REGULAR COUNCIL MEETING
A G E N D A

APRIL 9, 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 COUNCIL PRESIDENT LEARY

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 March 12, 2012**

2. Presentations
- **A. Friends of the Dover Library Presentation of Donation**
- **B. Awards by Downtown Dover Partnership - St. Patrick's Day Parade**
- **C. Police Department Annual Report**
- **D. Certificate of Recognition - Dover Police Department - Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) Accreditation with Excellence Award**

3. Proposed Resolution No. 2012-04 - Authorizing Bank Qualified Loan *(Pending Governor Markell's Signature on SB 173)*

4. Appeal of Denial - D&S Investment Company - 149 South Governors Avenue - Administrative Building Permit ***(Tabled at Council March 12, 2012)***

5. Public Hearings - Violations of Dangerous Building Ordinance
- **A. Property located at 344 West Wind Drive, Owned by Rochelle Ross** *(Emergency Case)*
- **B. Property Located at 726 Slaughter Street, Owned by Joe Burden**

6. Public Hearing/Final Reading - Proposed Ordinance #2012-04

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of January 23, 2012. Copies of the proposed ordinance are available at the entrance of the Council Chambers.

A. Ordinance #2012-04 - Rezoning Request for properties located at 4 Mifflin Road, consisting of $1.25^{+/-}$ acres, owned by Peter and Bonnie Reidy, and 24 Mifflin Road, consisting of $0.55^{+/-}$ acres, owned by Robert Klewans and Carol Candor, and 1510 Forrest Avenue, consisting of $0.41^{+/-}$ acres, owned by Doreen E. Lucas. The properties are currently zoned R-8 (One Family Residence Zone) and subject to COZ-1 (Corridor Overlay Zone) and the proposed zoning is C-2A (Limited Central Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone)
(TAX PARCELS: ED-05-076.09-01-11.00; ED-05-076.09-01-12.00; AND ED-05-076.09-01-08.00; PLANNING REFERENCE Z-12-01; COUNCIL DISTRICT 1)

7. Utility Committee Report - March 12, 2012

A. Request for Amendment to Resolution #2010-07 (Adopted August 9, 2010) - Wesley College Alley and Street Abandonment
(Committee Recommended Approval of the Planning Commission's Recommendation to Approve the Request by Wesley College for an Amendment to Resolution #2010-07 to Allow for the Immediate Abandonment of the Streets and Alleys) (It Is Recommended That a Public Hearing Be Set to Consider Resolution No. 2012-05 Amending Resolution No. 2010-07)

B. Request for Alley Abandonment (Improved) - East Side of North Bradford Street (Additional Alley in Conjunction with the Wesley College Streetscape Master Plan)
(Committee Recommended Approval of the Request for Abandonment of a Segment of the Fulton Street Alley South Located on the East Side of North Bradford Street, as Recommended by the Planning Commission) (City Clerk's Note: In Accordance with the City's Procedure for Alley Abandonments, Resolution No. 2012-03 Setting the Public Hearing Is Presented to Council for Consideration for Adoption.)

* **C. Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater)**
(Committee Action Not Required)

* **D. Updates**
(Committee Action Not Required)

* **8. Legislative, Finance, and Administration Committee Report - March 12, 2012**

A. Recommendation of Civilian Pension Board - Cost of Living Adjustment (COLA)
(Committee Recommended Tabling Consideration of a Cost of Living Adjustment (COLA) for Retirees and That Staff Include this Item to Be Discussed During the Council Retreat to Consider Possible Funding to Provide a One-time COLA)

B. Approval of Transfer of Additional Reciprocal Borrowing Funds
(Committee Recommended Transferring $15,000 (Residual Reciprocal Borrowing Funds Contributed by Kent County) from the General Fund to the Library Reserve Fund)

C. Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012
(Committee Recommended Adoption of Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012) **(See Item #14-A)**

D. Public Comment Period
(Committee Action Not Required)

* **9. Special Parks, Recreation, and Community Enhancement Committee Report - March 15, 2012**

A. Community Development Block Grant (CDBG) Application Review

(Committee Recommended Approval of the Distribution of the CDBG Grant Monies Based on the Scoring of the Grant Applications Conducted by the Committee)

10. Special Legislative, Finance, and Administration Committee Report - March 27, 2012

A. Consideration of Re-titling and Re-grading - City Clerk and Assistant City Clerk Positions

(Committee Recommended Approval of the Re-titling and Regrading of the City Clerk and Assistant City Clerk Positions, as Recommended by Staff)

B. Review and Recommendation - Filling Critical Positions

b-1. Administrative Assistants (2) - City Clerk's Office *(This Request Includes Re-titling and Re-grading of the Positions)*

(Committee Recommended Approval of the Request to Fill the Two (2) Administrative Assistant Positions, with the Re-titling and Re-grading of the Positions, and the Hiring of a Temporary Administrative Assistant, as Recommended by Staff)

b-2. Payroll Specialist - Finance Department

(Committee Recommended Approval of the Request to Fill the Position of Payroll Specialist in the Finance Department, as Recommended by Staff)

b-3. Inspector I - Planning and Community Development

(Committee Recommended Approval of the Request to Fill the Position of Inspector I in the Code Enforcement Division of the Planning and Community Development Department, as Recommended by Staff)

b-4. Library Clerk I (4) - Dover Public Library

(Committee Recommended Approval of the Request to Fill the Four (4) Library Clerk I Positions for the Dover Public Library, as Recommended by Staff)

C. Assignment of Emergency Management Coordinator Responsibilities

(Committee Recommended Postponing Action Regarding the Assignment of Emergency Management Coordinator Responsibilities Until the Legislative, Finance, and Administration Committee Meeting Scheduled for April 9, 2012)

11. Legislative, Finance, and Administration Committee Report - April 9, 2012

(Except for the Following Time Sensitive Issue, the LF&A Committee Report from April 9, 2012 Will Be Presented to Council During Their Regular Meeting of April 23, 2012 for Review and Consideration)

A. Review and Recommendation - Filling of Critical Position - Patrolman (Police Department)

* **12. Monthly Reports - February 2012**

A. Budget
B. Chief of Police
C. City Assessor
D. City Manager
E. City Planner
F. Dover Fire Department
G. Capital Investment Plan (CIP)

* **13. Appointment Recommended by Mayor Carleton E. Carey, Sr. - Planning Commission - Kathleen H. Still (***To Fill the Unexpired Term of Michael Hemmig - Term to Expire June 2013***)**

14. <u>First Reading - Proposed Ordinance #2012-09</u>
The First Reading is offered on the following proposed ordinance. Final action by Council will take place during the Second Reading of the ordinance on April 23, 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. Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012
(Legislative, Finance, and Administration Committee)

15. <u>First Reading - Proposed Ordinance #2012-11</u>
The First Reading is offered on the following proposed ordinance. Since it is an amendment to the Zoning Ordinance, it is recommended for referral to the Planning Commission on May 21, 2012, and that a Public Hearing be set for June 11, 2012 at 7:30 p.m. and that the Second Reading and Final Action by Council take place at that time. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

A. Proposed Ordinance #2012-11 Amending the Zoning Map, Source Water Protection Overlay Zone - Tier 3 Excellent Recharge Area in the Vicinity of North DuPont Highway and Leipsic Road (Planning Office File Number MI-12-06)

16. <u>Final Reading - Proposed Ordinance #2011-31</u>
The First Reading of the following proposed ordinance was accomplished during the Council Meeting of November 28, 2011. Copies of all proposed ordinances are available at the entrance of the Council Chambers.

A. Ordinance #2011-31 - Amending Chapter 102 Taxation, Article I - In General, Section 102-1 - Valuation and assessment with LF&A-1 and Senate Amendment No. 1 to SB 166

17. <u>Final Reading - Proposed Ordinances</u>
The First Reading of the following proposed ordinances was accomplished during the Council Meeting of March 12, 2012. Copies of all proposed ordinances are available at the entrance of the Council Chambers.

A. Ordinance #2012-07 with LF&A-1 - New Appendix E - Commercial Building Redevelopment
B. Ordinance #2012-06 Creating a New Chapter 59 - Juvenile Curfew
C. Ordinance #2012-08 with S-1 - Amending Chapter 70 - Offenses and Miscellaneous Provisions

18. Council Members Announcements

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.