in possession of two handguns, one of which was used during the altercation. The brother was arrested for Tampering with Physical Evidence and two counts of Possession of a Firearm by a Person Prohibited and was committed to James T. Vaughn Correctional Center. Warrants have been placed on file for the subject for Assault 2nd, Possession of a Firearm During Commission of a Felony, Possession of a Firearm by a Person Prohibited, Reckless Endangering 1st, Aggravated Menacing, and Tampering with Physical Evidence. The victim was treated and released at Bay Health. The victim's children were uninjured and no one was shot.*

- *On July 18, 2012 at approximately 1000 hours, Dover Officers and the United States Marshals arrested a subject in the 500 block of Fulton Street. The subject was charged with Fugitive From Another State as she was wanted by the Wicomico County Sheriff's Office for a Criminal Indictment on the charge of Attempted Murder. The subject waived extradition and was transported to Maryland by the U.S. Marshals.*

- *The Criminal Investigations Unit is currently investigating a burglary to a residence in the 300 block of North New Street. The burglary occurred between 1200 hours on Tuesday, July 3, 2012 and 1900 hours on Thursday, July 19, 2012. The unknown subject entered the residence after damaging the front door. Once inside, the subject removed electronic equipment before fleeing.*

- *On July 24, 2012 at approximately 0100 hours, a subject entered a residence of an acquaintance in the 2400 block of White Oak Road in Dover. Once inside, the subject produced a handgun and demanded the numerous firearms which he knew to be in the victim's residence. The subject then removed 19 firearms from inside the residence and fled in a vehicle with three other subjects. Dover Officers observed the vehicle moments later in Simon Circle, attempting a traffic stop, when the vehicle fled. The vehicle crashed into a ditch and the two occupants fled. The original subject and another subject were apprehended after a brief foot chase. Fourteen of the nineteen firearms were recovered inside of the car. Two other subjects, who were at the scene, had obviously vacated the vehicle prior to the vehicle stop and are believed to be in possession of the 5 remaining firearms: (2) AR-15's, (2) rifles and a shotgun. Both subjects were charged with numerous felonies resulting from the home invasion and were committed to James T. Vaughn Correctional Center.*

Respectfully Submitted,

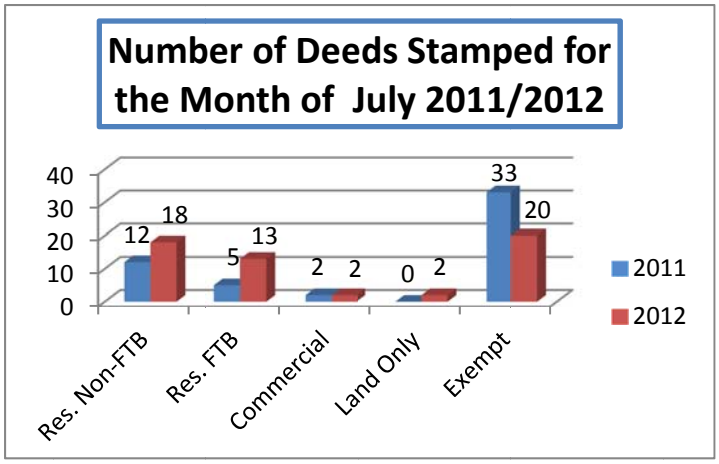


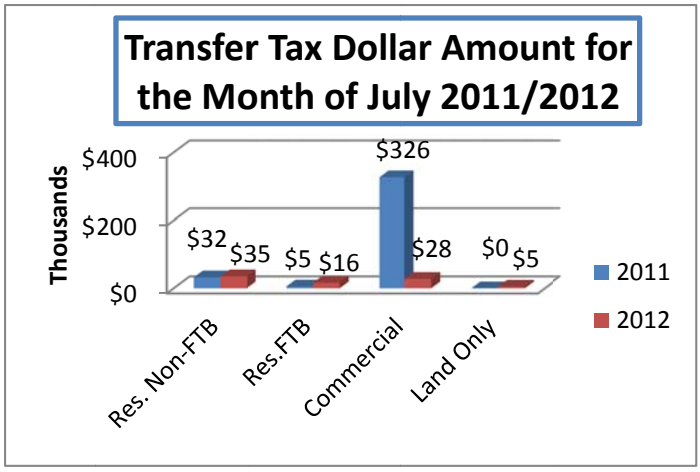
James E. Hosfelt, Jr.
Chief of Police

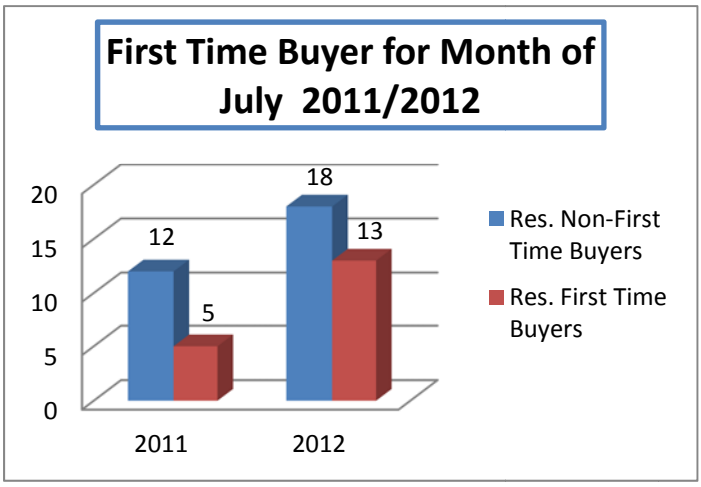
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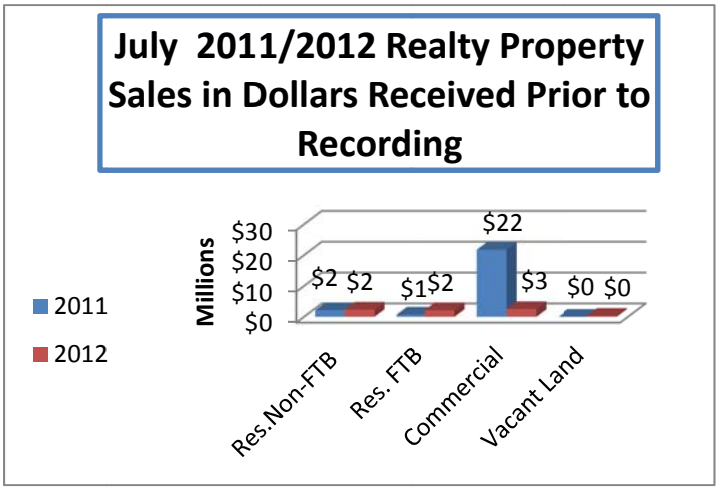
Monthly Report
July 2012

Office of City Assessor









Major Updates

	May - 12	June - 12	July – 12
Assessment Change	**$4,303,000**	**-$3,410,800**	**-$97,000**

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
15	**$2,343,800**	**$2,072,000**	**1.13**	**1.05**

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 scanned and indexed into Fortis.

Assessor's Office

Data Corrections for 2012 billing:

- LCI should have been receiving an abatement for $97,000

- Dover Gas & Light Co.
  Distribution System from $0 to $5,000,000

Data Correction for 2013 billing:

- Eastern Shore Natural Gas Company
  350 S Queen St. from $2,944,300 to $794,900

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-067.13-01-80.00	20	R10	18 BALTUSROL RD	1	14	1973	1	1732	C	AV	200,900	21-JUL-12	163,000	1.23
ED05-067.14-02-38.00	17B	R10	57 FOREST CREEK DR	1	13	1974	2	1321	C-	GD	115,800	14-JUL-12	86,500	1.34
ED05-067.14-04-17.00	18	R10	39 PIN OAK DR	1	5	1993	2	2718	B-	GD	198,300	23-JUL-12	242,000	.82
ED05-067.16-02-37.00	11A	R10	222 ROSS ST	1	3	1936	1	1338	C+	AV	148,300	25-JUL-12	162,000	.92
ED05-067.20-03-74.00	11B	R20	406 N BRADFORD ST	2	1	1920	2	2358	B	GD	215,500	06-JUL-12	225,000	.96
ED05-068.13-01-17.00	10	R10	518 N SUNSET DR	1	14	1959	1	1570	C	AV	159,800	27-JUL-12	119,000	1.34
ED05-068.14-02-31.00	13	R10	305 MACARTHUR DR	1	5	1965	2	1524	C+	GD	151,100	10-JUL-12	138,000	1.09
ED05-068.14-02-59.00	13	R10	359 NIMITZ RD	1	5	1965	2	1524	C+	AV	149,700	25-JUL-12	110,000	1.36
ED05-076.04-06-18.00	16M	R10	511 ANN MOORE ST		13	2012	2	1760	B-	AV	182,500	07-JUL-12	177,900	1.03
ED05-076.06-06-39.00	17B	R10	172 HAMPTON DR	1	13	1984	2	1200	C-	AV	115,500	09-JUL-12	83,000	1.39
ED05-076.06-08-33.00	17A	R10	131 PERIWINKLE DR	1	13	1994	2	1260	C+	AV	130,300	13-JUL-12	118,000	1.10
ED05-076.13-05-27.00	25	R10	259 NORTHDOWN DR	1	13	2001	2	1848	C+	AV	144,000	17-JUL-12	119,900	1.20
ED05-076.20-01-42.00	5	R10	935 WOODFORD DR	1	16	1960	1	1626	C+	AV	153,900	27-JUL-12	140,700	1.09
ED05-077.07-01-32.00	16I	R10	63 MORIARTY ST	1	13	2005	2	1554	C	AV	136,600	31-JUL-12	95,000	1.44
ED05-077.17-05-12.00	34	R10	123 MORRIS DR	1	14	1951	1	1112	C	AV	141,600	26-JUL-12	92,000	1.54

CITY MANAGER'S MONTHLY REPORT



JULY 2012

Monthly Highlights

Customer Services

- In the month of July we processed 2021 payments.

- City of Dover property taxes were due July 31, 2012. As of July 31, 2012 the delinquent property taxes total 1,895,646.48 for all tax years. Our collection efforts include sending a delinquent statement, making phone calls, and enforcing the Clean Hands Act. The Inspection and Planning Departments have been providing assistance in collecting these outstanding debts. In November the properties over one year delinquent will be selected to process for the monition sale.

Human Resources

- Continued contract negotiations with DOE & IBEW bargaining units.

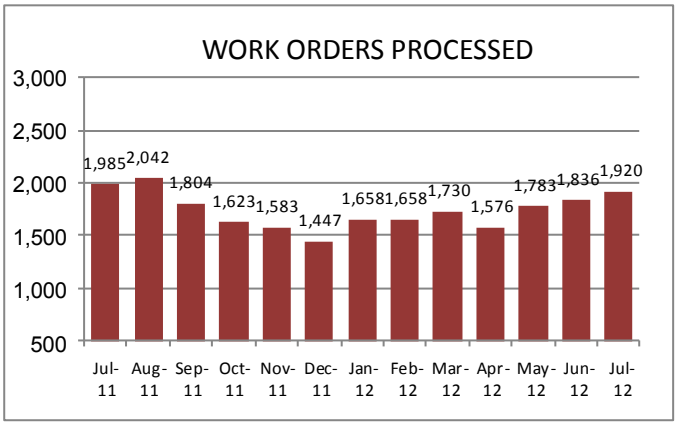
Library

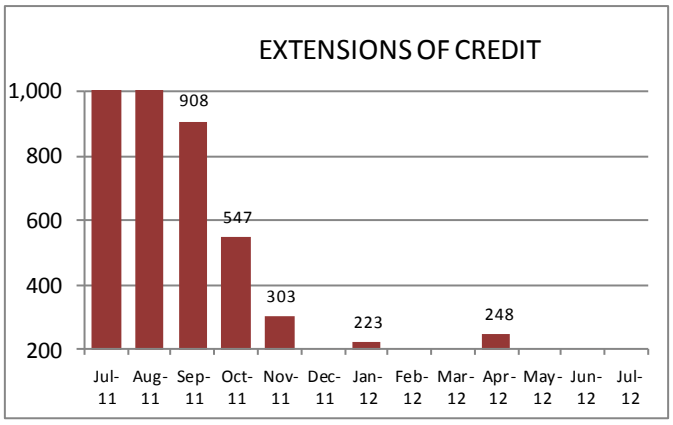
- 960 children attended 30 children's programs & 80 teens attended 12 teen programs.
- Job Center noted 236 participants this month.
- 66 attended 14 adult programs.

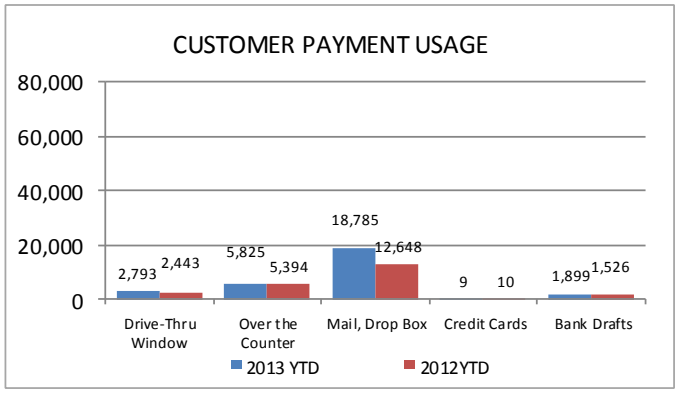
Public Works

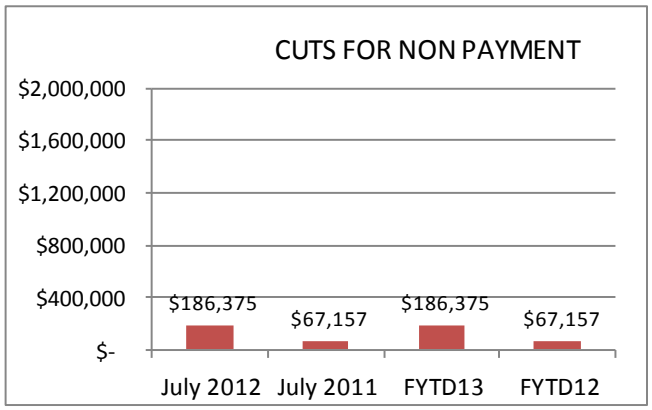
- Working on CIP and additional funding for future street program and other projects.

CUSTOMER SERVICES









Major Program Updates	Jul 2012	Jul 2011	Difference	FY 2013 Year-to-Date	FY 2012 Year-to-Date
Number of Customers Served	29,744	31,413	(1,669)	29,744	31,413
Final Bills	744	679	65	744	679
Estimated Bills	148	149	(1)	148	149
Penalties Posted	$ 14,174	$ 7,618	6,556	$ 14,174	$ 7,618
Extensions of Credit - Amount Extended	$ 66,887	$ 213,853	(146,966)	$ 66,887	$ 213,853
Balance Transfers	$ 636	$ 1,203	(566)	$ 636	$ 1,203
Utility Collections	$ 27,426	$ 33,654	(6,228)	$ 27,426	$ 33,654
Special Assessments	$ 110	$ -	110	$ 110	$ -
Miscellaneous Billings	$ -	$ 93,927	(93,927)	$ -	$ 93,927
CNP through Disconnect Collars	$ 30	$ 5	25	30	5
Court Cases	-	-	-	-	-
Tamperings	3	4	(1)	3	4
Taxes Levied	$ 10,901,726	$ 10,948,800	(47,074)	$ 10,901,726	$ 10,948,800
Billing Adjustments	$ 535	$ 1,169	(634)	$ 535	$ 1,169
Total Taxes Collected	$ 9,006,615	$ 8,264,856	741,759	$ 9,006,615	$ 8,264,856
Taxes Outstanding	$ 1,895,646	$ 2,682,775	(787,129)	$ 1,895,646	$ 2,682,775
Payments in Lieu	$ -	$ -	-	$ -	$ -
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 11	Aug 11	Sep 11	Oct 11	Nov 11	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	June 12	July 2012	Total
Caucasian*	310	306	302	299	299	299	295	294*	291	289	290	285	285	N/A
Minorities*	63	63	63	62	61	59	59	59*	57	56	57	58	58	N/A
Hired	-	-	1	-	1	-	-	2	-	-	2	6	-	14
Terminated/Resigned/ Retired/Other	3	4	5	4	2	2	4	3	5	3	2	5	-	44
Transferred/Promoted	-	-	-	-	2	-	-	-	-	-	1	1	-	4
Jobs Posted	-	1	-	-	-	-	-	-	3	4	2	2	-	12
Workers Comp. Injuries	4	7	4	2	9	4	3	3	6	2	2	1	4	51
Workers Comp. Hours	63	135	263	565	369	418	315	222	55	195	112	139	164	2,897
Insurance Claims	3	10	1	2	1	2	1	2	4	3	6	2	3	40

Full-time Employees: 343 **Part-time Employees: 12 (4 Pitts Center, 1 Recreation, 7 Library)**

-Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.

***** Correction to February 2012

Recruitment Information

Position	Total	Female	Male	Black	White	Hispanic	Asian/ Pacific Islander	American Indian/Alaskan Native	Unknown	In Dover	Out Dover
Central Mailroom Clerk (in house)	2	-	2	-	2	-	-	-	-	1	1
Utility Maintenance Mechanic	23	-	23	7	16	-	-	-	-	12	11
Motor Equipment Operator	26	1	25	8	15	3	-	-	-	17	9

Unfilled/Open Positions by Department*

Unfilled/Open Positions By Department	July 11	Aug 11	Sept 11	Oct 11	Nov 11	Dec 11	Jan 12**	Feb 12	Mar 12	Apr 12	May 12	June 12	July 12[2]
Electric	2	3	4	4	5	5	5	5	5	5	3	3	1
Public Works	1	1	3	3	5	5	9	11	13	13	15	16	9
Police	4	4	4	5	3	3	3	1	2	3	2	4	3
All Other Departments	5	6.5	8.5	12	10.5	12.5	11.5	12	13	15	14	15	8
Totals	**12**	**14.5**	**19.5**	**22.5**	**23.5**	**25.5**	**28.5**	**29**	**33**	**36**	**34**	**38**	**21**

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

The following has been updated to reflected the Fiscal 2012-13 Budget

Electric: Electric Director

Public Works: Utility Maintenance Mechanic I/ Wastewater, Motor Equipment Operator I/Water, Motor Equipment Operator II/Water, Motor Equipment Operator II/Sanitation, Public Works Director, Vehicle Maintenance -Mechanic I, Water Treatment Plant Operator I, Utility Maintenance Mechanic II/Wastewater, Operations -Construction Manager

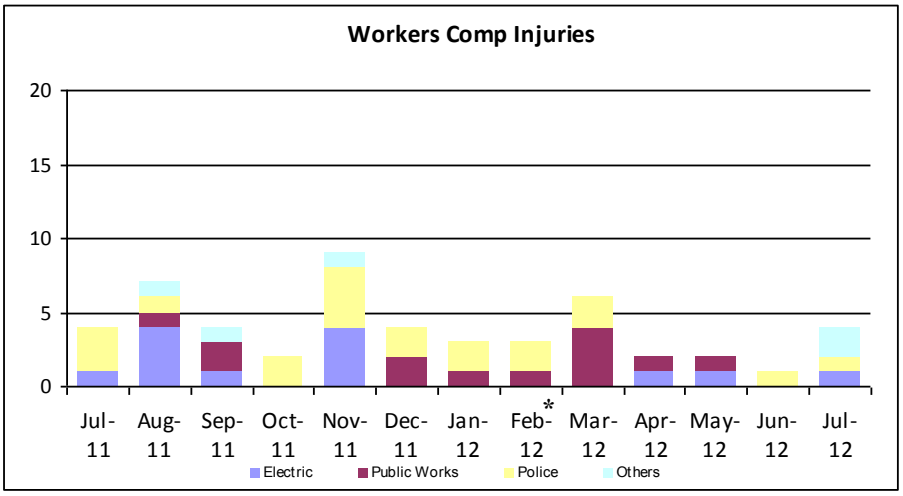
Police: Police Officer, Police Clerk, Communications Operator

All Other Departments: Administrative Assistant - IT, Human Resources & Safety Coordinator, (4) Library Page (PT), Administrative Assistant - Clerk's Office, Fire Dispatcher

HUMAN RESOURCES
continued

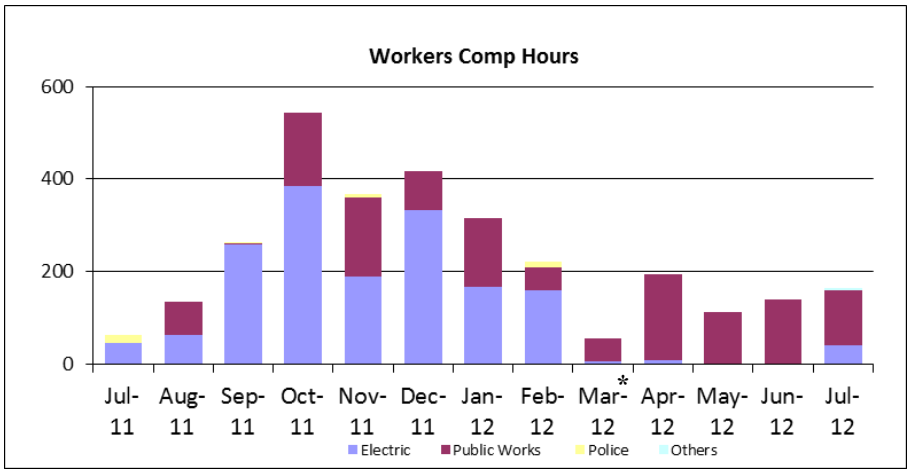
Bonus Programs by Month

Bonus Program Category	July 11	Aug 11	Sept 11	Oct 11	Nov 11	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	June 12	July 12	Total
Stop Program-*Sensibly Taking Off Pounds(weigh-ins)*	15	4	5	22	5	8	-	13	4	8	24	23	9	140
Caught Doing it Right-*Promotes employees productivity & creativity (submissions)*	-	1	1	1	-	-	-	2	-	-	-	-	-	5
Breathe Program-*Rewards for ending tobacco use (submissions)*	-	1	1	-	1	-	1	-	-	-	-	-	-	4
Ducs in a Row-*Doing Useful Community Service (submissions)*	-	-	-	-	-	-	-	-	-	-	-	-	-	-



*** Organization Change**

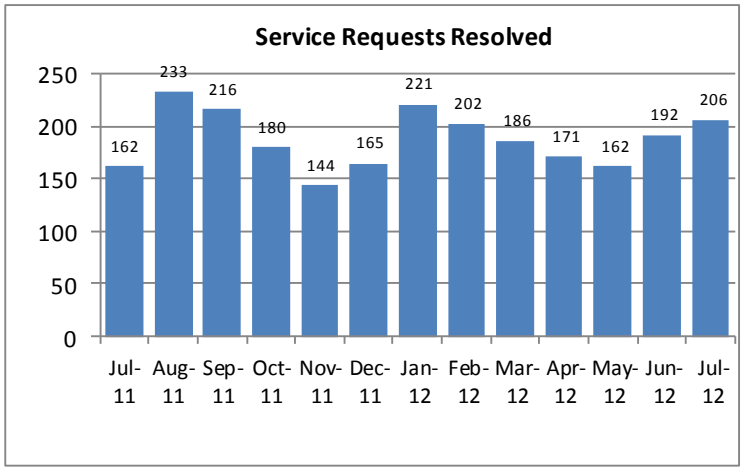
Electric: 1 Public Works: 0 Police: 1 All Other Depts.: 2

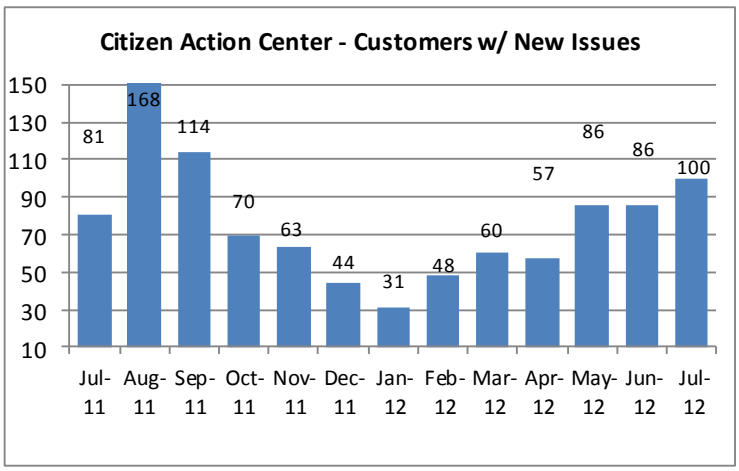


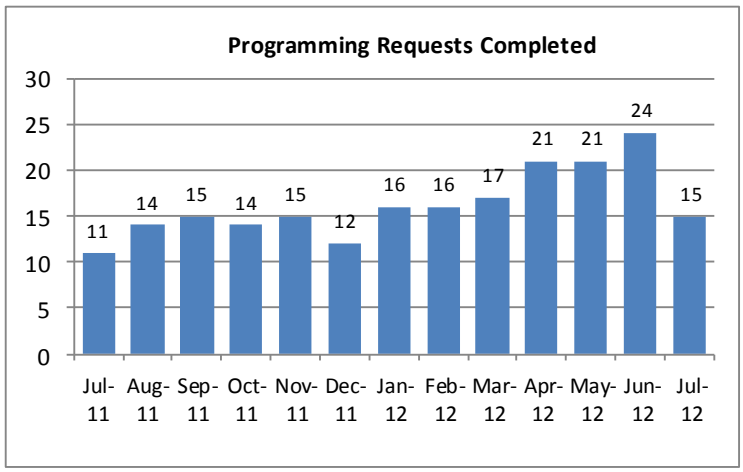
*** Organization Change**

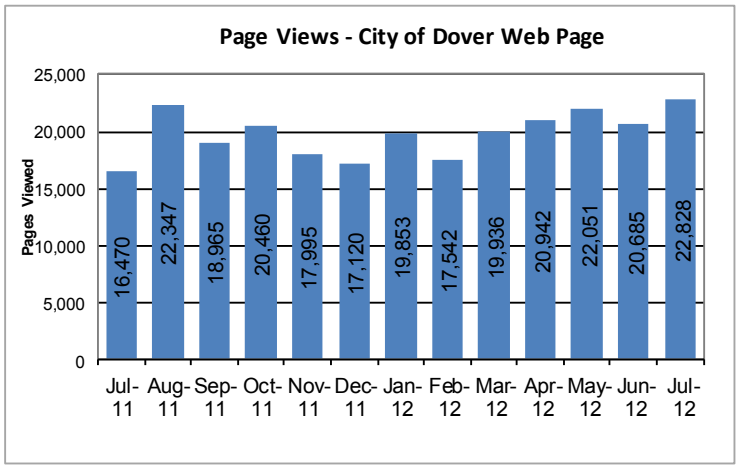
Electric: 40 Public Works: 118.5 Police: 0 All Other Depts.: 5.5

INFORMATION TECHNOLOGY





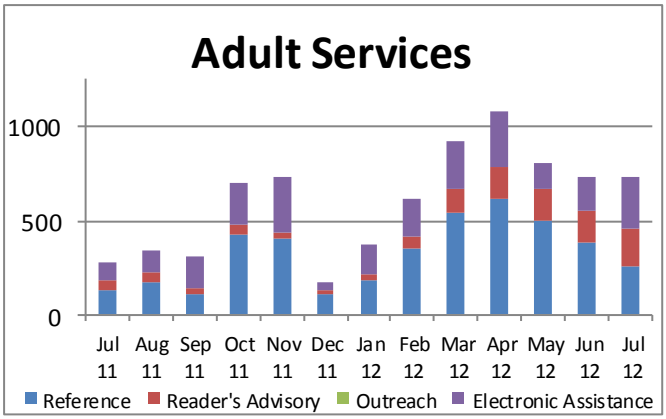


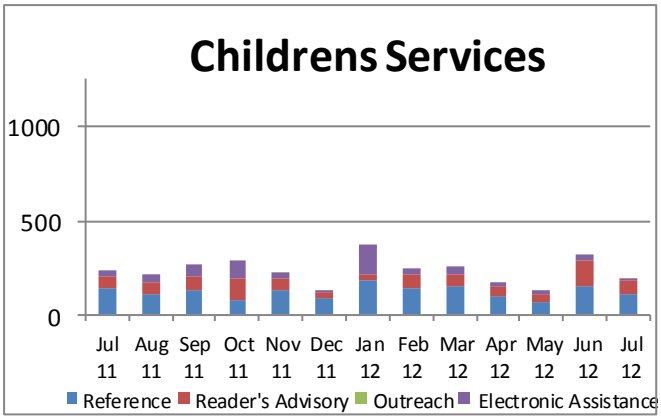


Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	100%	100%	100%
AS/400 Connections *(concurrent/authorized users)*	N/A	N/A	N/A
PCs Supported	358	352	336
Scheduled PCs Replaced	-	-	-
Servers Supported	13	13	16
People Trained	12	8	6

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

LIBRARY





Reference – 260; Reader's Advisory – 195
Electronic Assistance – 273; Outreach—0

Reference - 106; Reader's Advisory – 73
Electronic Assistance – 12; Outreach – 0

****We have amended our Electronic Assistance, Reader's Advisory & Reference transactions to more accurately represent the actual statistics.***

Circulation	July 12		FYTD 13		July 11		FYTD 12
Dover residents	20,004		20,004		18,113		18,113
Ebooks (began 12/2011)	820		820				
Kent residents*	16,212		16,212		16,357		16,357
Non-county residents	2,782		2,782		1,844		1,844
Registrations							
Dover residents	245		245		211		211
Kent residents*	67		67		101		101
Non-county residents	1		1		12		12
Other							
Visiting Patrons	33,186		33,186		31,170		31,170
Meeting Room Usage**	20		20		0		0
Photocopier Usage	1,498		1,498		1,521		1,521
Dial-A-Story	1,313		1,313		954		954
Computer Usage	3,604		3,604		4,288		4,288
Holds (Total)	7,265		7,265		7,693		7,693

***Breakout of Kent County Residential Statistics**

Circulation	Registrations
Harrington: 198	Harrington: 0
Smyrna: 1,225	Smyrna: 7
Milford: 197	Milford: 0
Outside City Limits: 14,592	Outside City Limits: 60

Total Registered Users: (Card Holders)
City: 18,452 Kent County: 13,170 Outside Kent County: 1,094

Other Points of Interest:

Inter/Interlibrary***: 35 items loaned out
23 items borrowed

Technical services: 788 items added
1,905items deleted

Volunteers: 562 hours of service completed

***** Meeting Room Usage***

The meeting room is no longer available for rental as it has become the designated location of the Job Center.

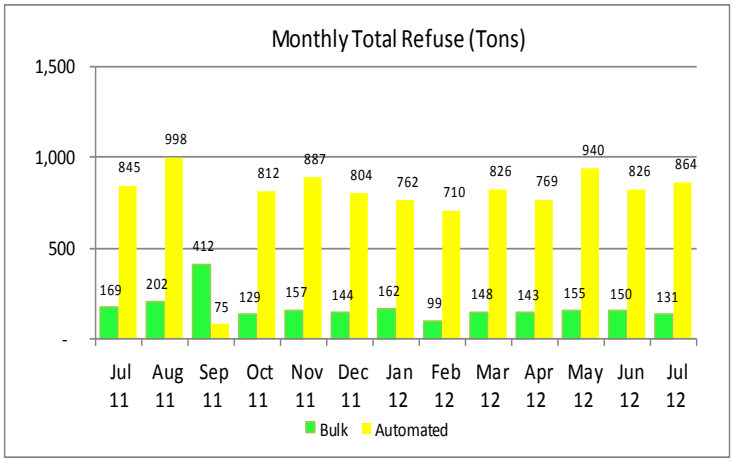
PUBLIC WORKS

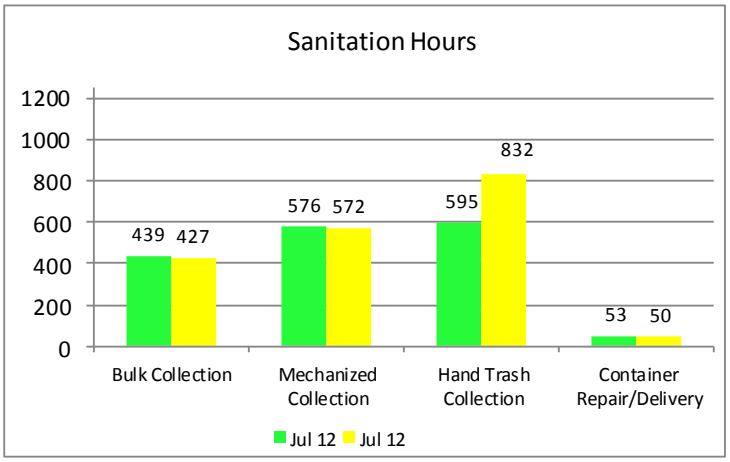
Administration

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 12	FYTD 13	JULY 11	FYTD 12
Trips to DSWA Sandtown Landfill	173	173	184	184
Total Tonnage to DSWA	995.48	995.48	1,013.83	1,013.83
90-Gallon Containers Delivered	20	20	24	24
300-Gallon Containers Delivered	4	4	2	2
Total Man Hours-containers Delivered	53	53	50	50

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/ LBS.	AVE. LBS.
July 2012	18,016	8,615	274,500	15.24

Streets	JULY 12	FYTD 13	JULY 11	FYTD 12
Signed Installed	23	23	14	14
Signs Repaired	13	13	9	9
Curbs Painted Yellow (feet)	31	31	61	61
New Post Installed	5	5	9	9
Storm Catch Basins Repaired	1	1	26	26
Storm Catch Basin Repairing (Hrs.)	1	1	10	10
Storm Catch Basins Cleaned	23	23	8	8
Storm Catch Basins Cleaning (Hrs.)	48	48	4	4
Hot Mix Patching (Tons)	28	28	27	27
Hot Mix Patching (Hrs.)	96	96	244	244
Cold Mix Patching Hrs.)	72	72	85	85
Concrete Work (Hrs)	75	75	166	166
Concrete Patching (Cubic Yards)	4	4	1	1
Street and Alley Maintenance (Hrs)	168	168	160	160
Ditch Work (Hrs).	0	0	16	16
Street Sweeping (Miles)	997	997	1,031	1,031
Street Sweeping (Cubic Yards)	248	248	196	196

Grounds

Arborist Crew	JULY 2012	JULY 2011
Trees Trimmed	87	140
Trees Removed	22	38

- Cleaned up from storm damaged trees on two occasions, July 2 and July 18, 2012.
- Cleaned up debris in the corner of Silver Lake by the boat ramp including leaves and trash. Hauled six pick up loads of debris.
- Assisted with fish kill clean up.
- Extensive watering of young trees planted along the streets as well as trees and shrubs planted along the St. Jones River during the drought.

Beautification Crew

- Continued watering the hanging baskets and all flower beds that do not have irrigation.
- Completed planting all annual/perennial beds. Replaced dead plants in beds and fertilized all the beds.
- Put up the Petunia Tree on The Plaza.
- Assisted with large tree removal on North State Street by flagging traffic.

Mowing Crew

- Mowing all areas 280 acres, including parks, around City facilities, ditches and right-of-ways.
- Mowed the McKee Run Tax Ditch. Submitted time and equipment hours for reimbursement billing.
- Mowed all ditches at Fox Hall, The Hamlet, and Mallard Pond. Also mowed growth along Jason Street off of State College Road.
- Assisted with cleanup of major fish kill in the St. Jones River just below the spillway. Set up two water pumps to get more oxygen in the water. Also removed some rocks below the foot bridge to give fish and escape route when the water level get low during drought conditions.

Geographic Information Systems (GIS)

- Modified water system web application
- Updated grass maintenance feature class
- Printed multiple posters for Downtown Dover Development Office.
- Council District maps for City Clerk's office
- Crated maps for Firefly Musical Festival
- Created Clearview Meadows Phase 1 street dedication map

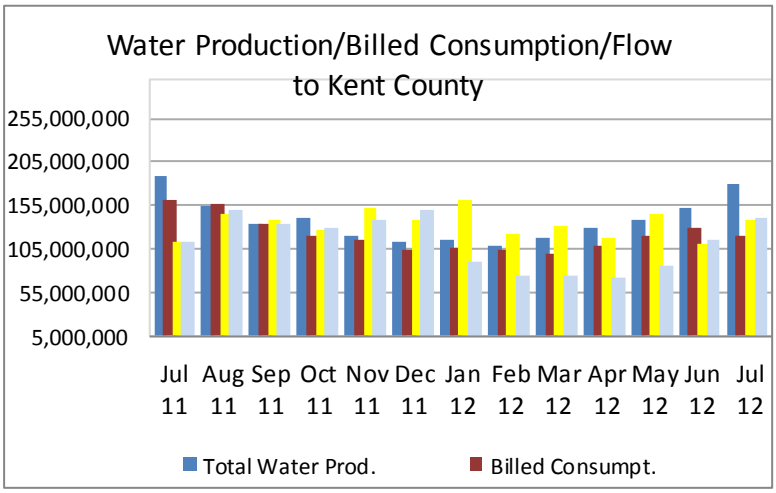
Fleet and Facilities Management

Fleet Maintenance
Work Orders: 62

Major Program Updates

Measure	JULY 12	JULY 11	DIFFERENCE
Fleet Maintenance			
Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	14 out of 30 46.67%	14 out of 26 53.85%	-7.18%
Facilities Management			
Routine work orders completed within 5 days *(Quantity and Percentage)*	27 out of 30 90.0%	34 out of 35 97.14%	-7.14%
Emergency work orders completed within 2 days *(Quantity and Percentage)*	8 out of 8 100%	3 out of 3 100%	0%

Water/Wastewater



ENGINEERING SUMMARY

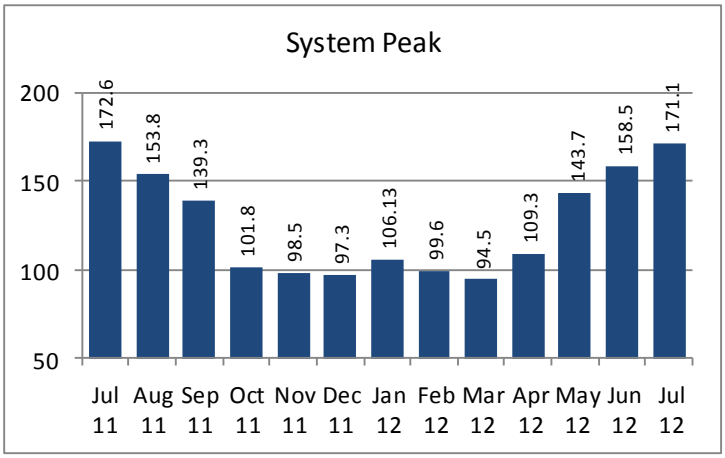
Major Program Updates	JULY 12	JULY 11	DIFF	FY13 YTD	FY12
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	5	17	-12	5	17
Plan Review Completed Within 30 days of Sub-mission	7 plans 100%	8 100%	-1 plan	100%	100%
Field Inspection Response within 48 hours of Request	22	20	+2	95.65%	100%

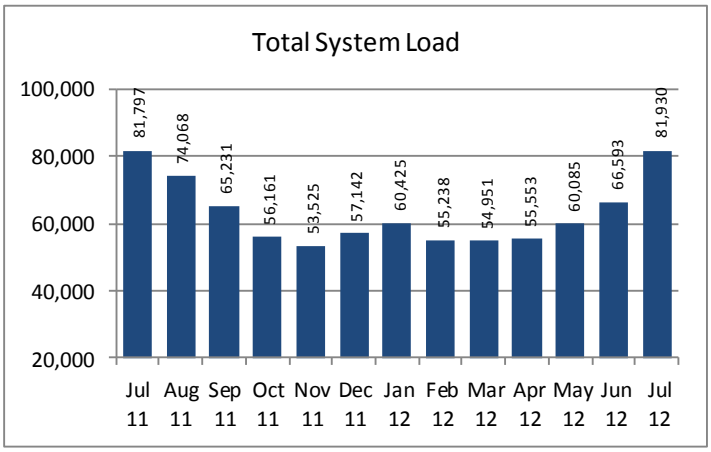
OPERATIONAL SUMMARY

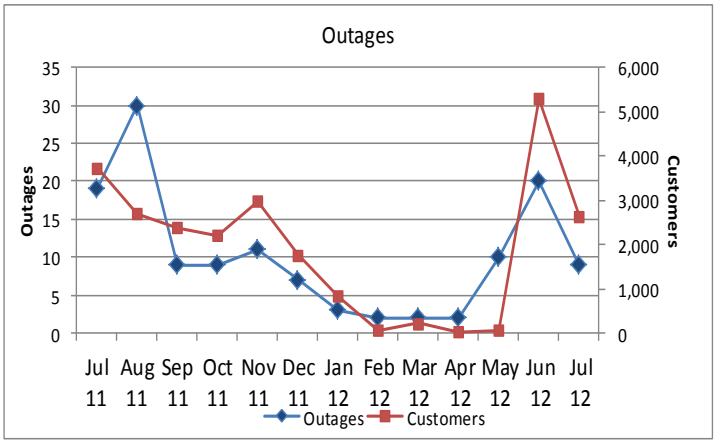
Task	JULY 12	JULY 11	Current FY
Water Production – Daily Average	5,813,419	6,100,419	5,813,419
Average Field Response Time (goal is < 30 minutes)	14.33	19.20	14.33
Water Mains Repaired	1	1	1
Water Service Lines Repaired	1	1	1
Wastewater Mains Repaired	1	1	1
Wastewater Service Lines Repaired	0	1	0
Sewer Lines Flushed – Linear Feet	98,726	82,083	98,726
Sewer Mains Videoed – Linear Feet	9,553	1,246	9,553
Total Fire Hydrants in Service	1,789	1,778	1,789

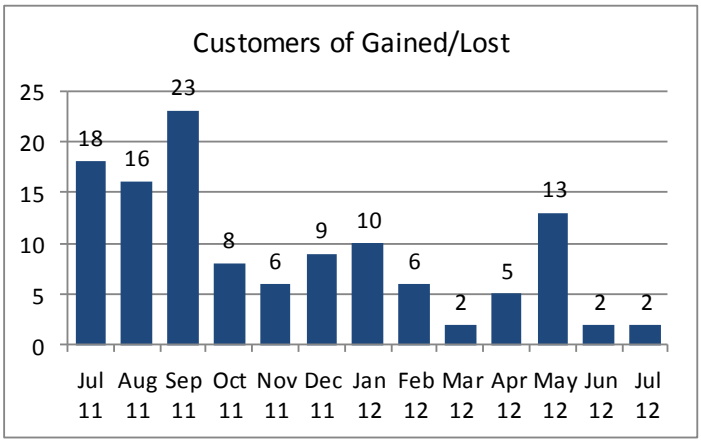
PUBLIC UTILITIES

Electric









Outages: 9 Customers: 2,641

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 13 YTD	FY 12	FY 11
60.2	39.44	63.78

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**
5	5	27.25 Minutes	27.25 Minutes

PROGRAM UPDATES	JULY 12	JULY 11	FY12 YTD
Tree Trimming	248	202	248
Number of Oil Releases	0	0	0
Lost Time Accidents – All Electric Utility Divisions	1	0	1
New Services		18	
Major Goals Completed in the Past Two Months			
N/A			

CITY PLANNER'S MONTHLY REPORT

15 Loockerman Plaza
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

July 2012

PERSONNEL

On July 20th, 21st, and 22nd the Fire Marshal's Office assisted Red Frog Events and Dover Downs with the Firefly Music Festival which was held in Lot #10 on Dover Downs property.

On July 24, 2012 Diane Metsch, Janelle Cornwell and the Fire Marshal's Office conducted training in the Wesley College Dormitories to simulate a fire in the dorms and students who would need to be housed. An overview on setting up the Incident Response trailer was also provided.

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. Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits. More detailed information on these permits and licenses is reported later in this document. For July 2012, Planning Staff was involved with review of 74 Permits and 7 Certificates of Occupancy permits (2012 Year to Date total of 518 Permits and COs compared to 576 year-to-date in 2011).

EDEN HILL FARM TND

- Construction of the dwelling units in Phase 1 of the Residential District of Eden Hill Farm Traditional Neighborhood Design is complete for a total of 77 dwelling units. Construction of the first dwelling units in Phase 1 began in the Summer of 2008.
- Construction activity continues on a set of six townhouse dwelling units located at 512-522 Ann Moore Street within Phase 2A of the Residential District. City Staff allowed the issuance of these permits in June 2012 as infrastructure items were already in place for this block segment of Ann Moore Street.
- Prior to continuing with additional development in Phase 2, the site developer will need to address infrastructure dedication, bonding, street lighting payments for installation, tree planting requirements, and other infrastructure items.
- There was no activity associated with the Professional Office, Medical & Financial District.
- There was no activity associated with the Neighborhood Commercial District.

COMPREHENSIVE PLAN IMPLEMENTATION

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

- Planning Commission conducted a Public Hearing and took action to recommend approval the revisions to the sign regulations of *Zoning Ordinance*, Article 5 Section 4. The Final Reading and Action on Ordinance #2012-13 was scheduled for the City Council meeting of August 13, 2012 (MI-12-15).

NEW DOVER HIGH SCHOOL PROJECT (C-10-05/S-11-18)

Construction activities related to utilities, site improvements like parking lots, and the building construction activities continue at the site. Planning Staff and Public Works Staff continue to work with the district's design

professionals and DelDOT staff on project details. A monthly coordination meeting was not held in July. Review of the plans for transportation elements such as the east entrance and multi-use path associated with the school project continue. City Staff continues focus on the concerns regarding traffic and pedestrian access for the east entrance. A letter addressed to City Council regarding this matter was received in July from Secretary of Transportation Shailen Bhatt. The construction has begun on the signalized west entrance (Dover High Drive) and Route 8 improvements.

NPDES – MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT

Working under the partnership between Wesley College's Environmental Sciences Department and the City of Dover Planning Office, Melissa Savin, the Wesley College intern who has been working with the Planning Office, continued to manage the required documentation and develop outreach activities associated with the permit.

During the month of July, the City provided the planned environmental education for Camp Small Wonder over the course of two days. The first day of the City's participation focused on wetland education for the 40 children ages 6-12 enrolled in the camp. A Wetland Outreach Specialist from DNREC was a guest speaker who took the children on a nature hike explaining the importance of wetlands by highlighting the retention pond and trail at Delaware State University. On the second day, the camp took a field trip to Silver Lake Park where the Wesley College interns provided the environmental education programming. The children rotated around stations at the park explaining the importance of water quality and watershed health. The children were able to take water quality measurements from Silver Lake, learn from an Enviroscape Model, and play games developed by the Wesley students and faculty about urbanization and water pollution as well as the water cycle. The students had lunch at the park and were given time to play outside in nature instead of being in the classroom all day. The students and staff appreciated the experience and learned more about their local environment and water quality.

BOARDS AND COMMISSIONS REPORTS

Board of Adjustment:

The Board of Adjustment held a meeting on July 18, 2012 and took the following actions. The next regular scheduled meeting of the Board of Adjustment is scheduled for August 15, 2012.

1. **Applicant #V-12-06 - 1008 South Governors Avenue, Governors Avenue Realty, LLC** – Moved to approve variance to allow the opaque barrier landscaping to be erected and maintained on the commercial side of the property as opposed to the outside or directly adjacent to the residential property.
2. **Applicant #V-12-07 - 142 Red Oak Drive, Barbara Kepner** – Moved to approve a variance of a setback as an exceptional practical difficulty is created because of the twenty foot easement located at the rear of the property. The edge of the pool is allowed to be within fifteen (15) feet of the property line and the decking to be within five (5) feet of the property line.
3. **Applicant #V-12-08 - 307 North Governors Avenue, Ashley and Patricia Gibbon** - Moved to approve variance allowing the reestablishment of a nonconforming use of the existing building as two apartment units.

Historic District Commission:

The Historic District Commission met on July 19, 2012 and took the following actions. The next Historic District Commission meeting is scheduled for August 16, 2012.

1. **HI-12-04 Court Street Gateway Project –** Presentation of design concepts for Phase 1: Court Street Gateway of the Bicycle/Pedestrian Improvements Project. (It did not require formal action.)
2. **HI-12-05 Building Permit #12-816 for Renovations for ADA Accessibility at Supreme Court Building, 55 The Green -** Commission moved to endorse project activities of Building Permit #12-816 for ADA accessibility improvements thus finding project consistent with *Design Standard and*

Guidelines and issuing the Architectural Review Certification.

3. **Enhancements to the East Edge of The Green & Court Street Promenade Project** - Informational presentation on site improvements to right-of-way of The Green and Court Street (unopened segment). It did not require formal action

Planning Commission

The Planning Commission met on July 16, 2012 and took the actions summarized listed below. The next Planning Commission meeting is scheduled for August 20, 2012. Nomination and Election of Officers for Chairman and Vice-Chairman was held. Colonel Welsh will continue to serve as Chairman with Fred Tolbert as Vice-Chairman.

1. **C-12-05 Transitional Housing for Dover Interfaith Mission for Housing, Inc. at 319 West Water Street** – Moved to approve Conditional Use to establish a transitional house within an existing single family residence.
2. **MI-12-13 Text Amendment: Revisions to *Zoning Ordinance*, Article 3 Section 23 Agricultural Zone** - Moved to forward to City Council a recommendation of approval of text amendment. The new Ordinance would permit the sale of agricultural supplies and products accessory to principal agricultural use on a property.
3. **MI-12-14 Text Amendment: Revisions to *Zoning Ordinance*, Article 3 Section 9 General Residence and Office Zoning (RG-O)** - Moved to forward to City Council a recommendation of approval of text amendment to City Council. The new Ordinance would remove the prohibition of the sale of alcohol within restaurants that are located within the RG-O Zoning District
4. **MI-12-15 Text Amendment: Revisions to *Zoning Ordinance*, Article 4 Section 5 Supplementary Sign Regulations** - Moved to forward to City Council a recommendation of approval of a series of text amendments to revise and update the sign regulations.

CODE ENFORCEMENT

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid rental permit	1	115	100%	97%
No valid building permit	2	23	100%	96%
Tall grass and weeds	116	332	87%	62%
Unregistered vehicle	2	18	0%	72%
Abandoned vehicle	18	74	67%	55%
Annual Housing Inspection	47	427	87%	73%
Property Maintenance – Exterior	79	262	66%	56%
Electric Termination	14	187	93%	95%
Dover Code of Ordinances	61	174	67%	64%
Zoning	7	44	57%	55%
Total Cases	**347**	**1656**		
Total # of Inspections	**481**			

DANGEROUS BUILDINGS/DEMOLITION STATUS

The following buildings were declared dangerous by City Council:

- 123 Blue Beach Drive – Bi-weekly inspections occurred in May, property is improving, and pool is in compliance.
- 14 South Queen Street – Owner sent notice to demolish structure by July 15, 2012 or the City will have the structure demolished.

- 118 N Ann Avenue – Owner sent notice to demolish structure by July 15, 2012 or the City will have the structure demolished.
- 171 Orchard Avenue – Owner sent notice to demolish structure by August 1, 2012 or the City will have the structure demolished.
- 488 North East Avenue – City Council granted on June 25th to allow the bank an additional 90 days to make repairs to the structure.
- 827 Townsend Boulevard – Pool came into compliance: no further code violations.

During the month of July, staff registered an additional 12 structures as vacant buildings bringing the total number of active vacant buildings within the City to 433. Staff also collected in July $2,750.00 in registration fees for a total of $17,500 for 2012.

COMMUNITY DEVELOPMENT

CDBG FY11 PROJECTS

Homeownership Assistance Program

Eight (8) families have purchased homes using the Dover First Start Program.

Homeowner Rehabilitation Program

Three (3) homes have been completed.

Dover Interfaith Mission to the Homeless

CDBG funds have been utilized to cover the operations cost for the shelter.

Emergency Home Repair Project

Emergency repairs have been completed on nine (9) properties in the City of Dover.

Connections Community Support Program

Motel vouchers have been provided to 17 homeless persons in the City of Dover.

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 $1,257,292 has been expended on the acquisition and renovations for 8 properties. One property has been purchased with program income and is for sale. The remaining balance of $169,447 will be utilized for renovations and acquisition. Five properties have been sold, three are for sale, one is a lease purchase and one is a rental that serves persons with disabilities. Habitat for Humanity has purchased a property and is currently under renovation.

218 Ann Avenue (sold)
343 Mimosa Avenue (sold)
907 Woodcrest Avenue (lease purchase)
1430 S. Hancock (group home rental)
1415 S. Hancock (for sale)
337 N. Governors Avenue (sold)
254 Green Blade Drive (sold)
302 Stonebrook Place (for sale)
11 Westover Drive (sold)
110 Thames Drive (under renovation)

FIRE MARSHAL'S OFFICE
BUILIDNG INSPECTIONS AND LICENSING

LIFE SAFETY

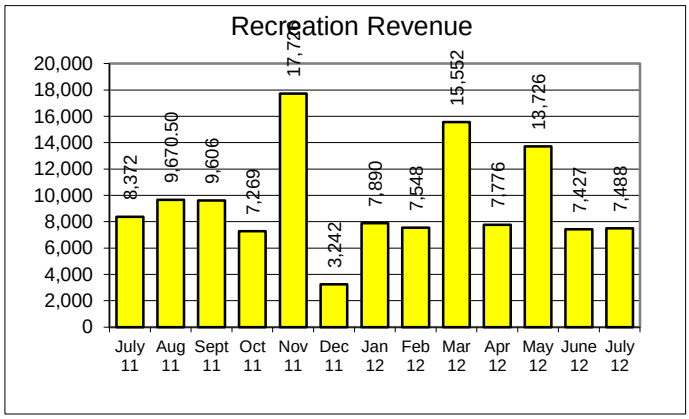
Inspections	JULY 12	FYTD 13	JULY 11	FYTD 12
Fire Protection Inspections (new & existing)	22	22	33	33
Fire Code Inspections	101	101	55	55
Inspection Deficiencies	16	16	60	60
Certificate of Occupancy	2	2	3	3

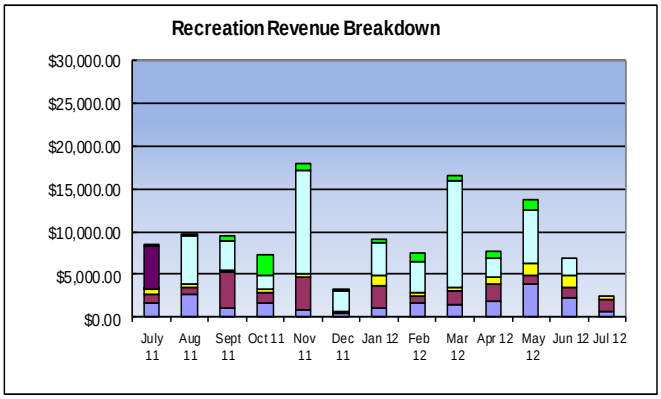
Office	79.5	79.5	112	112
Meetings	26	26	28	28
Plan Review	22.5	22.5	29	29
Training	0	0	0	0
Fire Investigations	6	6	7	7
Accidental	$0.00	$0.00	$100,000.00	$100,000.00
Incendiary	$0.00	$0.00	$300.00	$300.00
Undetermined	$1,000.00	$1,000.00	$40,500.00	$40,500.00
PERMITTING AND LICENSING				
Permits Issued	**JULY 12**	**FYTD 13**	**JULY 11**	**FYTD 12**
Administrative Permit	4	4	2	2
Building Addition/Renovation Permits	40	40	29	39
Building Permits	16	16	27	37
Demolition Permits	3	3	1	1
Fence Permits	10	10	11	11
Fire Prevention Permits	10	10	3	3
Mechanical Permits	63	63	15	15
Plumbing Permits	28	28	23	23
Sign Permits	14	14	19	19
Swimming Pool Permits	8	8	6	6
Business Licenses	426	426	746	746
Merchant Licenses	166	166	155	155
Contractor Licenses	325	325	394	394
Lodging House Licenses	0	0	0	0
Mobile Homes	77	77	96	96
Public Occupancy	7	7	6	6
Rental Dwelling	28	28	18	18
BUILDING INSPECTIONS				
	JULY 12	**FYTD 13**	**JULY 11**	**FYTD 12**
Building	256	256	284	284
Plumbing/Mechanical	422	422	329	329
Certificate of Occupancy	7	7	12	12

PARKS AND RECREATION

As of July 1, 2012, Parks and Recreation became a Division of the Department of Planning and Inspections and reports to Ann Marie Townshend (City Planner). The following information is provided on their activities and programming.

- Staff worked with Step by Step Soccer Academy to offer FREE soccer clinics on July 28 & 29. Youth 8 – 18 years targeted for this soccer program.
- WARE Foundation Partnership: The WARE Foundation is an organization that offers free & confidential help to youth survivors of homicide victims, families & friends. Currently, a tennis program to be hosted at Dover Park for the WARE program youth is being set up for early next spring.





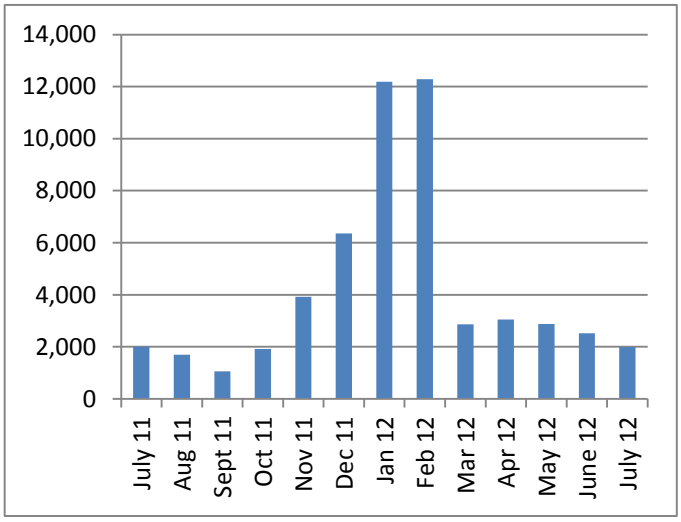
Year To Date Revenue Comparison
FY12 $8,372 vs FY13: $7,488

General – $668 Rental Payments – $1,385
Sports – $435 Leagues – $000 Trips – $0

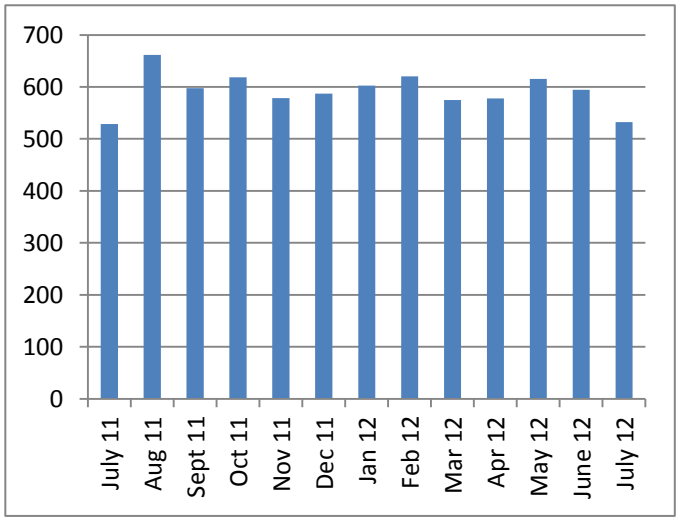
Rentals	JULY12		FYTD 13		JULY11		FYTD 12
Baseball/Softball Field Rentals*	38		38		38		38
Dover Park Pavilions (2)	21		21		20		20
Multipurpose/Field Hockey Field Rentals*	10		10		19		19
Recreation Center – Dover Park	27		27		26		26
Silver Lake Pavilions (2) / Schutte (1)	9		9		6		6
Soccer Field Rentals*	0		0		0		0
Stage – Mobile Platform	5		5		5		5
These numbers reflect groups that utilized our facilities during July.							
Dover Park Program Attendance*	**JULY12**		**FYTD 13**		**JULY11**		**FYTD 12**
Step by Step Soccer Clinics	17		17		Not previously offered		
This number reflects activities that took place in July. (Not included on the JWP report.)							

John W. Pitts Recreation Center

Total Program Attendance



Facility Usage By The Hour



Facility Usage By The Hour	JULY 12		FYTD 13		JULY 11		FYTD 12
Open Gym	385		385		371		371
Fitness Classes	29		29		50.5		50.5
Leagues	32		32		26		26
Camps	37		37		24		24
Sports Classes	16		16		18.5		18.5
Meetings & Rentals	33		33		32		32
Enrichment Classes	0		0		6.5		6.5
Total Facility Usage Hours	532		532		528.5		528.5

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

Program Attendance**	JULY 12		FYTD 13		JULY 11		FYTD 12
Total	1,993		1,993		2,006		2,006
Open Gym	580		580		460		460
Fitness Classes	184		184		303		303
Leagues	790		790		670		670
Camps	206		206		313		313
Sports Classes	134		134		182		182
Meetings & Rentals	94		94		54		54
Enrichment Classes	5		5		24		24

- **In July, we closed the Pitts Center gym for 33.5 hours (portions of 6 days) due to the inside gym heat index.**
- Since our opening in late April 2008, we have had 221,741 guests at the John W. Pitts Recreation Center.
- We are issuing FREE Recreation Center ID Cards to track facility usage during Public Open Gym Periods. The statistics listed below reflect those that have completed the registration.

Open Gym Registrations:

Total ID cards issued: 5,081
City Residents: 2,245 (44%)
Non-City Residents: 2,836 (56%)
Kent County Residents: 2,341 (46%)
Sussex County Residents: 165 (3%)
New Castle County Residents: 109 (2%)
Out of State Residents: 223 (4%)

Submitted by:

Ann Marie Townshend

Ann Marie Townshend, AICP
Planning & Community Development Director

DOVER
FIRE DEPARTMENT



JULY
2012

Incident Type Report (Summary)

Dover Fire Department

Date Range: From 07/01/2012 to 07/31/2012

Incident Type		Count	Pct of Incidents	Total Est Loss	Total Est Loss
1 Fire					
100 Fire, other		2	2.38%	$0	0.00%
111 Building fire		1	1.19%	$0	0.00%
113 Cooking fire, confined to container		3	3.57%	$0	0.00%
121 Fire in mobile home used as fixed residence		1	1.19%	$0	0.00%
131 Passenger vehicle fire		3	3.57%	$0	0.00%
142 Brush or brush-and-grass mixture fire		2	2.38%	$0	0.00%
143 Grass fire		1	1.19%	$0	0.00%
150 Outside rubbish fire, other		7	8.33%	$0	0.00%
151 Outside rubbish, trash or waste fire		4	4.76%	$0	0.00%
154 Dumpster or other outside trash receptacle fire		1	1.19%	$0	0.00%
170 Cultivated vegetation, crop fire, other		1	1.19%	$0	0.00%
	Totals	**26**	**30.95%**	**$0**	**0.00%**
2 Overpressure Rupture, Explosion, Overheat(no fire)					
	Totals	**0**	**0.00%**	**$0**	**0.00%**
3 Rescue & Emergency Medical Service Incident					
311 Medical assist, assist EMS crew		2	2.38%	$0	0.00%
352 Extrication of victim(s) from vehicle		1	1.19%	$0	0.00%
	Totals	**3**	**3.57%**	**$0**	**0.00%**
4 Hazardous Condition (No Fire)					
411 Gasoline or other flammable liquid spill		3	3.57%	$0	0.00%
413 Oil or other combustible liquid spill		1	1.19%	$0	0.00%
424 Carbon monoxide incident		1	1.19%	$0	0.00%
440 Electrical wiring/equipment problem, other		1	1.19%	$0	0.00%
	Totals	**6**	**7.14%**	**$0**	**0.00%**
5 Service Call					
500 Service Call, other		1	1.19%	$0	0.00%
511 Lock-out		1	1.19%	$0	0.00%
521 Water evacuation		1	1.19%	$0	0.00%
531 Smoke or odor removal		4	4.76%	$0	0.00%
550 Public service assistance, other		1	1.19%	$0	0.00%
551 Assist police or other governmental agency		1	1.19%	$0	0.00%
571 Cover assignment, standby, moveup		4	4.76%	$0	0.00%
	Totals	**13**	**15.48%**	**$0**	**0.00%**
6 Good Intent Call					
600 Good intent call, other		4	4.76%	$0	0.00%
611 Dispatched & canceled en route		1	1.19%	$0	0.00%
631 Authorized controlled burning		1	1.19%	$0	0.00%
	Totals	**6**	**7.14%**	**$0**	**0.00%**
7 False Alarm & False Call					
700 False alarm or false call, other		11	13.10%	$0	0.00%
715 Local alarm system, malicious false alarm		1	1.19%	$0	0.00%
730 System malfunction, other		3	3.57%	$0	0.00%
733 Smoke detector activation due to malfunction		4	4.76%	$0	0.00%
735 Alarm system sounded due to malfunction		5	5.95%	$0	0.00%
740 Unintentional transmission of alarm, other		1	1.19%	$0	0.00%

Incident Type Report (Summary)

Dover Fire Department

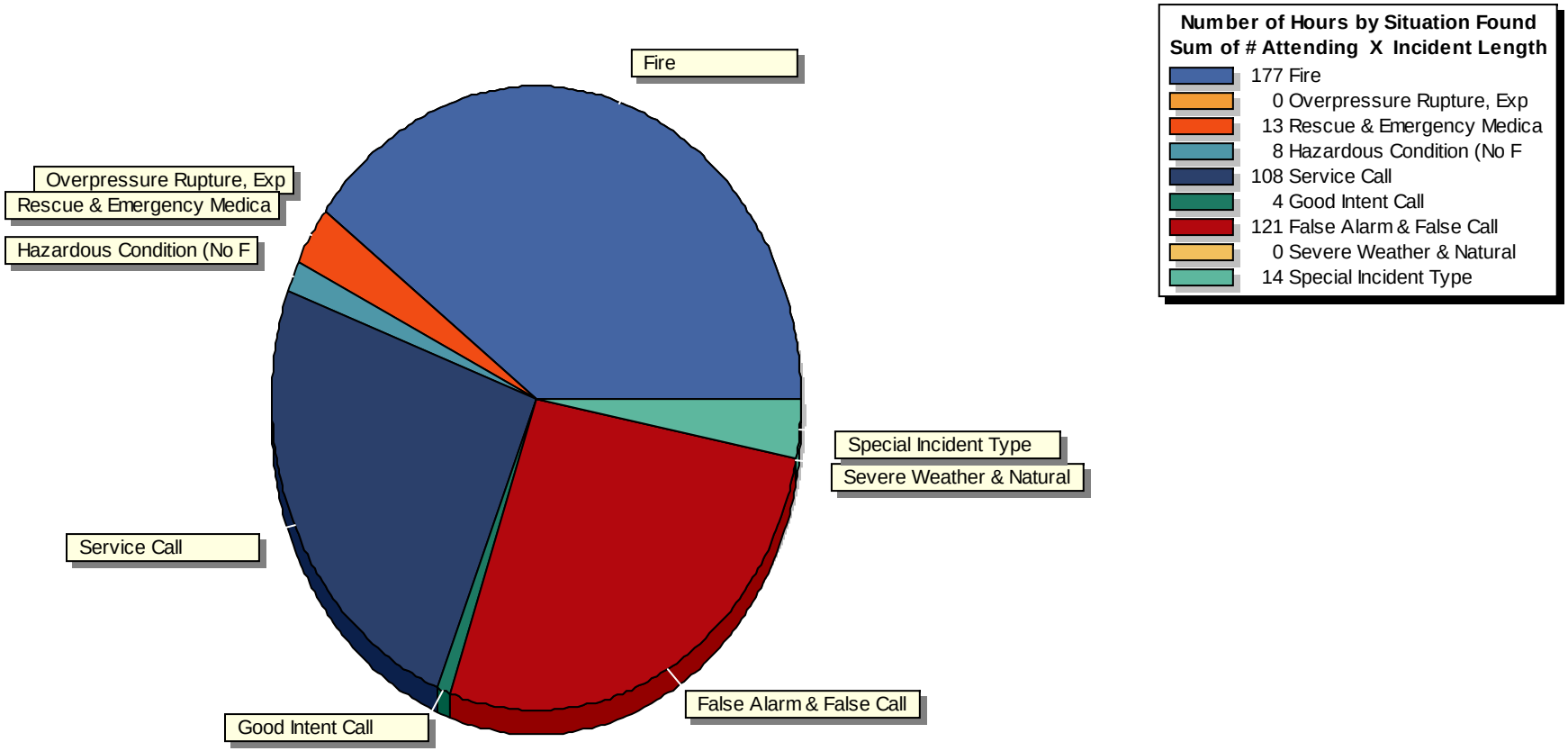
Date Range: From 07/01/2012 to 07/31/2012

Incident Type		Count	Pct of Incidents	Total Est Loss	Total Est Loss
743 Smoke detector activation, no fire - unintentional		2	2.38%	$0	0.00%
745 Alarm system activation, no fire - unintentional		1	1.19%	$0	0.00%
	Totals	**28**	**33.33%**	**$0**	**0.00%**
8 Severe Weather & Natural Disaster					
	Totals	**0**	**0.00%**	**$0**	**0.00%**
9 Special Incident Type					
900 Special type of incident, other		2	2.38%	$0	0.00%
	Totals	**2**	**2.38%**	**$0**	**0.00%**
	Totals	**84**		**$0**	

Manpower Hours by Sitation Found

Date Range: From 07/01/2012 to 07/31/2012

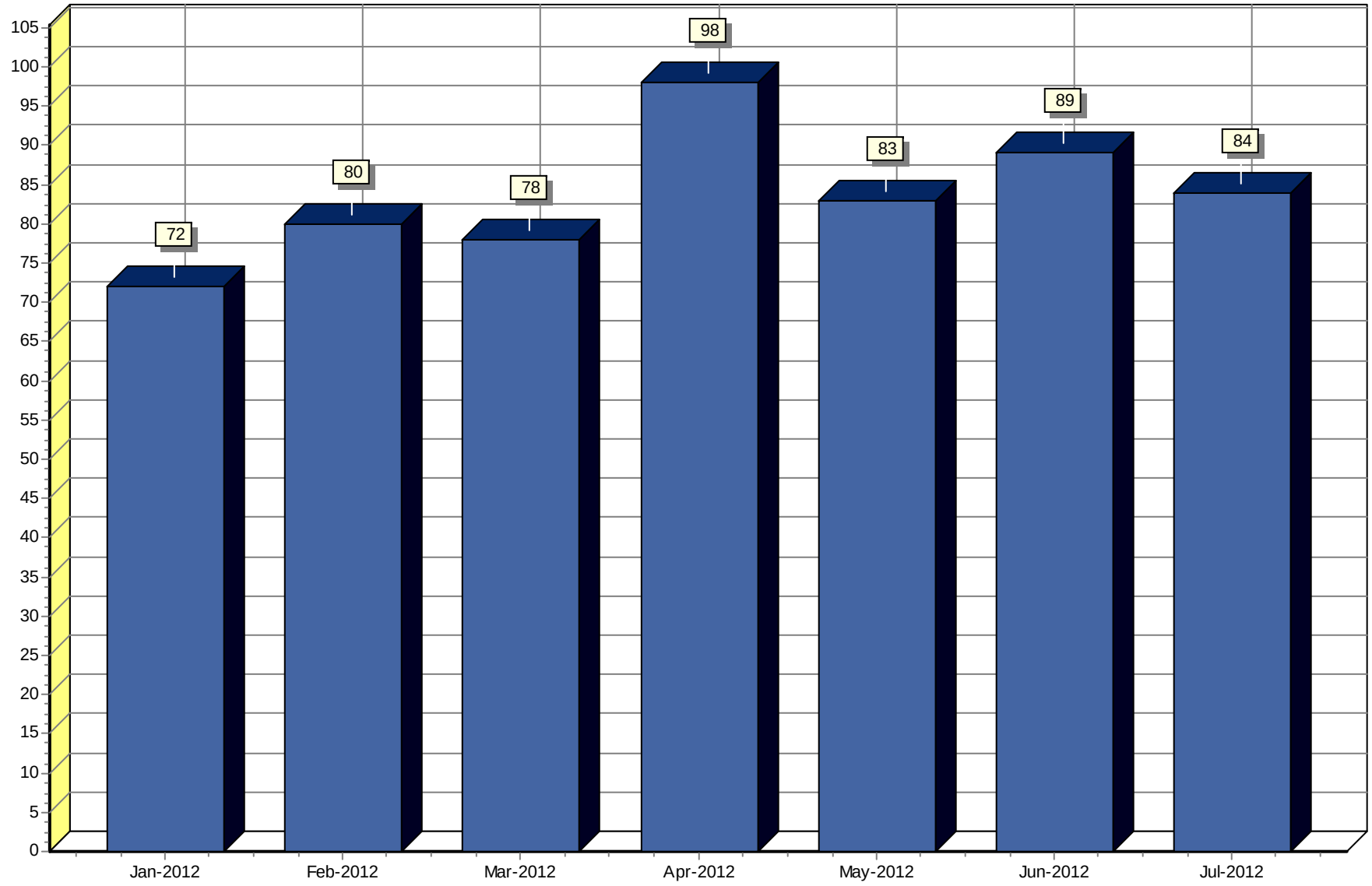
Dover Fire Department



Alarms by Month of Year

Dover Fire Department

Date Range: From 01/01/2012 to 07/31/2012



Incident Run Log

Dover Fire Department

Date Range: From 07/01/2012 to 07/31/2012
Company: All Companies
Sorted by: Incident Number

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
07/01/2012	30046	2012-000502	04:42	135	HAMAN DR		False alarm or false call, other
		DFD responded to the above location in reference to an alarm activation. Crews checked the bulding and met with negative results.					
07/01/2012	30046	2012-000503	19:25		GENERALS WAY		Passenger vehicle fire
		Engine 6 responded to the above location in reference to a possible vehicle fire. On arrival, observed a small compact vehicle with smoke coming from the trunk. An unknown female gave writer the keys to the vehicle and once the trunk was open the small fire was extinguished. It appeared the vehicle owner repaired the rear tail lights and didn't propery secure same back into place. The bulb fell and caught clothing and other misc items on fire. No further action taken.					
07/02/2012	30046	2012-000504	20:01	16	S NEW ST		Good intent call, other
		Dover 16 responded to the above address in reference to a subject cooking with a grill on his roof. On location, 16 advised the home owner to remove same and he complied. No further action taken.					
07/02/2012	30046	2012-000505	21:11	858	WOODCREST DR BLDG D		Smoke or odor removal
		Engine 6 responded to the above location in reference to an odor of gasoline. Crews checked the area and located a mini motorcycle in apartment 2 causing the odor. The occupants were instructed to remove same from the building. No further action taken.					
07/03/2012	30046	2012-000506	04:40	758	N DUPONT HWY		False alarm or false call, other
		DFD responded to the TD bank in reference to an alarm activation. Crews checked the building and met with negative results. No further action taken.					
07/03/2012	30046	2012-000507	09:57	261	N DUPONT HWY	1	Outside rubbish, trash or waste fire
		DFD responded to the above location in reference to a dumpster fire in front of the business. On arrival, the small trash can fire had been extinguished by bystanders. Crew from Engine 6 used a booster line to wet the area down then turned the scene over to FM 4.					
07/03/2012	30046	2012-000508	11:29	164	SADDLEBROOK DR		Cover assignment, standby, moveup
		DFD responded with Engine 6 and Ladder 2 for a Truck company assist for station 41 at the above location. Crews assisted with fire control and overhaul.					
07/03/2012	30046	2012-000509	19:40	898	WOODCREST DR		Smoke or odor removal
		DFD responded to the above location for a smell of smoke in the area. Engine 6 arrived and located a very small mulch fire that had been previously extinguished. No action taken.					
07/04/2012	30046	2012-000510	09:58	100	LADY BUG DR		Grass fire
		Brush 9 responded to the above area in reference to a smoke investigation. On arrival, a small grass fire (30' x 30') was located and extinguished. No further action taken.					
07/04/2012	30046	2012-000511	18:08	702	LAKEWOOD PL		Medical assist, assist EMS crew
		ASSIST EMS ON SCENE.					
07/04/2012	30046	2012-000512	22:04	1289	WALKER RD BUILD G		Outside rubbish, trash or waste fire
		L1 responded for a dumpster fire. Fire had been extinguished. Scene turned over to FM-2					
07/04/2012	30046	2012-000513	22:04	115	MORRIS DR		Authorized controlled burning
		E2 responded for unauthorized burning . Scene placed under control. Turned over to City FM.					
07/04/2012	30046	2012-000514	22:32	51	WEBBS LN	H	Lock-out
		17 responded for child locked in auto. Car was opened and child was okay.					
07/05/2012	30046	2012-000515	20:21	21	S LITTLE CREEK RD		Alarm system sounded due to malfunction
		Responded to Ihop for a AFA. E 2 arrived on location and did walk through with negative results. Scene was placed under control and all units returned.					
07/06/2012	30046	2012-000516	12:22		GREENTREE DR		Outside rubbish fire, other
		Mulch fire, out prior to arrival.					
07/06/2012	30046	2012-000517	16:28	200	E CAMDEN WYOMING AVE		Cover assignment, standby, moveup
		Stand By Station 41.					
07/06/2012	30046	2012-000518	17:15	1001	WHITEOAK RD BLDG A		Good intent call, other
		FM 2 responded to the above area in reference to a pinic bench on fire. FM 2 arrived and located nothing.					
07/07/2012	30046	2012-000519	13:26	97	COMMERCE WAY	101	Outside rubbish fire, other
		Mulch fire, extinguished prior to arrival.					
07/07/2012	30046	2012-000520	18:06	559	ARTIS DR		Fire, other
		DFD responded to the above address in reference to a barbeque grill on fire. On arrival the grill was actively burning by the propane tank. Crews used a dry chemical extinguisher and extinguished same. No further action taken.					
07/08/2012	30046	2012-000521	14:53	51	WEBBS LN	E	False alarm or false call, other
		DFD responded to the above location in reference to an alarm activation. On arrival, crews determined the alarm system was activated by a resident cleaning the oven. No further action taken.					
07/09/2012	30046	2012-000522	11:30	121	S STATE ST		Unintentional transmission of alarm, other
		Dispatched to the above location for an AFA. Upon arrival, crews investigated the interior to discover the alarm had been reset by personnel inside before our arrival. Members inside related they had cooked something in the microwave and believed that was the cause of the alarm. No members evacuated the building at any point. A complete walk through of the building was conducted including the attic. No fire or smoke conditions were noted. FM-2 was notified and was on scene prior to our departure.					

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
		User: O'Connor, Jr., Michael 07/09/2012 11:59:27					
07/10/2012	30046	2012-000523	10:39	110	FIREHOUSE LA		Cover assignment, standby, moveup
		One engine cover station 56 on a working house fire.					
07/11/2012	30046	2012-000524	02:49	1710	N DUPONT HWY		Gasoline or other flammable liquid spill
		Responded to the address for a report of a fuel spill. Arrived on location with E2 to find about 10 gallons of gasoline on the road. E 2 crew spread stay dry and scene was placed under control and E 2 returned.					
07/11/2012	30046	2012-000525	12:57		WOLFCREEK BLVD		Outside rubbish fire, other
		Bushes and mulch on fire.					
07/11/2012	30046	2012-000526	15:46	2898	ARTHURSVILLE RD		Cover assignment, standby, moveup
		E3 responded to Station 51 while they worked on a trailer fire.					
07/11/2012	30046	2012-000527	18:46	1481	N DUPONT HWY		Alarm system activation, no fire - unintentional
		Alarm for building. Determined to be an outlet in the wall. Power isolated by crews.					
07/12/2012	30046	2012-000528	06:50	40	SAULSBURY RD		Water evacuation
		General alarm for report of waterflow activation from above. Crews found a malfunction in the system and it was turned over to the company maintenance for further . Building placed on firewatch					
07/12/2012	30046	2012-000529	11:31	1365	N DUPONT HWY	3054	Cultivated vegetation, crop fire, other
		Mulch Fire area of Macys. Extinguished using approx 10 gallons of water.					
07/12/2012	30046	2012-000530	22:16		COLLEGE RD		Oil or other combustible liquid spill
		E2 responded to above for a washdown due to accident. Stay Dri was put down and scene turned over to DPD.					
07/12/2012	30046	2012-000531	23:42	1001	FORREST AVE		Electrical wiring/equipment problem, other
		Transformer reported to be on fire at the above location. Writer found no arching upon arrival and City crew was notified of same.					
07/13/2012	30046	2012-000532	05:50	411	S QUEEN ST		Public service assistance, other
		Washdown					
07/13/2012	30046	2012-000533	06:40	1368	ROSE VALLEY SCHOOL RD		Outside rubbish fire, other
		E3 and writer responded to above for report of woods on fire. Area was checked and nothing could be located.					
07/13/2012	30046	2012-000534	06:40	39	KENTWOOD DR		System malfunction, other
		E4 responded to above for report of alarm sounding . Found to be faulty detector.					
07/13/2012	30046	2012-000535	12:48	1200	N DUPONT HWY		Smoke detector activation due to malfunction
		Warren Franklin Hall AGAIN. Smoke detector in the first floor lounge					
07/15/2012	30046	2012-000536	00:42	1200	N DUPONT HWY		Special type of incident, other
		Assist Dover PD with lights for a search.					
07/16/2012	30046	2012-000537	07:49	14	FAIR WIND PL		Medical assist, assist EMS crew
		Dispatched to assist EMS. Upon arrival, crews assisted EMS in bringing a large pt down from the second story via stair chair. Transferred the pt to the cot and then to the ambulance. BLS initiated transport and Rescue 1 returned.					
		User: O'Connor, Jr., Michael 07/16/2012 08:38:19					
07/16/2012	30046	2012-000538	18:58		KESSELRING AVE & NEW BURTON RD		Brush or brush-and-grass mixture fire
		Dispatched to a brush fire. Upon arrival, B9 found a shrub next to the building on fire. Heat from same melted the soffit on the adjacent building. Crews extinguished the fire and requested a ladder company assist to inspect the roof line. Upon the ladders arrival, the main was placed in service and several pieces of melted soffit were pulled down. No extension was noted. The City FMO was contacted. FM-1 responded and was given suspect information by Dover PD. Cleared the scene.					
		User: O'Connor, Jr., Michael 07/16/2012 19:46:29					
07/17/2012	30046	2012-000539	14:13	918	ROSE VALLEY SCHOOL		Outside rubbish fire, other
		On arrival owner and a DSP officer had extinguished a debris fire along the roadway on Rose Valley School Rd. B9 went under control and returned all units. FM-28 and DNREC made a response.					
07/17/2012	30046	2012-000540	18:07	439	PHOENIX DR		Passenger vehicle fire
		Responded to 439 Phoenix dr for a report of a vehicle fire. Arrived on location to find no fire showing. Crew investigated to find a small fire had started in the dash of the drivers seat and burnt itself out. The battery was disconnected and scene was placed under control and Engine 2 returned.					
07/17/2012	30046	2012-000541	22:38	69	QUAIL HOLLOW DR		Outside rubbish fire, other
		A small wood pile was on fire next to the fence at the above address. One panel was burned away and serval other panels were damaged. The realtor was contacted of the adjoining property to advise them of the damage as well. E7's crew used approx 100 gallons of water to extinguish the blaze. Units cleared and the scene was turned over to FM1					
07/18/2012	30046	2012-000542	04:50	868	WOODCREST DR BLDG G		False alarm or false call, other
		Pull station was knocked off the wall causing the alarm to sound. Maintenance advised he believed the tenants in apartment G3 may have done it.					
07/18/2012	30046	2012-000543	09:42	990	WYOMING MILL RD		Special type of incident, other
		Dover 17 dispatched to an MVC Wyoming Mill Road. Station 41 was previously dispatched by Kent Center while en route entrapment was confirmed by DPD. Dover 17 assisted Station 41 with the extrication. The MVC occurred in Station 41's district.					

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
07/18/2012	30046	2012-000544	13:35	62	KENTWOOD DR		Smoke detector activation, no fire - unintentional
	Detector set off by steam from the shower.						
07/18/2012	30046	2012-000545	18:39	SR1	SR1 AND DAFB MAIN GATE	EXIT	Brush or brush-and-grass mixture fire
07/18/2012	30046	2012-000546	19:00	800	OTIS DR		False alarm or false call, other
	Dispatched to an AFA. Upon arrival, entered the building via the knox box. A complete walk through of the structure was completed with no findings. Cleared the scene after securing the building User: O'Connor, Jr., Michael 07/20/2012 10:28:41						
07/18/2012	30046	2012-000547	19:04	880	BUTTNER PLACE		Fire, other
	Dover Fire apparatus were dispatched for a report of a unknown fire at the power plant. Dover Ladder 1(responding with Dover 16/writer) arrived on location to find a 6 story medium size industrial structure with an unknown flammable gas fire visible from pipes/stacks on the rooftop of the structure. At this time Dover 16 established fire ground command. A representative from the power advised writer and crews that there was a lightning strike to the structure and that the venting pipe was ignited in the process. This individual was not aware what the exact material was venting and burning at that time. Crews from Dover Ladder 1 as well as Dover Engines 4 and 6 made their way up the elevator and stair ladders to the rooftop. Once on the roof Captain Carey along with Asst. Chief O'Connor were advised by a plant supervisor that the lightning strike to the structure had ignited a propane pipe that had been venting since some time Monday. Carey and O'Connor were advised that there was no way to shut the venting gas off and that extinguishment was the only way to control the fire. The supervisor advised them that the venting gas would disperse naturally after extinguished. Crews used dry chemical extinguishers and the fire was contained. Carey and O'Connor determined situation to be under control and information was relayed to writer. Command placed the situation under control and held units on scene.						
07/19/2012	30046	2012-000548	13:17		FEDERAL ST		Gasoline or other flammable liquid spill
	gasoline from a GOA vehicle						
07/19/2012	30046	2012-000549	18:50	101	BABB DR		Cooking fire, confined to container
	Dispatched to above address for a fire alarm. Upon arrival had E6 crew investigate. E4 crew found someone had put hotdogs in the micro wave and overcooked them. No need for ventilation. Alarm unable to be silenced. Maintenance not on scene prior to returning. Cleared.						
07/19/2012	30046	2012-000550	19:45	360	WEBBS LN		Assist police or other governmental agency
	Dover PD requested Ladder 2 at the above address so they could get on the roof and check for any possible damages because of 4 trespassers. I arrived on location with ladder 2 and was canceled.						
07/19/2012	30046	2012-000551	21:33	255	WEBBS LN	G	System malfunction, other
	Dispatched to above address for a AFA. Upon arrival E6 crew found that the alarm system had activated. Residence of the bldg related that he had activated a week ago also. Maintenance on scene and had them reset the system. Cleared.						
07/19/2012	30046	2012-000552	22:02	1080	SILVER LAKE BLVD		Smoke detector activation due to malfunction
	Crews completed a walk through of the building and found detector M1-37 malfunctioning. Units cleared and placed the building on fire watch.						
07/20/2012	30046	2012-000553	02:41	22	THE GREEN		System malfunction, other
	Dispatched to above address for a AFA. upon arrival had the alarm inside the bldg sounding. Maintensnce on scene L1 crew did a walk thru and found nothing. Had the alarm reset. Alarm activated due to thunder storm. Cleared.						
07/20/2012	30046	2012-000554	02:43	501	S STATE ST		False alarm or false call, other
	Responded to the above address for a AFA under the command of FF Eric Carey. Engine 3 arrived on location conducting a complete walk through with negative results. Alarm was storm related.						
07/20/2012	30046	2012-000555	02:43	800	OTIS DR		False alarm or false call, other
	Responded to the above address for a AFA. Engine 2 arrived on location with a complete walk through with negative results. Alarm was storm related.						
07/20/2012	30046	2012-000556	09:56	281	SHEFFIELD DR		Smoke detector activation, no fire - unintentional
	Dispatched to above address for a fire alarm . Upon arrival fire personnel were met by the home owner relating that his wife and burnt something on the stove and there was no fire. E6 crew went inside to check. Under control. Cleared.						
07/20/2012	30046	2012-000557	17:08	243	KENTWOOD DR		Fire in mobile home used as fixed residence
	Dover Fire units arrived on scene to a 14x70 mobile fixed mobile home and found a small extinguished fire in a front bedroom. Fire was contained to a tv on a dresser. Crews opened windows and ventilated the structure. FM notified. UNits on scene Dover E6 ,7 ,3, and 43-2. Dover 16 and A-63						
07/20/2012	30046	2012-000558	20:27	1131	N DUPONT HWY		Dispatched & canceled en route
	Was advised of odor of propane in area of the VIP footbridge. Foot Patrol 2 cleared incident with good intent.						
07/21/2012	30046	2012-000559	15:53	400	N DUPONT HWY	A	Extrication of victim(s) from vehicle
	22, E2, and R1 responded for an MVC reported subject trapped. Writer arrived and found one car with the driver pinned. Writer advised E2 to perform a door pop in order to extricate the victim. 21 was placed in charge of extrication. KM-7 and A63 performed patient care while E2s crew performed extication on the vehicle. Patient was exticated and transported to KGH for evaluation. Scene was turned over to Dover PD.						
07/21/2012	30046	2012-000560	20:58	1131	N DUPONT HWY		Dumpster or other outside trash receptacle fire
	Dispatched to above address for a possible fire in porta poty. They were cleaning them with steam, no fire. Cleared.						
07/21/2012	30046	2012-000561	23:16	2038	WHITEOAK RD		Outside rubbish fire, other

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
					Engine 6 responded to the above address in reference to a small outside fire. On arrival, I located a small pile of brush burning. The booster line was utilized to extinguish same. No further action taken.		
07/22/2012	30046	2012-000562	04:19	1300	S FARMVIEW DR	C	Smoke detector activation due to malfunction
					On arrival Engine 2 crew found an a smoke detector activated on the 3rd floor. Detector A31. Building checked with negative results.		
07/22/2012	30046	2012-000563	13:37	121	S STATE ST		Alarm system sounded due to malfunction
					Alarm sounded due to malfunction		
07/22/2012	30046	2012-000564	18:41	10	FAIRWAY LAKES DR	F	Local alarm system, malicious false alarm
					Responded to the above address for a report of the alarm sounding in the building. Engine 2 investigated to find a pull station had been pulled on the charlie division 2. Scene was placed under control and units returned.		
07/24/2012	30046	2012-000565	14:31	1358	FORREST AVE		Gasoline or other flammable liquid spill
					Apporx. 10 gallons of fuel spilled in the gas pump area of the above address. Crews put stay dry down over the effected areas and cleared.		
07/24/2012	30046	2012-000566	16:31	244	MOOR FARM LN		Outside rubbish, trash or waste fire
					Grass clippings pile on fire. 20 x 30 pile		
07/26/2012	30046	2012-000567	08:09	1536	N DUPONT HWY		False alarm or false call, other
					E2 and E3 responded for automatic fire alarm at above. E3's crew found it to be a faulty detector in the warehouse area.		
07/26/2012	30046	2012-000568	16:18	303	W DIVISION ST		Outside rubbish, trash or waste fire
					Writer and E7 responded for a debris pile on fire at rear of residence. E7s crew wet it down and scene was turned over to FM-2		
07/26/2012	30046	2012-000569	23:51	1200	N DUPONT HWY		Smoke detector activation due to malfunction
					Smoke detector activation from water in the ceiling.		
07/27/2012	30046	2012-000570	01:28	109	WILLIS RD		Service Call, other
					Writer responded for a CO alarm activation w/o injuries at above. Writer used the meter out of Car 2 to walk thru the residence. It was found to be a faulty battery . No readings were found.		
07/27/2012	30046	2012-000571	01:50	430	COLLEGE RD	600	Building fire
					At the above time writer was notified of automatic fire alarm sounding at the above address. Writer arrived on scene along with DSU PD. The alarm panel was indicating a zone z waterflow alarm. No zone book could be located. Writer began going door to door to see if any smoke or heat could be felt. Writer noticed apartment 617 had light smoke coming from around the door. Security had a key card and Writer opened the apartment. A heavy smoke condition was encountered as well as sprinkler activation in the apartment. Writer donned gear and SCBA and notified Dover to alert Station 2 for an Engine. E2 arrived and their crew searched the rest of the apartment as well as secure the sprinkler system. Fire was contained to the kitchen area due to the sprinkler suppression system in the building. Writer secured the stove. Meter to the apartment as well as the apartment below were pulled and City Electric was notified. Scene was tuend over to FM-2.		
07/27/2012	30046	2012-000572	08:38	102	W WATER ST		Good intent call, other
					Dispatched to above addres for a subject stuck in the elevator. RP called back to advise that the subject had been removed from the elevator. Call ws cancelled prior to response.		
07/27/2012	30046	2012-000573	09:32	1200	N DUPONT HWY		Alarm system sounded due to malfunction
					Price Hall DSU activation. Security did a walk through with negative results.		
07/27/2012	30046	2012-000574	14:56		S QUEEN ST		Good intent call, other
					REPORTED MULCH FIRE. NOTHING FOUND GOOD INTENT CALL.		
07/27/2012	30046	2012-000575	23:14	561	N DUPONT HWY		Passenger vehicle fire
					Motorcycle on fire in the middle of the highway.		
07/28/2012	30046	2012-000576	00:22	1200	N DUPONT HWY		Alarm system sounded due to malfunction
					Village 2 system activation. DSU PD did walk through several times and found a system malfunction		
07/28/2012	30046	2012-000577	11:35	245	S DUPONT HWY		False alarm or false call, other
					DFD responded to the above location in reference to a general fire alarm. On arrival, occupants advised they were testing the system and failed to notify the alarm company. No action taken.		
07/29/2012	30046	2012-000578	00:05	435	SUSSEX AVE		Carbon monoxide incident
					CO detector activation in a residence. Upon investigation, found readings of 16 to 18 PPM in the basement of residence. Also found readings of 6 to 10 PPM in the first and second floor. No complaints of any injuries. Resident was advised to turn off HVAC unit and open all windows and to contact landlord.		
07/29/2012	30046	2012-000579	00:34	820	CARVEL DR	A	Cooking fire, confined to container
					Cooking fire contained.		
07/30/2012	30046	2012-000580	08:32	9	PAR HAVEN DR	C	Alarm system sounded due to malfunction
					Dispatched to an AFA at the above location. Upon arrival, crews investigated and found an activated detector on division 3. No smoke or fire conditions present. The building was placed on fire watch and turned over to mx.		
					User: O'Connor, Jr., Michael 07/30/2012 09:02:57		
07/30/2012	30046	2012-000581	11:59	2056	GENERALS WAY		False alarm or false call, other
					Car 2 (17) responded to the above address in referenc to an alarm activation. On arrrival, Dover 17 determined the scene under control. No action taken.		
07/30/2012	30046	2012-000582	21:40	655	BAY RD		False alarm or false call, other
					L1, E2, E3, L2 responded to above for report of waterflow alarm coming from the Dover Furniture Warehouse located at the above address. Crews investigated and found no problems.		

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
07/31/2012	30046	2012-000583	19:04	3002	GENERALS WAY		Smoke or odor removal
		DFD responded to the above address in reference to a dishwasher smoking. On arrival, crews sercured the power to the unit and advised the resident to contact their maintenance person. No further action taken.					
07/31/2012	30046	2012-000584	20:34	445	PHOENIX DR		Smoke or odor removal
		DFD responded to the above address in reference to smell of smoke in the residence. On arrival, crews deteremined the T.V. had over heated and caused an odor. The power was secured to the T.V. No further action taken.					
07/31/2012	30046	2012-000585	22:01	1016	WHITEOAK RD		Cooking fire, confined to container
		Oven fire contained. No fire upon arrival					

Total Incidents: 84

FY 12-13 City Funded Account Balance Sheet

ACCOUNT	BUDGET	SPENT	BALANCE
Apparatus Repairs & Maintenance	$ 67,000.00	$ -	$ 67,000.00
Building Maintenace Supplies	$ 1,650.00	$ -	$ 1,650.00
Contractual Services	$ 16,587.00	$ -	$ 16,587.00
Electricity	$ 51,820.00	$ -	$ 51,820.00
Gasoline	$ 19,050.00	$ -	$ 19,050.00
Heating Expenses- Gas	$ 20,000.00	$ -	$ 20,000.00
Medical Supplies	$ 700.00	$ -	$ 700.00
Office Supplies	$ 2,500.00	$ -	$ 2,500.00
Other Equipment Repairs	$ 4,000.00	$ -	$ 4,000.00
Program Expenses	$ 36,630.00	$ -	$ 36,630.00
Radio Repairs	$ 2,000.00	$ -	$ 2,000.00
Safety & Security	$ 2,150.00	$ -	$ 2,150.00
Small Tools	$ 4,800.00	$ -	$ 4,800.00
Telephone	$ 13,340.00	$ -	$ 13,340.00
Training & Travel	$ 8,815.00	$ -	$ 8,815.00
Uniforms & Firefighting Gear	$ 27,100.00	$ -	$ 27,100.00
Water/ Sewer	$ 3,150.00	$ -	$ 3,150.00

Balance as of: 07/31/12

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
July 2012

	Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Ordinary Income/Expense									
Income									
City Quarterly Deposit									
	Deposit	07/30/2012	0223412		1st Quarter Deposit		City Fund Account	70,325.00	70,325.00
Total City Quarterly Deposit								70,325.00	70,325.00
Total Income								70,325.00	70,325.00
Net Ordinary Income								70,325.00	70,325.00
Net Income								**70,325.00**	**70,325.00**

Monthly Report

July 2012

Economic Development Office

Economic Development /DDP Update July 2012

- Met with DDP Organization Committee to discuss Annual Report and Annual Reception, Rick Hill from Hill Design Group was selected to design the Annual Report

- Met with DDP Parking Committee and selected the vendor for the Parking Meters to be installed on Bradford Street and Loockerman Way.

- Met with stakeholders to discuss next steps for the Wells Fargo Grant which is now called the ***Central Dover Neighborhood Planning Grant***

- Met with Charlie Rodriguez to discuss a number of commercial properties that are available and the future tenants that will be occupying those commercial spaces

- Gregg Moore and Bill Neaton met with executives from Buccini Pollin, Michael Hare and Boris Kaplan, to discuss potential for downtown development by Buccini Pollin

- Gregg Moore and Bill Neaton met with DelDot officials to determine priority of the three Transportation Enhancement Grant applications submitted by the Downtown Dover Partnership, improvements of infrastructure on North Street from Governors Avenue to Queen Street was deemed the highest priority

- Met with Bill Grow and Bill Goodwin from NRG to discuss the status of the current expansion of their power plant in Dover and the possibility of providing additional power to commercial sites in Dover

- Met with Tony DePrima and representatives of the Dover Interfaith Mission to determine the next steps for the Drop-In Center located at the Interfaith Mission

- Met with new plant manager and leadership team at Energizer to provide update on Economic Development projects in City of Dover. Also discussed potential energy savings for FY13

- Attended Grand Openings for Frankfurt Bakery and Tea for Two

- Conference call with Calpine to discuss next steps for approval of water allocation from Delaware River Basin Commission

- Participated in the Kent Economic Impact Conference sponsored by Kent County Tourism

Measures:

1. Maintain an unemployment rate for the City of Dover that is lower than national and state averages.

	2010-2011 Actual	2011-2012 Actual	2012 - 2013 Projected
Results	<10% unemployment rate in July 2011 9.2 % - U.S. Rate 8.0 % - DE Rate 9.9% - City of Dover Rate June 2011 – Actual	<10% unemployment rate in July 2012 8.2% - U.S. Rate 6.8 % - DE Rate 8.6% - City of Dover Rate June 2012 – Actual	<10% unemployment rate in July 2013 8.3% - U.S. Rate 6.8 % - DE Rate 9.0% - City of Dover Rate July 2012 – Actual

2. Monitor number of contacts with small businesses and with out-of-town companies interested in locating in Dover.

	2010-2011 Actual	2011-2012 Actual	2012 - 2013 Projected
Results	≥20 contacts with potential small businesses; **12 contacts YTD** ≥15 contacts with out-of-town companies interested in locating in Dover. **10 contacts YTD**	≥20 contacts with potential small businesses; **10 Contacts YTD** 11 contacts with out-of-town companies interested in locating in Dover **9 Contacts YTD**	≥20 contacts with potential small businesses; **6 Contacts YTD** 11 contacts with out-of-town companies interested in locating in Dover **3 Contacts YTD**

Downtown Dover Partnership Update July 2012

- Continued to work with the thirteen (13) prospective businesses received technical assistance in June – seven (7) for business plan development; four (4) for location; and three (3) for loan referrals.
- Provided continuing technical assistance to eleven (11) downtown merchants.
- Ed Perez is working with the planning committee for the Capital Holiday Celebration on November 28, 2012.
- Awarded a Facade Improvement Grant for exterior improvements at 207 W Loockerman
- Attended grand openings at Frankfort Bakery and Tea for Two
- Worked with Wesley College Student Affairs staff on planning for Clean-up Project
- Worked with Delaware State Students to identify a community service project
- Partnered with Dover Public Library to provide entertainment for children during the July First Friday

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: 08-16-2012
PREPARED BY: Scott D. Koenig, P.E., City Manager
SUBJECT: Evaluation of Proposals for Electric Utility Valuation Services
REFERENCE:
RELATED PROJECT: N/A
REVIEWED BY: Donna Mitchell, Controller
EXHIBITS:
TIMETABLE:
RECOMMENDED ACTION: Award the contract for Electric Utility System Valuation Services to GAI Consultants in the amount of $117,500 based on the recommendation provided by Betts & Holt LLP.

BACKGROUND AND ANALYSIS

In October 2011, the Dover City Council authorized staff to oversee the preparation of a Request for Proposals (RFP) for a Cost of Service Study to determine the valuation of the entire City of Dover Electric System. Due to the technical and legal complexity of the RFP process for this type of request, staff utilized the services of our power supply attorney, Mr. Kirk Betts, to develop and prepare the RFP as well as review the submissions from the various consultants who expressed interest in the project.

On June 18, 2012, the City of Dover issued a Request for Proposals ("RFP") seeking proposals from qualified independent consultants to provide an opinion and study regarding the value of the City's electric utility system. Four (4) proposals were received in response to this RFP.

The proposal evaluation process included two (2) components. First, the technical component of the evaluation process included compliance with the form and content requirements of the RFP, expertise and experience, valuation approach, comprehensiveness of the work plan and adequacy of analytical procedures. The second component related to pricing evaluation.

Betts & Holt LLP ranked the proposals as follows:

1. GAI Team
2. Burns
3. AERCA Team
4. MRV

Based upon the ranking, Betts & Holt LLP recommends that the City of Dover award the contract for Electric Utility System Valuation Services to GAI Consultants in the amount of $117,500.

PETITION TO ANNEX AND REZONE PROPERTY
First Reading before the Dover City Council
September 10, 2012

Applicants/Owners: Taililou, LLC

Property Address: 136 Rustic Lane
Tax Parcel ID #: ED00-057.02-02-40.00-000
Size: 0.56986 +/- acres
Present Use: Residential
Proposed Use: Commercial
Comprehensive Plan Designation: Category 1 – Lands Identified for Annexation
Comprehensive Plan Land Use Designation: Mixed Use
Present Zoning: RMH (Residential Manufactured Home District)
Proposed Zoning: C-2A (Limited Central Commercial)

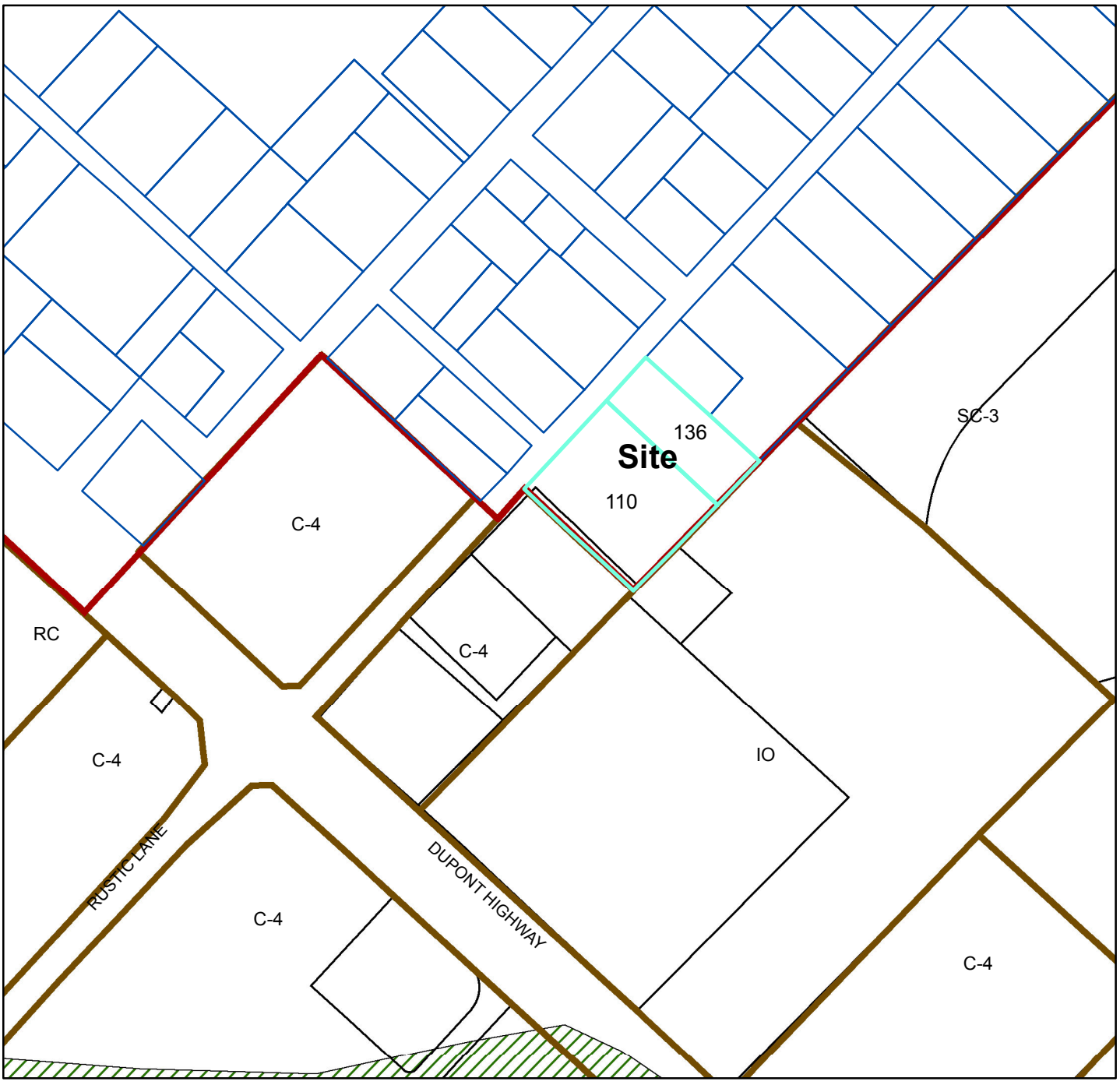
Property Address: 110 Rustic Lane
Tax Parcel ID #: ED00-057.02-02-38.00-000
Size: 1.118 +/- acres
Present Use: Residential
Proposed Use: Commercial
Comprehensive Plan Designation: Category 1 – Lands Identified for Annexation
Comprehensive Plan Land Use Designation: Mixed Use
Present Zoning: BG (General Business)
Proposed Zoning: C-2A (Limited Central Commercial)

File Number: AX-12-01

City of Dover

Department of Planning & Inspections

Application No.: AX-12-01



Plan Title: Lands of Taililou, LLC
Location: 110 and 136 Rustic Lane
Plan Type: Annexation
Tax Parcels: ED-00-057.02-02-38.00 and ED-00-057-02-02-40.00
Proposed Zoning: C-2A
Proposed Land Use Classification: Mixed Use
Annexation Classification: Category 1 Priority
Owner: Taililou, LLC
Date: 8-31-12

Legend

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

0 150 300 600 Feet

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2012-21

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 110 AND 136 RUSTIC LANE

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 (110) (ED00-057.02-02-38.00-000) and RMH - Residential Manufactured Home District (136) (ED00-057.02-02-40.00-000) (Kent County zoning classifications) 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 have been amended by changing the zoning designations from BG - General Business (110) and RMH - Residential Manufactured Home District (136) (Kent County zoning classifications) to C-2A - Limited Central Commercial (City of Dover zoning classification) on those properties located at 110 and 136 Rustic Lane, owned by Taililou, LLC. (THIRD COUNCIL DISTRICT; PLANNING REFERENCE: AX-12-01)

ADOPTED: *

S:\ANNEXATIONS\Annex-2012\110 and 136 Rustic Lane\Ordinance #2012-21 Rezoning of 110 & 136 Rustic Ln - First Reading.wpd

Actions History

September 10, 2012 - Scheduled for First Reading/Referral

Draft

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2012-05

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

That Chapter 46 - Fire Prevention and Protection, Article I - In General, Section 46-3 - Impairment of Fire Protection Equipment, be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in red strikeout as follows:

Sec. 46-3. - Impairment of fire protection equipment.

(a) *Prohibited*. It shall be a violation of this chapter for any owner, renter, lessor, or contractor, after having been notified, in writing, by the fire marshal or code enforcement officer of any impairment to fire protection equipment, including but not limited to fire hydrants, fire alarm systems, sprinkler systems, commercial cooking ventilation and fire suppression systems, standpipes, and smoke removal or pressurization systems, to allow it to remain impaired for any time beyond that allowed by the fire marshal for repair. For the purposes of this section, the term "impairment" means any effective lessening of the equipment to operate as designed, including times of maintenance and annual testing.

(b) Impairment of fire protection systems. All fire protection systems, devices, units, and service equipment shall be maintained in an operational condition at all times, and it shall be unlawful for any person owning, controlling, or otherwise having charge of any fire protection system to willfully or knowingly tamper with or impair the system from operating as designed without proper approval. An approval form may be obtained from the fire marshal's office. Approvals will not be required for temporary impairments caused by periodic testing and inspection. Any impairment which will render the system non-operational or out of service for more than eight hours for testing and inspection purposes must be approved prior to the start of work.

(~~b~~*c*) *Notification required*. The owner, tenant, or contractor shall notify the Robbins Hose Company ~~of the city~~ of any impaired fire protection equipment, and shall renotify the Robbins Hose Company when the fire protection equipment has been restored to normal service. Certification from the repairing contractor shall be required to verify that the system has been fixed and is functioning as designed.

(~~c~~*d*) *Fire watch required*. When any impairment would cause a sprinkler system not to operate or a fire alarm system not to detect and signal a fire, and if the building is to remain occupied, a fire watch shall be established in that building or that portion of a building affected. It shall be the responsibility of the owner or tenant to set up the fire watch. The fire watch shall consist of an hourly check of the building or portion of the building affected, and a log kept, there stating the date, time of the checks, and who was making the checks. This log shall be accessible for immediate inspection by the fire chief, fire marshal, or code enforcement officer.

(e) Authority of fire marshal. The fire marshal or his/her designee is authorized to close any such building or property where fire protection equipment is found to be impaired or non-operational to ensure the life safety of the occupants.

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(~~d~~*f*) *Fines*. Any owner, occupant, contractor or body corporate found to be in violation of this section shall be issued a summons as provided for in Appendix F—Fees and Fines.

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, Section 46-5 - Open burning, Paragraph (f) - Prohibited, be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in red strikeout as follows:

Sec. 46-5. - Open burning

(a) *Definitions*. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Barbecuing - Commercial. The preparation and cooking of food by way of gas grill, charcoal grill, or other apparatus used for the cooking of food by way of flame produced through wood, charcoal, or gas for the purpose of cooking food for the sale to and/or consumption by the general public.

Barbecuing—Recreational. The preparation and cooking of food by way of gas grill, charcoal grill, or other apparatus used for the cooking of food by way of flame produced through wood, charcoal, or gas for the purpose of cooking food for the consumption by a family and/or guests or by the membership of a private organization or church congregation.

Open burning. The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

Outdoor fireplace. Any homemade or commercially produced fireplace, fire pit, or fire ring used for the kindling of wood.

(b) *Permit required*. Open burning of structures, brush, or bonfires shall not be permitted without a permit obtained from the fire marshal.

(c) *Fire dimensions*. Open burning, when permitted, shall be kindled in such a manner as not to be a danger to other campers, recreational vehicles, tents, or structures and shall not be of a size greater than 18 inches by 18 inches by 18 inches. Height of the fire shall be measured from the ground or from the bottom of the inside of the container being used to kindle the fire. Open burning shall not be kindled directly on the ground unless contained in a fire ring.

(d) *Fire clearances and time restrictions*. Outdoor fireplaces shall have 36 inches clearance from all combustibles when in use. Portable fireplaces, fire pits, or fire rings shall be extinguished in a residential area between the hours of 12:00 midnight and 8:00 a.m.

(e) *Commercial barbecuing*. Commercial barbecuing shall be permitted under the following conditions:

(1) The location has been approved by city licensing and inspections and the fire marshal and an outdoor public gathering permit has been obtained.

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(2) One fire extinguisher of not less than five pounds ABC is to be located within ten feet of the cooking area. Cooking area and cooking fuels shall be secured from public access.

(3) Approval from the board of public health has been obtained.

(4) The operator shall make all reasonable attempts to avoid causing a nuisance to nearby property owners with smoke, fumes, or sparks.

(5) All compressed flammable gas containers used for cooking shall be secured in such a way as to prevent them from being knocked, tipped, or blown over.

Any commercial barbecuing operations which are a continual nuisance because of smoke, fumes, or sparks shall be terminated by the code official or fire marshal and the outdoor public gathering permit revoked until such time as the director of licensing and inspections is satisfied that the problem has been corrected.

Barbecuing of any kind shall not be kindled within 200 feet of any fuel pump or storage tank fill. Cooking grease shall not be disposed of by placing it directly on the ground or in storm water drains.

(f) *Prohibited.* ~~**Multifamily residential dwelling units. In apartment buildings, condominiums, or any other multifamily residential dwelling of three or more units by any other name, the storage of propane tanks inside units or on balconies is prohibited. Recreational barbecuing shall be prohibited on any balcony or under any overhanging portion or within 15 feet of any structure, except that the use of electrical ranges or electrical grills shall be permitted. The use of outdoor fireplaces on balconies is prohibited.**~~

(1) Multifamily residential dwelling units. In apartment buildings, condominiums, or any other multifamily residential dwelling of three or more units by any other name, the storage of propane tanks inside units or on balconies is prohibited. Recreational barbecuing shall be prohibited on any balcony or under any overhanging portion or within 15 feet of any structure, except that the use of electrical ranges or electrical grills shall be permitted. The use of outdoor fireplaces on balconies is prohibited.

(2) Unattended burning. It shall be prohibited for open burning, commercial barbecuing, and outdoor fireplaces to be unattended at any time. In the event that any open burning, commercial barbecuing, or outdoor fireplaces are found to be unattended, the fire marshal, code official, fire officer, or police shall order the open burning extinguished.

(g) *Fines*. Any owner, occupant, contractor, or body corporate found to be in violation of this section shall be issued a summons as provided for in Appendix F—Fees and Fines.

(h) *Authority of the fire marshal*. The fire marshal is authorized to impose a ban on open burning if weather conditions do not safely permit open burning. The fire marshal or fire officer shall order any fire extinguished that is deemed unsafe or not in compliance with this section of the Dover Code.

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BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, Section 46-7 - Preventable and Malfunctioning Alarms to the Fire Company, be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in red strikeout as follows:

Sec. 46-7. - Preventable and malfunctioning alarms to the fire company.

(a) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Automatic telephone dialing device and *digital alarm communicator system* mean an alarm system which automatically sends a prerecorded voice message or coded signal over regular telephone lines, by direct connection or otherwise, indicating the existence of the emergency situation that the alarm system is designed to detect.

~~***Fee***~~ ***Fine*** means the assessment of a monetary charge, payable to the city, authorized pursuant to this section, to defray the expenses of responding to a preventable alarm or alarm malfunction.

Fire alarm installation report means a report, in a form approved by the fire marshal, with the following minimum information:

(1) The name, address, business and home telephone number of the owner, lessee, operator, manager or person in possession of the premises wherein the alarm system is installed.

(2) The name***,*** address***,*** and telephone number of a minimum of two persons who can be notified by the Robbins Hose Company in the event of the activation of the alarm system, who shall be capable of responding to the premises within 30 minutes, and who ~~is~~ ***are*** authorized to enter the premises to ascertain the status thereof.

Fire alarm malfunction means the activation of any alarm, which results in the response of the fire department, caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance.

Fire alarm system means any mechanical, electrical or radio-controlled device which is designed to emit a sound or transmit a signal or message when activated or any such device which emits a sound and transmits a signal or message when activated because of smoke, heat or fire. Without limiting the generality of the foregoing, the term "fire alarm system" shall be deemed to include audible alarms at the site of the installation of the detection device, proprietor alarms and automatic telephone direct dial devices or digital alarm communicator systems. A single station alarm device shall not be deemed to be an alarm system under this section.

Fire alarm technician means any person who inspects, installs, repairs or performs maintenance on fire alarm systems and is licensed by the state or works under a state licensed alarm contractor.

Operative alarm system means an alarm system which the owner of a premises is required to maintain in an operative condition pursuant to statute, law, ordinance, rule or regulation of the state or the city.

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Owner means any person who owns the premises in which an alarm system is installed or the person or persons who lease, operate, occupy or manage the premises.

Premises means any building or structure, or combination of buildings and structures, which serve as dwelling units, single-family or multifamily, or any other area within a building or structure, or combination thereof, which is used for any purpose, other than residential, wherein an alarm system is installed.

~~***Preventible***~~ ***Preventable*** *alarm* means the activation of any alarm, which results in the response of the fire department, caused by the negligence or intentional misuse of the system by the owner or his***/her*** employees, servants or agents; or any other activation not caused by heat, smoke or fire, exclusive of a "fire alarm malfunction" as defined in this section. An alarm is not considered a ~~**preventible**~~ ***preventable*** alarm if the alarm is activated due to malicious causes beyond the control of the owner.

Serve means hand-delivery, by a representative of either the fire department or police department, to the owner or authorized representative who responded to the premises. In the event the owner or authorized representative fails to respond to the premises within 30 minutes, the term "serve" shall mean placing the form or other matter in the United States mail, addressed to the owner or authorized representative.

Single-station alarm device means an assembly incorporating the detector, control equipment and alarm-sounding device in one unit, operated from a power supply either in the unit, or obtained at the point of installation.

~~**(b) *Fire alarm installation report.***~~

~~**(1) *Required.* Every person who installs, owns, leases, possesses or operates any fire alarm system within the city shall notify the office of the fire marshal of the alarm system and necessary information about the system through a fire alarm installation report, which shall be completed and forwarded to the office of the fire marshal. When any of the information required has changed, it shall be reported by the owner within 15 days of such change.**~~

~~**(2) *Test.* No fire alarm system acceptance test shall be performed until the fire alarm installation report is complete. It shall be the duty of the fire alarm installation company to provide the owner with a current copy of the fire alarm installation report.**~~

(~~**c**~~***b***) *Responsibility for malfunctioning and* ~~**preventible**~~ ***preventable*** *alarms, owner response, and corrective action.*

(1) *Generally*. The responsibility for a preventable or malfunctioning alarm shall be that of the owner of the premises in which the fire alarm system is installed. A response to a preventable or malfunctioning alarm shall result when any fire marshal or member of the fire department shall be dispatched to the premises where the alarm has been activated or learns of the activation of the alarm system, by any means whatsoever, and responds thereto by traveling to that premises. After responding to a malfunctioning or preventable alarm, the responding official shall notify the owner or his***/her*** authorized representative and such person shall thereupon travel to the premises to ascertain the status thereof. Should the person notified

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fail to appear at said premises within 30 minutes after being notified to do so, the ~~city may charge~~ ***fire marshal may issue*** the owner of the premises a ~~fee~~ ***fine*** as provided for in Appendix F—Fees and Fines. The official or member of the fire department who responded to said premises shall ~~forward a fire alarm activation report to~~ ***notify*** the fire marshal's office.

(2) *Malfunction*. In the event of a fire alarm deemed by the responding official to be the result of a fire alarm malfunction, the owner will be served a ~~fire alarm activation report~~ ***notice of violation form***, indicating that the activation was deemed to be the result of a fire alarm malfunction, and requiring the owner to ~~return a completed affidavit of service/repair within 15 days of said alarm activation, which can verify~~ ***provide documentation that the fire alarm component that caused the fire alarm malfunction has been corrected***, to the satisfaction of the fire marshal, ***and*** that the fire alarm system in question has actually been examined by a fire alarm technician and that a bona fide attempt has been made to identify and correct any defect of design, installation or operation of the fire alarm system which was identifiable as the cause of the fire alarm malfunction. Failure to return ~~an affidavit~~ ***documentation*** of service/repair within ~~said 15-day period,~~ ***the period of time stated on the notice of violation,*** which is satisfactory to the fire marshal, will result in assessment against the owner of a ~~fee~~ ***fine*** for the fire alarm malfunction as provided for in Appendix F—Fees and Fines.

(~~d~~***c***) ~~Fee~~ ***Fine*** *charges; multiple fire alarm malfunctions or* ~~preventible~~ ***preventable*** *alarms.*

(1) *Amount of* ~~fee~~ ***fine***. A ~~fee~~ ***fine*** may be assessed for the third and subsequent malfunctioning or preventable alarms at the same premises responded to by the fire department within the prior 12-month period. Thereafter, the ~~fees~~ ***fines***, as provided for in Appendix F - Fees and Fines, shall be paid by the owner for each preventable or malfunctioning fire alarm responded to by the fire department at the same premises during a 12-month period beginning with the date of the first alarm.

(2) *Panel reset*. Once a preventable alarm or fire alarm malfunction has been responded to by the fire department, it shall be unlawful for the alarm panel to be reset by any person until the authorization of the fire department has been obtained. A ~~fee~~ ***fine*** as provided for in Appendix F—Fees and Fines may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives.

(3) *Insufficient alarms*. When any premises are protected by a fire alarm system that, in the opinion of the fire marshal or his***/her*** deputy(ies), will not safely alarm the occupants of a fire, the fire marshal or his***/her*** deputy(ies) may close said building, or a portion of said building, to human occupancy until the problem with the fire alarm is corrected and a written report from a licensed fire alarm company is submitted to the fire marshal.

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, be amended by inserting a new Section 46-9 - Fire Hydrants and Fire Department Connections, to read as follows:

Sec. 46-9. - Fire hydrants and fire department connections.

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(a) It shall be unlawful for any person to park, place, or keep any vehicle or object within ten feet of a fire hydrant or fire department connection on any city street or public property.

(b) Fire hydrants public and private shall have their tops painted with the appropriate color to indicate flow, and the remainder of the hydrant shall not be painted any color other than red unless approved by the fire marshal and public works department.

(c) It shall be unlawful to knowingly impair or tamper with a fire hydrant or fire department connection so as to make it non-operational when needed.

(d) It shall be unlawful for any person other than members of a fire department engaged in the performance of their duties, any person in the event of an emergency endangering life or property, or any city department for authorized purposes to open, use or take water from any fire hydrant.

(e) During times of inclement weather, snow shall not be plowed or piled as to obstruct the use of fire hydrants on private property.

(f) Fire hydrants shall be installed per the requirements of City of Dover Public Utilities Water/Wastewater Handbook, NFPA requirements, and Delaware State Fire Prevention Regulations.

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, be amended by inserting a new Section 46-10 - Notifying the Fire Department, to read as follows:

Sec. 46-10. - Report of fires required; spreading of alarm.

It shall be the duty of the owner, manager, occupant, responsible person or any person in direct control of any building or premises of any kind, upon discovery of a fire or evidence of there having been a fire even though it has apparently been extinguished, or upon receiving information that there is or was a fire on the premises, to immediately and with all reasonable dispatch and diligence call or otherwise notify the fire department of the existence, circumstances, and location of such fire and to spread an alarm to all occupants of the building. This requirement shall not be construed to forbid any person to use all diligence necessary to extinguish such fire prior to the arrival of the fire department.

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, be amended by inserting a new Section 46-11 - Unlawful Regulation or Order, to read as follows:

Sec. 46-11. - Unlawful regulation or order.

No person shall make, issue, post, or maintain any regulation or order, written or verbal, that would require any person to take any unnecessary delaying action prior to reporting a fire to the fire department.

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BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article I - In General, be amended by inserting a new Section 46-12 - Maintaining Records for Inspections, to read as follows:

Sec. 46-12. - Maintaining records for inspections.

The building or property owner or manager of any occupancy required to have an annual fire/life safety inspection conducted by the fire marshal's office shall maintain a fire inspection log with the documentation pertinent to that occupancy for the preceding three years, as follows:

(a) Annual fire alarm system certificate of inspections
(b) Annual fire suppression system certificate of inspections
(c) Annual hood suppression system certificate of inspections
(d) Annual elevator certification of inspection
(e) Annual fire extinguisher inspection paperwork
(f) Six-month steam cleaning paperwork for hood suppression system
(g) Two year boiler inspection paperwork
(h) Three or five year electrical inspection paperwork
(i) Current respondent information
(j) Monthly fire extinguishers visual check
(k) Monthly exit lights test
(l) Monthly emergency lighting test.
(m) Monthly generator run
(n) Self-closing fire door & exit hardware
(o) Fire drills

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes, Section 46-124 - Fire Marshal, be amended by inserting the text indicated in bold, blue, italics as follows:

Sec. 46-124. - Fire marshal.

(a) *Selection*. There shall be a fire marshal, who shall be selected by the city council at its annual meeting.

(b) *Fire prevention*. The fire marshal or his***/her*** authorized agent shall enforce this article and any other fire prevention provisions of this Code and any other fire prevention regulations applicable to the city.

(c) *Investigation of fires*. The fire marshal or his***/her*** deputies shall be responsible for the investigation of the origins and causes of fires and explosions within the corporate limits of the city, which involve the loss of life or injury or cause destruction or damage to property. Such investigation shall be initiated immediately upon the occurrence of such fire or explosion. Upon request of the fire marshal, the city police shall be authorized to assist the fire marshal in the performance of his***/her*** duties. When any fire or explosion is found to be suspicious or criminal in nature or causes serious injury or death, the fire marshal or his***/her*** deputies shall contact the city police and, per the agreement of the fire marshal and chief of police, conduct a joint investigation into the origin and cause of the fire or explosion.

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(d) *Hazardous conditions*. When, in the opinion of the fire marshal or code official, a fire or life safety hazard is of imminent danger to occupants of a building, structure or outdoor event, the fire marshal or code official may order the unsafe condition removed, said building or structure evacuated or outdoor event terminated.

(e) Right of entry. The fire marshal or his/her designee is authorized at all reasonable times to enter and examine any building, marine vessel, vehicle, or premises for the purposes of making fire safety inspections. Before entering a private building or dwelling, the fire marshal or his/her designee shall obtain the consent of the occupant thereof or obtain a search warrant authorizing his/her entry for the purpose of inspection, except in those instances where an emergency exists. As used in this section, "emergency" means circumstances which the fire marshal or his/her designee knows or has reason to believe exist, and which reasonably may constitute immediate and grave danger to life or property.

(f) Implied consent. Application for, or acceptance of, any license or permit requested or issued pursuant to City Code constitutes agreement and consent by the person making the application or accepting the license or permit to allow the fire marshal or his/her designee to enter the premises at any reasonable time to conduct such inspections as required by this code or deemed necessary by the fire marshal or his/her designee to determine compliance with the requirements for such license or permit.

(g) The fire marshal or code official may placard any building damaged by fire or explosion as being a health hazard and unsafe to enter. No one shall enter any building having been placarded by the fire marshal or code official as being a health hazard and unsafe without first contacting the fire marshal.

(h) It shall be unlawful to enter any premise, structure, building, or vehicle which has been damaged by fire or explosion for the purpose of removing, altering or tampering with any part of the structure, appliance, or object identified and tagged by the fire marshal as being a possible ignition source or cause of the fire or explosion, without approval of the fire marshal, until the conclusion of the investigation.

BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes, be amended by inserting a new Section 46-128 - Marking Rated Walls, to read as follows:

Sec. 46-128. - Marking Rated Walls

(a) Fire walls, fire barriers, shaft enclosures, fire partitions, and smoke barriers shall be labeled with their rating. Markings shall be red in color, located on both sides of the separation wall, a minimum of four inches in height, and no more than fifteen feet apart for the length of the wall. Markings shall be visible when ceiling tiles are removed for inspection.

(b) Ratings are to be marked as follows:

One hour separation. 1HR
Two hour separation. 2HR
Three hour separation. 3HR
Four hour separation. 4HR
Smoke Barriers. . . . . SB

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BE IT FURTHER ORDAINED THAT

Chapter 46 - Fire Prevention and Protection, Article IV - Public Occupancies, Section 46-168 - Reinspection Fee, be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in bold, red, strikeout as follows:

Sec. 46-168. - Reinspection fee.

(a) *Amount*. There is hereby created a reinspection fee as provided for in Appendix F—Fees and Fines that shall be charged for any repeated violation cited by the fire marshal, determined to be a violation and which requires a follow up inspection to confirm the correction of the violation.

(b) ~~***Sending of bill.* Reinspections for the above referenced violations shall cause the fire marshal to direct a bill to be sent to the operator having had such violations.~~ ***Fee attached. A fee may be attached to any summons written for any violation found to still be uncorrected upon reinspection.***

~~**(c) *Failure to pay*. Failure to pay the reinspection fee within ten days from the receipt of such bill may permit the city's fire marshal to suspend, without warning, notice or hearing, any permit to operate a public occupancy for noncompliance with the requirement of this section**~~.

BE IT FURTHER ORDAINED THAT

Appendix F - Fees and Fines, be amended by inserting the text indicated in bold, blue, italics, as follows:

Sec. 46-3	Impairment of Fire Protection Equipment		
	Subsec. ~~**(d)**~~***(f)***	Fines	$50.00 first offense; $100.00 second and subsequent offenses
Sec. 46-7	Preventable and malfunctioning alarms to the fire company		
	Subsec. ~~**(c)**~~***(b)***(1)	Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a ~~**fee**~~ ***fine*** of $75.00
	Subsec. ~~**(c)**~~***(b)*** (2)	Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Malfunction	Failure to return ~~**an affidavit**~~ ***documentation*** of service/repair within ~~**said 15-day period,**~~

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				the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a ~~fee~~ ***fine*** for the fire alarm malfunction
	Subsec. ~~(d)~~*(c)* (d)(1)	~~Fee~~ ***Fine*** charges; multiple fire alarm malfunctions or preventable alarms; Amount of ~~fee~~ ***fine***		
		Number of preventable or malfunctioning fire alarms		~~Fee~~ ***Fine*** per preventable or malfunctioning fire alarm
			Third	$75.00
			Fourth	$100.00
			Fifth	$200.00
			All over fifth, each	$250.00
	Subsec. ~~(d)~~*(c)*(2)	~~Fee~~ ***Fine*** charges; multiple fire alarm malfunctions or preventable alarms; Panel reset		A $25.00 ~~fee~~ ***fine*** may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department arrives
Sec. 46-168	Reinspection Fee			
	Subsec. (a)	Amount		$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a followup inspection to confirm the correction of the violation

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	Subsec. (b)	***Fee Attached***	***A fee may be attached to any summons written for any violation found to be uncorrected upon reinspection.***

ADOPTED: *

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SYNOPSIS

This proposed ordinance would amend Chapter 46 - Fire Prevention and Protection and Appendix F - Fees and Fines to clarify existing language and create new subsections which would make it unlawful for any person to tamper with or impair any fire protection system from operating as designed; specify the authority of the fire marshal; prohibit open burning, commercial barbecuing, and outdoor fireplaces to be unattended at any time and authorize the fire marshal, code official, fire officer, or police to order the open burning extinguished; and remove the requirement for fire alarm installation reports. It would also create new sections to address fire hydrants and fire department connections; the report of a fire and spreading of alarm; unlawful regulations or orders; maintaining records for inspections; and marking rated walls.

(SPONSORS: STAFF)

Actions History

September 10, 2012 - Scheduled for Public Hearing/First Reading by City Council

August 29, 2012 - Considered by the Safety Advisory and Transportation Committee

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