# 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**

**/tm**
**S:\AGENDAS & MINUTES\Council-Agendas\2012\04-09-2012.wpd**

***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.***

# REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 12, 2012 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mr. Lynn, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison. Mrs. Russell and Dr. McGlumphy were absent.

Council staff members present were Police Chief Hosfelt, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, Fire Chief Fortney, Mr. Koenig, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Carey was absent.

## 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.

Mr. Charles Moore, 405 Division Street, yielded his time to Pastor Gregory Gordon.

Pastor Gregory Gordon, 54 S. New Street, addressed members regarding an issue involving Mr. Charles Moore. He noted that the residence of Mr. Moore at 405 Division Street is owned by Mr. Joe Burden. In an attempt to have the electric service for his residence put into his name, Mr. Moore overheard City employees confirming that no action was to take place for properties owned by Mr. Joe Burden. Pastor Gordon stated that he understood that Mr. Burden had outstanding debts owed to the City; however, he noted that Mr. Burden had paid more than $25,000 in property taxes, a substantial amount toward his rental fees, etc. Although he understood the City's position regarding delinquent landlords, he noted that this type of action also penalizes the tenant. He stated that without tenants, Mr. Burden would not have the income to pay the fees owed to the City.

Pastor Gordon advised members that one of Mr. Burden's tenants has an outstanding electric bill in the amount of $1,200. Since the electric service was in Mr. Burden's name, Mr. Burden requested that the City disconnect electric service to the property; however, he was advised that he did not have the authority to disconnect the electric service at the property. In addition, he noted that the City would not permit tenants to transfer electric service into their own names, resulting in a "Catch 22."

Pastor Gordon stated that Mr. Moore is required to wear a monitoring machine and has not been able to do so for two (2) weeks, and although he has paid his rent, his security deposit, and is ready to pay for electric service, the City refused to turn on the electric service to his residence and he requested City Council's assistance with this matter.

Ms. Lori Alberts, 444 North School Lane, Smyrna, stated that she had several questions and concerns regarding Proposed Ordinance 2012-08, which would prohibit registered Tier II and Tier III sex offenders from living or working within 500 feet of a daycare center and from participating in certain events involving children. Although she supported efforts to protect the safety of children, she felt that the proposed ordinance would not accomplish anything but placing a burden on individuals who have already paid their debt to society and would also impair their ability to be a part of society. Ms. Alberts stated that the ordinance would not prohibit a registered sex offender who lives 501 feet away from a daycare center from walking or driving by it, or parking across the street from a daycare. She stated that the ordinance addresses all Tier II and Tier III sex offenders rather than specifying

"child predators." It was her feeling that this would violate the civil rights of some sex offenders by creating prejudice against a certain group of citizens and forcing them to move.

Ms. Alberts questioned if the ordinance addresses all licensed daycare facilities including those in private residences. Referring to children who are in facilities that are not licensed, she asked how the City intended to provide them protection. She questioned if the City would be zoning daycares between schools and parks to prevent sex offenders from living in particular neighborhoods and if the area the City would be zoning for sex offenders (a "concentration camp") would include enough affordable housing and jobs. Ms. Alberts also questioned if it is a good idea to have a group of sex offenders residing together in a concentrated area and if there would be children in the area. She asked if daycare facilities would be prevented from opening within 500 feet of registered sex offenders.

Mrs. Lynne Sadusky, 137 Brandywine Drive, relayed her concerns regarding Proposed Ordinance #2012-08, which would prohibit registered Tier II and Tier III sex offenders from living or working within 500 feet of a daycare center and from participating in certain events involving children. Having seven (7) children herself, she assured members of her support for protecting children; however, she did not feel that the proposed ordinance takes into account the reality of the situation. Mrs. Sadusky explained that although not all registered sex offenders have committed crimes against children, the ordinance would "lump" all sex offenders into the same group, which she felt was unfair, even for those who may have committed a serious crime against an adult. She questioned the logic of preventing such sex offenders from living in locations that are close to daycare centers if their crimes were committed against adults and they obviously have no interest in children. It was her feeling that a reasonable ordinance should address pedophiles specifically and not all sex offenders.

Mrs. Sadusky advised members that she volunteers at the Smyrna Prison and that registered sex offenders have often served time and are doing their best to reform when released. She explained that these men have very little support once released and have difficulty obtaining employment and a place to live. Mrs. Sadusky did not feel that registered sex offenders who have established themselves should be required to move due to close proximity to a daycare facility. She relayed her understanding for the need for such an ordinance involving pedophiles; however, she did not feel that it was just to penalize all registered Tier II and III sex offenders.

The invocation was given by Chaplain Dixon, followed by the Pledge of Allegiance.

## AGENDA ADDITIONS/DELETIONS

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

Mr. Anderson requested that Item #10-A, Monthly Budget Report, be removed from the consent agenda.

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

**ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF FEBRUARY 27, 2012**

**The Minutes of the Regular Council Meeting of February 27, 2012 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Williams and bore the written approval of Mayor Carey.**

**ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF FEBRUARY 27, 2012**

**The Minutes of the Special Council Meeting of February 27, 2012 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Williams and bore the written approval of Mayor Carey.**

**PRESENTATION - FIRE DEPARTMENT ANNUAL REPORT**

Fire Chief Jack Fortney reviewed a Presentation of the Dover Fire Department Annual Report.

In response to Mr. Bonar, Chief Fortney indicated that he would provide members with the costs for responding to false alarms and assured members that the Fire Marshal's Office issues fines for false alarms. *(Clerk's Office Note: Subsequent to the meeting, the Fire Department provided an estimate indicating that approximately $51,048.90 of City funds were spent responding to false alarm calls during the previous fiscal year, based on 365 false alarms at a cost of $139.86 per incident.)*

Mr. Bonar explained that the Dover Fire Department is a volunteer fire organization but if it were a paid fire department, it would require $14M in additional tax revenue. As a result, he felt that the City and its residents owe a great deal of gratitude to the Dover Fire Department and its volunteers. He noted that recruitment and retention are some of the biggest challenges for the Fire Department, which welcomes prospective new members if they meet the required qualifications and complete a background investigation.

Mr. Hutchison relayed appreciation to the volunteers of the Dover Fire Department and commended the membership for an outstanding safety record.

Mr. Hare noted that the Dover Fire Department has had a faster response time than paid fire departments in the State. Noting that he had been hospitalized during a recent hurricane, he relayed appreciation to the Fire Department for ensuring that the hospital retained power during the emergency.

**Mr. Hare moved for acceptance of the Fire Department Annual Report, seconded by Mrs. Williams and unanimously carried.**

**PROCLAMATION - EARTH HOUR (SATURDAY, MARCH 31, 2012 AT 8:30 P.M.)**

The City Clerk read the following Proclamation into the record:

WHEREAS, our nation's use of energy continues to increase, resulting in damaging effects on the world's climate; and

WHEREAS, Earth Hour encourages individuals, businesses, and governments to show leadership on environmental solutions through their actions and to use Earth Hour as a platform to showcase to the world what measures they are taking to reduce their environmental impact; and

WHEREAS, it has been estimated that turning non-essential lights out in America for one hour could save as much as 15% of the energy consumed on an average Saturday night; and

WHEREAS, the energy savings will reduce carbon emissions into our air, preserve the natural resources used to produce this energy, set a positive precedent for the rest of our nation, and result in ongoing reduced costs for the taxpayers and businesses of the City of Dover; and

WHEREAS, residents' participation in Earth Hour shows a commitment to protect the one thing that unites us all – the planet.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby support the observation of Earth Hour in the City of Dover, Delaware, on March 31, 2012, and recommend residents and businesses participate by turning out non-essential lights from 8:30 p.m. – 9:30 p.m.

**PROCLAMATION - IRISH-AMERICAN HERITAGE MONTH**

The City Clerk read the following Proclamation into the record:

WHEREAS, Americans of Irish heritage have lived in the United States since the 17th century, and since the earliest days of our Republic, the faith, values and hard work of Irish-Americans have played an integral part in helping shape our nation and communities; and

WHEREAS, many people of Irish heritage came to America and the State of Delaware fleeing famine and poverty. They came with dreams of opportunity and they helped to build our democracy and advance the cause of liberty; and

WHEREAS, Irish-Americans have made everlasting contributions to our nation, and we honor their service. Throughout our history, Irish-Americans have helped shape this nation by participating in the signing of the Declaration of Independence and serving as Presidents of the United States; and

WHEREAS, during this month of March it is fitting to pay tribute to the contributions made by the Irish and to celebrate their history, heritage and culture, as we reflect upon the legacy bestowed by St. Patrick, the Patron Saint of Ireland; and

WHEREAS, we recognize that we are fortunate to have a thriving population of Irish-Americans, who strengthen our communities, and fellow citizens of Irish ancestry with their many achievements, which have earned them admiration and respect from people worldwide.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of March 2012 as Irish-American Heritage Month in the City of Dover and encourage all citizens to celebrate the culture and traditions of Ireland.

Mayor Carey presented the Proclamation to Ms. Sandra Kinkus, President of the Irish Society. Mrs. Kinkus relayed appreciation for the recognition.

**APPEAL OF DENIAL OF ADMINISTRATIVE BUILDING PERMIT - 149 SOUTH GOVERNORS AVENUE (D&S INVESTMENT COMPANY)**

In accordance with Chapter 1 - General Provisions, Section 1-13 - Denial of permits or approvals for failure to comply with requirements for payment, actions, or filings, of the Dover Code, an appeal hearing has been scheduled for this time and place to consider the denial of permit #12-229 related to 149 South Governors Avenue.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that her department received a building permit application for property located at 149 South Governors Avenue, owned by D&S Investments, for a change in occupancy classification in order for the tenant to open a salon at this location. In accordance with Section 1-13 of the Dover Code, staff denied the building permit due to tax delinquencies for 2010 and 2011 for several properties owned by D&S Investments. In addition, at that time, the property owner had delinquent fines and had not renewed rental permits. Mrs. Townshend noted that staff had provided updated information regarding these delinquencies. She indicated that on Friday, March 10, 2012, the owner paid the rental permit renewals and the delinquent code enforcement fines and, based on information from the City's Customer Service Supervisor, the owner was now current on 2011 taxes. She noted that the appeal was filed prior to the owner making these payments.

Responding to Mr. Hare, Mrs. Townshend confirmed that as of the current date, D&S Investments had no outstanding payments due to the City and that staff could issue the building permit if it was in compliance with the application requirements. Members were provided a spreadsheet of the D&S Investment Company, LLP, Schedule of Real Estate Taxes Due as of March 12, 2012 ***(Exhibit #1)***. Mrs. Townshend stated her understanding that payments were made as recently as earlier in the day and noted that the property owners were present.

At the request of Council President Leary, Mrs. Townshend clarified that, although additional payments had been made, there were still outstanding monies due to the City.

In response to Mr. Anderson, Mrs. Townshend stated that the 2010 taxes have been satisfied.

Responding to Mr. Lynn, City Solicitor Rodriguez explained that, in accordance with the Dover Code, all violations must be made current and staff was directed not to issue permits if there are any delinquencies whatsoever. He noted that this policy applied not only to the particular property but to any real estate owned by the applicant in the City of Dover. He confirmed that the rule of law is that if there are any funds owed, the City cannot grant a permit.

City Solicitor Rodriguez explained that although City Council could discuss the appeal, Council was bound by the ordinance and there could be no exception.

Mr. Lynn felt that the property owners have shown good faith in making their debts with the City current and questioned the ramifications if Council granted the appeal and violated the ordinance.

Responding, City Solicitor Rodriguez stated that although Council would have the right to grant the appeal it would be in opposition to the enforcement of the ordinance and would create an exception. He confirmed that this would create a dangerous precedent.

Concurring with Mr. Hutchison, Mr. Lynn suggested that since the property owners have shown a good faith effort, members of Council could table the matter for 30 days to provide the property owners time to address the outstanding tax bill.

Mr. Hare felt that there would be no need to table the matter, explaining that if the property owners pay their outstanding debts, staff could issue the building permit.

Mr. Doug Doyle, 16 Tam O'Shanter Court, and Mr. Scott Slacum, 349 North Bradford Street, introduced themselves as representatives of D&S Investment Company. Mr. Doyle advised members that in addition to businesses, D&S Investment Company owns 16 properties in Dover. The real estate investment company began 16 years ago and has paid taxes every year and other fees until recent difficult economic times caused outstanding debts. With regard to concerns about setting a precedent, he advised members that a precedent was set in October 2011 when the City required them to have an agreement to pay their outstanding taxes in order for a new tenant to move into a commercial space, which was accomplished. Mr. Doyle requested that they be provided an opportunity to set up a payment plan for their outstanding 2011 taxes, with the understanding that a new tenant could open their business at 149 South Governors Avenue.

Mr. Anderson moved to deny the appeal of D&S Investment Company, seconded by Mr. Hare.

In response to Mr. Hare, Mrs. Townshend stated that if a property owner has a payment agreement with the City and is current, then a building permit can be granted; however, when this building permit was requested, the owners were not current with their agreement, resulting in a denial of the building permit. She noted that the ordinance does not affect business license renewals.

The motion to deny the appeal failed by a roll call vote of four (4) yes, three (3) no (Mr. Lynn, Mr. Bonar, and Mr. Hutchison), and two (2) absent (Mrs. Russell and Dr. McGlumphy). Council President Leary explained that in accordance with Section 10 of the City Charter, an affirmative vote of a majority of the members elected to Council (five (5) members) was required for approval.

**Mr. Anderson moved to table the matter, seconded by Mr. Bonar and carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

**PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - 26 NORTH KIRKWOOD STREET, OWNED BY JOE BURDEN**

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 26 North Kirkwood Street, owned by Mr. Joe Burden. Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the property consists of a two (2) story, wood-framed dwelling. The dwelling was condemned as unfit for human habitation on November 18, 2010 due to the degree of damage to the structure from a fire that occurred on the night of November 17, 2010. On May 20, 2011, City staff registered the

structure as a vacant building; however, no fees have been paid. Mr. Burden attempted to obtain a renovation permit on December 9, 2011 but was denied by the City due to unpaid taxes, fees, citations, and other outstanding charges due to the City of Dover. Currently, the structure is still vacant, with no utilities and in a serious state of disrepair. Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #2)***.

With regard to the outstanding charges owed to the City, Mrs. Townshend advised members that although there are still outstanding fees, when the renovation permit was denied, it was denied based on a larger delinquency.

Staff recommended that City Council: 1) declare this building on this property dangerous; 2) order the property repaired or demolished by April 12, 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. Anderson noted that the owner had paid the taxes due and that the City has limited funds remaining in the budget for demolitions and questioned why the City should pursue demolition when the property owner was willing to make the necessary repairs. Responding, Mrs. Townshend stated that when the renovation permit was submitted and the outstanding fees brought to the owner's attention, staff was advised that there was no money to satisfy the debts. She reminded members that the issuance of a building permit does not indicate that the necessary repairs will be made. She indicated her uncertainty and felt that the issuance of a building permit would only delay the issue. She stated that her concerns were due to the large delinquency that the City has continuously had (and continues to have) with this property owner.

Mr. Anderson noted that the current delinquencies were due to code enforcement issues and that all property taxes have been paid. He questioned why staff would not issue the necessary permits to the property owner in order for him to complete the work required by the City if property owners are given a certain number of days to make repairs. Responding, Mrs. Townshend explained that the "clean hands" ordinance does not provide staff the flexibility to issue permits. Mr. Anderson felt that the demolition ordinance specifically indicates that the City can grant the opportunity to repair a property that is dangerous and, since this would be a public health issue, it would outweigh the "clean hands" ordinance, particularly since the property owner had paid all property taxes.

Mrs. Townshend reminded members that the "clean hands" ordinance applies to all outstanding fees, not just property taxes, and noted that one of the charges due to the City was out of pocket expenses in the amount of $5,800 to remediate a property.

At the request of Mrs. Townshend, City Solicitor Rodriguez explained that the "clean hands" ordinance must be applied to all permits. Responding, Mr. Anderson did not feel that it was the intent of the "clean hands" ordinance to refrain from taking safety issues into consideration and explained his desire to submit an amendment to address this issue.

In response to Mr. Hare, Mrs. Townshend stated that since the property owner had paid some of the fees owed earlier in the day, the estimated remaining balance owed to the City was $17,000-$18,000. Of this amount, the bulk trash fee had been due since April 2011 and some of the Code Enforcement fines had been due since 2009. She noted that this property owner had not paid any of the vacant building registration fees since the inception of the vacant building program.

Responding to Mr. Bonar, Mrs. Townshend indicated that notices of outstanding fees and fines are always sent to property owners by certified mail and that the mailing receipts are maintained in the office files.

Mr. Lynn noted that the City has no discretion to issue a building permit, so the choice for the City was regarding the demolition of the building, and he questioned if the building posed an immediate public safety risk. Responding, Mrs. Townshend stated that there have been quite a few vacant buildings in the area that have burned due to arson and three (3) properties across the street were constantly being entered by vagrants and were demolished. She advised members that although vagrants have not been an issue with the property located at 26 North Kirkwood Street, vacant buildings in this area that are not being repaired and are in a state of deterioration tend to attract vagrancy and concerns associated with vagrancy, such as arson. The nearest structure is located approximately 20 feet from the property; therefore, if the property were to catch fire, it would pose a danger to surrounding structures. She stated that the building has been vacant since the 2010 fire and that there have been no subsequent fires or vagrants. She assured members that the property had been secured (boarded).

Council President Leary declared the public hearing open.

Mr. Joe Burden, owner of the property located at 26 North Kirkwood Street, read the following letter into the record:

> *"To Whom it May Concern:*
>
> *This letter is to appeal the decline of two (2) building permits for fire damage at 726 Slaughter Street and 26 N. Kirkwood Street because my taxes are not up to date for 2011. These two (2) houses were set on fire and the tenants had rental insurance. If you check the record, you will see that I paid $16,000 toward my taxes in January. I am trying hard to pay the taxes but my tenants are not paying their rent. That is why I am behind in my taxes. I received a letter from the inspector's office stating that I need the permits by February 27th or they will take action to demolish my houses. Most of my tenants are unemployed. That is the reason I have been trying to work with them - so that they will not be homeless.*
>
> *I am also appealing a fine of $100 I received from inspector Ed Graves for 28 N. Kirkwood Street because he could not inspect the unit. I called Mr. Graves two (2) weeks ago and left a message on his phone to set up a time and he never returned my call. I received the fine three (3) days after I had called and scheduled the inspection with the clerk. I think her name is Ms. Loretta.*

*I am also appealing the $100 fine I received from Ron Coleman for 45 S. Queen Street about a small shed that a person can store something in like a lawn mower. It is not a new shed but I have seen sheds in other areas of the City look worse then that one.*

*They can see all the problems on my properties but they can not see the same things on other properties. I have been documenting these situations for future reference.*

*I realize I do not have the best tenants because I try to help people that need a roof over their head. If I did background and credit checks, about 70% of the people would not be in my houses.*

*Thank you very much for your thought about letting me get permits for my two (2) houses so I can fix them up and let two (2) families move in. The plans for the repairs have been drawn up and submitted to the planning department.*

*Thank you,*
*Joe W. Burden"*

Mr. Burden advised members that earlier in the day, he paid $9,800 to the City for taxes and $1,344 for rental fees.

Responding to Mr. Anderson, Mr. Burden indicated his understanding of the need for residents to pay taxes and advised members that he paid $16,000 to the City and $27,000 to Kent County in January. He stated that he was doing the best he could with his income and attempting to assist those who were less fortunate by providing them with a place to live.

In response to Mr. Lynn, Mr. Burden stated that he would attempt to pay all fees owed to the City within 30 days; however, he stated his objections to the $5,800 bulk trash fee since the City removed items (appliances such as refrigerators, stove, air conditoning units, etc.) from his property and took them to the dump. He was not allowed to obtain a permit to erect a fence to obscure the view of the items due to outstanding fees owed to the City.

Mr. Anderson relayed concerns regarding the inability of tenants to obtain electric service to properties owned by Mr. Burden due to outstanding debts owed to the City.

Mr. Scott Koenig, City Manager, reminded members that by the time that violations are presented to City Council, staff has exhausted most avenues for obtaining payment of outstanding debts. He noted that the cases brought before City Council at this time involve chronic issues related to the property owner and their non-payment of outstanding debts. He explained that these types of properties are increasing the cost of government due to property maintenance issues, etc. Staff submitted this matter to Council as a last resort and is required to honor the ordinances adopted by City Council.

In response to previous comments of Mr. Anderson regarding electric service, Mrs. Townshend explained that in order for service to be put in a tenant's name, there must be an active, valid rental permit. If the permit was suspended due to code violations, utilities cannot be put into a tenant's name. She advised members that there are several reasons (in addition to delinquent taxes) why tenants would be denied electric service.

Mr. Burden reiterated his attempts to assist those who are less fortunate, particularly during the current economic times and stated that several of his tenants would otherwise be homeless. It was his belief that if such individuals were not provided shelter, there would be more crime in the City.

Pastor Gordon, 54 S. New Street, stated that Mr. Burden was trying to help those who are helpless and noted that he had made attempts to pay the City for his outstanding debts. He suggested that members of Council allow Mr. Burden to continue to rent some of his properties to assist him in making required payments to the City.

Dr. Joe Burden Jr., 2914 Hamilton Avenue, Orlando, Florida, stated that his attendance was in support of his father. He relayed concern with the racial tone in the City and advised members of some of the comments made by City inspectors in this regard. He assured members that he and his father are cognizant of the fact that the City needs tax revenues in order to pay their bills. Due to the racial episodes, he questioned if this is an issue of deteriorated properties or racism and social injustice. He requested that members be aware of the racial overtones and dialogue that are occurring in the City.

Responding to Mr. Anderson, Dr. Burden indicated that he and his father were willing to agree to a payment plan with the City.

Mr. Charles Moore, 405 Division Street, stated that although Mr. Burden may not have the best rental properties, there are worse properties throughout the City. As a tenant, he explained his inability to acquire electric service and suggested that if the City allows Mr. Burden time, he would be able to satisfy his debts.

Mr. Bobby Wilson, 1561 Nathaniel Mitchell Road, requested that members authorize a payment plan for Mr. Burden, explaining that Mr. Burden provides a lot of housing for the less fortunate and that if he was unable to do so, there would be an increase in crime throughout the City.

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

Mr. Anderson moved to table the matter. The motion failed due to the lack of a second.

Mr. Bonar moved to table the matter for a period of 60 days, at the end of which time, if the fees and fines or other monies owed to the City are not paid, that staff be authorized to move forward with demolition based on the findings and the facts that there is a history of code violations dating back to 2000; there are interior and exterior violations, tall grass and weeds, trash violations and debris; the dwelling was subject to a fire on November 17, 2010, was condemned as unfit for human

habitation on November 18, 2010, was registered as vacant by staff on May 20, 2011; the owner applied for a renovation permit on December 9, 2011 which was denied due to outstanding fees, fines, and taxes, which, in part, have now been satisfied; there are outstanding payments due on the subject property for water charges and a vacant building registration fee; and there are outstanding payments on other properties owned by the same owner, including code enforcement fines and fees, bulk trash fees, water, and penalties. The motion was seconded by Mr. Hare.

Responding to Mr. Lynn's concerns, Fire Chief Fortney stated that there are many properties in the City which are in similar condition to the subject property.

**The motion to table the matter for 60 days and to authorize staff to move forward with demolition if the fees and fines and other monies owed to the City are not paid at that time was carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

**PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - 14 SOUTH QUEEN STREET, OWNED BY CHARLES E. MARSHALL**

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 14 South Queen Street, owned by Charles E. Marshall. Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the property consists of a two (2) story, wood frame dwelling. On September 12, 2008, the property was posted for not having any electrical service and then condemned as unfit for habitation on September 15, 2008 due to having no utilities and the degree to which the property was in disrepair. She noted that there were numerous broken windows, missing siding, missing gutters, an unsecurable rear door, and a collapsed rear roof. She advised members that the building was registered by staff as a vacant building on February 12, 2009, and that the owner was ordered to secure the building. No vacant building fees have been paid. Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #3)***.

Mrs. Townshend advised members that staff was preparing to present this building to Council as a dangerous building on November 22, 2010, when the owner requested additional time to make repairs to the structure. The owner obtained the necessary permit on December 1, 2010, but after six (6) months, the permit expired with little work done to the home. The work that was done was not completed to Code specifications. The home is currently still vacant, with no utilities, in a serious state of disrepair, and the rear utility room and part of the rear second story wall are still open to the elements.

Staff recommended that City Council: 1) declare this building on this property dangerous; 2) order the property repaired or demolished by April 12, 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.

Responding to Council President Leary regarding the work that was done when the owner obtained a permit in December 2010, Mrs. Townshend stated that almost none of the work was completed.

In response to Mr. Anderson, Mrs. Townshend indicated that although the previous notices in 2010 were signed for and picked up, all of the notices recently sent to the property owner were returned to the City by the Post Office as "unclaimed."

Council President Leary declared the public hearing open.

Mr. Charles Marshall, 14 South Queen Street, indicated that he has been unable to bring the property up to Code due to illness and requested that members provide three (3) months to complete the necessary repairs.

Responding to Mr. Hare, Mrs. Townshend stated that Mr. Marshall could obtain an extension for the building permit that was issued and assured members that it has always been staff's intention that demolition be used as a last resort. She explained that if staff observes continuous progress being made toward restoring the property, no further action would be taken to demolish the property.

Mr. Hare suggested that Mr. Marshall obtain the necessary permit to begin restoration of the property and that a minimum of one-third of the work be required to be completed by April 12th, considering that the property owner requested three (3) months to complete the repairs.

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

**Mr. Hare moved that, if a valid permit is obtained, the property owner be provided 30 days prior to inspection by City staff to determine if one-third of the work has been completed and if so, that the permit be extended and the property be inspected every 30 days until the end of the 90 days requested; however, if one-third of the required work has not been accomplished at the end of each 30-day period, that the structure located at 14 South Queen Street be declared a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mr. Bonar and carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

By unanimous consent, Council President Leary declared a five (5) minute recess.

Meeting recessed at 9:17 p.m. and reconvened at 9:23 p.m.

**PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2012-02 AMENDING THE 2008 COMPREHENSIVE PLAN BY REPLACING TABLE 12-1: LAND DEVELOPMENT PLAN, MAP 13-1: ANNEXATION AREAS, AND MAP 13-2: POTENTIAL LAND USE FOR ANNEXATION AREAS**

A public hearing was duly advertised for this time and place to consider approval of Ordinance #2012-02 amending the 2008 Comprehensive Plan by replacing Table 12-1: Land Development Plan, Map 13-1: Annexation Areas, and Map 13-2: Potential Land Use for Annexation Areas.

**Mrs. Williams moved that the final reading of the proposed zoning text amendment be acknowledged by title only, seconded by Mr. Bonar and unanimously carried.** *(The First Reading of Proposed Ordinance #2012-02 was accomplished during the Council Meeting of January 23, 2012.)*

Planner's Review

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the petition to amend the Land Development Plan Map of the Comprehensive Plan and the findings and recommendation of the Planning Commission. She advised members that the proposed ordinance consists of two (2) amendments to the 2008 Comprehensive Plan, as follows: 1) Land Development Plan Amendment – Change of land use classification for three (3) parcels located at the southwest corner of Forrest Avenue (Route 8) and Mifflin Road from Residential Low Density to Commercial. This amendment has been requested by the affected property owners, in conjunction with a rezoning request, as specified in the 2008 Comprehensive Plan; and 2) Annexation Plan Amendment – Addition of property south of South Little Creek Road and east of Horsepond Road as "Category 2 Annexation Area" with a land use classification of Agriculture. This amendment has been requested by the affected property owner in anticipation of developing the property as a solar power generation facility.

Referring to the Land Development Plan Amendment, Mrs. Townshend noted that in January and February of 2009, several residents of Mifflin Road had objected to the area being classified as commercial and that City Council voted to keep the area residential. She advised members that the Delaware Department of Transportation (DelDOT) submitted comments recommending that if the area were to be commercial, a lower intensity commercial use be considered that would have less traffic generation than the zoning classification. At this point, she advised members that the rezoning is on a separate track since the public notice requirements were not completed. The rezoning associated with the Land Development Plant Amendment is scheduled to go before the Planning Commission on March 19, 2012 and the applicant has agreed to request a lesser zoning, CP-O, which would permit offices, banks, insurance agencies, etc., rather than retail uses that tend to be high traffic generators and less consistent with residential areas. Mrs. Townshend explained that a separate public hearing would be held for the rezoning request; however, if the Comprehensive Plan were not amended, the zoning could not change.

In response to Mrs. Williams' concerns regarding owners of Brandywine Condominiums, Mrs. Townshend explained that any owner of a condominium unit within 200 feet, as well as the Condominium Association, would have received notice of the rezoning hearing. In regard to traffic concerns, she stated that if the intersection were to develop into a commercial zoning, DelDOT would control the access. It was her feeling that DelDOT would not permit full access (left and right turns) that close to the Mifflin Road intersection.

Mrs. Townshend advised members that following a public hearing before the Planning Commission on February 21, 2012, where two (2) members of the public spoke in opposition to the Land Development Plan Amendment, the Planning Commission recommended that City Council deny the requested Comprehensive Plan Amendment. She stated that no members of the public spoke in regard to the Annexation Plan Amendment and the Planning Commission recommended that City Council approve the requested Comprehensive Plan Amendment.

Responding to Mrs. Williams, Mrs. Townshend stated that residences in the area have deteriorated and that the property at 1510 Forrest Avenue is on a septic system which is failing. Since there is no frontage on Mifflin Road, access to the sewer would require boring under Route 8, which she felt was not realistic or feasible; therefore, if the property remains residential, another septic system would be required. From a utility standpoint, that would not be the City's desire. She stated that if the area were to develop commercially, the utility issues would be less complicated and traffic issues would need to be addressed. The Planning Commission recommended denial of the Land Development Plan Amendment primarily due to concerns of the impact on the residential character of the area. She explained that from staff's analysis, the character of the Route 8 corridor in the City of Dover is not residential; therefore, it is a unique area in the City and finding a compatible land use is a challenge, which led to staff's recommendation for a lower-density commercial rather than a retail classification.

Mrs. Townshend reminded members that if Council chose not to vote in favor of the Planning Commission's recommendations, dissenting members would be required to state their reasons.

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

**Mr. Hare moved for approval of staff's recommendations due to the fact that the character of Route 8 is changing, seconded by Mr. Bonar, and by a roll call vote of five (5) yes (for the reason stated in the motion), two (2) no (Mr. Anderson and Mrs. Williams due to concerns of congestion), and two (2) absent (Mrs. Russell and Dr. McGlumphy), Council adopted Ordinance #2012-02, as follows:**

AN ORDINANCE AMENDING THE 2008 COMPREHENSIVE PLAN BY REPLACING MAP 12-1: LAND DEVELOPMENT PLAN, MAP 13-1: ANNEXATION AREAS, AND MAP 13-2 POTENTIAL LAND USE FOR ANNEXATION AREAS.

WHEREAS, the City Council of the City of Dover, on February 9, 2009, adopted the 2008 Comprehensive Plan pursuant to Title 22, Section 702 of the Delaware Code; and

WHEREAS, the Honorable Jack Markell, Governor of the State of Delaware, certified the 2008 Comprehensive Plan on April 24, 2009; and

WHEREAS, the 2008 Comprehensive Plan allows for an annual amendment process; and

WHEREAS, four property owners have requested amendments to the Land Development Plan Map (Map 12-1) and Annexation Plan (Maps 13-1 and 13-2), in accordance with the process set forth in the 2008 Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on February 21, 2012, after which the Commission made a recommendation in regards to the proposed amendments to the Land Development Plan and Annexation Plan related to the above request.

NOW, THEREFORE, BE IT ORDAINED THAT the Mayor and Council of the City of Dover hereby amend Map 12-1: Land Development Plan, Map 13-1: Annexation Areas, and Map 13-2 Potential Land Use for Annexation Areas of the 2008 Comprehensive Plan, as amended on November 23, 2009; March 14, 2011; and April 11, 2011, by replacing the referenced maps with the Amended Map 12-1, 13-1 and 13-2, presented to City Council on March 12, 2012.

ADOPTED: MARCH 12, 2012

**UTILITY COMMITTEE REPORT - FEBRUARY 27, 2012**

The Utility Committee met on February 27, 2012 with Chairman Bonar presiding.

**Dedication of Rights-of-Way and Public Infrastructure - Lexington Glen - Phase I**

Members were advised that Ashburn Homes, Inc., the party responsible for completing the public infrastructure within Phase 1 of the Lexington Glen 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 an outline of all public improvements associated with Phase 1 and a map showing the general location and configuration of the subject rights-of-way. The total construction value of the public improvements is $1,184,627. Ashburn Homes, Inc. has completed construction of the improvements within Phase 1 in accordance with City standards and specifications. After construction was completed, City 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 by Ms. Sharon Duca, Interim Public Works Director, has been completed.

Mr. Scott Koenig, City Manager, advised members that a one (1) year Maintenance Agreement, Letter of Credit, and a Release of Liabilities is required to be submitted as part of the dedication process. Although the Letter of Credit had not yet been submitted, he stated that it was anticipated that it would be received prior to consideration of the Committee's recommendation by City Council. As-built drawings of the infrastructure have been provided to staff.

Staff recommended acceptance of the dedication of rights-of-way and public infrastructure in Phase 1 of the Lexington Glen Subdivision, with the stipulation that the Letter of Credit must be received prior to Council action, with dedication to include all of the referenced public improvements, as follows:

| Sewer Utility Infrastructure (Construction Value = $234,137 ): | | | |
|---|---|---|---|
| 10" SDR-35 PVC Sanitary Sewer Main | - | 1,865 l.f. | |
| 8" SDR-35 PVC Sanitary Sewer Main | - | 945 l.f. | |
| 6" PVC Sanitary Sewer Laterals | - | 3,430 l.f. | (98 laterals) |
| 4' Diameter Sanitary Sewer Manholes | - | 12 ea. | (67.42 v.f.) |
| 8" PVC Sanitary Force Main | - | 110 l.f. | |

| | | | |
|---|---|---|---|
| Water Utility Infrastructure (Construction Value = $207,148 ): | | | |
| 8" Ductile Iron (Class 52 Cement Lined) Water Main | - | 3,815 l.f. | |
| 6" Ductile Iron (Class 52 Cement Lined) Water Main | - | 160 l.f. | |
| 1" Polyethylene Water Service Lines | - | 3,185 l.f. | (98 services) |
| 8" Gate Valve | - | 13 ea. | |
| 6" Hydrant Valve | - | 7 ea. | |
| Fire Hydrants | - | 7 ea. | |

| | | | |
|---|---|---|---|
| Storm Water Infrastructure (Construction Value = $335,564): | | | |
| Catch Basins | - | 45 ea. | |
| 4' Diameter Storm Sewer Manholes | - | 3 ea. | |
| Outfall Structure | - | 1 ea. | |
| 15" Type III Reinforced Concrete Pipe | - | 2,144 l.f. | |
| 18" Type III Reinforced Concrete Pipe | - | 355 l.f. | |
| 24" Type III Reinforced Concrete Pipe | - | 1,536 l.f. | |
| 30" Type III Reinforced Concrete Pipe | - | 1,023 l.f. | |
| 36" Type III Reinforced Concrete Pipe | - | 408 l.f. | |
| Flared End Sections (Concrete) | - | 8 ea. | |

| | | |
|---|---|---|
| Street Infrastructure (0.5771 miles) (Construction Value = $407,778): | | |
| Nicholas Drive | Station 2+82 to Station 15+55 | 1,273 l.f. |
| Thornton Street | Station 0+00 to Station 10+00 | 1,000 l.f. |
| Lexington Place | Station 11+20 to Station 18+94 | 774 l.f. |

The Committee recommended acceptance of the dedication of rights-of-way and public infrastructure for Lexington Glen - Phase I to include all of the referenced public improvements, as recommended by staff, with the stipulation that the Letter of Credit is received prior to Council action.

Responding to Mr. Bonar, Mr. Koenig advised members that the City received the Letter of Credit and One-Year Maintenance Agreement, dated March 8, 2012.

**Mr. Bonar moved for approval of the Committee's recommendation for the acceptance of the dedication of rights-of-way and public infrastructure for Lexington Glen - Phase I to include all of the referenced public improvements, seconded by Mr. Hutchison and unanimously carried.**

**Cash-In-Lieu of Pump Station Upgrades Agreement - Village of Maple Dale Senior Housing**

Mr. Scott Koenig, City Manager, reminded members that the Village of Maple Dale Senior Housing Subdivision is currently under construction and that the subdivision is in the sanitary sewer basin that flows to the Retreat Pump Station, which is located on Pine Valley Road. The Retreat Pump Station is in need of upgrades in order to properly handle the proposed sanitary sewer flow from the complete build out of the Village of Maple Dale Senior Housing Subdivision. He stated that, typically, the developer would have to perform the upgrades to the infrastructure prior to building residences. The complete replacement of the Retreat Pump Station is planned to occur in Fiscal Year 2016. As such, staff believes that it is in the best interest of all to perform the overall

replacement as planned in Fiscal Year 2016 but to utilize a cash-in-lieu of agreement with the developer rather than perform the upgrades now. He assured members that this would ensure that the new components are not removed after only four (4) years of usage.

Mr. Koenig explained that, in lieu of the pump station upgrades, staff and Becker Morgan Group, Inc., (consulting engineer) agreed that a specified number of residences (30 townhomes and 18 condominium units) could be built without affecting the performance of the existing pump station. This was determined after a fairly extensive technical review of the pump station's capacity and performance, as well as projected flows and construction timeframe. The monetary value of the upgrades that would be required for the pump station ($36,570) was established following staff's review and approval of submitted estimates. Members reviewed a draft agreement in which Maple Dale Country Club, Inc., would pay for the necessary improvements to the pump station. This agreement states that only 30 townhomes and 18 condominium units could be built before the Retreat Pump Station is replaced.

Staff recommended execution of the agreement.

In response to Mr. Hare, Mr. Koenig indicated that construction has already begun on four (4) units and the required building permits have been obtained. He assured members that the City would require payment of the cash-in-lieu amount of $36,570 prior to issuing any additional building permits.

The Committee recommended execution of a cash-in-lieu agreement with Maple Dale Country Club, Inc., with the stipulation that no additional building permits would be issued without receipt of payment in full in the amount of $36,570.

Responding to Mr. Bonar, Mr. Koenig stated that Mr. McAllister submitted a letter dated February 29, 2012 concerning the payment schedule. After reviewing the design review, staff recommended that the agreement be amended to replace paragraphs A and B (of Section I) with a provision that would read essentially as follows:

A. The payment in the amount of $36,570 must be paid prior to the issuance of the thirty first building permit or July 1, 2014, whichever date comes first.

**Mr. Bonar moved for approval of the cash-in-lieu agreement with Maple Dale Country Club, Inc., as amended *(Exhibit #4)*, seconded by Mrs. Williams and carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

**North American Energy Services (NAES) Agreement Extension**

Mr. Scott Koenig, City Manager, advised members that an Operations and Maintenance (O & M) Agreement for the City's electric generating facilities was entered into with North American Energy Services (NAES) in 2006. The previous City Manager was prepared to extend the agreement as it currently stands through May 31, 2014. Mr. Koenig stated that, given recent discussions regarding electric rates and cost of service, staff believes that the City should renegotiate the terms of the O & M Agreement. Mr. Koenig indicated that, based on the review of Mr. Kirk Betts, the City's

Utility Attorney, the initial term of the NAES contract was four (4) years, ending in June 2010, and the agreement has an evergreen provision that would permit the City to extend the agreement on an annual basis after the initial term. All the compensation provisions remain except escalation, which is an annual adjustment. The City may terminate the agreement by giving notice at least 18 months before the proposed termination date. This notice may be given at any time. A request may be made at any time to enter into sole source negotiations with NAES to adjust the terms of compensation.

Staff recommended that Council authorize the City Manager to: 1) issue a letter advising NAES of the City's desire to review and renegotiate the terms of the O & M Agreement; and 2) issue a letter to Mr. Kirk Betts, Utility Attorney, to commence the contract negotiations.

Responding to Mr. Blakeman, Mr. Koenig indicated that the concept of issuing a Request for Proposals (RFP) was discussed by Mrs. Donna Mitchell, Controller/Treasurer, and Mr. Betts. It was his understanding that once NAES is notified of the City's desire to renegotiate, they will respond with a very favorable contract price; however, he assured members that if this is not the case, the City could solicit proposals through the market.

The Committee recommended approval of staff's recommendation to authorize the City Manager to: 1) issue a letter advising North American Energy Services (NAES) of the City's desire to review and renegotiate the terms of the Operations and Maintenance (O & M) Agreement; and 2) issue a letter to Mr. Kirk Betts, Utility Attorney, to commence contract negotiations.

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

**Update - Green Energy Funding and Programming**

Mr. Scott Koenig, City Manager, noted that members received an update on Green Energy Funding and Programming and offered to respond to any questions.

**Update - Garrison Oak Technical Park Project**

Mr. Scott Koenig, City Manager, stated that staff is working on finalizing the plat for the Garrison Oak Technical Park so that lots can be recorded. It was his understanding that Calpine Corporation has filed an application which is scheduled for consideration by the Planning Commission during their March meeting. He noted that the Calpine project will be constructed on one of the lots created by the subdivision of the Garrison Oak Technical Park.

Mr. Koenig advised members that staff has also been working with Becker Morgan Group, the consulting engineer, regarding the construction drawings for the roads and the water and sewer systems associated with the subdivision plan related to the project. He stated that the discussions with Calpine Corporation are separate and on-going.

**Mr. Bonar moved for acceptance of the Utility Committee Report, seconded by Mr. Hare and unanimously carried (Mrs. Russell and Dr. McGlumphy absent).**

**LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - FEBRUARY 27, 2012**

The Legislative, Finance, and Administration Committee met on February 27, 2012 with Chairman McGlumphy presiding.

**Staff Recommendations - Economic Development Office *(Tabled by Committee on February 13, 2012)***

During their meeting of January 9, 2012, Mr. Scott Koenig, City Manager, reviewed a memorandum outlining a recommendation for restructuring the City's Economic Development Office (EDO) and the Downtown Dover Partnership (DDP). Members tabled the matter to allow the DDP Board to submit a response.

During their meeting of February 13, 2012, members again reviewed staff's recommendation for restructuring the City's EDO and, after much discussion, they tabled the matter to allow staff additional time to work with the DDP on the development of a recommendation.

Mr. Koenig stated that, during the deliberations that have taken place over the last two (2) months regarding the recommendation to separate the economic development function of the City from the staffing of the DDP, many details were brought forth, and he felt that the initially proposed concept was lost. In an effort to help move the discussion forward, Mr. Koenig developed a simplified graphic representation of the current EDO/DDP structure and the proposed structure, which would separate the two (2) functions, and he reviewed this concept with members.

Mr. Koenig noted that the long-term cost savings that would be produced by staff's recommendation would apply in two (2) ways: 1) two (2) positions would be cut from the budget and the current employees would be relocated to other departments where vacancies exist; and 2) the City would continue to provide financial support for the DDP; however, there would be no unfunded liability or Other Post-Employment Benefits (OPEB) costs associated with staff hired by the DDP. He reminded members that these are costs that would escalate over time and would impact the budget on a long-term basis under the current structure.

Mr. Koenig reviewed a memorandum that he had prepared to address some of the questions that were posed during the previous Committee meeting regarding this issue. It was noted that one of these questions focused on whether or not the EDO is "profitable." He reviewed an email dated February 21, 2012, submitted by Mr. William Neaton, Economic Development Manager, which supported the profitability of the department. Mr. Koenig stated that some of the information provided in this email was subjective and that the annual budget for this function has averaged approximately $223,000 over the past three (3) fiscal years.

Mr. Koenig stated that one of the reasons for staff's recommendation was to assist with funding the City's budget during the next fiscal year. He reminded members that the EDO was one of the last "umbrellas" of service added to the City's portfolio. It was created in 2008 at a time when the economy started to decline, and since that time this decline has continued. Mr. Koenig noted that there was no revenue stream associated with the services provided when the EDO was created. Since funding resources are constrained, Mr. Koenig stated he felt an obligation to discuss with

members whether the EDO is the most critical service and consideration of: a) the manner in which it is funded; b) how it is operated; or c) the possibility of eliminating it.

It was Mr. Hare's recollection that, in accordance with the City Charter, the Mayor was responsible for the City's economic development and questioned when the Charter was amended to eliminate this responsibility from the Mayor. Responding, Mr. Koenig stated that economic development transferred from the Mayor's oversight to a separate office in 2008.

Mrs. Holly Malone, 115 Shinnecock Road (former member of City Council), stated that the duties of the Mayor are to oversee the Police Department and that the EDO does not fall under the Police Department. Although Mrs. Malone understood that the Mayor promotes economic development, she felt this was not his primary responsibility. She noted that economic development is not currently included in the Mayor's budget.

For clarification, Dr. McGlumphy noted that prior to 2008/2009, economic development was included in the job description and objectives for the Mayor's Office; however, when new job descriptions were developed at that time, economic development was no longer listed under the Mayor's responsibilities. He suggested that Mrs. Malone review the minutes of the Parks, Recreation, and Community Enhancement Committee of June 8, 2009, and September 14, 2009, and the Legislative, Finance, and Administration Committee minutes of November 23, 2009. Dr. McGlumphy explained that these minutes clearly delineate the "power struggle" that occurred regarding the placement of the EDO in the organization, as well as difficulties in the development of its objectives and benchmarks.

Mrs. Malone suggested that the Mayor and City Council work together to enhance construction and building downtown, which is important for the livelihood of the City of Dover.

Noting that there were several concerns regarding staff's recommendation, Mr. Koenig stated no objection to developing an alternative recommendation and expressed his willingness to take direction from the Committee in this regard.

Mr. Lynn reiterated his objections to the EDO being placed under the Planning and Inspections Department, due to potential conflicts of interest. He explained his opinion that it is imperative that the integrity of the Planning Department's opinions with respect to site plans, subdivisions, conditional use, and rezonings be protected from accusations of bias from the opposing public. He felt that the economic development professional would be involved with cultivating projects that would go before the Planning Commission, Board of Adjustment, and City Council. If the economic development professional were placed under the direction of the Planning Director, in his opinion, the Planning Director's independence in these matters would be compromised.

Responding to Mr. Lynn, Mr. Koenig stated that there are numerous models throughout the country that endorse having an economic development professional in the planning area. Although he understood the concerns regarding a potential conflict of interest, he explained that the City's economic development professional does not have independent authority to "make deals" or to offer incentives by his own actions. Any type of proposal for tax abatement or other incentives, over and

above what is prescribed in other plans, would require consideration by Council or another Board for a recommendation and approval. Mr. Koenig stated his belief that the economic development professional for the City would have a relatively small range of items to negotiate within the structure of the City's government. He also felt that no matter where the economic development professional is located, that individual would have to work with the Planning Office in a very integrated fashion, since any proposal presented for economic development would first have the challenge of assuring that it meets land use specifications. Mr. Koenig reminded members that within the City's structure, there are prescribed sets of rules, explaining that the zoning ordinance indicates what can and what cannot be done with a piece of property. The Board of Adjustment is required to be very prescriptive in what is authorized and must provide specific reasons for allowing variances. He assured members that the City of Dover's government is set up in such a sophisticated manner that the City could overcome any related challenges.

Mr. Lynn noted that the definition of recklessness is "the conscious knowledge of risk and a conscious decision to disregard that risk." He felt that staff has stated that there is a potential risk and questioned whether the benefit of placing the economic development professional under the Planning Office would outweigh the risk. He suggested that the economic professional either remain under the City Manager's Office or be moved to the Mayor's Office. Responding, Mr. Koenig felt that there would be risk regardless of where this individual is placed, explaining that challenges would occur under any circumstances when there is opposition to a proposed project. He reiterated his opinion that there would be no more risk for the City if the economic development professional were placed under the Planning Office than any other office, since the City makes professional decisions based on the Dover Code and the best interests of the City.

Mr. Lynn also relayed concern that placing the economic development professional under the Planning Office would diminish the position and give the appearance that they are "less important." Responding, Mr. Koenig stated that prior to the City establishing a dedicated economic development position, economic development for the City was handled through "a committee approach." He explained that parties who were interested in development projects in the City would contact either the Mayor or City Manager and staff would develop an application for the Kent Economic Development Partnership or the Delaware Economic Development Office (DEDO). Several department heads would then fill in their components of the proposal for submission. Mr. Koenig felt that, regardless of whether the economic development position serves as a coordinator or a manager, perceptions of the position would be based on the performance of the individual, in terms of how articulate and engaging they are. He felt that this would determine the amount of respect they are afforded by others in the economic development community. Although he understood that being a department head could add stature to the position, Mr. Koenig reminded members that the City has constrained resources, which was the rationale for staff's recommendation. He explained that placing the position in the City Manager's Office was not considered because Council had previously relayed concerns regarding the number of employees in the City Manager's Office.

Mr. Lynn reminded members that it was previously mentioned that the recommendation was submitted by staff solely for budgetary reasons. He noted that Mr. Neaton testified that the City's EDO has "paid for itself" and referred to the memo provided by Mr. Neaton, dated February 21, 2012, indicating that if the Calpine project (which Mr. Neaton is currently working on) comes to fruition, it would generate $2.3M for the City, which would cover the EDO budget for

10 years. He reiterated his opinion that the City's EDO does "pay for itself" and questioned why there would be any change whatsoever. Mr. Lynn urged members to reject staff's recommendation in its entirety.

Mrs. Williams recalled a previous development project that was handled by the City as a "committee of staff," as previously described by Mr. Koenig, which was a team effort that provided the developer the same message from all facets of the City. She questioned why certain members of Council were attempting to micro-manage staff, explaining that Mr. Koenig was hired as the City Manager and that personnel is not the purview of Council. She suggested that members accept staff's recommendation.

Mr. Hare indicated his concurrence with the concerns of Mr. Lynn regarding the position being placed under the Planning Office. He explained his perspective that the economic development professional seeks businesses to come to the City and that it is not their responsibility to obtain the necessary permits, etc. He suggested that the individual should work with the Mayor and DEDO and should not be a part of the Planning Office.

Mr. Anderson reminded members that in September 2011, he suggested that the EDO be relocated to the Mayor's Office. At that time, it was decided that members should concentrate on the hiring of a City Manager. He suggested that his recommendation be reconsidered, noting that the Mayor's Office is where the businesses are focused, and he stated the need for someone to advocate independently from other City departments. Mr. Anderson stated that technically, in accordance with the City Charter, if the economic development professional is under the City Manager's charge, Council's ability to interact with the professional could be restricted by the City Manager. He noted that if the position were under the charge of the Planning Office, this restriction would not exist. However, if the position were under the charge of the Mayor's Office, he felt it would provide a unified voice for economic development. Mr. Anderson felt that there are sections of staff's recommendation that have merit and suggested that staff reconsider the recommendation for consideration prior to the new budget year. He also relayed concern that staff's recommendation in its current form could risk millions of dollars in State monies by making changes at this time.

Mr. Bob Aellis, 29 Dornoch Way, Townshend, stated that, as a small business owner of Veterans Lighting and Firesigns 1075, approximately two (2) years ago, representatives from his company began working with Mr. Neaton and Mayor Carey to bring a Light-Emitting Diode (LED) manufacturing company from Canada to Dover. He advised members that meetings were held with several representatives of New Castle County, Sussex County, DEDO, Senators Coons and Carper, and several other business persons and entities in an attempt to make the manufacturing facility come to fruition. It was Mr. Aeillis' opinion that these meetings would not have been possible without the assistance of Mr. Neaton and the City's EDO and that Mr. Neaton served as one of the best facilitators he has worked with. He noted that he has since worked with Mr. Neaton in attempts to bring other manufacturing facilities to the City of Dover to produce jobs. Mr. Aellis stated his feeling that the City's EDO is "more than just dollars and cents and balance sheets." He indicated that he is a member of the Delaware Economic Environmental Development (DEED) Committee, which has referred to the City's EDO on numerous occasions and is currently in the process of requesting that Mr. Neaton speak with the DEED Committee. Mr. Aeillis urged members to maintain the City's EDO as it currently is today.

Mrs. Malone clarified her understanding that economic development is a part of the Mayor's responsibility; however, she felt that Council should work with and assist the Mayor to promote economic development in the downtown area, as well as the entire City.

Based on members' comments during the past several meetings, Mr. Bonar suggested that staff go back to the "drawing board" regarding this issue.

Referring to Mrs. Williams' comments regarding micro-managing, Mr. Lynn stated that economic development is critically important to the City; therefore, he was not willing to abdicate his thoughts and have "blind faith" in the City Manager and provide him "carte blanche." He explained that economic development promotes fiscal stability; its business activities create revenues that fund local services, and the cost and quality of life of every household in the City are directly dependent on the City's local economic conditions. He did not consider his position to be one of micro-managing but an indication that he was performing the duty that he was elected to do, which is to preserve, maintain, and grow the City's economy. It was his opinion that the budget issues facing the City could not be resolved by making "cuts" and suggested that it is necessary is for the City to "plant seeds" in order to grow its way out of the budget situation.

Mrs. Williams felt that there was a duplication of economic development services provided by the State, County, and City. It was her feeling that there are more than enough economic development personnel to assist the City's growth and that the City should not replicate the efforts of other entities. She suggested that the issue be given to the City Manager to handle.

Mr. Hutchison stated that he worked on economic opportunity during his tenure as Mayor. He indicated that he was not an expert on economic development, but served as a contact person for the City and referred these matter to the experts within the City. Although he understood the importance of maintaining an economic development professional within the City, he explained the importance of the Mayor being a part of the economic development system.

Responding to Mr. Hare, Mr. Koenig confirmed that staff's recommendations regarding this matter were initiated when the City was made aware of the desire of the DDP to hire their own Executive Director. It was his opinion that the only action necessary was for staff to provide a recommended effective date as to when the City's EDO would no longer provide administrative support to the DDP.

The Committee recommended that staff's recommendations regarding the (EDO) be returned to the City Manager for redevelopment.

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

**Authorization to Purchase Virtual Server (Police Department)**

Chief Hosfelt presented a request to approve a sole vendor purchase of a Virtual Server/Storage Array at a cost of $42,600. Members reviewed detailed information regarding the concept of a virtual server system. Chief Hosfelt explained that migrating to virtual servers and consolidating the

computer data storage in a storage array would yield many benefits and savings over time. The Police Department would be able to reduce their physical hardware footprint and hardware costs, power consumption costs, and possibly some software licensing costs if vendor licensing methods remain the same.

Chief Hosfelt advised members that the purchase would be made from Dell, which is a State contract vendor source for computer hardware. He explained that it is necessary to purchase Dell equipment to ensure that the new hardware integrates and communicates properly with the other existing servers and storage hardware currently in use in the Police Department.

Chief Hosfelt indicated that funds from three (3) grants would be combined for this purchase and no matching funds would be required of the City.

Staff recommended approval of the sole vendor purchase from Dell for a Virtual Server/Storage Array at a cost of $42,600.

The Committee recommended approval of staff's recommendation.

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

**Proposed Ordinance #2012-07 - Incentives for Redevelopment of Vacant Commercial Buildings**

Staff presented members with Proposed Ordinance #2012-07, which would allow for waiver of half of the building permit fee, half of the City water and wastewater impact fees, and tax abatement on the value of improvements for redevelopment of commercial buildings of 5,000 square feet or greater, located along Route 13, Bay Road, Court Street between Bay Road and Route 13, and Route 8 west of the railroad tracks. The proposed ordinance was modeled after the downtown redevelopment incentives.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that, due to the economic downturn, municipalities in Delaware and elsewhere are offering waivers of certain fees to help spur economic growth. She noted that the proposed ordinance was drafted with a "sunset" date of December 31, 2015; therefore, incentives would be available for a finite period of time while the City attempts to encourage economic growth and filling commercial vacancies on the City's primary commercial corridors.

Mrs. Townshend indicated that the costs involved with this incentive would be associated with loss of revenue related to the waiver and are difficult to quantify, as they would depend upon the cost of specific commercial building renovations, changes in use that would require additional plumbing fixtures, and the demand for the incentives.

Staff recommended that the proposed ordinance be forwarded to City Council for a First Reading on March 12, 2012 and for a Final Reading and Council Action on April 9, 2012.

Mr. Shevock noted that the incentives would be restricted to certain areas of the City and although he understood the reasons for this, he suggested that the City consider offering the incentives to the entire City, reminding members that a sunset clause had been incorporated.

The Committee recommended amending Proposed Ordinance #2012-07 to allow redevelopment incentives City-wide *(removing Lines 17 and 18)* and adoption of the ordinance as amended. *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

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

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

**SAFETY ADVISORY AND TRANSPORTATION COMMITTEE REPORT - FEBRUARY 29, 2012**

The Safety Advisory and Transportation Committee met on February 29, 2012 with Chairman Hutchison presiding.

**Presentation - Silver Lake to Isaacs Branch Trail Concept**

Mrs. Ann Marie Townshend, Director of Planning and Community Development, provided members with a map depicting proposed bicycle/pedestrian improvements in the Silver Lake/Isaacs Branch area. She reminded members that there is currently a concrete multi-use path that travels through Silver Lake Park and another path near Public Safety Boulevard, behind Winner Ford, that travels to Route 10 and is referred to as the Isaacs Branch segment. She advised members that the State has expressed an interest in connecting these two (2) trail systems with a St. Jones River Trail. Mrs. Townshend stated that in the last State Bond Bill, monies were earmarked for trails and, as a result, Delaware Department of Transportation (DelDOT) and the Department of Natural Resources and Environmental Control (DNREC) have become very active in cultivating community trails.

Mrs. Townshend indicated that both DNREC and DelDOT contacted the City regarding the possibility of conducting a study (concept plan) regarding a connection between these two (2) trails. Referring to the map, she reviewed a proposed phased project for the Silver Lake to Isaacs Branch Trail Concept, which would provide both recreational and transportation benefits for pedestrians and bicyclists. She noted that the long-term plan would involve several property owners, environmental issues, etc. Mrs. Townshend advised members that public workshops are planned to discuss the concept plan and she felt that this matter should be presented to the Committee for their information prior to the workshops.

The Committee took no further action.

**Announcement of Road Closures *(Gary Laing)***

Mr. Gary Laing, Community Relations Officer and Public Relations Liaison, Delaware Department of Transportation (DelDOT), explained that DelDOT has scheduled several repaving projects in the next year and advised members that some of the work includes the City's Historic District and

involves curb ramps, road striping, etc. He assured members that DelDOT has complied with the mandate to notify residents regarding planned night work. Mr. Laing noted that very little response has been received in response to DelDOT's notification, which clearly indicated that non-response from residents would be construed by DelDOT as consent.

Mr. Laing stated that he was not aware of the construction schedule and, therefore, did not have a start date for the project. However, he noted that DelDOT takes certain events, such as Dover Days, NASCAR races, and holidays, into consideration when scheduling work and would not allow street closures during these times.

Chairman Hutchison requested that Mr. Laing provide staff with the details, including the exact dates and streets involved.

Responding to Mr. W. Hutchison, Mr. Laing explained that roadways are constructed so that the water runs off toward the curb and into the drainage system and water can accumulate where American Disabilities Act (ADA) sidewalk ramps are located. He indicated that it is hoped that the drainage system will support the runoff of water; however, water can sometimes build up in these areas, particularly during heavy rains.

**Discussion - Establishing City Emergency Operations Center *(January 23, 2012 - Committee Recommended Referral Back to Staff for a Report to the Committee at the Next Committee Meeting)***

During their meeting of January 23, 2012, members reviewed correspondence from Mr. Dave Truax, Fire Marshal, relaying his concerns regarding the City's lack of emergency preparedness awareness (outside of emergency services and emergency management personnel) and the need for an operational Emergency Operations Center (EOC) in the City. After much discussion, the matter was referred back to staff for a report to the Committee at their next meeting.

Mr. Scott Koenig, City Manager, provided members a brief history of the City's Emergency Management Plan (approved by the Mayor in August 2010) and stated that he felt the basic plan would meet the City's current needs, although modifications would be needed as the City moves forward. He advised members that there are updates in the text of the plan that need to become more "fluid" and noted that this has not occurred because the Emergency Management Coordinator retired and a replacement was not hired due to budgetary reasons. The current plan provides for the EOC to be located at City Hall, the designation of the City's Police Department as a backup to the City Hall EOC, and the establishment of the Kent 911 Center as backup to the Police Department EOC. He stated that the City could also utilize the Electric Administration Building if necessary.

Mr. Koenig advised members that the Delaware Emergency Management Agency (DEMA) uses guidelines entitled "Design Recommendations and Criteria for Emergency Operations" as a framework for designing their EOC and advised members of some of the criteria included. He indicated that keeping the EOC at City Hall would meet many of the requirements and that it would be nearly impossible to integrate an EOC into any building and have it meet all of the requirements. Mr. Koenig noted that City Hall has ample space that is readily accessible by employees, public officials, and the public and felt assured that the Police Department would not find it desirable for

people (such as volunteers) to wander through their facility during a crisis event. In addition, he noted that City Hall has restrooms, kitchen facilities, and separate rooms for confidential meetings and briefings (which play an important role in the establishment of an EOC), and additional space for a sleeping area if deemed necessary.

Mr. Koenig noted that the only shortcoming for the use of City Hall as the EOC is the lack of a backup power source. As a result, he suggested that a generator be installed at City Hall, which would produce enough power to run a portion of the building.

Mr. Koenig stated that during the design of the new Library, there was discussion regarding the concept of adding space for a designed and constructed EOC, at a cost of $500,000 to $1M. Staff felt that due to the costs, it was not possible to include an EOC and there was no further action taken to bring the matter to City Council.

Mr. Koenig stated his opinion that it would be in the best interest of the City to assign City Hall as the primary EOC. He also suggested that City Council be requested to reassign emergency management duties to a specific individual within the City's organization. He advised members that this request will be presented to the Legislative, Finance, and Administration Committee during their next meeting scheduled for March 12, 2012.

Responding to Mr. Hutchison, Mr. Koenig indicated that upon the retirement of the City's Emergency Management Coordinator, his duties were dispersed among three (3) employees: the Public Affairs Coordinator, the Public Services Manager, and the City Manager. He recommended that all responsibilities be assigned to the Public Affairs Coordinator.

In response to Mr. Davis, Mr. Koenig stated that the generator is currently being stored at the Warehouse and that the electrical engineers have estimated connection costs at $15,000 to $50,000, depending upon the need for a new pad. He indicated that he had not resolved to use that particular generator at this time; however, staff would continue to review this matter and will likely include a recommendation as part of the budget preparation for next fiscal year.

At the request of Mr. Hutchison, Chief Hosfelt indicated his support for the recommendations presented by the City Manager.

The Committee recommended approval of staff's recommendation to establish City Hall as the City's designated Emergency Operations Center (EOC), with the Dover Police Department to serve as the backup EOC, and the Kent County 911 Center to serve as the City's temporary (alternate) backup to the Police Department.

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

**Proposed Ordinance - #2012-06 Creating a New Chapter 59 - Juvenile Curfew**

Mr. Hare reviewed Proposed Ordinance #2012-06 - Chapter 59 - Juvenile Curfew and explained that the proposed ordinance mimics the City of Milford's juvenile curfew ordinance. He noted that the proposal was the result of his participation in numerous "ride alongs" with the Dover Police Department. Mr. Hare felt that there was no reason for individuals under the age of 17 to be out in the late night/early morning hours. During his "ride alongs," he observed several 13 to 14-year-olds walking the streets at 2:00 a.m. When questioned by the police, these juveniles indicated that they would be going home, only to be observed walking the streets again at 3:00 a.m. or 4:00 a.m. He advised members that the police indicated that they have no authority to take action in this regard.

Referring to the comments submitted by Mrs. Russell, dated February 29, 2012, Mr. Hare advised members that his observations were made in various areas throughout the City and not just in the Fourth District. He indicated that the State of Delaware does not have a curfew law. Mr. Hare felt that the proposed ordinance includes provisions that would allow a juvenile with legitimate reasons to be out late in the evening or early morning hours and addresses other concerns that may be raised.

Responding to Mr. W. Hutchison, Chief Hosfelt indicated that the proposed ordinance would provide police officers a useful tool and he did not feel that enforcement would place a burden on the Police Department.

The Committee recommended adoption of Proposed Ordinance #2012-06 - Chapter 59 - Juvenile Curfew.

Mr. Hutchison moved for approval of the Committee's recommendation, seconded by Mr. Hare.

In response to Mr. Bonar, City Solicitor Rodriguez indicated that there can be problems whenever an individual's rights are restricted. He encouraged the Police Chief to maintain records to provide statistics indicating that the ordinance is a benefit to the City.

Mr. Anderson stated his concerns that residents of the Fourth District will feel that they are targeted by the ordinance and, although this may not be the case, it is the perception of his constituents. He felt that there should be a sunset provision that would remove the curfew law if it is found not to be effective.

Responding, Mr. Hare suggested that residents of the Fourth District write a letter explaining why they feel that 13 and 14-year-olds should be out at 2:00 and 2:30 in the morning. He advised members that when he participated in a "ride along" with police officers, he observed these children in all areas of the City and not just the Fourth District.

**The motion to approve the Committee's recommendation for adoption of Proposed Ordinance #2012-06 - Chapter 59 - Juvenile Curfew was carried by a roll call vote of six (6) yes, one (1) no (Mr. Anderson), and two (2) absent (Mrs. Russell and Dr. McGlumphy).** *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

**Proposed Ordinance #2012-08 Amending Chapter 70 - Offenses and Miscellaneous Provisions**

Mr. Lynn presented Proposed Ordinance #2012-08, which would amend Chapter 70 - Offenses and Miscellaneous Provisions, by prohibiting registered Tier II and Tier III sex offenders from living or working within 500 feet of a daycare center and from participating in certain events involving children. He advised members that constituents in the White Oak/Towne Point area approached him regarding their concerns related to a home that had been occupied by multiple sex offenders and was located in close proximity to a daycare center.

Mr. Lynn advised members of a situation that occurred in the City of Wilmington whereby a daycare center moved near a residence occupied by multiple sex offenders (Harriet Tubman Safe House). The City of Wilmington police attempted to enforce the prohibition against sex offenders living near a school, which would have forced the sex offenders to move. He noted that the State statute indicates that sex offenders may not reside or work within 500 feet of a school; however, he explained his interpretation that the term "school" does not include daycare centers. The American Civil Liberties Union (ACLU) litigated the Harriet Tubman case and stated they felt that the provisions regarding schools, as indicated in the State statute, do not refer to daycare centers. Mr. Lynn explained that the practical effect of the ACLU's argument is that more protection is afforded to children from five (5) to 18 years of age than children zero (0) to five (5) years of age, although he suggested that this may not have been the General Assembly's intent. As a result, Mr. Lynn felt that the City should address the issue to resolve any problems and protect the safety of the children within the City of Dover.

In researching the matter, Mr. Lynn stated that there is a "routine activity" theory (developed in 1979 by Marcus Felson and Lawrence E. Cohen) which indicates that for crimes to occur, three (3) conditions must exist: 1) the presence of a motivated offender; 2) access to a potential victim; and 3) absence of capable guardians to prevent criminal activity. Applying this to sex offender residence restrictions would suggest that predatory or pedophiliac sex offenders are most likely to commit new assaults against children when they have unrestricted or unmonitored access to them. Thus, living in close proximity to schools or other places known to cater to children might increase opportunities for sex offenders to have contact with children or view children playing, thus reinforcing their already sexually deviant preferences and facilitating child sexual abuse.

Mr. Lynn stated that although there have not been many studies conducted regarding recidivism rates and close proximity to daycare centers and schools, he located a study conducted by Dr. Paul Zandbergen (available at www.paulzandbergen.com), which indicates that evidence was not conclusive that the residential restrictions have any effect on recidivism rates; however, Dr. Zandbergen noted that there were limitations to his study. Specifically, he noted that the sample size was diluted by the inclusion of low-level sex offenders.

Mr. Lynn explained that the State of Delaware and General Assembly determined that it was not desirable to have sex offenders living or working within 500 feet of schools and, as such, this same protection should be provided to children aged zero (0) to five (5) years of age. He noted that the proposed ordinance amendment applies only to Tier II and Tier III sex offenders and only to commercial daycare centers (in-home daycare centers would not be included). He also noted that any sex offenders affected by the amendment would have one (1) year to comply.

Referring to the comments submitted by Mrs. Russell, Mr. Lynn stated that if a daycare center were to open next to a sex offender's residence, the sex offender would have one (1) year to relocate, the same timeframe would apply to offenders who currently reside within the specified distance of a daycare center. According to his discussions with Chief Hosfelt, the Police Department would be able to handle enforcement of the proposed ordinance. Mr. Lynn explained that the proposed ordinance does not include home daycare centers because their inclusion would prohibit sex offenders from living almost anywhere in the City of Dover. He assured members that the proposed ordinance does not violate State law.

Chief Hosfelt introduced Cpl. Harvey Jaksch and Cpl. Mickie Price, who serve as the Sex Offenders Unit for the City of Dover Police Department. He explained that the number of sex offenders changes daily and that it is estimated that there are 10 sex offenders in the City that the proposed ordinance would affect currently. He stated that there are 192 Tier II and Tier III sex offenders and a total of 213 sex offenders in the City of Dover. Chief Hosfelt stated that the monitoring practices employed by the City's Sex Offenders Unit far exceed State requirements.

Chief Hosfelt stated that, after researching sample ordinances throughout the nation, staff determined that similar ordinances have included language concerning holidays (such as wearing costumes, distributing candy, etc.). It was staff's opinion that the City's ordinance should include such language as well; therefore, it was incorporated in the proposed ordinance (see *Prohibited Activities for Sexual Offenders*).

Responding to Mr. Hutchison, Mrs. Ann Marie Townshend, Director of Planning and Community Development, clarified that although drafts of the proposed ordinance were submitted to the City Solicitor's Office for review, the final draft has not been reviewed at this time. Mrs. Traci McDowell, City Clerk, indicated that once a recommendation is formulated by the Committee, staff would forward the draft ordinance to the City Solicitor for final review prior to Council action. Mr. Lynn advised members that copies of the proposed ordinance have also been forwarded to the Attorney General's Office for their review and comment.

Mrs. Townshend stated that a map depicting the commercial daycare centers within the City was available. Chief Hosfelt stated that there are currently 35 commercial daycare centers and 63 in-home daycare centers.

The Committee recommended adoption of Proposed Ordinance #2012-08 - Chapter 70 - Offenses and Miscellaneous Provisions.

Mr. Lynn reiterated the comments made during the Committee meeting and although he agreed that there are two (2) sides to be considered regarding this matter, he suggested that members err on the side of caution by giving children, birth to five (5) years of age and school age children who are in before/after care, the same level of protection that the General Assembly wanted them to have when they passed the State Statute.

In response to Mr. Lynn, Police Chief Hosfelt indicated that, currently, it is estimated that there are 10 sex offenders in the City who would be affected by the proposed ordinance. In response to Mrs. Williams, Chief Hosfelt stated he was unsure how many of those are pedophiles.

Mrs. Williams relayed her concern regarding the large cost associated with enforcement of the ordinance, which may affect only a small number of offenders.

Mr. Anderson suggested an amendment that would provide an exemption for owner occupied properties if owned by the offender, their spouse, or civil union partner. Responding, Mr. Lynn stated that although he understood the concern, members must consider the "heart" of the proposed ordinance, which is to protect children.

In regard to the question of pedophiles, Mr. Lynn stated that according to experts in the mental health profession, sex offenders in general do not have specific borders and are more likely to commit crimes against children just by virtue of being sex offenders.

As a mental health professional, Mrs. Williams disagreed, explaining that the offenses of pedophiles are almost exclusively aimed at children and that the issue is not about sex, it is about control and empowerment. Other tiered sex offenders may be registered as a result of offensive touching with another adult. She indicated her support of the ordinance if it were to be amended to be directed to pedophiles.

Responding to Mrs. Williams, Mr. Lynn stated that he would not consider amending the ordinance to include only pedophiles since he did not believe the concern was solely those preying on young children but also sex offenders of teenage girls. Clarifying, Mrs. Williams indicated that pedophiles, by the nature of the law, are classified as such whenever their crime is committed against anyone under the age of 18.

Mr. Hutchison noted that there are individuals in attendance who may wish to speak.

Mr. Hutchison moved to waive the rules to allow public testimony, seconded by Mr. Lynn. The motion failed by a roll call vote of five (5) yes, two (2) no (Mr. Anderson and Mr. Bonar), and two (2) absent (Mrs. Russell and Dr. McGlumphy). Council President Leary reminded members that such a motion required a two-thirds majority (six (6) affirmative votes).

Mr. Hutchison moved for approval of the Committee's recommendation for adoption of Proposed Ordinance #2012-08 - Chapter 70 - Offenses and Miscellaneous Provisions, seconded by Mr. Lynn.

Responding to Mr. Anderson, Council President Leary stated that the First Reading was scheduled to take place during the latter part of the meeting and that the Final Reading was scheduled for April 9, 2012. Mr. Anderson noted that members would have the ability to present amendments for consideration prior to the Final Reading of the proposed ordinance.

Mr. Hare questioned why Mr. Anderson would consider any amendments to the proposed ordinance when he did not support waiving the rules to allow public testimony. Responding, Mr. Anderson

reminded members that the guidelines for the Open Forum were recently amended to allow public testimony on items listed on the agenda and noted that individuals did speak on this issue at that time. In addition, he stated that there would be other opportunities for the public to speak regarding this issue (during the Open Forum segment of the April 9, 2012 Council Meeting).

**The motion to approve the Committee's recommendation for adoption of Proposed Ordinance #2012-08 - Chapter 70 - Offenses and Miscellaneous Provisions was carried by a roll call vote of six (6) yes, one (1) no (Mrs. Williams), and two (2) absent (Mrs. Russell and Dr. McGlumphy).** *(The First Reading of the ordinance will take place during the latter part of the meeting.)*

**Update - Dover High School Construction**

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that during their previous meeting there was much discussion regarding the new Dover High School's east entrance (which lines up with Heatherfield East), which had been planned as a signalized intersection with a pedestrian crossing. She reminded members that the most recent comments received from the Delaware Department of Transportation (DelDOT) were extremely adamant that their traffic section opposes a signal in this location. She stated that the City Manager sent a letter to Secretary Bhatt, as directed, to relay support for the signalization of the east entrance intersection and a pedestrian crossing. Staff received a response from Secretary Bhatt indicating that the letter was received and forwarded to appropriate staff. If a positive response is not received, she anticipated the need for the City to seek assistance from legislators.

Mr. Gary Laing, Community Relations Officer and Public Relations Liaison, DelDOT, stated that he spoke with the Director of Traffic regarding this matter and advised members that the Capital School District had conducted a traffic study for a signal at the west entrance, where the warrants were met. He advised members that in order for a signal to be installed, the intersection must meet warrants and that the installation of signals involves liability issues.

In response to Mr. Lynn, Mrs. Townshend stated that a signal was proposed for the east entrance on the plan documents that were submitted and approved by the Planning Commission. She assured members that DelDOT was included in development meetings with the developer for the Dover High School project.

Responding to Mr. Hutchison, Mr. Laing stated that the DelDOT Director of Traffic has recommended that the Capital School District request another study. He stated that it is not unusual for a development site plan that is submitted to a municipality or other governmental organization to include a traffic signal; however, that does not commit DelDOT to install the signal, since a study would not have been completed to determine whether or not a signal is warranted.

Mr. Hutchison requested that staff reach out to all involved parties in an attempt to resolve this matter and that the City submit a request for a study.

**Mr. Hutchison moved for acceptance of the Safety Advisory and Transportation Committee Report, seconded by Mr. Lynn and unanimously carried.**

**MONTHLY REPORTS - JANUARY 2012**

**By motion of Mr. Bonar, seconded by Mrs. Williams, the following monthly reports were accepted by consent agenda**:

| | |
|---|---|
| Chief of Police | City Planner |
| City Assessor | Dover Fire Department |
| City Manager | Capital Investment Plan (CIP) |

Mr. Anderson stated that he would submit questions in writing to staff in regard to the Budget Report.

**Mr. Anderson moved for acceptance of the monthly Budget Report for January 2012, seconded by Mr. Bonar and unanimously carried.**

**SETTING OF PROPERTY ASSESSMENT APPEALS**

Ms. Cheryl Russell, City Assessor, submitted a request that the following dates and times be established for the 2012 Property Assessment Appeals:

| | |
|---|---|
| May 21, 2012 - May 25, 2012 | 9:00 A.M. until 4:00 P.M. |
| May 29, 2012 - June 1, 2012 | 9:00 A.M. until 4:00 P.M. (If needed) |

It was noted that the hearing times were subject to change.

**Mr. Anderson moved for approval of the dates and times for the 2012 Property Assessment Appeals, as requested by staff, with the stipulation that staff establish at least one evening session. The motion was seconded by Mr. Bonar and unanimously carried.**

**ENGAGEMENT LETTER - LABOR NEGOTIATIONS**

Members were provided an Engagement Letter from Glenn C. Mandalas of Baird Mandalas, LLC, dated March 7, 2012, to represent the City of Dover in connection with labor negotiations with the Dover Fraternal Order of Police, Lodge 15 ("FOP"), the International Brotherhood of Electrical Workers Local 1238 ("IBEW"), and the Dover Organization of Employees ("DOE").

**By consent agenda, Mr. Bonar moved to authorize staff to sign the Engagement Letter with Baird Mandalas, LLC as presented. The motion was seconded by Mrs. Williams and carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

**EVALUATION OF BIDS - LIBRARY FURNITURE**

Mr. Scott Koenig, City Manager, reminded members that the ground was broken on the new Dover Public Library in April 2011 and that the Library is at 50% construction and on time for a June 2012 construction completion date. Included in the project budget is $703,000 for furniture and fixtures. He stated that there is lead time on the order and delivery necessary so that furniture may be delivered and installed to meet the construction schedule and deadlines. The furniture and fixtures purchases are being coordinated with the construction and delivery dates. Furniture that could not be purchased through State contract will be bid and if applicable, presented to Council at a later date.

In accordance with our purchasing policy, equipment purchases under $200,000 are not required to have Council approval, unless they are a sole source procurement, have a sole vendor or are not the low bid. Bids are required for purchases over $25,000 and staff oversees this process.

Mr. Koenig advised members that an amount of $703,000 has been budgeted for furniture & fixtures and that $293,000 was approved by Council on February 27, 2011 for shelving. At this time, staff submitted a list of furniture to be purchased through State contract, totaling $309,000. He assured members that staff has reviewed the furniture order from Corporate Interiors through the State contract per the cooperative purchasing policy (Section 3.5) in place in the City of Dover.

Staff recommended approval of the purchase of the furniture for the new Library in the amount of $309,000 from Corporate Interiors.

In response to Mrs. Williams, Mr. Koenig stated that the higher cost was due to the quality of the furniture (institutional) and since it is semi-custom.

**Mr. Bonar moved for approval of staff's recommendation for the purchase of furniture for the new Library in the amount of $309,000 from Corporate Interiors, seconded by Mr. Hare and carried by a unanimous roll call vote (Mrs. Russell and Dr. McGlumphy absent).**

**FIRST READING - PROPOSED ORDINANCES**

Council President Leary reminded the public that copies of the proposed ordinances were available at the entrance of the Council Chambers or could be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of April 9, 2012.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed ordinances as read by the City Clerk, by title only, as follows:

ORDINANCE #2012-07 WITH LF&A-1 - INCENTIVES FOR REDEVELOPMENT OF VACANT COMMERCIAL BUILDINGS

ORDINANCE #2012-06 - CREATING A NEW CHAPTER 59 - JUVENILE CURFEW

ORDINANCE #2012-08 WITH S-1 - AMENDING CHAPTER 70 - OFFENSES AND MISCELLANEOUS PROVISIONS

**FINAL READING - PROPOSED ORDINANCE #2012-03 - RELATED TO SENIOR CITIZEN INCOME EXCLUSIONS**

The First Reading of Proposed Ordinance #2012-03 was accomplished during the Council Meeting of February 27, 2012.

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

**Mrs. Williams moved for adoption of the proposed ordinance, seconded by Mr. Bonar and, by a unanimous roll call vote, (Mrs. Russell and Dr. McGlumphy absent) Council adopted Ordinance #2012-03, as follows**:

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

That Chapter 102 - Taxation, Article VI - Exemptions; Board of Assessment Appeals, Section 102-183 - Tax Exemption for Senior Citizens, be amended to read as follows:

Sec. 102-183. - Tax exemption for senior citizens.

(a) *Authority*. This section is adopted to implement 22 Del. C. § 1001 et seq., granting exemptions from municipal taxation on real property for persons 65 years of age or over. Compliance must be made with such chapter 10 and this section in order to qualify for such exemption.

(b) *Qualifications*. The exemption shall be for real property owners 60 years of age or over. If qualified, their real property shall be exempt from municipal taxation to the extent of the first $50,000.00 of assessed valuation. This exemption shall be subject to the following:

(1) *Owner resides alone*. If the income of a property owner who resides alone exceeds the sum of $15,851.00 (2008) for the income tax year immediately preceding the date of making an application for the exemption, then the exemption shall not be granted. The maximum income limit stated in the preceding sentence shall increase each year by the same percentage as the cost of living adjustment granted to recipients of Social Security retirement benefits.

(2) *Spouses reside together*. If the income of a property owner and spouse who reside together exceeds the sum of $22,192.00 (2008) for the income tax year immediately preceding the date of making an application for the exemption, then the exemption shall not be granted. The maximum income limit stated in the preceding sentence shall increase each year by the same percentage as the cost of living adjustment granted to recipients of Social Security retirement benefits.

(3) *Exclusion from income.* In computing income of the property owner in order to determine entitlement for the deduction, Civil Service Retirement System (CSRS) benefits up to 150 percent of the Social Security maximum benefit, Social Security benefits and railroad pensions shall not be considered as income.

(4) *Location, use of property*. The real property must be located within the limits of the city and must be used exclusively for residential purposes.

(5) *Residence*. The real property must be the legal residence of, and be occupied in whole or in part by, the property owner.

(6) *Owner of record*. The property owner must be the owner of record of said real property as of December 31 of the calendar year immediately preceding the date of making application for the exemption.

(7) *Time when age attained*. The property owner must have attained the age of 60 years by March 1 of the year in which the exemption application is filed.

(8) *Filing applications*. Applications for exemption shall be filed in accordance with regulations adopted by the city council and for cause shown. The city assessor may accept and act upon applications received after any established application filing date.

(9) *Refund.* The city assessor is empowered to refund taxes paid by a qualified applicant who is entitled to an exemption and successfully files for the same.

(10) *Evidence*. The city assessor's office shall be authorized to require any applicant to submit evidence substantiating income reported for receipt of the exemption. The city assessor may deny applications where requested income verification is not submitted by the applicant.

(11) *Denial; appeals*. Denial of exemptions by the city assessor and any other complaints regarding the exemption process may be appealed by the taxpayer directly to the board of assessment appeals. The board of assessment appeals shall have the power to affirm, overrule or remand the decision of the city assessor.

(12) *Interest; retroactive exemptions*. Qualified senior citizens who fail to exercise their property tax exemption shall not be entitled to any interest payments on said exemption amount; nor shall unexercised property tax exemptions be retroactive beyond the current tax year.

(13) *Penalties*. Penalties assessed to delinquent property tax accounts that are eligible for a senior citizen exemption that has not been exercised shall not be excused.

(14) *Council review*. City council will review these numbers at the conclusion of each reassessment.

ADOPTED: MARCH 12, 2012

**COUNCIL MEMBERS ANNOUNCEMENTS**

Council President Leary announced that the 2012 Municipal Election will be held on Tuesday, April 17, 2012, for the First and Third District City Council seats. Residents must be registered with the State of Delaware by Friday, March 30th, to vote in this election. Election details are located on the City's Website at www.cityofdover.com.

Council President Leary reminded everyone that, in accordance with City Council action taken during their meeting of February 27, 2012, the City Council and Standing Committee meetings normally scheduled for March 26th have been cancelled.

Mr. Bonar stated that St. Patrick's Day is Saturday, March 17th.

**Mr. Hare moved to adjourn into executive session, seconded by Mr. Bonar and unanimously carried.**

Meeting Adjourned at 10:12 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of March 12, 2012, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
S:\AGENDAS & MINUTES\Council-Minutes\2012\03-12-2012 COUNCIL.wpd

*Exhibits Attached to Original Minutes and File Copy*
*Exhibit #1 - Spreadsheet - D&S Investment Company, LLP, Schedule of Real Estate Taxes Due as of March 12, 2012*
*Exhibit #2 - Presentation - Violation of Dangerous Building Ordinance - 26 North Kirkwood Street*
*Exhibit #3 - Presentation - Violation of Dangerous Building Ordinance - 14 South Queen Street*
*Exhibit #4 - Revised Cash-in-lieu Agreement with Maple Dale Country Club, Inc.*







**Downtown Dover Partnership**
**18th Annual St. Patrick's Day Parade**
**Saturday, March 17, 2012**
**2:00 P.M.**

## Parade Award Categories

**Pot O' Gold Award – Anything with Wheels (except car clubs) - THE WHEELMEN**

**Rainbow Award – Car Clubs Only - LONE WOLF OUTLAW CRUISERS**

**Blarney Award – Best Mascot - CHICK-FIL-A**

**The Green Machine Award – Best Float – IRISH SOCIETY OF DELMARVA**

**Aran Award – Best Animal (Large) – COZY CORNERS 4-H**

**Aran Award – Best Animal (Small) – DIAMOND CHIHUAHUAS**

**Harp Award – Best Musical Group (not a band) – DOVER POLICE DEPARTMENT BAGPIPERS**

**Emerald Isle Award – Most Authentic Irish Theme – STEPPIN' SENIORS**

**Leprechaun Award – Best Brigade/Marching Unit (not a band) - 436TH AIR WING & 373RD TRAINING GROUP – DOVER AIR FORCE BASE**

**McNamara Award – Best High School Marching Band - POLYTECH HIGH SCHOOL**

**Shamrock Award – Best Adult Band - DELAWARE TECH TERRY CAMPUS HAMMERIN' HAWKS DRUMLINE**

**Mary Fitzpatrick Award – Best Overall – IRISH SOCIETY OF DELMARVA**

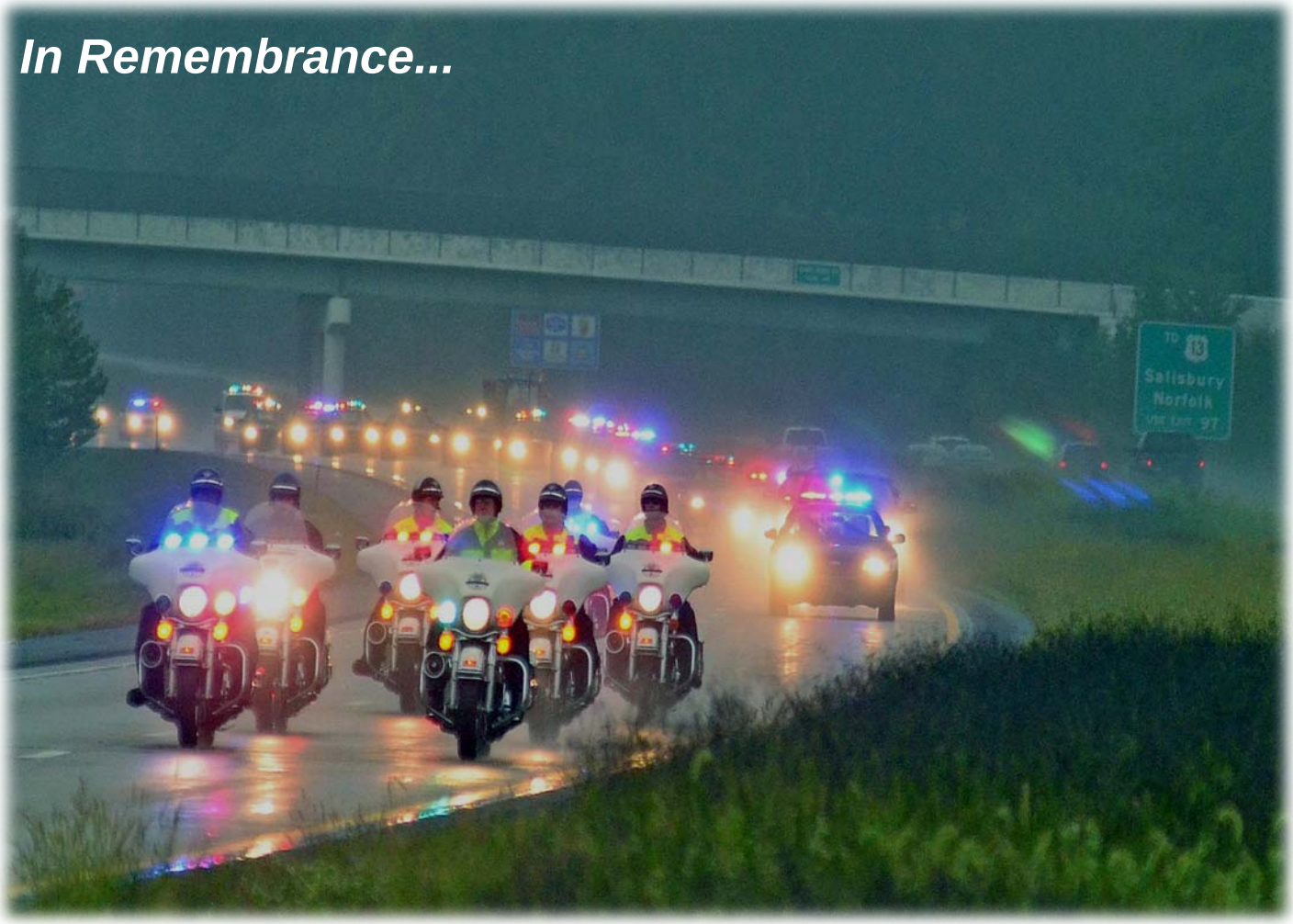
# City of Dover Police Department



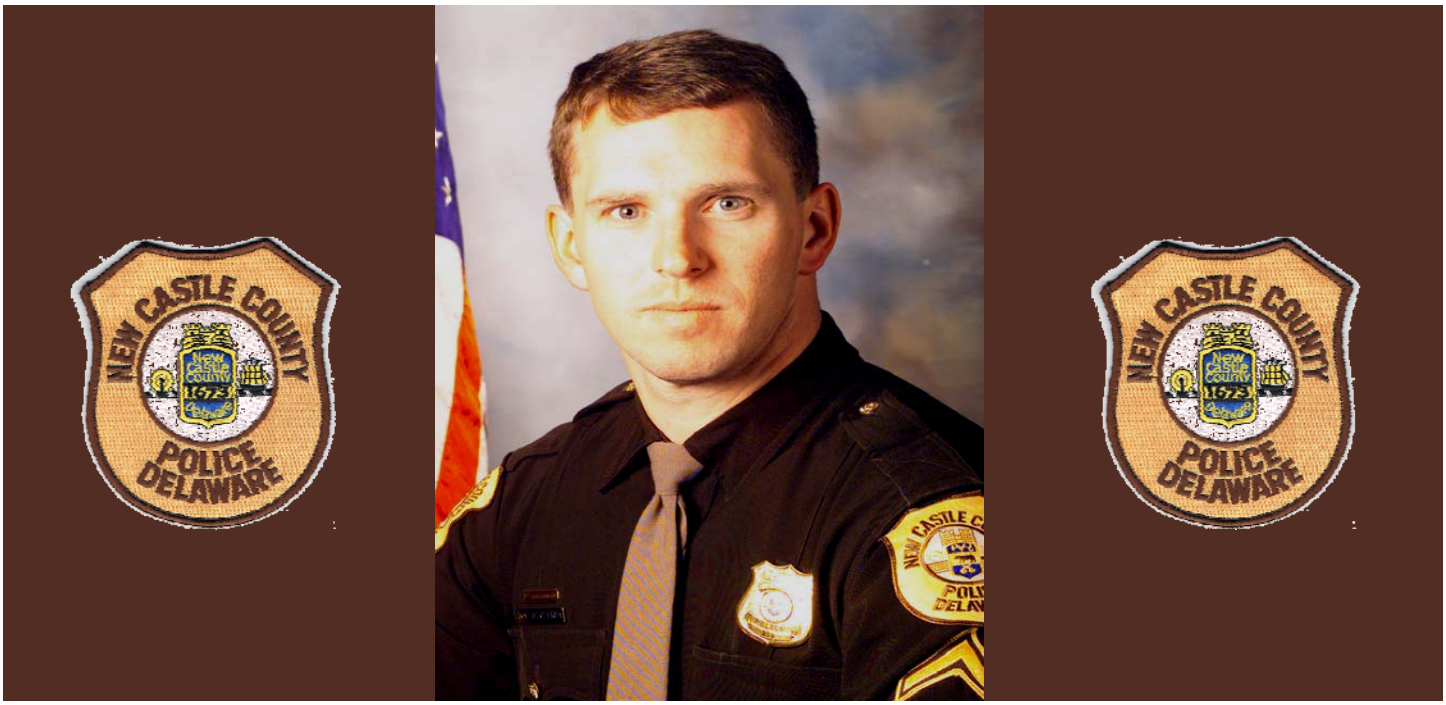
*2012 Recipient of the CALEA Accreditation with Excellence Award*

# 2011 Annual Report

# *In Remembrance...*




***The Dover Police Department Motorcycle Unit escorts the procession of law enforcement agencies representing Kent and Sussex counties honoring fallen comrade New Castle County Police Officer, Lieutenant Joseph Szczerba***



# City of Dover Police Department
# Annual Report
# 2011

## Table of Contents


| | |
|---|---|
| In Remembrance | 2 |
| Chief James E. Hosfelt, Jr.'s Letter | 4-5 |
| Complaints Five Year Comparison Graph | 6 |
| Total Group A Crime Five Year Comparison Graph | 7 |
| Violent Crime Graph | 8 |
| Robberies Five Year Comparison Graph | 9 |
| Robberies Clearance Rate Graph | 10 |
| Burglaries Five Year Comparison | 11 |
| Burglary Clearance Rate | 12 |
| Drug Offenses Five Year Comparison | 13 |
| Actual Drug Arrests Graph | 14 |
| Property Crime Five Year Comparison Graph | 15 |
| Crime Clearance Comparison Chart | 16 |
| Criminal Summary Chart | 17-18 |
| Crashes Five Year Comparison Graph | 19 |
| Crashes Breakdown Five Year Comparison Chart | 20 |
| Traffic Crash Summary Chart | 21 |
| Traffic Arrests Five Year Comparison Graph | 22 |
| Traffic Arrests Summary Chart | 23 |
| Parking Fines and Reports Graph | 24 |
| City Ordinance Summons Issued/Paid Graph | 25 |
| City Ordinance Summons Issued/Paid Chart | 26 |
| Police Time/Distribution Hours Chart | 27 |
| Miscellaneous Calls for Service Chart | 28 |
| Grand Funding Summary | 29 |
| Dover Police Organizational Chart | 30 |
| Dover Police Staff | 31 |
| Promotions | 32 |
| Officers of the Quarter– 1st & 2nd Qtr. | 33 |
| Officers of the Quarter—3rd & 4th Qtr. | 34 |
| Civilians of the Quarter—1st & 2nd Qtr. | 35 |
| Civilians of the Quarter—3rd & 4th Qtr. | 36 |
| Officer & Civilian of the Year | 37 |
| Awards Ceremonies | 38 |
| New Officers | 39 |
| Special Operations Response Team | 40 |
| Crisis Negotiation Team | 41 |
| Public Information Officer & Internal Affairs | 42 |
| Criminal Investigation Unit—Detective Section | 43 |
| Drugs, Vice & Organized Crime Section | 44 |
| Crime Scene Investigation Unit | 45 |
| Juvenile Section | 46 |
| 911 Center | 47 |
| Patrol Unit | 48 |
| C.A.R.S. / Crash Investigation & Reconstruction Team | 49 |
| Community Policing Section & Sex Offender Enforcement Section | 50 |
| K-9 Section | 51 |
| Motorcycle Section | 52 |
| Parking Enforcement Attendants & Animal Control | 53 |
| Police Resources Manager & Central Services Coordinator | 54 |
| Evidence Technician/Photographer & Building Maintenance | 55 |
| LAN Analyst & Records Unit | 56 |
| Victim Services Unit | 57 |
| Planning & Training Section | 58 |
| Accreditation Section & Citizens Police Academy | 59 |
| Police Chaplains & Volunteer | 60 |
| Honor Guard & Bag Pipers | 61 |
| Retirements | 62 |



*Special thanks to:*

*MCpl. Christopher Hermance for the cover photograph*

*and*

*Mr. Robert Neylan for the numerous photographs featured in the 2011 Dover Police Department Annual Report*

# 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

April 2, 2012

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

Mayor Carey and Council Members:

It is my pleasure to submit to you the Dover Police Department 2011 Annual Report. This past year proved to be challenging for the employees of this fine organization. The old adage "do more with less" is very appropriate when considering the amount of work completed with reduced staffing throughout 2011. It is my belief that 2012 will prove to be just as challenging for all those involved in public safety, but I assure you the employees of the Dover Police Department are up to the task.

When reviewing this report you will find that the Department's total calls for service have increased 3%, which is a total of 1,091 more complaints then the previous year. Although the total number of Group A Crimes decreased by less than 1%, Violent Crime in the City of Dover increased by 24%. Violent Crimes encompass murder, forcible rape, robbery and aggravated assault.

The Dover Police Department continues to excel in the area of major crime investigations. In 2011, our case load involving serious crimes were cleared at exceptionally high levels and exceeding that of most police departments in the nation of similar size. This year we experienced 22 more robberies than in 2010 and 64% of these crimes were cleared. There were 146 burglary investigations in 2011, 21 less than 2010. Of the 146 burglaries, 72% of these crimes were cleared. As you view the graphs on pages 8 and 10 you will see that we have greatly exceeded national averages again this year.

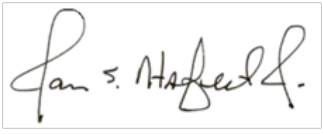
It has long been the philosophy of the Dover Police Department that a very large percentage of crime in Dover is tied to illegal drugs. This year the Drugs, Vice and Organized Crime Section accounted for 1,909 proactive arrests involving drugs, prostitution and counterfeit merchandise. As a result of these arrests, this group of officers seized significant amounts of marijuana, cocaine, heroin and various forms of prescription medication. Additionally, $149,000.00 was seized during these illegal drug investigations.

You will also notice that the number of crashes (accidents) decreased by 4% from the previous year. This is the ninth consecutive year that we have had a reduction in the number of crashes from the previous year. The total number of traffic arrests this year is 19,221 to include 3,461 speeding violations and 689 arrests for the use of cellular device while driving. The use of a Cellular Device While Driving was a new law enacted for calendar year 2011. Additionally, the Dover Police Department issued 2,496 traffic reprimands (warnings). In comparison, these totals from the previous year will indicate a 9% reduction in traffic enforcement and is directly attributed to the temporary reduction in manpower and the increase in assigned complaint load.

In December, a team of CALEA assessors completed an extensive, in-depth examination of all aspects of the Dover Police Department's policies, procedures, management, operations and support services. The assessors reviewed written materials, interviewed individuals, and visited offices where compliance could be witnessed and verified. There are 480 standards of compliance that were reviewed and evaluated. I am deeply gratified to report that the Dover Police Department was found to be in compliance with all 480 standards. As a result, the Dover Police Department was accredited for the fifth time by the Commission on Accreditation for Law Enforcement Agencies (CALEA) and is the first law enforcement agency in the state of Delaware to receive the "Accreditation with Excellence Award". Additionally, this award has only been issued to 34 police agencies nationwide as well as international departments from Mexico and Canada.

In closing, I would encourage you to review this report in its entirety since I have only taken the time to highlight a few specific areas. As Chief of Police I take great pride in the amount of hard work and dedication put forth by my co-workers, the employees of the Dover Police Department. It is our intention to continue the good work we have completed this year and build upon it in the year 2012 and beyond.

Respectfully submitted,



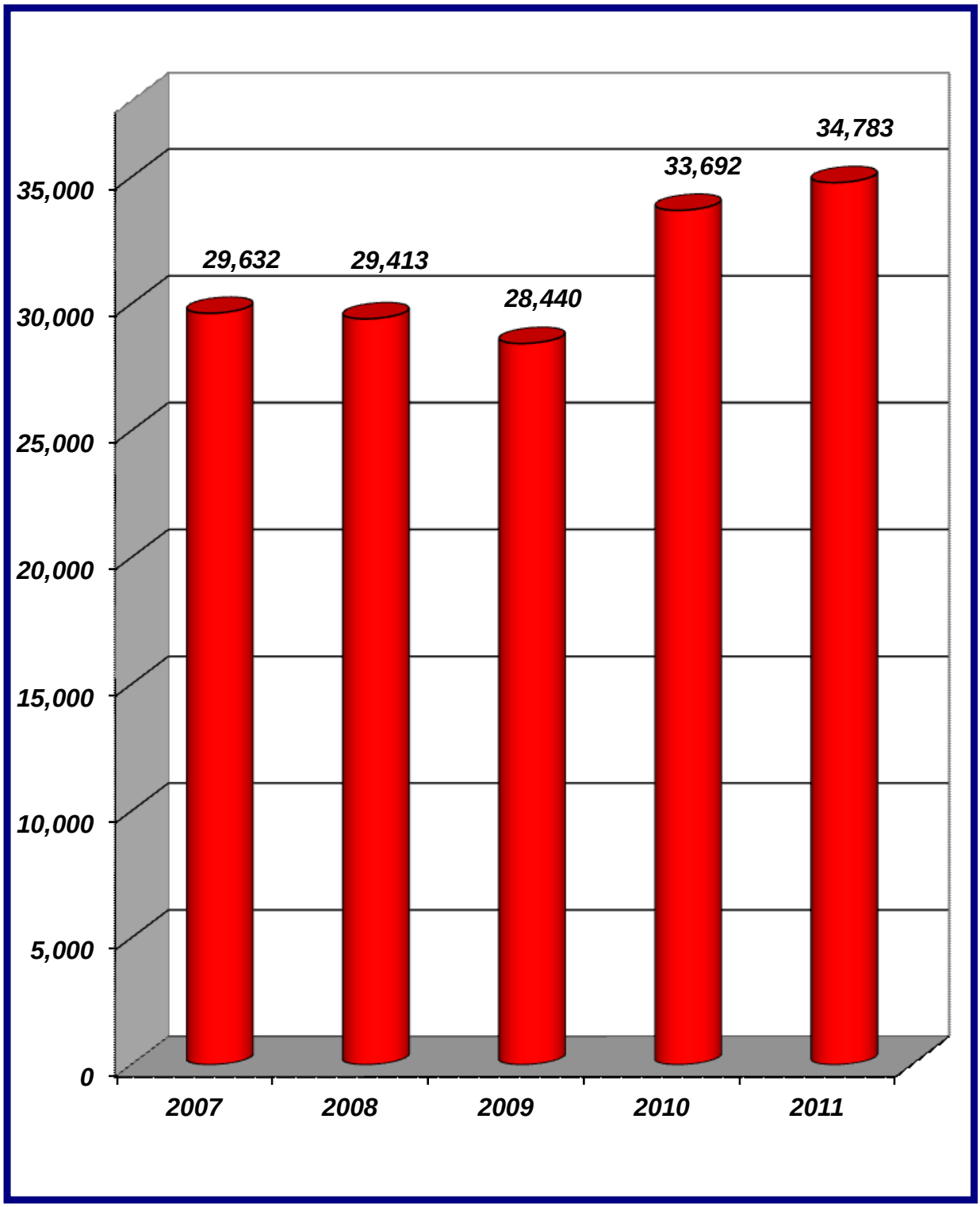
James E. Hosfelt, Jr.
Chief of Police

JEH/sbf

enclosure

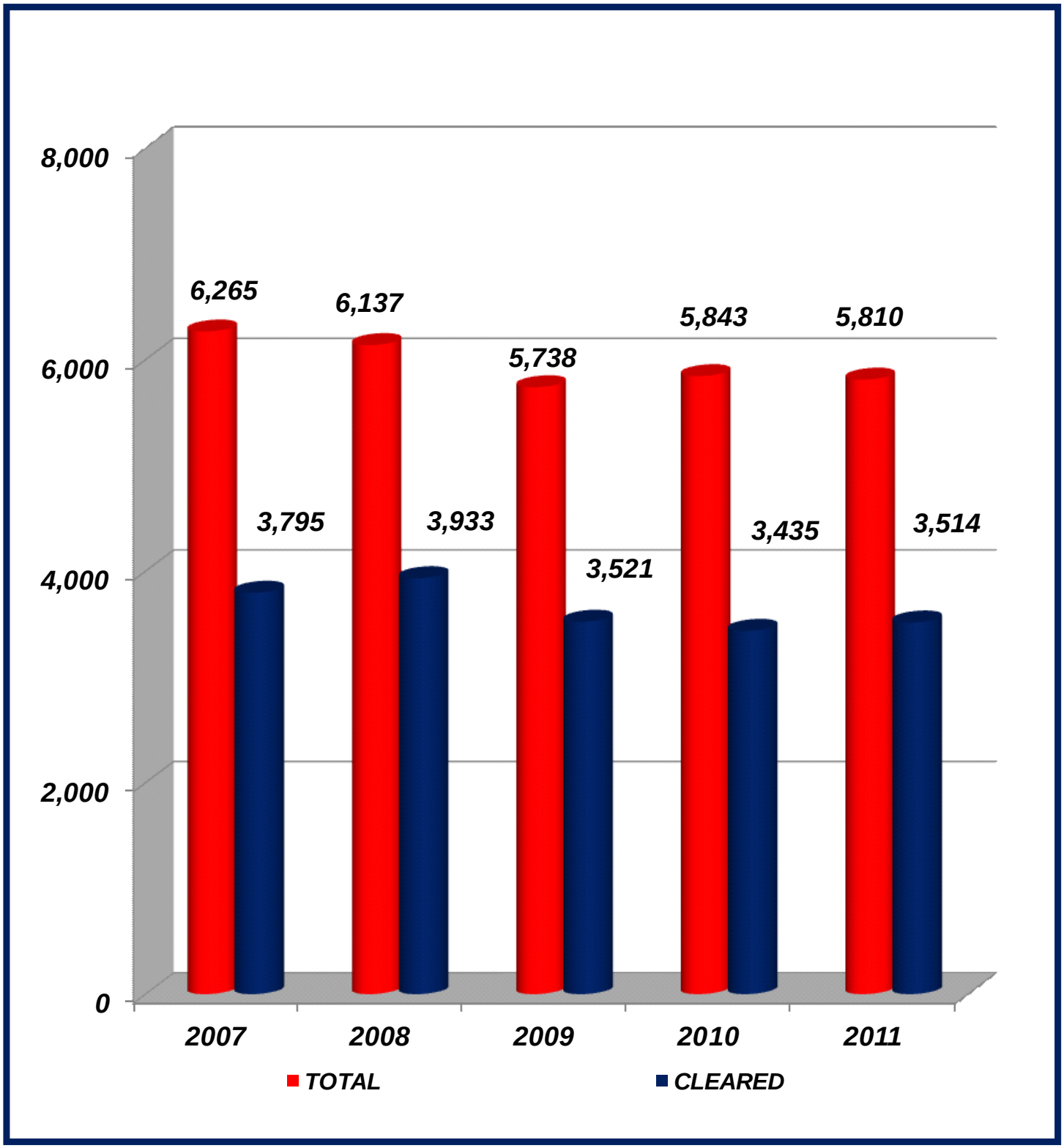
# City of Dover Police Department
# Annual Report

## Complaints
## Five Year Comparison



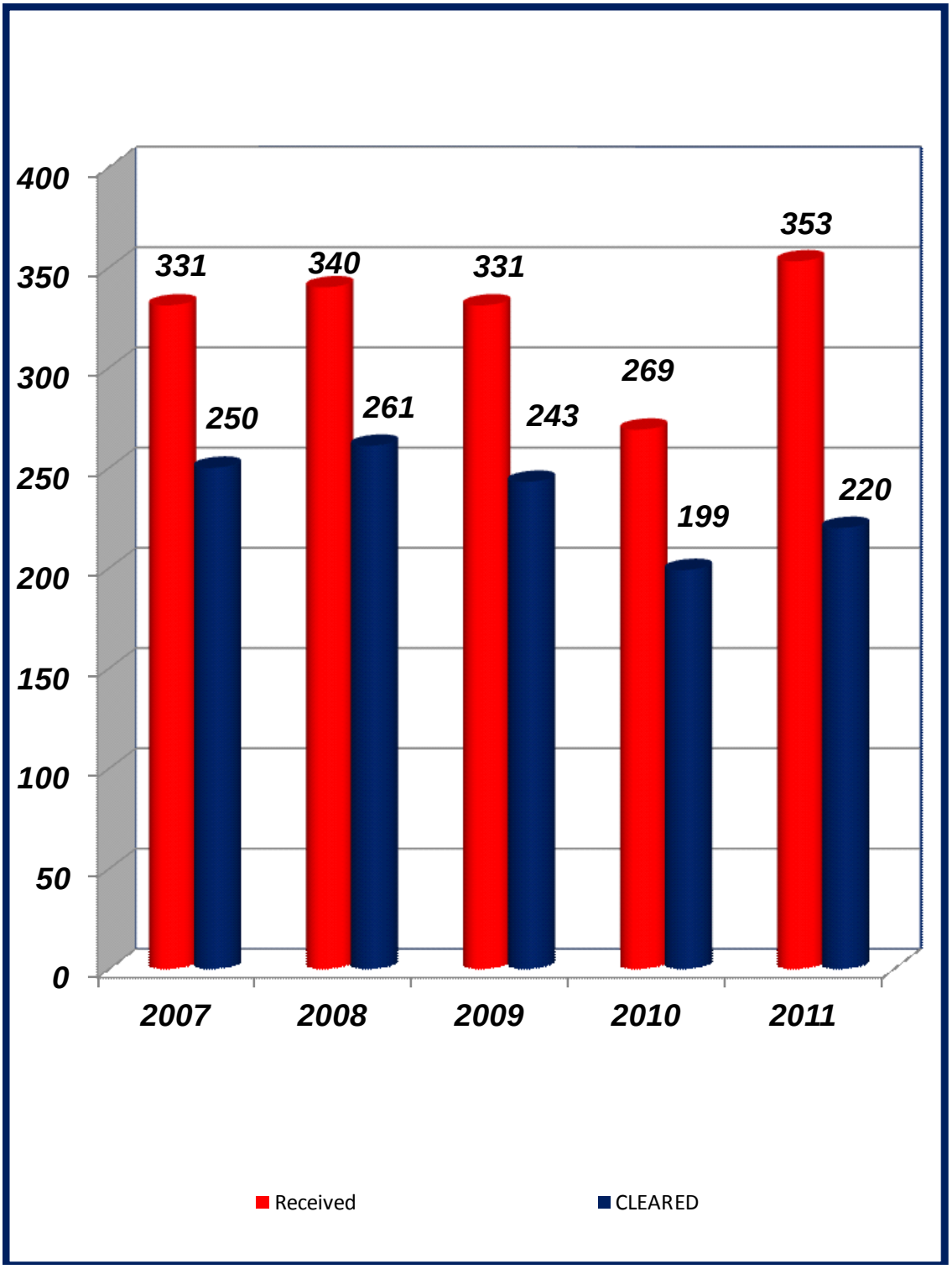
# City of Dover Police Department
# Annual Report

## Total Group A Crime
## Five Year Comparison



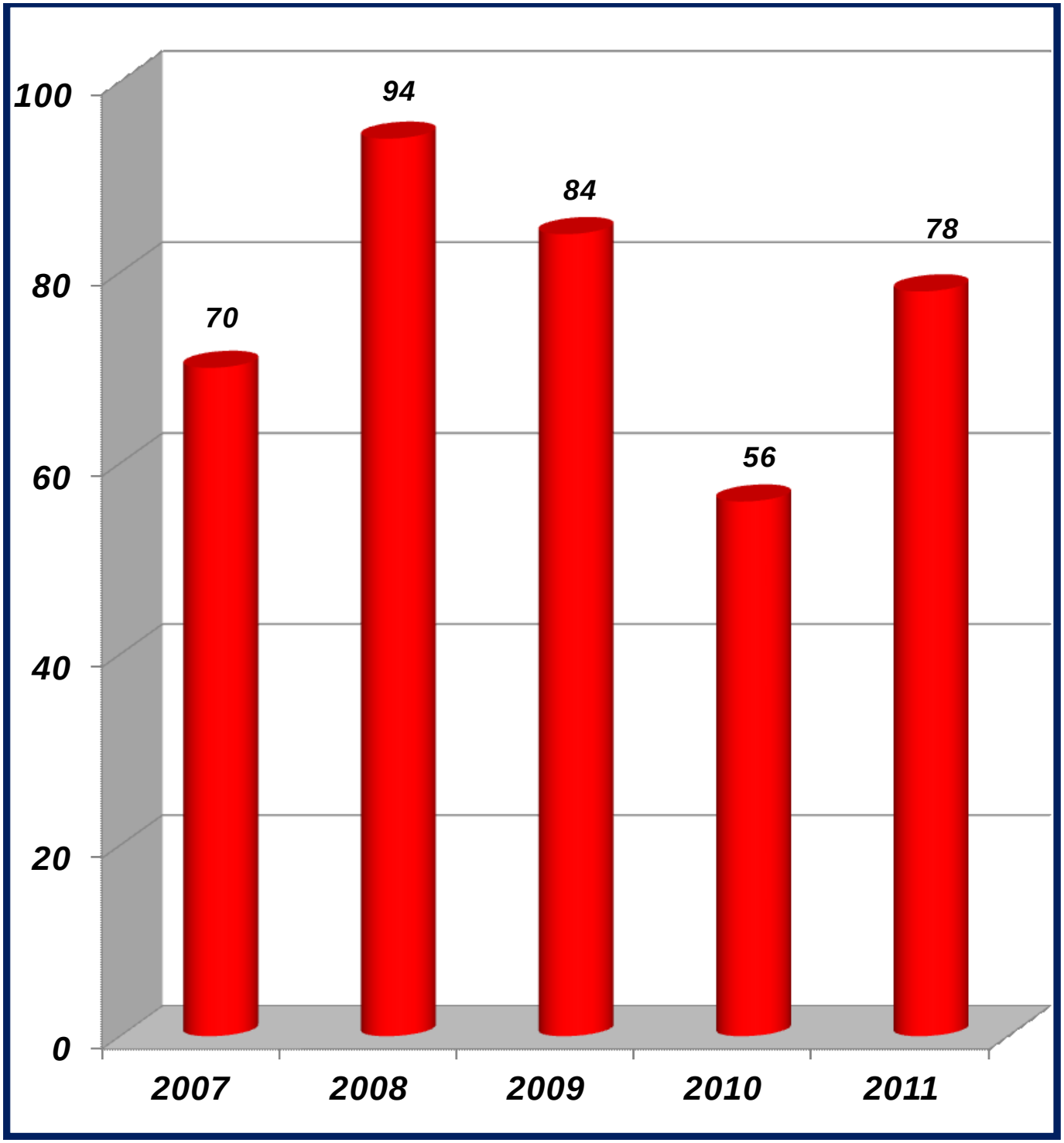
# City of Dover Police Department
# Annual Report

## Violent Crime
## (Murder, Forcible Rape, Robbery, Aggravated Assault)
## Five Year Comparison



# City of Dover Police Department
# Annual Report

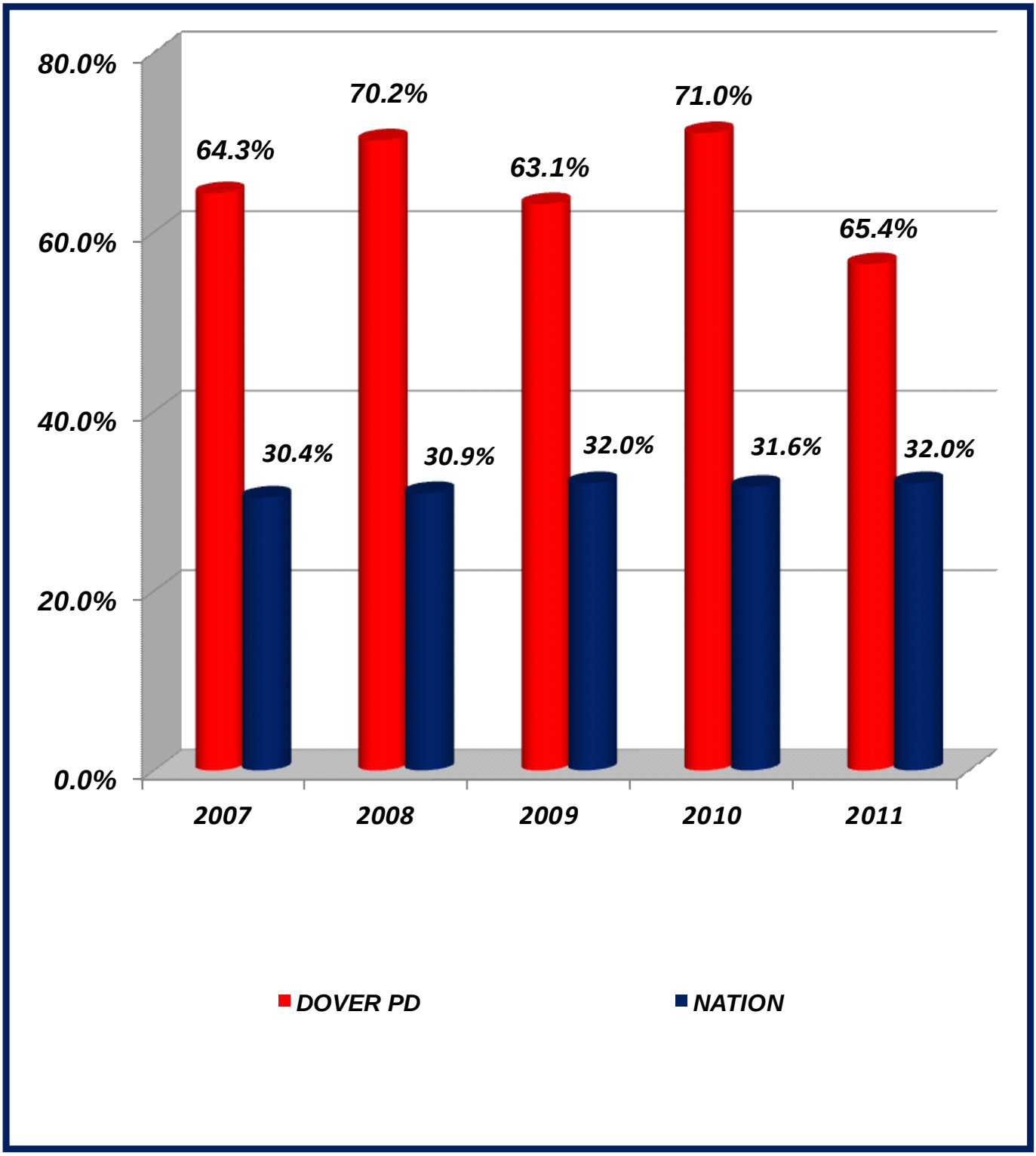
## Robberies
## Five Year Comparison



# City of Dover Police Department
# Annual Report

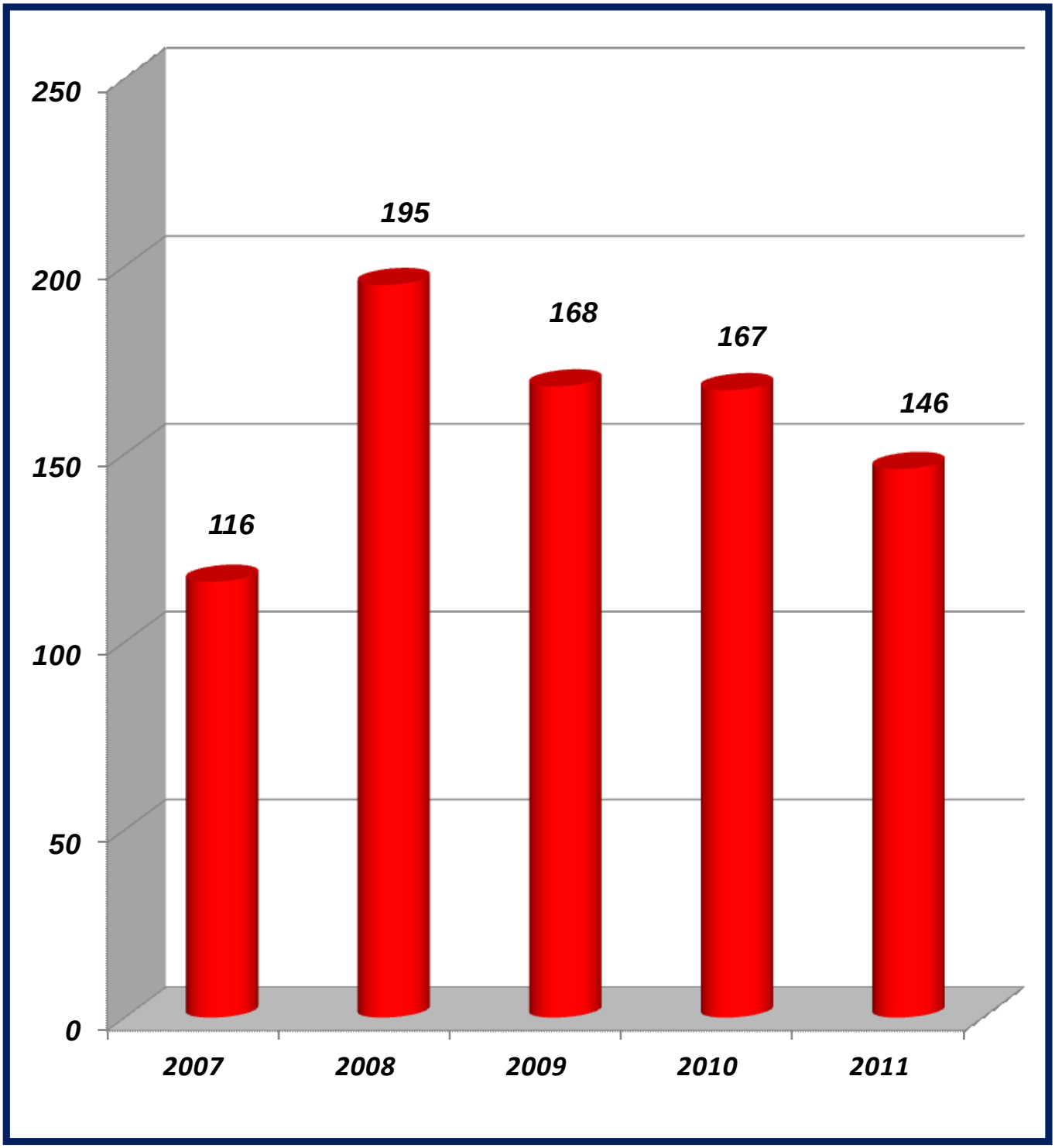
## Robberies Clearance Rate

## Dover Police Department vs. Nation



# City of Dover Police Department
# Annual Report

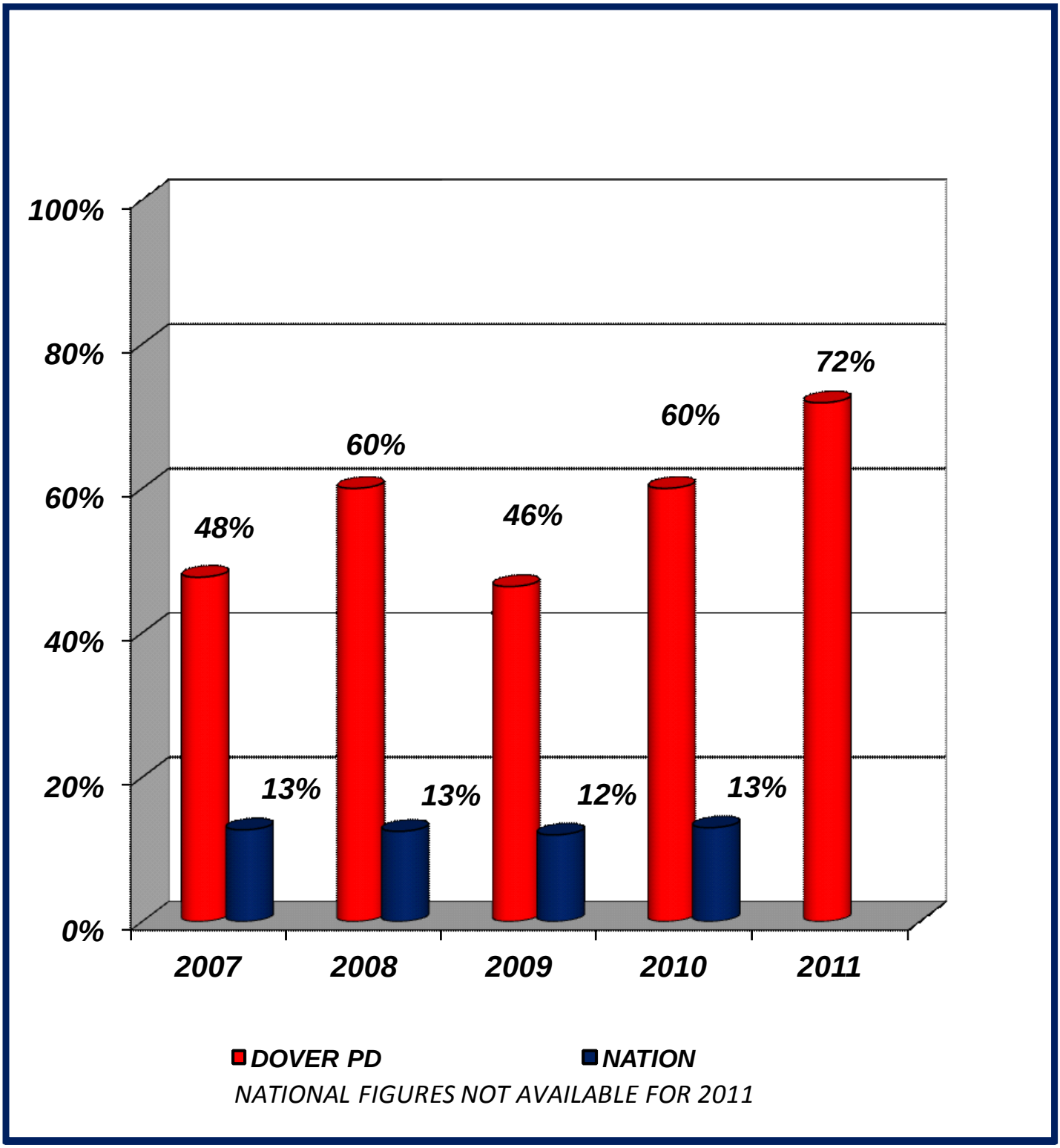
## Burglaries
## Five Year Comparison



# City of Dover Police Department
# Annual Report

## Burglary Clearance Rate

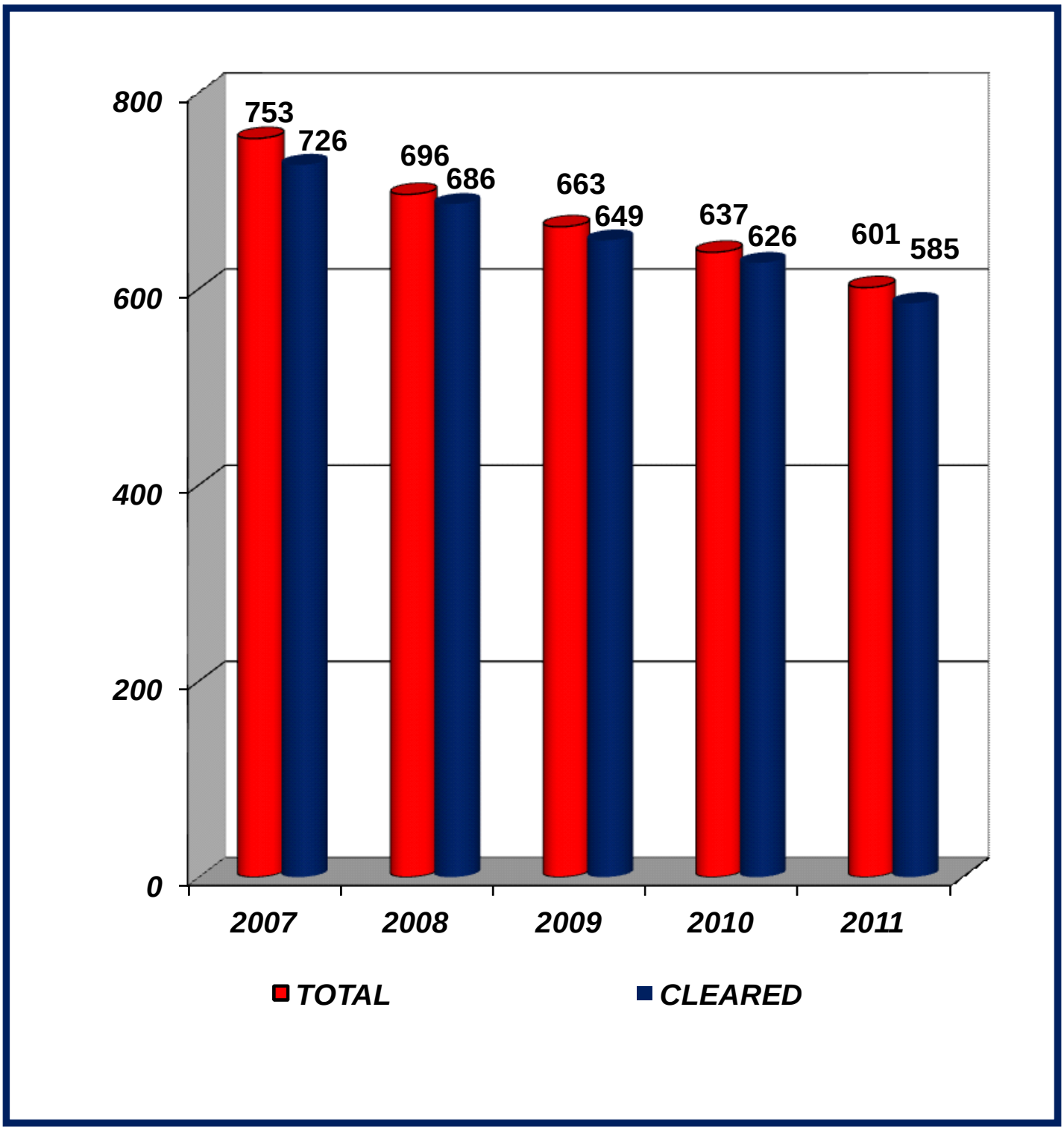
## Dover Police Department vs. Nation




NATIONAL FIGURES NOT AVAILABLE FOR 2011

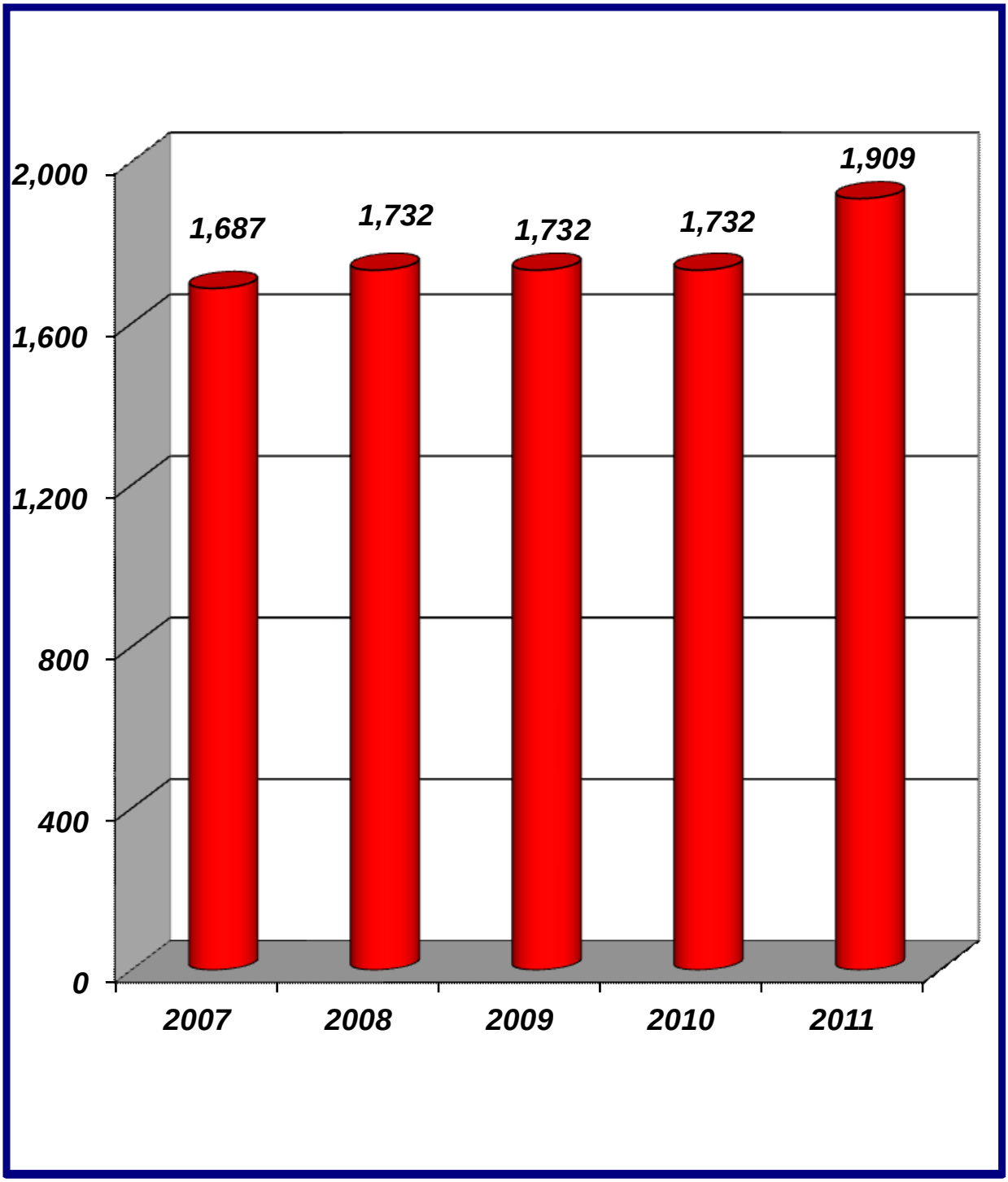
# *City of Dover Police Department*
# *Annual Report*

## *Drug Offenses*
## *Five Year Comparison*



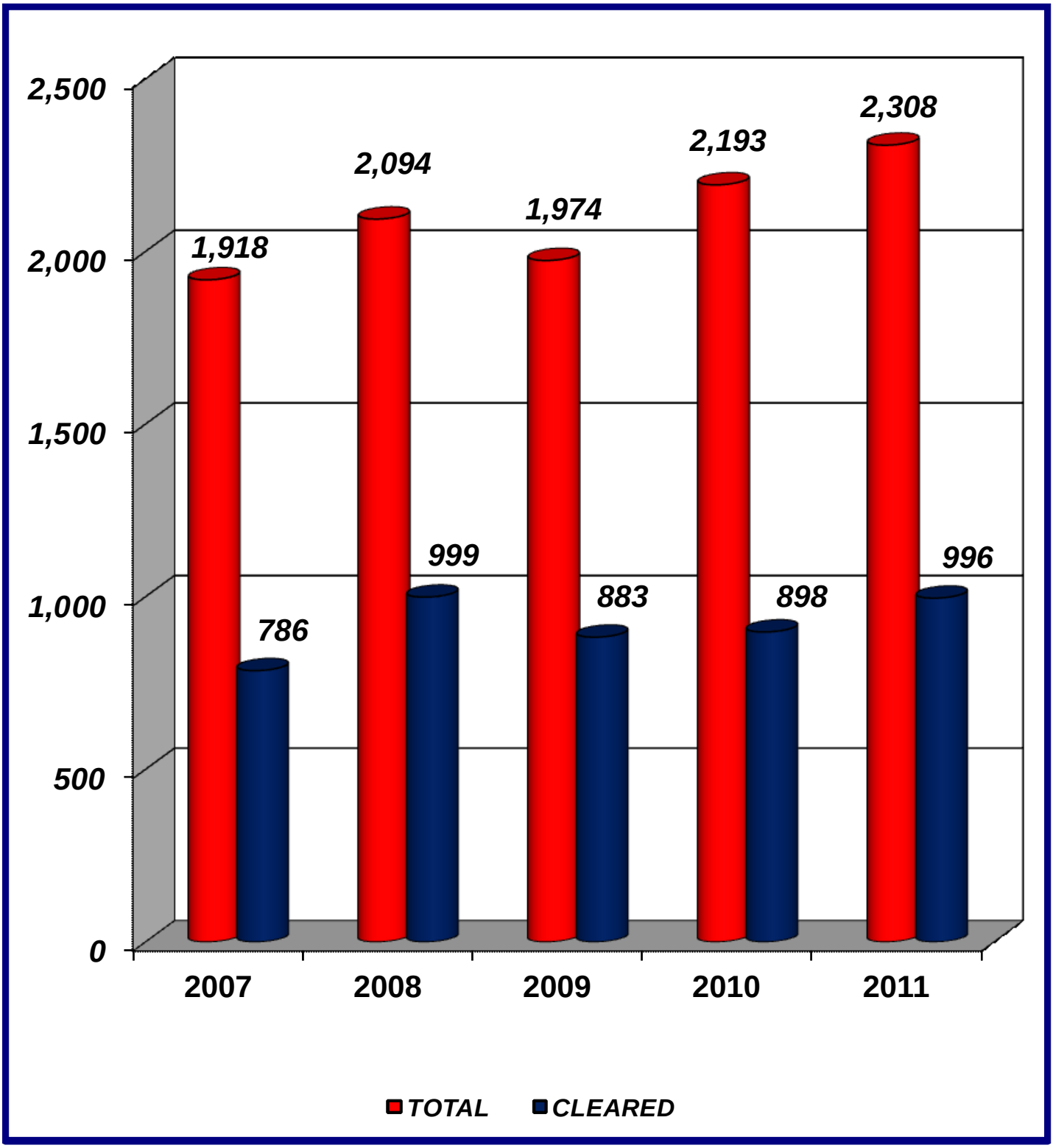
# *City of Dover Police Department*
# *Annual Report*

## *Actual Drug Arrests made by the Drugs, Vice and Organized Crime Section*



# City of Dover Police Department
# Annual Report

## Property Crime
## (Burglary, Theft, Motor Vehicle Theft, Arson)
## Five Year Comparison



## *CRIME CLEARANCE COMPARISON*
## *NATIONAL AVERAGE VS. DOVER POLICE DEPARTMENT*

*CITIES WITH POPULATION 25,000 TO 49,999*

| | NATIONAL 2010 | DOVER 2010 | DOVER 2011 |
|---|---|---|---|
| **VIOLENT CRIME *(TOTAL)*** | 49.9% | 74.0% | 67.8% |
| Murder | 66.4% | 100.0% | 100.0% |
| Forcible Rape | 34.9% | 90.0% | 100.0% |
| Robbery | 32.0% | 71.4% | 56.4% |
| Aggravated Assault | 59.5% | 72.0% | 65.7% |
| **PROPERTY CRIME *(TOTAL)*** | 21.3% | 40.9% | 43.2% |
| Burglary | 12.8% | 59.9% | 58.9% |
| Theft | 24.3% | 40.7% | 42.7% |
| Motor Vehicle Theft | 13.7% | 16.8% | 27.6% |
| Arson | 22.4% | 27.3% | 50.0% |
| **FORCIBLE RAPE** | | | |
| Rape by Force | 34.2% | 88.9% | 100.0% |
| Assault to Rape | 41.1% | 100.0% | 100.0% |
| **ROBBERY** | | | |
| Firearm | 27.8% | 67.9% | 52.3% |
| Knife | 32.3% | 50.0% | 80.0% |
| Other Dangerous Weapon | 30.5% | 100.0% | 83.3% |
| Strongarm | 34.9% | 76.0% | 52.2% |
| **AGGRAVATED ASSAULT** | | | |
| Firearm | 45.5% | 57.4% | 51.5% |
| Knife | 65.5% | 85.4% | 74.0% |
| Other Dangerous Weapon | 59.8% | 78.0% | 78.2% |
| Hands, Feet, Other | 61.9% | 71.4% | 74.2% |
| **BURGLARY** | | | |
| Forcible Entry | 12.1% | 57.8% | 52.9% |
| Unlawful Entry, No Force | 13.6% | 58.6% | 62.7% |
| Attempted Forcible Entry | 11.4% | 100.0% | 100.0% |
| **MOTOR VEHICLE THEFT** | | | |
| Autos | 14.4% | 23.9% | 31.0% |
| Trucks and Buses | 11.2% | 40.0% | 66.7% |
| Other Vehicles | 8.8% | 0.0% | 8.7% |
| **ARSON** | | | |
| Structural | 25.7% | 16.7% | 50.0% |
| Mobile | 13.1% | 50.0% | 0.0% |
| Other | 22.4% | 33.3% | 66.7% |

# City of Dover Police Department
# Annual Report

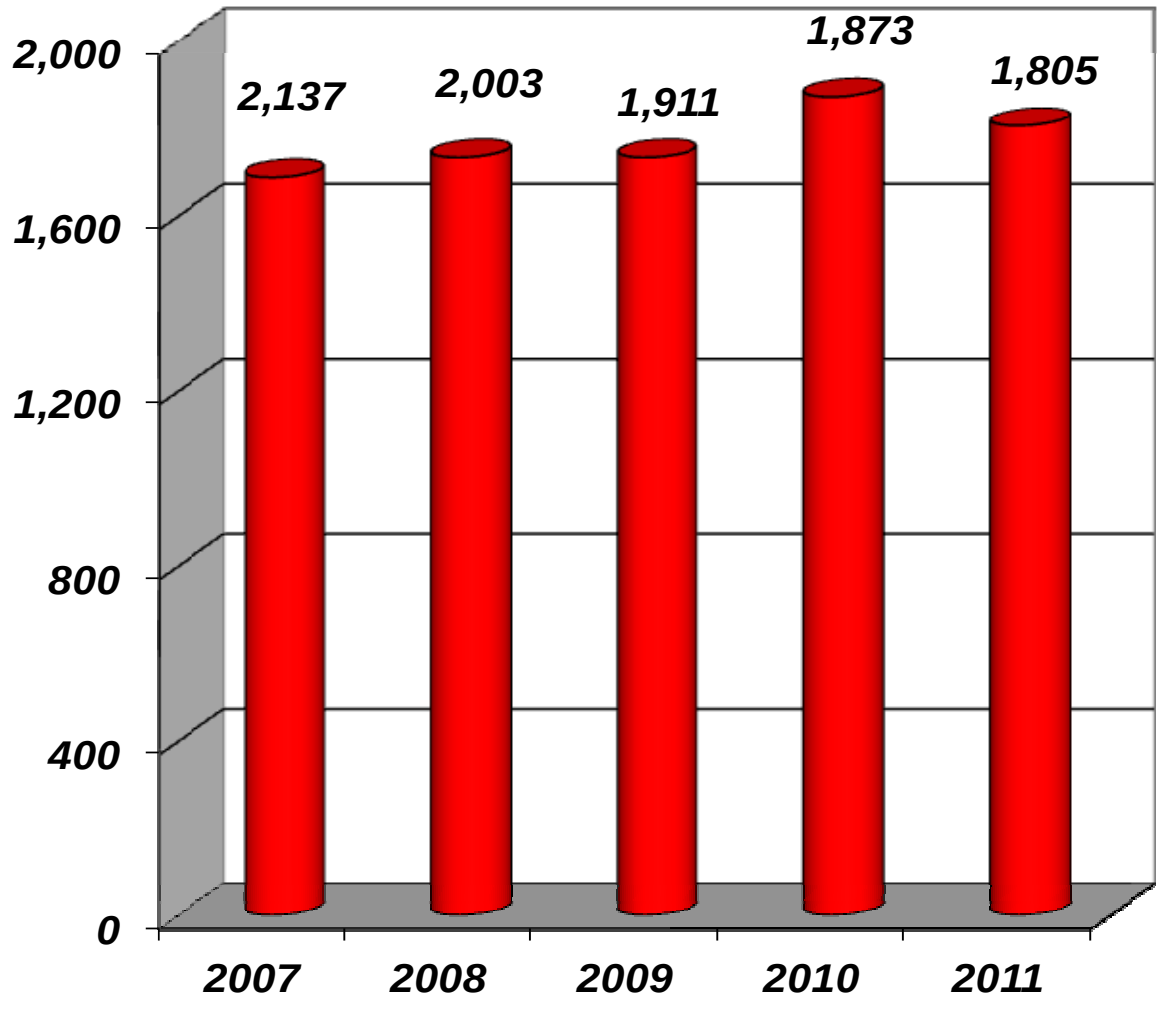
| CRIMINAL SUMMARY<br>Page 1 of 2 | OFFENSES | | | | ARRESTS | | | |
|---|---|---|---|---|---|---|---|---|
| | RECEIVED | | CLEARED | | ADULT | | JUVENILE | |
| GROUP A OFFENSES | 2010 | 2011 | 2010 | 2011 | 2010 | 2011 | 2010 | 2011 |
| **CRIMINAL HOMICIDE TOTAL** | 1 | 6 | 1 | 6 | 4 | 9 | 0 | 1 |
| MURDER NON-NEG. MANSLAUGHTER | 1 | 5 | 1 | 5 | 3 | 8 | 0 | 1 |
| NEGLIGENT MANSLAUGHTER | 0 | 1 | 0 | 1 | 1 | 1 | 0 | 0 |
| | | | | | | | | |
| **KIDNAPPING AND ABDUCTION** | 39 | 26 | 39 | 24 | 34 | 24 | 0 | 1 |
| | | | | | | | | |
| **SEXUAL OFFENSES, FORCIBLE** | 30 | 37 | 27 | 37 | 11 | 19 | 3 | 3 |
| RAPE BY FORCE | 9 | 18 | 8 | 18 | 4 | 9 | 0 | 2 |
| RAPE BY FORCE - ATTEMPTED | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 |
| FORCIBLE SODOMY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SEXUAL ASSAULT WITH AN OBJECT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FORCIBLE FONDLING | 19 | 19 | 17 | 19 | 7 | 10 | 3 | 1 |
| FORCIBLE FONDLING - ATTEMPTED | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| **ROBBERY TOTAL** | 56 | 78 | 40 | 44 | 38 | 35 | 0 | 8 |
| FIREARM | 28 | 44 | 19 | 23 | 19 | 19 | 0 | 5 |
| KNIFE OR CUTTING INSTRUMENT | 2 | 5 | 1 | 4 | 1 | 3 | 0 | 3 |
| OTHER DANGEROUS WEAPON | 1 | 6 | 1 | 5 | 0 | 4 | 0 | 0 |
| STRONGARM | 25 | 23 | 19 | 12 | 18 | 9 | 0 | 0 |
| | | | | | | | | |
| **ASSAULT TOTAL** | 1112 | 1139 | 917 | 958 | 594 | 668 | 126 | 102 |
| AGGRAVATED TOTAL | 182 | 233 | 131 | 153 | 92 | 109 | 16 | 17 |
| AGGRAVATED, FIREARM | 61 | 97 | 35 | 50 | 19 | 26 | 4 | 3 |
| AGGRAVATED, KNIFE/CUTTING INST | 41 | 50 | 35 | 37 | 25 | 27 | 4 | 1 |
| AGGRAVATED, OTHER WEAPON | 59 | 55 | 46 | 43 | 35 | 32 | 5 | 8 |
| AGGRAVATED, STRONG-ARM | 21 | 31 | 15 | 23 | 13 | 24 | 3 | 5 |
| NON-AGGRAVATED TOTAL | 930 | 906 | 786 | 805 | 502 | 559 | 110 | 85 |
| NON-AGG., SIMPLE/HARASSMENT | 781 | 763 | 685 | 678 | 447 | 487 | 89 | 80 |
| NON-AGG., INTIMIDATION | 149 | 143 | 101 | 127 | 55 | 72 | 21 | 5 |
| | | | | | | | | |
| **ARSON TOTAL** | 11 | 10 | 3 | 5 | 2 | 3 | 0 | 0 |
| STRUCTURAL | 6 | 6 | 1 | 3 | 1 | 1 | 0 | 0 |
| MOBILE | 2 | 1 | 1 | 0 | 1 | 0 | 0 | 0 |
| OTHER | 3 | 3 | 1 | 2 | 0 | 2 | 0 | 0 |
| | | | | | | | | |
| **EXTORTION/BLACKMAIL** | 0 | 1 | 0 | 1 | 0 | 1 | 0 | 0 |
| | | | | | | | | |
| **BURGLARY TOTAL** | 167 | 146 | 100 | 86 | 50 | 28 | 20 | 6 |
| FORCEFUL ENTRY | 102 | 87 | 59 | 46 | 29 | 19 | 15 | 5 |
| UNLAWFUL ENTRY, NO FORCE | 58 | 51 | 34 | 32 | 20 | 8 | 2 | 1 |
| ATTEMPTED FORCIBLE ENTRY | 7 | 8 | 7 | 8 | 1 | 1 | 3 | 0 |

# City of Dover Police Department
# Annual Report

| CRIMINAL SUMMARY<br>Page 2 of 2 | OFFENSES | | | | ARRESTS | | | |
|---|---|---|---|---|---|---|---|---|
| | RECEIVED | | CLEARED | | ADULT | | JUVENILE | |
| | 2010 | 2011 | 2010 | 2011 | 2010 | 2011 | 2010 | 2011 |
| **LARCENY - THEFT** | 1908 | 2065 | 777 | 881 | 624 | 773 | 179 | 159 |
| PICK POCKET | 7 | 8 | 1 | 3 | 2 | 3 | 0 | 0 |
| PURSE SNATCH | 5 | 6 | 1 | 0 | 0 | 0 | 0 | 0 |
| SHOPLIFTING | 772 | 946 | 550 | 685 | 522 | 661 | 143 | 137 |
| THEFT FROM BUILDING | 456 | 497 | 113 | 118 | 66 | 70 | 16 | 13 |
| THEFT FROM COIN-OP MACHINE | 5 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| THEFT FROM MOTOR VEHICLE | 380 | 336 | 78 | 47 | 22 | 23 | 17 | 7 |
| THEFT OF VEHICLE PARTS/ACC. | 80 | 52 | 11 | 2 | 3 | 1 | 0 | 0 |
| OTHER | 203 | 217 | 23 | 26 | 9 | 15 | 3 | 2 |
| **MOTOR VEHICLE THEFT TOTAL** | 107 | 87 | 18 | 24 | 5 | 7 | 3 | 0 |
| AUTOS | 67 | 58 | 16 | 18 | 4 | 6 | 3 | 0 |
| TRUCKS AND BUSES | 5 | 6 | 2 | 4 | 1 | 1 | 0 | 0 |
| OTHER VEHICLES | 35 | 23 | 0 | 2 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| **COUNTERFEIT/FORGERY** | 56 | 77 | 50 | 66 | 42 | 36 | 0 | 4 |
| | | | | | | | | |
| **FRAUD** | 433 | 430 | 337 | 346 | 147 | 119 | 6 | 2 |
| FALSE PRETENSE/SWINDLE | 195 | 189 | 146 | 138 | 73 | 57 | 4 | 1 |
| CREDIT CARD/ATM | 68 | 108 | 53 | 87 | 1 | 4 | 1 | 0 |
| IMPERSONATION | 170 | 133 | 138 | 121 | 73 | 58 | 1 | 1 |
| WELFARE FRAUD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| WIRE FRAUD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| **EMBEZZLEMENT** | 34 | 26 | 29 | 18 | 26 | 16 | 0 | 0 |
| | | | | | | | | |
| **RECEIVING STOLEN PROPERTY** | 43 | 27 | 38 | 24 | 20 | 11 | 8 | 0 |
| | | | | | | | | |
| **DESTRUCTION/DAMAGE PROPERTY** | 1071 | 890 | 313 | 280 | 72 | 77 | 30 | 16 |
| | | | | | | | | |
| **DRUG/NARCOTIC OFFENSES** | 637 | 601 | 626 | 585 | 320 | 292 | 44 | 29 |
| DRUG/NARCOTIC | 331 | 311 | 324 | 301 | 289 | 272 | 42 | 26 |
| DRUG EQUIPMENT | 306 | 290 | 302 | 284 | 31 | 20 | 2 | 3 |
| | | | | | | | | |
| **SEXUAL OFFENSES, NON-FORCIBLE** | 4 | 9 | 4 | 6 | 2 | 3 | 0 | 0 |
| INCEST | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| STATUTORY RAPE | 4 | 9 | 4 | 6 | 2 | 3 | 0 | 0 |
| | | | | | | | | |
| **PORNOGRAPHY/OBSCENE MATERIAL** | 1 | 3 | 1 | 3 | 0 | 1 | 0 | 1 |
| | | | | | | | | |
| **GAMBLING OFFENSES** | 3 | 1 | 3 | 1 | 2 | 0 | 0 | 0 |
| | | | | | | | | |
| **PROSTITUTION** | 10 | 9 | 10 | 9 | 8 | 6 | 0 | 0 |
| PROSTITUTION | 3 | 6 | 3 | 6 | 2 | 5 | 0 | 0 |
| PATRONIZE/PROMOTE PROSTITUTION | 7 | 3 | 7 | 3 | 6 | 1 | 0 | 0 |
| | | | | | | | | |
| **BRIBERY** | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| **WEAPONS LAW VIOLATIONS** | 120 | 141 | 102 | 109 | 17 | 19 | 8 | 4 |
| | | | | | | | | |
| **TOTAL GROUP A OFFENSES** | 5843 | 5810 | 3435 | 3514 | 2018 | 2147 | 427 | 336 |

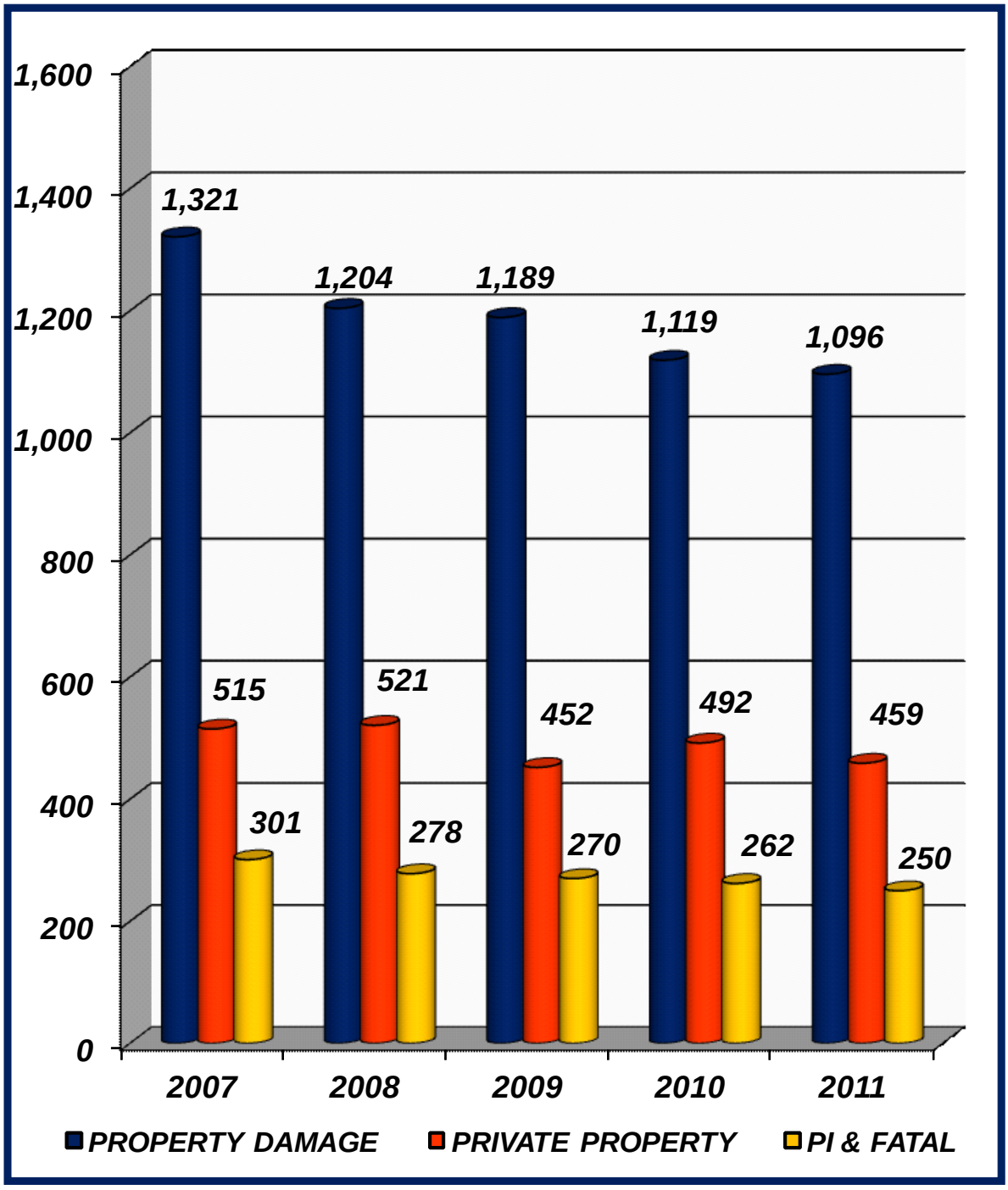
# *City of Dover Police Department*
# *Annual Report*

## *Crashes*
## *Five Year Comparison*



# City of Dover Police Department
# Annual Report

## Crash Breakdown
## Five Year Comparison



# *City of Dover Police Department*
# *Annual Report*

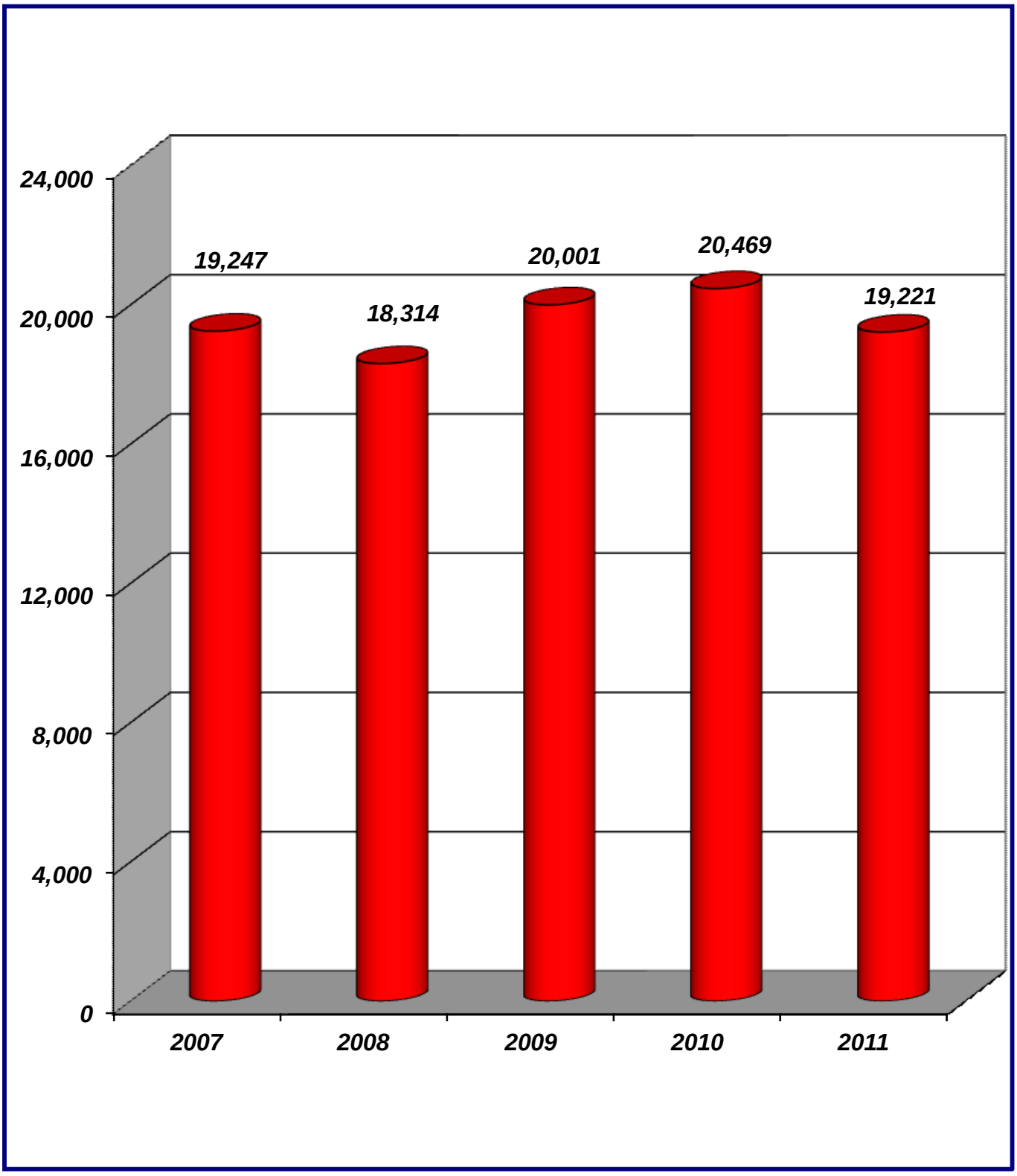
## *Traffic Crash Summary*

| TRAFFIC CRASH SUMMARY | 2010 | 2011 |
|---|---|---|
| TOTAL CRASHES* | 1873 | 1805 |
| FATAL CRASHES | 2 | 2 |
| PERSONAL INJURY CRASHES | 260 | 248 |
| PROPERTY DAMAGE CRASHES | 1119 | 1096 |
| PERSONS KILLED | 2 | 2 |
| PERSONS INJURED | 283 | 333 |
| PRIVATE PROPERTY CRASHES | 492 | 459 |

**Total does not include 960 non-reportable crashes for 2010 and 818 non-reportable crashes for 2011.*

# City of Dover Police Department
# Annual Report

## Traffic Arrests
## Five Year Comparison



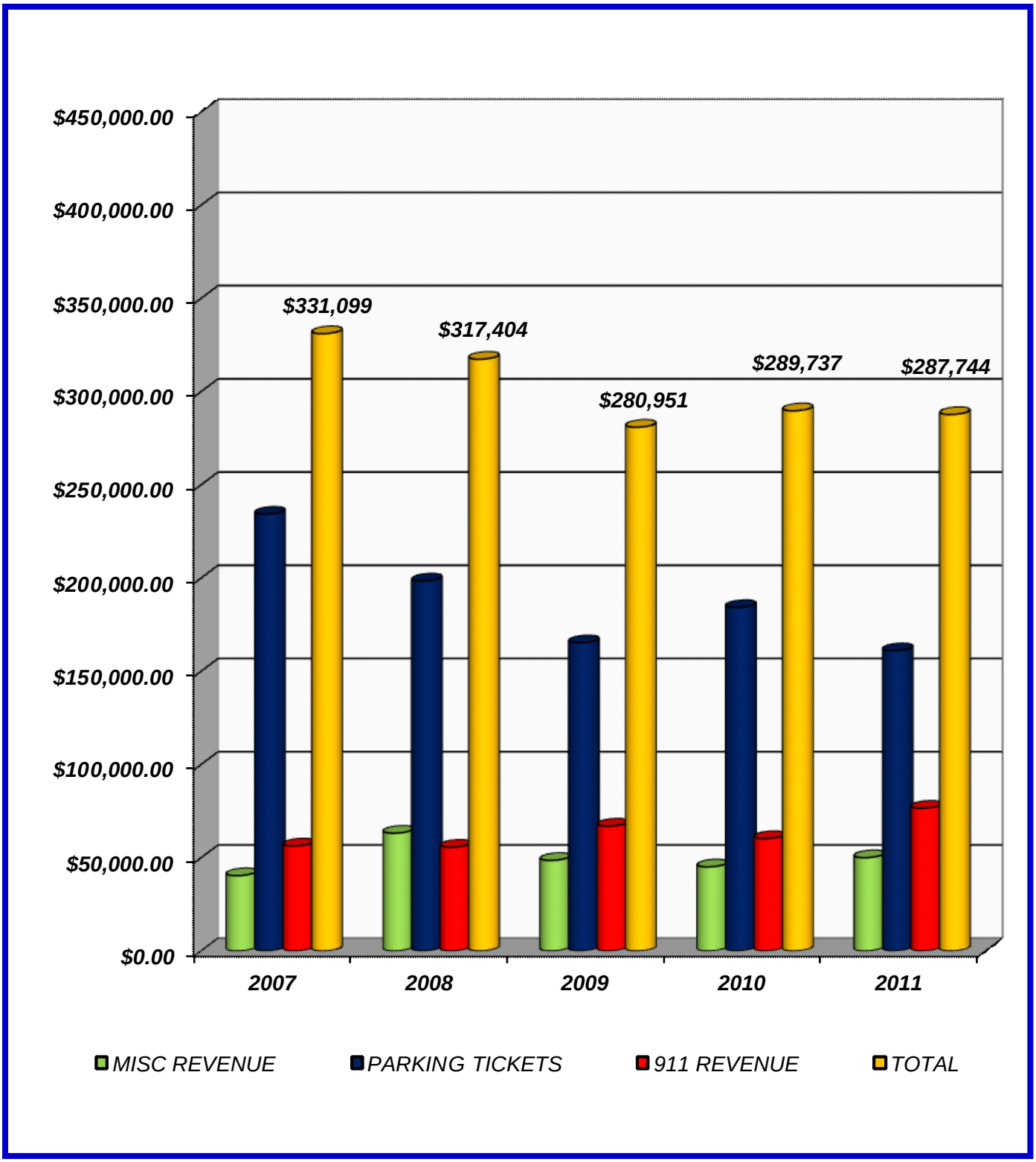
# *City of Dover Police Department*
# *Annual Report*

## *Traffic Arrests Summary*

| **CLASSIFICATION OF VIOLATIONS** | **NUMBER OF ARRESTS** | |
|---|---|---|
| | ***2010*** | ***2011*** |
| *DANGEROUS MOVING VIOLATIONS* | | |
| DRIVING UNDER THE INFLUENCE | 180 | 160 |
| SPEEDING | 5097 | 3461 |
| RIGHT OF WAY | 164 | 145 |
| FOLLOWING TOO CLOSELY | 199 | 218 |
| STOP SIGN | 828 | 660 |
| TRAFFIC SIGNAL | 316 | 263 |
| CARELESS OR INATTENTIVE DRIVING | 771 | 810 |
| ***SUBTOTAL*** | ***7555*** | ***5717*** |
| | | |
| *LICENSE & REGISTRATION VIOLATIONS* | | |
| LICENSE VIOLATIONS | 992 | 909 |
| SUSPENSION & REVOCATION | 1677 | 1437 |
| REGISTRATION & TITLE | 6979 | 5907 |
| ***SUBTOTAL*** | ***9648*** | ***8253*** |
| | | |
| *OTHER VIOLATIONS* | | |
| SEATBELT VIOLATIONS | 2340 | 2765 |
| CHILD RESTRAINT VIOLATIONS | 159 | 139 |
| USE OF CELL PHONE WHILE DRIVING | 0 | 689 |
| LEAVING THE SCENE OF AN ACCIDENT | 64 | 61 |
| FAILURE TO REPORT AN ACCIDENT | 16 | 24 |
| EQUIPMENT VIOLATIONS | 200 | 136 |
| ALL OTHER VIOLATIONS | 487 | 1437 |
| ***SUBTOTAL*** | ***3266*** | ***5251*** |
| | | |
| **GRAND TOTAL** | **20,469** | **19,221** |

# City of Dover Police Department
# Annual Report

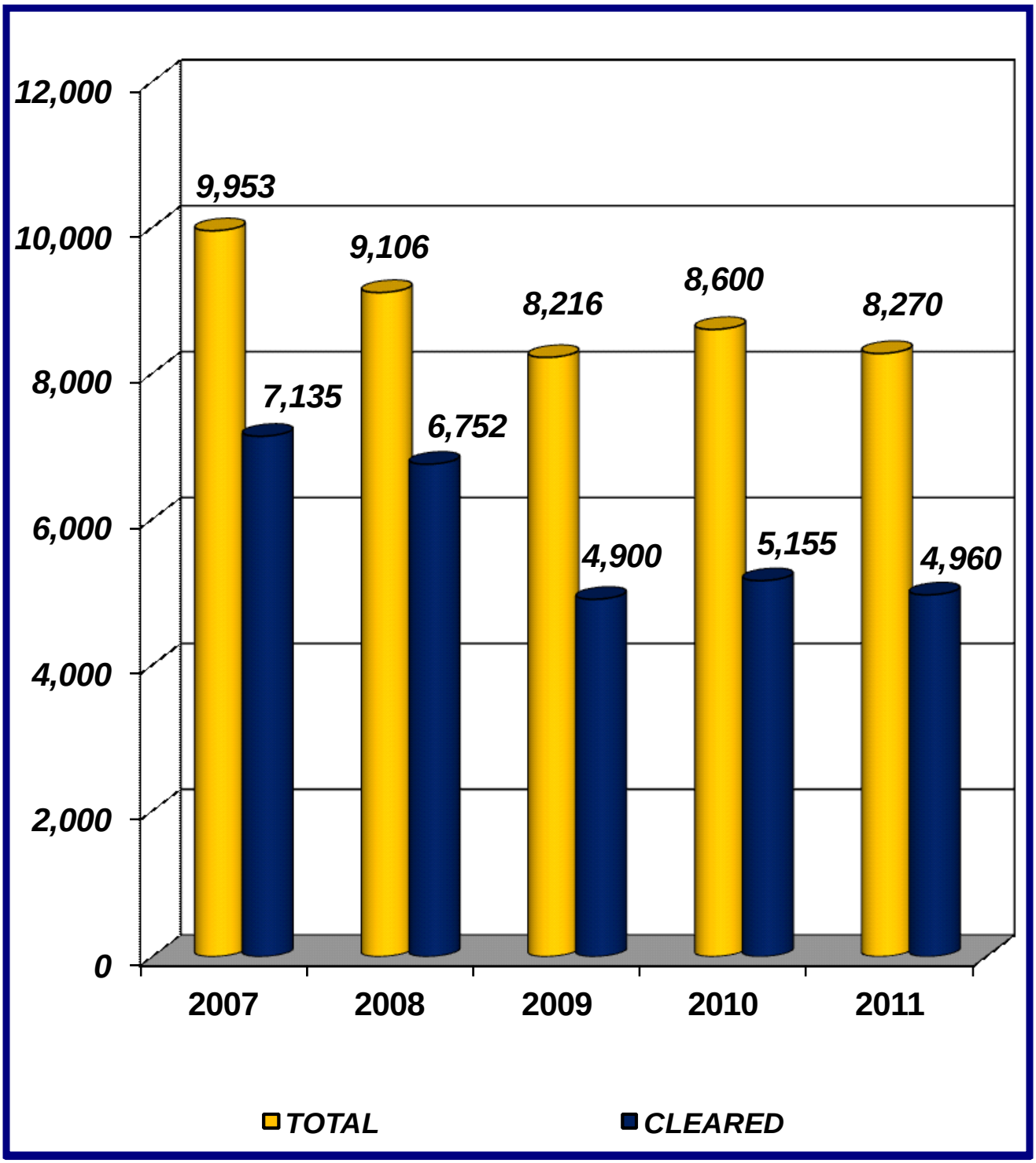
## Police Revenue
## Parking Fines and Reports



# City of Dover Police Department
# Annual Report

## City Ordinance Summons Issued/Paid

## Five Year Comparison



# *City of Dover Police Department Annual Report*

## *City Ordinance Summons Issued/Paid*

| | *ISSUED* | | *PAID* | | *DISMISSED* | |
|---|---|---|---|---|---|---|
| ***CITY ORDINANCE SUMMONS*** | **2010** | **2011** | **2010** | **2011** | **2010** | **2011** |
| Parking | 6403 | 6522 | 3835 | 4038 | 305 | 334 |
| Handicap | 307 | 348 | 97 | 84 | 130 | 156 |
| Fire Lane | 155 | 174 | 72 | 93 | 10 | 15 |
| False Alarm | 737 | 565 | 604 | 422 | 17 | 6 |
| Loud Noise | 373 | 165 | 209 | 95 | 9 | 3 |
| Underage Consumption | 59 | 49 | 30 | 25 | 0 | 0 |
| Animals | 54 | 46 | 41 | 36 | 8 | 4 |
| Other | 512 | 401 | 267 | 167 | 11 | 10 |
| TOTALS | 8600 | 8270 | 5155 | 4960 | 490 | 528 |

| ***CASH RECEIPTS*** | **2010** | **2011** |
|---|---|---|
| City Ordinance Summons | $184,263.00 | $161,061.00 |
| Police Reports | $35,245.00 | $36,360.00 |
| Bicycle License | $1.25 | $0.00 |
| Miscellaneous* | $9,881.00 | $13,712.59 |
| TOTALS | $229,390.25 | $211,133.59 |

*Miscellaneous funds include monies deposited from collections agency payments

# *City of Dover Police Department Annual Report*

## *Police Time/Distribution Hours*

| TIME DISTRIBUTION, HOURS | 2010 | 2011 |
|---|---|---|
| Total on Duty | 155,860.50 | 154,299.00 |
| Criminal Investigation | 71,892.50 | 77,053.50 |
| Accident Investigation | 4,744.50 | 4,255.00 |
| Special Duty | 26,639.00 | 23,633.00 |
| Foot Patrol | 749.50 | 785.50 |
| Station Duty | 15,434.00 | 14,493.50 |
| Motor Patrol | 16,267.00 | 13,686.50 |
| Traffic Duty | 726.50 | 1,134.50 |
| Court | 4,989.50 | 4,864.50 |
| Administrative | 14,418.00 | 14,393.00 |
| Sick* | 1,741.00 | 2,681.00 |

**sick time not included in total*

| PERSONNEL STRENGTH | 2010 | 2011 |
|---|---|---|
| Authorized Strength | 91 | 93 |
| Actual Strength | 91 | 90 |

| MISCELLANEOUS CONTACTS | 2010 | 2011 |
|---|---|---|
| Traffic Reprimands | 3,379 | 2,496 |
| Crime Prevention Checks | 2,746 | 2,747 |

# *City of Dover Police Department Annual Report*

# *Miscellaneous Calls For Service*

### *MISCELLANEOUS CALLS FOR SERVICES*

THIS REFERS TO THE CATEGORY IN WHICH THE DISPATCHER CLASSIFIED THE CALL FOR

| ***SERVICE REQUEST TYPE*** | ***2010*** | ***2011*** |
|---|---|---|
| ALARMS | 2,422 | 2,175 |
| ANIMAL | 962 | 991 |
| ASSIST OTHER AGENCY | 575 | 664 |
| CITY ORDINANCE VIOLATION | 43 | 52 |
| DRUG OVERDOSE | 35 | 40 |
| ESCORTS, INCLUDES CITY HALL | 378 | 375 |
| LOCK JOCK | 1478 | 1,274 |
| LOST/FOUND PROPERTY | 292 | 250 |
| LOUD MUSIC/PARTY | 138 | 152 |
| COMMUNITY SERVICE REQUESTS | 322 | 544 |
| MEGAN'S LAW (SEX OFFENDER REGISTRATION) | 674 | 744 |
| MENTAL PATIENT | 169 | 164 |
| MISSING PERSONS | 320 | 314 |
| NOISE | 778 | 847 |
| PROTECTION FROM ABUSE ORDER VIOLATIONS | 68 | 81 |
| PROPERTY CHECK | 167 | 476 |
| PROPERTY RETRIEVAL | 234 | 240 |
| PUBLIC ASSISTANCE | 559 | 707 |
| SUDDEN DEATH | 34 | 24 |
| SUICIDE (includes attempts) | 103 | 123 |
| TRAFFIC REQUEST | 407 | 449 |
| UNSECURE BUILDING | 79 | 87 |

| | | |
|---|---|---|
| TOTAL | 10,237 | 10,773 |

### *STATUS/DISPOSITION OF CALLS RECEIVED*

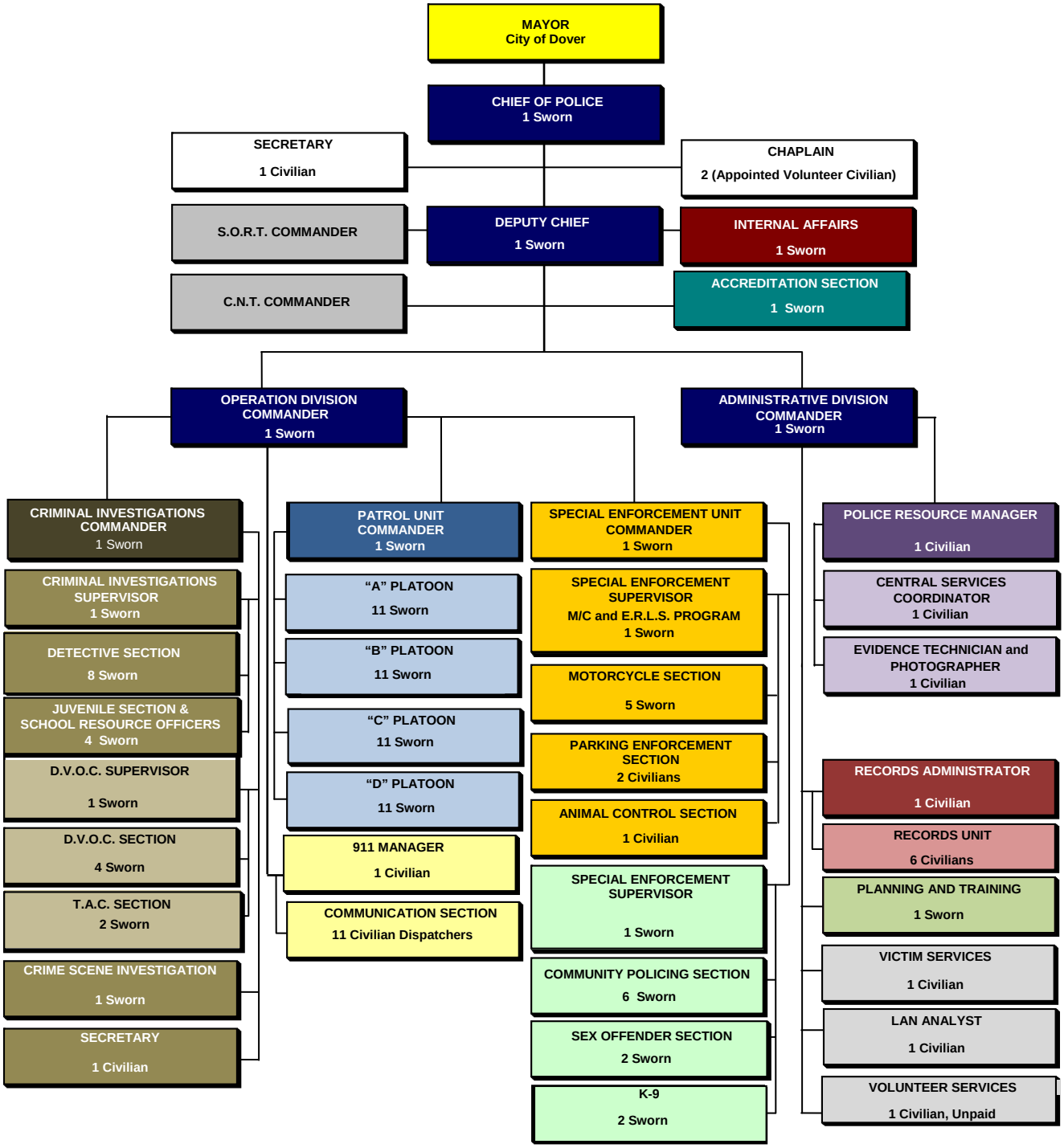
THIS REFERS TO THE CATEGORY IN WHICH THE DISPATCHER OR OFFICER CLASSIFIED THE RESULT OF THE CALL FOR SERVICE

| | ***2010*** | ***2011*** |
|---|---|---|
| REPORT REQUIRED | 9,567 | 9,442 |
| NO REPORT REQUIRED | 8,514 | 8,121 |
| CANCELED PRIOR TO OFFICER ARRIVAL | 640 | 785 |
| CRIME PREVENTION CHECK PERFORMED | 445 | 714 |
| NO REPORT - AREA CHECKED W/NEGATIVE RESULTS | 4,897 | 5,319 |
| NO REPORT - FALSE ALARM | 2,158 | 1,861 |
| CLEARED - LOCK JOCK SUCCESSFUL | 984 | 817 |
| CLEARED - LOCK JOCK UNSUCCESSFUL | 333 | 248 |
| TURNED OVER TO ANOTHER AGENCY | 168 | 92 |
| ALL OTHER CATEGORIES | 6,401 | 7,764 |

# *Dover Police Department FY11 Grant Funding Summary*

| State Attorney General's Office | Totals |
|---|---|
| **State Law Enforcement Assistance Fund (SLEAF)** – funding from state drug cases reallocated for supplemental law enforcement equipment & programs | |
| State funds received for Delaware Police Chiefs' Council (DPCC) payroll and the annual training seminar held in Rehoboth, DE. | $25,000.00 |
| **Criminal Justice Council (CJC) Grants** – pass-through funding from the USDOJ for special programs and priorities. | |
| The Violence Against Women Act (VAWA) grant program funds received for digital cameras for all patrol officers to improve documentation for domestic violence cases. | $10,649.97 |
| **State Department of Public Safety** | |
| **State Aid to Local Law Enforcement (SALLE) Grants** – funds received for annual allocation of state funding for supplemental law enforcement equipment & programs. | $9,935.52 |
| State funds received for DPCC annual training seminar held in Rehoboth, DE. | $9,421.44 |
| **Emergency Illegal Drug Enforcement (EIDE) Grants** – fund received for annual allocation of state funding for supplemental drug law enforcement programs | $14,255.29 |
| **Highway Safety Grants** – funds received for additional enforcement hours in safety focus areas including impaired driving, occupant protection and aggressive driving | $74,901.25 |
| **Highway Safety Events** – funds received for additional monthly enforcement hours | $27,513.86 |
| **US Department of Justice** | |
| **Edward G. Byrne Memorial, Justice Assistance Grant (JAG)** – funds received during the year from this recurring federal grant for supplemental law enforcement initiatives. | $139,220.70 |
| **Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP)** Payroll costs for one year of the three year federal hiring grant for one officer position. | $42,733.91 |
| ***Grand Total*** | ***$353,631.94*** |

# Dover Police Department
# 2011 Organizational Chart



# *City of Dover Police Department*
# *Staff*



*Chief Hosfelt encircled by his staff:*
*Clockwise from left to right: Major Bernat, Mrs. Patricia Virdin, Lt. McKeown, Lt. Rachko, Capt. Stump, Capt. Getek, Lt. Scott, Lt. Counselman, Mrs. Robin Adkins and Mrs. Christina Kober*

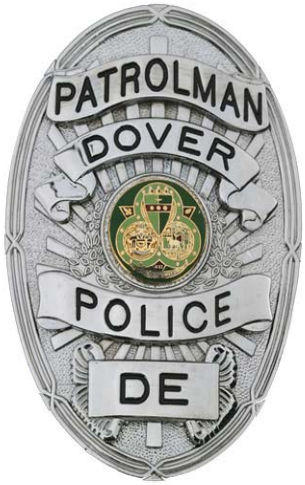
| | |
|---|---|
| *Chief of Police* | *James E. Hosfelt, Jr.* |
| *Deputy Chief* | *Paul Bernat* |
| *Operations Division Commander* | *Timothy Stump* |
| *Administration Division Commander* | *Steven Getek* |
| *Criminal Investigations Unit Commander* | *Daniel McKeown* |
| *Patrol Unit Commander* | *Robert Scott* |
| *Special Enforcement Unit Commander* | *Alan Rachko* |
| *Internal Affairs Unit Commander* | *Benton Counselman* |
| *Police Resources Manager* | *Robin Adkins* |
| *Records Unit Administrator* | *Patricia Virdin* |
| *911 Manager* | *Christina Kober* |

# *PROMOTIONS*

*Every year officers of the Dover Police Department take part in a highly competitive promotion process. The following officers were promoted during the year 2011:*




***Brian Allen to Corporal***
***Bernardo Fioravaniti to Corporal***
***Brian Gedney to Corporal***
***Jennifer King to Corporal***
***Robert Roswell to Corporal***
***Demetrius Stevenson to Corporal***




***Scott Hurd to Patrolman First Class***
***Christopher Peer to Patrolman First Class***
***James Piazza to Patrolman First Class***
***Caleb Rich to Patrolman First Class***
***Justin Richey to Patrolman First Class***
***J. Michael Willson to Patrolman First Class***
***Brian Wood to Patrolman First Class***

*Congratulations to these fine officers on their promotions.*

# *Officers of the Quarter for 2011*

## *1st Quarter*



*Cpl. Mark Guiteras*

### *Motorcycle Unit*

*Cpl. Mark Guiteras was selected as the Officer of the 1st Quarter for 2011. He joined the Motorcycle Unit in 2010. During this quarter, he was the highest producer of traffic arrests in the Dover Police Department with a total of 553, averaging a staggering 185 arrests monthly. Cpl. Guiteras also responded to 120 calls for service either as a back up or the primary investigating officer, though this is not part of his regular duties. He also placed a strong emphasis on public safety enforcement by writing 82 citations for Seat Belt Violations which reinforced the State of Delaware's Click It or Ticket Initiative.*

## *2nd Quarter*



*PFC Anthony Toto*

### *Patrol Unit*

*PFC Anthony Toto was selected as the Officer of the 2nd Quarter for 2011. PFC Toto has been employed with the Dover Police Department since 2006. He is an extremely intelligent, hard working and highly motivated officer. He responded to 448 calls for service. These calls for service varied from property damage accidents to domestic violence complaints. In addition to investigating the high volume number of complaints, PFC Toto obtained 73 traffic arrests, 53 criminal arrests, 36 city ordinance arrests and 22 crime prevention checks during the second quarter. Additionally, he rescued a victim that was assaulted and her assailant was charged with Attempted Murder in the First Degree.*

# *Officers of the Quarter for 2011*

## *3rd Quarter*

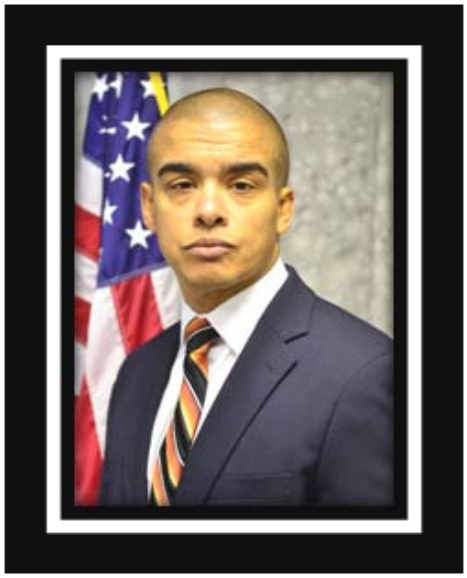


*MCpl. Matthew Knight*

### *Patrol Unit*

*MCpl. Matthew Knight was selected for the Officer of the 3rd Quarter in 2011. His employment with the Dover Police Department began in 1999. MCpl. Knight has served in the Criminal Investigation Unit, the DVOC Tac Unit and is also a member of the S.O.R.T. Team. He was promoted to the rank of Master Corporal in July 2009 and is currently assigned to the Patrol Division as Assistant Shift Supervisor. On September 4, 2011, he responded as supervisor to a local department store where a bomb threat had been made. He searched the business for suspicious packages with the store manager and safely cleared the business in an expeditious manner. Additionally, on September 22, 2011, MCpl. Knight arrested a suspicious person where 2.1 grams of heroin were seized from the subject along with various drug paraphernalia.*

## *4th Quarter*



*Detective*
*Kevin Streadwick*

### *Criminal Investigations Unit*

*Patrolman First Class Kevin Streadwick was selected for the Officer of the 4th Quarter in 2011. He joined the Dover Police Department in 2004. Officer Streadwick began his career in the Patrol Unit and was then assigned to the Criminal Investigation Unit in 2010. Detective Streadwick has been one of the leading detectives in caseload management as well as clearance rates of cases. On October 23, 2011 he was chosen to be a lead investigator in a violent homicide investigation. There were no witnesses to the crime, no surveillance footage, no fingerprints and essentially, no forensic evidence to aid in the investigation. Detective Streadwick, through his exhaustive research and after conducting outstanding interviews with the possible subjects involved, lead to executing a search warrant where the murder weapon and additional evidence was seized. His clearance rate for cases in the 4th quarter of 2011 was 98.41%.*

# *Civilians of the Quarter*

## *1st Quarter*



*Dispatcher Mark Hall*

### *Dispatch Unit*

*Mr. Hall was recognized as the Civilian of the Quarter for the 1st Quarter of 2011. He has been employed with the Dover Police Department since 2006. He performed his duties in the Dispatch Unit in an exemplary manner while maintaining a level of professionalism handling all situations calmly and efficiently. These qualities became evident during an incident that took place in a local market. He received a frantic 911 call from a person who indicated that a victim was being restrained by four subjects and held to the ground. Dispatcher Hall immediately confirmed the location of the incident and dispatched officers within twenty-two seconds to the scene. He continued to field other calls regarding the same incident and relayed pertinent information to the responding officers. The suspect was subsequently arrested for Robbery 1st, Conspiracy 2nd and Resisting Arrest. The quick actions of Dispatcher Hall enabled the responding officers to make a swift arrest.*

## *2nd Quarter*



*ACO Mark Moore*

### *Animal Control Unit*

*Mr. Moore was recognized as the Civilian of the 2nd Quarter for 2011. He has been employed by the Dover Police Department since 2001 as an Animal Control Officer. ACO Moore responded to 214 complaints and of those complaints, Mr. Moore handled 67 Lock Jocks, 60 animal at large complaints and obtained 6 criminal warrants. He issued 9 DCO's, 42 warnings and transported numerous animals to the SPCA. Mr. Moore is proactive in seeking out those who mistreat animals in anyway. He monitors recent trends in animal fighting and seeks out those perpetrators who participate in this criminal actvity. During the second quarter, Mr. Moore obtained warrants for several people who were involved in dog fighting and removed numerous dogs from abusive situations. He has handled bite complaints, educates the owners of the city code and provides information on how to better secure and care for their animals.*

# *Civilians of the Quarter*

## *3rd Quarter*



*Ms. Vicky Hodges*

### *Records Unit*

*Ms. Hodges was recognized as Civilian of the 3rd Quarter for 2011. She has been employed with the Dover Police Department for twenty-two years. She currently serves as a Police Clerk in the Records Unit. Ms. Hodges worked to coordinate the migration from the current payroll system to the new ADP payroll system. The tasks were very time consuming and did not negate the need for her to perform her regular job assignments as well. She was instrumental in training officers how to use the new ADP payroll system. She spent a considerable amount of time researching data to verify dates or balances. She handled this increased workload with a professional and positive attitude.*

## *4th Quarter*



*Ms. Patricia Sapp*

### *Dispatch Unit*

*Ms. Sapp was recognized as the Civilian of the 4th Quarter for 2011. Ms. Sapp has been employed with the Dover Police Department since 2000. She demonstrates patience and a high level of skill in her recently added job duties as Dispatcher/Trainer. She handles various calls and dispatch procedures while monitoring trainees and still demonstrates the utmost of integrity for this department. She is always dependable and follows through until the task is completed. Ms. Sapp is the Senior Dispatcher on her platoon.*

# *Officer & Civilian of the Year 2011 - Dover's Finest*




***Officer of the Year***
***Patrolman First Class***
***Anthony Toto***



*Officer of the Year, PFC Anthony Toto is congratulated by Chief James E. Hosfelt, Jr. at the Promotions and Awards Ceremony*



*Civilian of the Year, Mr. Mark Moore is congratulated by his son Tyler, Mayor Carleton Carey and Chief James E. Hosfelt, Jr. at the Promotions and Awards Ceremony*



***Civilian of the Year***
***Animal Control Officer***
***Mr. Mark Moore***

# *Awards Ceremonies*

*The Dover Police Department held two Award Ceremonies last year. Officers and civilians earned the following awards in 2011:*




| | |
|---|---|
| ***Distinguished Unit Commendations*** | ***8 Units Awarded*** |
| ***DUI Awards*** | ***4 Awards*** |
| ***Service Achievement Awards*** | ***8 Awards*** |
| ***Safe Driving Awards*** | ***11 Awards*** |
| ***Loyal Service Awards*** | ***8 Awards*** |
| ***Perfect Attendance Awards*** | ***42 Awards*** |
| ***Distinguished Citizen Award*** | ***1 Award*** |
| ***Police Chief Commendation*** | ***1 Award*** |













# New Officers




*Newly sworn Dover Police Officers, Patrolman Nathaniel Warren, Patrolman Brian Berns, Patrolman Matthew Krogh and Patrolman Brooks Ogden*









*Mayor Carey issues the Oath of Office to Patrolman Nathaniel Warren, Patrolman Brian Berns, Patrolman Matthew Krogh and Patrolman Brooks Ogden*

# *Special Operations Response Team (SORT)*




***The Special Operations Response Team is comprised of 18 veteran officers. Officers are only considered for this special assignment upon completion of extensive physical testing as well as firearms proficiency. The Special Operations Response Team is highly trained in the areas of hostage rescue, barricaded subjects, and high risk warrant service. During 2011 numerous veteran officers of this extremely motivated team completed an average of over 200 hours of specialized training in firearms, tactics and rappelling. Additionally, the Special Operations Response Team executed numerous high-risk search warrants in support of the Drugs, Vice, and Organized Crime Section, Detective Section and the Federal Drug Enforcement Agency. The team also successfully resolved an incident involving a barricaded suspect armed with a handgun who threatened to shoot responding officers. The incident was resolved without injury to any officers, civilians or suspects.***

*In the foreground, PFC Tom Webster*
*followed by Cpl. Mike Wisniewski participate in a SORT*
*training mission*

# *Crisis Negotiation Team (CNT)*

*The Crisis Negotiation Team is a specialized unit comprised of ten veteran officers of the Dover Police Department, whose mission is to respond to all barricade and hostage situations. The CNT commander reports directly to the Deputy Chief of Police who is also responsible for authorizing their activation. Once activated, the Crisis Negotiation Team focuses their resources on establishing personal contact with the individual involved. Once contact is established, CNT uses the opportunity to appraise, evaluate and gather intelligence in order to resolve the crisis as quickly as possible.*

*The Crisis Negotiation Team maintains their proficiency through bi-monthly training exercises, two of which include joint training with SORT. Throughout 2011, members of the Crisis Negotiation Team attended continuing education courses designed to enhance the team's capabilities.*




*MCpl. Kelli Burns, MCpl. Dave Gist and Sergeant Jack Fortney (in background) conduct on scene negotiations*

# Public Information Officer

*The Public Information Officer (PIO) is a responsibility assigned to the Dover Police Department's Operations Division Commander and in his absence falls upon the four Unit Commanders. All are responsible for disseminating information to the media and the public. This is primarily accomplished by publishing information and photos on the department web page, which can be accessed at www.doverpolice.org. The PIO also has regular contact with journalists from newspaper, radio, and television and gives both telephone and in- person interviews. Additionally, the Public* Information *Officer is often called upon to serve as emcee during functions such as promotion & award ceremonies.*



*Captain Timothy Stump,*
*Operations Division Commander*

# Internal Affairs



*Lt. Benton Counselman*

*The Internal Affairs Unit is staffed with one sworn officer who holds the rank of Lieutenant. The mission of the Internal Affairs Unit is to ensure the integrity of the Police Department by maintaining an internal system that is objective, fair, and equitable in its methods of internal investigation. The Internal Affairs Office is responsible for investigating allegations of misconduct by employees both sworn and civilian. The Internal Affairs Unit also investigates all complaints or allegations of corruption, use of excessive force, breach of civil rights, criminal misconduct, and violations of department policy. This office is tasked with working directly with the City Solicitor in responding to civil actions.*

*In addition to its primary duties, the Internal Affairs Office retains an active role in training new recruits along with local citizens who attend the Citizens Police Academy. New employees are acquainted with the function of the Internal Affairs Office, including an overview of rules, regulations and job performance standards. Internal Affairs is also tasked with several other responsibilities including the inspection of departmental equipment, vehicles, and evidence storage facilities.*

# *Criminal Investigation Unit*
# *Detective Section*

*The Dover Police Criminal Investigation Section is tasked with the responsibility to investigate the most serious crimes that occur within the City of Dover. This section also conducts financial and identity theft investigations. In addition to these duties they are called upon to perform background investigations on all civilian and police applicants who are being considered for employment.*

*In 2011, the seven detectives assisgned to this section investigated a total of 2,435 complaints and cleared 2,280 of them. The detectives cleared 93.63% of all cases that they investigated. The detectives also handled a record number six homicides this year with a 100% clearance rate. These clearance rates are significantly higher than the national average. This speaks volumes for their investigative abilities.*

*In 2011, Detective Jeff Gott won The American Society of Industrial Security (ASIS) investigator of the year award for his remarkable case load and clearance rates. One case in particular, was a double homicide investigation in which Det. Gott arrested the suspect just hours after being assigned the case.*



*Above: Detective David Spicer and Detective Jennifer King review a case in the Criminal Investigations Unit*



*Above: Mrs. Renee Northam, CI Secretary, works on a transcript*



*Detective Gott analyzes computer data*

# Drugs, Vice, & Organized Crime Section (DVOC)

*The Drug, Vice, & Organized Crime Section is comprised of five officers who work in an undercover or plain clothes capacity. All five officers working in concert are committed to eliminating the use and sale of illegal drugs, counterfeit merchandise, and prostitution from the City of Dover. Because of their dedication and commitment, the DVOC Section handled a total of 1,932 cases resulting in 1,909 arrests. As a result of these arrests, the unit seized a large number of illegal drugs and money. These seizure totals include 13,655 grams of marijuana, 28,913 grams of cocaine, 29.2 grams of heroin, 687 prescription pills, 160 Ecstasy pills and $149,000.00 in seized currency.*



## DEA Task Force



*The Dover Police Department continued its ongoing relationship with the Drug Enforcement Administration (DEA) during 2011. The local DEA Task Force is comprised of detectives from local and state police agencies who work in conjunction with federal agents from the Drug Enforcement Administration. The Dover Police Department continues to provide two officers to work with this federal task force.*

***Detective Aaron Dickinson (Dover Police DEA Task Force Officer)** was awarded the Crime Stoppers Investigator of the Year award in 2011 for investigating and shutting down a major interstate prescription pill organization which was operating in and around the City of Dover and was being supplied by major out of state distributors. Det. Dickinson, with assistance from the Dover Police Drug, Vice and Organized Crime Unit and the DEA Task Force, was able to identify not only the local distributors but proceeded to investigate and arrest suppliers from another state and seize their assets. This is a prime example of the good working relationship Dover Police has with local, state and federal law enforcement.*

## Operation Safe Streets

*In addition to the Drug Unit and the DEA Task Force, the Dover Police Department continues to support the Governors statewide initiative "Operation Safe Streets". Two Dover Police Officers work in concert with two Delaware Probation and Parole Officers. Together they concentrate their efforts on street level sales of illegal narcotics, as well as, current probationers who reside within the city limits of Dover.*




*PFC Thomas Hannon*

# *Crime Scene Investigation Unit (CSI)*

*In March 2011, the Dover Police Department unveiled a new unit, the Crime Scene Investigations Unit or CSI. It is currently staffed by one officer, Detective Larry Simpkiss who reports to the Detective Section Sergeant. Detective Simpkiss is a 2010 Graduate of the National Forensic Academy (NFA) at the University of Tennessee. This academy features cutting edge technology and procedure in the collection of forensic evidence and is recognized throughout the world as the premier forensic school. Detective Simpkiss is one of three Dover Police NFA graduates. The three Dover graduates are the only graduates of the NFA in Kent or Sussex Counties. Detective Simpkiss' duties include processing major crime scenes, DNA collection from suspects, processing and tracing of all firearms seized, processing shell casings and/or bullets recovered and any other processing requests that are needed by officers in the department.*



*Detective Larry Simpkiss conducts a forensic examination*

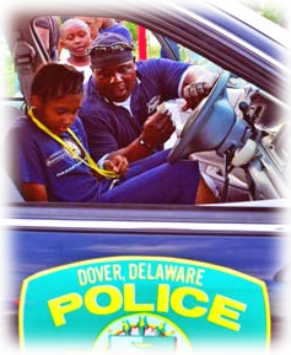
# *Juvenile Section*



*The Juvenile Section consists of four officers: two certified GREAT Officers and two School Resource Officers. The Juvenile Section ended the DARE Program this year and shifted to a more modern and relevant course of instruction, the GREAT Program.*

*The acronym, GREAT, stands for Gang Resistance Education And Training and deals with drug, alcohol use, school violence, bullying and gang education and awareness. The GREAT Officers, MCpl. Todd Case and Cpl. Mike Konnick, instruct a six week classroom course with all fifth graders and follow up with a thirteen week classroom course with all 6th graders at William Henry Middle School. The focus of the course instruction is an anti-gang, anti-drug and anti-violence approach to making good and healthy choices. In addition, Officers Case and Konnick maintain a highly visible presence in all 17 schools that are located in the city limits of Dover.*






*The School Resource Officer (SRO) program is in its seventh year thanks to a partnership between the Dover Police Department and the Capital School District. MCpl. Keith Hester is assigned to Central Middle School and Cpl. Demetrius Stevenson is assigned to Dover High School as the SROs. SROs regularly teach various classes regarding health and safety issues. In addition to patroling the school grounds and attending after school functions, such as sports events and student dances, all Juvenile Section Officers are involved in extracurricular events throughout the year. The events are held in different locations in the city and are focused on positive interaction with children and teenagers. The Juvenile Section Officers strive to build and maintain a positive rapport with all of the students in the Capital School District and the children that reside in our community. The Juvenile Section also handles criminal complaints throughout the year involving crime against juveniles and crimes committed by juveniles.*



*Top: SRO MCpl. Keith Hester. Center-left: MCpl. Todd Case*

*Center-right: Cpl. Demetrius Stevenson*
*Center-bottom: Cpl. Michael Konnick*

# 911 Center

*The Dover Police Department's 911 Center is the first point of contact for emergency services provided to the residents and visitors of Dover. The 911 center operates 24 hours a day 7 days a week providing police, fire and emergency medical services. The 911 center is staffed by eleven full time dispatchers. Once a call is received by a dispatcher, he or she will obtain the pertinent information necessary to log the call for service in the Computer Aided Dispatch (CAD) system. Once the call is logged in the CAD system, the dispatcher must prioritize the complaint, and then ensure the appropriate emergency services are promptly dispatched. The CAD system allows the dispatchers to check for hazards or prior calls from the location of the call for service. In addition, dispatchers can monitor the officer's status, such as when a vehicle is stopped or attending court. Dispatchers are tasked with staying in constant communication via 800 MHz radio system and in car computers, known as Mobile Data Terminals (MDT) with officers. When not busy on the telephone or radio, dispatcher's duties include data entry of wanted persons, missing persons, stolen guns, articles, plates, and vehicles in the local system (Deljis) and National Crime Information Center (NCIC) and criminal history checks. Dispatchers are responsible, dedicated professionals with a strong work ethic to help keep the citizens of the City of Dover as well as our officers safe.*

*In 2011, the 911 center received 119,180 telephones calls, 39,559 of those calls were received on the 911 emergency lines. The 911 center averaged 327 calls daily. In addition, the 911 center logged 41,609 calls for service in CAD.*



*Dispatcher Patricia Sapp monitoring 911 calls*

# *Patrol Unit*

*The primary responsibility of the Patrol Unit is to respond to calls for service in the community twenty -four hours a day. These calls for service are for criminal complaints, motor vehicle accidents, medical emergencies and an assortment of other types of assistance.*

*Patrol officers are the first responders to a variety of incidents thus protecting the life and property of the citizens of and visitors to the City of Dover while at the same time proactively enforcing all aspects of the law.*

*The Patrol Unit consists of four Platoons. To provide the very best service to the public, a typical Platoon consists of officers with the following specialized training and responsibilities:*

*Crash Investigation and Reconstruction*
*Special Operations Response Team*
*Crisis Negotiators*
*Shift Investigators*
*Field Training Officers*
*Honor Guard*













***PFC Derrick Mast and PFC Justin Richey patrolling the City of Dover***

# *Collision, Awareness, Responsibility & Safety Program (CARS)*




*MCpl. Hermance teaches CARS at Dover H.S.*

*The Dover Police Department's CARS program was developed for high school students enrolled in Driver's Education. The Department teamed up with Dover High School & Campus Community School and started teaching this program in the fall of 2004. The 90-minute block of instruction was created and is taught by officers specially trained in Accident Reconstruction. The core topics include common violations that result in accidents, occupant protection (seat belts/airbags), decision-making, and what to do if involved in an accident.*

*The purpose of the course is to teach our new motorists the harsh reality of motor vehicle accidents from the grim point of view of the officer who investigates them. The ultimate goal is to take a proactive measure in an attempt to keep our youth safe. The course is taught throughout the school year to approximately 450 students*.

# *Crash Investigation & Reconstruction Team*

*The City of Dover Police Department investigated 1,805 traffic crashes in 2011. This was an overall reduction of 3.6% from 2010. This past year the Dover Police Department also investigated two fatal injury crashes.*

*In the event of a fatal, serious injury, hazardous material or police officer involved crash, the Dover Police Department relies on the highly trained Crash Investigation and Reconstruction Team. The Reconstruction Team consists of seven officers. Each platoon is assigned a team member with the remaining three officers being assigned to the Detectives Unit. The Reconstruction Officers have received advanced training in the following areas:*

***Traffic Crash Reconstruction from the Institute of Police Training and Management***

***Advance Traffic Crash Investigation from the Institute of Police***

***Training and Management***

***CAD Zone /crash zone computer aided drafting***

***Sokkia Total Station for surveying***

***Crash data retrieval programming***



*MCpl. Brian Sherwood—Reconstructionist*

# Community Policing Section




*Lt. Alan Rachko stands next to one of the new Community Policing vehicles*

*The Community Policing Sections consists of seven full time officers. Until recently, officers split their time between Community Policing and Quality of Life duties. The officers are continuing to work with apartment managers and neighborhood watch groups and civic associations. They give safety talks to senior citizens and special presentations at schools for children. These officers conducted a Crime Free Multi-Housing Program Seminar for apartment managers in Dover which guides them on how to screen potential applicants and evict non-compliant tenants. They also learn how to make their properties less inviting for criminal activity. The 2011 National Night Out was another successful event which was organized by the CP officers and the Target Store. This event drew an estimated 700 to 900 people with displays of all first responders, free food, prize give-a-ways and interaction with police, fire and paramedics from our area. In addition to this event, the CP officers were involved in Ghost and Goblins at Dover Downs, July 4th fireworks celebration and numerous parades in Dover, as well as assisting Milford, Harrington and Milton Police Departments with their town parades.*

# Sex Offender Enforcement Section

*The Sex Offender Section consists of two officers who keep track of all registered sex offenders that reside, work, or go to school in Dover. At any given time there are between 175 to 225 registered sex offenders that meet this criteria in Dover. These officers are responsible for making sex offender public notifications appropriate to the tier of the offender. They will obtain warrants if an offender violates the conditions of the program and aggressively search for the suspect to make the arrest. These officers will conduct audits on all offenders in the city to ensure compliance with the program. Tier 1 offenders which is the lowest level offender, are audited once a year. Tier 2 offenders are audited bi-annually and Tier 3 offenders the highest threat level and are audited four times annually. In 2011, these officers made 219 verifications, 489 re-verifications, 26,179 notifications, obtained 16 non-compliant warrants, of which 14 have been apprehended.*




*Cpl. Mickie Price and Cpl. Harvey Jaksch conduct a Sex Offender Seminar at the Dover Police Department*

# *K-9 Section*

*The Dover Police Department's K-9 section consists of two K-9 officers each with one K-9. The Dover Police K-9s undergo extensive periodic training in order to perform their duties. The K-9 officers fall under the Special Enforcement Unit for training and scheduling, but work directly with the patrol shifts. Police canines are cross-trained, one for explosive detection, and one for drug detection. Police canines often assist Dover officers as well as other agencies throughout Kent County in the apprehension of dangerous felons, suspects resisting arrest and suspects fleeing crime scenes.*




*Cpl. Jeffrey Matthews with his K-9 "Spike"*



*Cpl. Robert Barrett and "Britt" during a training exercise*





# *Motorcycle Section*



*This section consists of six (6) motorcycle officers whose primary responsibility is enforcement of traffic laws. These officers also assist the patrol unit and other sections when called. In 2011 they assisted with 59 funeral escorts, led numerous parades, issued 8235 tickets, and had 1335 complaints assigned to them.*

# *Parking Enforcement Attendants*

*The Dover Police Department has two full time Parking Enforcement Attendants who work independently of one other. They patrol areas of the city with limited hour parking, and paid city parking lots.*






*Parking Enforcement Attendants John Boyer and C. Frank Hutchins*

# *Animal Control Officer*

*The animal control officer handles a majority of the animal complaints in the city. He sets non-injuring traps for citizen complaints of stray cats and dogs. The animal control officer also investigates residences when complaints are made about un-kept or dangerous dogs. Additionally, the animal control officer assists with lock jocks.*




*Animal Control Officer and Civilian of the Year, Mark Moore*

# *Police Resources Manager*

*The Police Resources Manager position is a civilian staff position responsible for departmental financial management. These duties include management of the department budget and grants as well as the over-sight and backup for the other resource functions within the department. These functions include fleet management, building maintenance, evidence and photography.*



*Mrs. Robin Adkins*

# *Central Services Coordinator*



*Mr. Tim Mutter*

*This civilian position contains a plethora of duties and responsibilities. These include purchasing department items and the maintenance and repair of all police vehi-cles, office equipment and specialized police equipment as well as the building facility and all the systems within. In addition, Mr. Mutter supervises building maintenance and evidence/photography personnel.*

# *Evidence Technician / Photographer*

*This key position in the department is currently performed by Mr. Neylan. Evidence duties require arduous attention to detail and hard work to maintain the high degree of accountability that contributes to our department's success in solving cases. In addition, Mr. Neylan photographs crime scenes, police functions and other city events as requested.*



*Mr. Robert Neylan*

# *Building Maintenance*

*Building maintenance staff perform a myriad of tasks to keep all building facilities and systems properly maintained and working in a safe, clean environment. In addition, they schedule and coordinate recurring maintenance for the building systems and equipment. They also assist Mr. Mutter, the Central Services Coordinator, with vehicle issues as needed. Despite the amount of traffic in the building and the associated wear and tear, they do an excellent job in keeping our station in the best condition possible.*





*Mr. Thomas Stubbs and Mrs. Kristin Couden*

# ***Local Area Network Analyst (LAN Analyst)***

*Mr. Paul Cookson serves as the Department's LAN Analyst. He is responsible for the department's computers, application software, servers and related network infrastructure. The computer systems within the department continue to present unique challenges due to the enhanced security requirements imposed by state and federal mandates governing the criminal justice community. Paul also works closely with several state agencies to implement and troubleshoot state-hosted systems that are accessed by police employees.*

*This position is also responsible for assisting with the design, implementation and purchase of all items within the department associated with computer technology. The LAN Analyst is currently responsible for 81 desktop computers, 35 mobile data computers, 17 servers, 11 network printers and various stand-alone peripherals.*




*Mr. Paul Cookson*

# ***Records Unit***

*The Records Unit consists of six civilian employees who are supervised by a civilian manager; Mrs. Patricia Virdin. The unit is responsible for all documents generated by the Police Department. These documents include all criminal reports, arrest reports, traffic crash reports, traffic citations, and city ordinance summons which are submitted to the Records Unit for review, data input, storage, and archiving. The Dover Police Records Unit is one of only three municipal police agencies in the state who are authorized to directly input data into the State of Delaware's Justice Information System (DELJIS).*

*In addition, the Records Unit is tasked with processing and verifying the department's payroll prior to submitting it to the City Finance Office.*



*Records Clerk Ms. Sharon Walker*

# *Victim Services Unit*

*Ms. Diane Glenn serves as the Department's Victim Services Coordinator and provides crime victims with professional assistance and support. Each crime victim and their family are provided with a supportive environment to assist them through some very difficult times and decisions in their lives. Our goal is to help lessen the trauma suffered and provide support throughout the criminal justice process.*



*Ms. Diane Glenn*

*Services provided to crime victims and their families vary in each case depending upon the needs of the individual. Services include: death notifications, crisis intervention, referrals to community based services, criminal justice updates, court accompaniments, assistance with filing for violent crime compensation through the state, as well as a host of other services as needed in each particular case.*

*The Dover Police Department is committed to the fair, compassionate, and dignified treatment of all crime victims. We continue to strive to improve and enhance all services related to helping victims and survivors through such traumatic events.*

*Below is a statistical breakdown for services provided in 2011:*

| | |
|---|---|
| *Call Outs* | *29* |
| *Crisis Intervention* | *77* |
| *Telephone Contacts* | *453* |
| *In Person Contacts* | *128* |
| *Referrals to Community Services* | *164* |
| *Criminal Justice Information* | *550* |
| *VCCB/Supplemental Claims* | *36* |

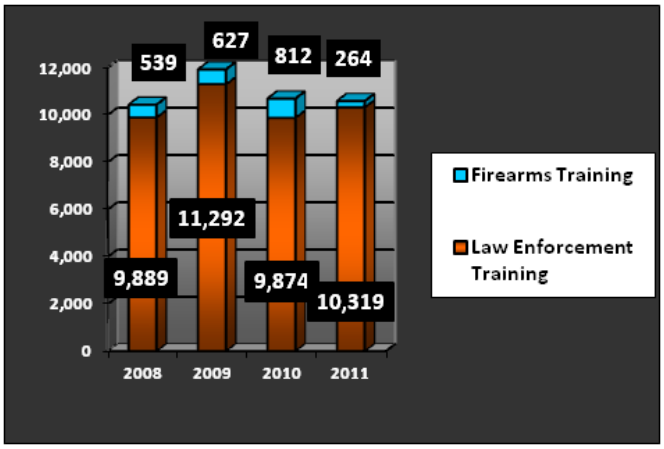
| | |
|---|---|
| *New Clients Served* | *228* |
| *Existing Clients Served* | *113* |
| *Total Number of Victims Served* | *341* |

**154 female and 74 male clients*

# *Planning & Training Section*

*The Planning and Training Section is responsible for all aspects of training, recruitment, and applicant testing. Planning and Training ensures that all sworn and civilian members of the department receive training in compliance with the standards established by the Delaware Council On Police Training (COPT), Departmental Policies, CALEA standards, and Federal mandates. The Planning and Training Unit also provides training to outside agencies that request assistance with their training needs. The unit is also responsible for all newly hired police officers through their completion of the Field Training Program. Throughout the year, Planning and Training participates in various job fairs in the local region in an effort to recruit qualified and diverse applicants.*

*In 2011, the Planning and Training Section coordinated a total of 10,319 hours of training for the department's certified officers along with 263.5 hours of training for the civilian employees.*







Sgt. Glenn Virdin trains during a community meeting

*Major training accomplishments in 2011:*

- *Twelve officers received training in, Incident Response to Terrorist Bombings, hosted by New Mexico Tech in Socorro, New Mexico*
- *The 26th Session of the Citizens Police Academy, 11 Graduates*
- *Hosted a one week course on GREAT for eight Dover police officers and officers attending from Delaware, New Jersey, North Carolina and, New Hampshire*
- *Three officers attended the 3rd Annual Hometown Security Conference. The conference was a three day training session*
- *Five officers attended the 16th annual Homicide Conference hosted by the Delaware State Police. The conference was a five day training session*
- *Dover Police hosted ten interns from Delaware Technical & Community College. A total of 1280 hours were logged with these students earning school credit towards a degree*
- *Four officers attended the Delaware State Police Training Academy, graduating in September 2011*

# *Citizens Police Academy*



*26th Session Graduating Class*

## *Accreditation Section -The Gold Standard*

*The Accreditation Section is tasked with the responsibility of maintaining and organizing the department's General Orders, Procedural Notices and Directive Memoranda. The Section's primary function is to maintain 479 standards which are mandated by CALEA (Commission on Accreditation for Law Enforcement), and the 101 standards which are mandated by DPAC (Delaware Police Accreditation Commission) and to ensure that the police department remains in compliance with these standards.*

*The Dover Police Department is one of only nine departments in the State of Delaware to hold the prestigious honor of National Accreditation.*

*The Dover Police Department completed their fifth assessment without discrepancy. On March 24, 2012, the department was selected by the Commissioners of CALEA to receive the Accreditation with Excellence Award, which is the **Gold Standard for Public Safety,** and is a title that shall attach to the department's CALEA Accreditation for a period of three years. The Dover Police Department is the first law enforcement agency in the state of Delaware to receive the "Accreditation with Excellence Award".*



*MCpl. Kelli Burns maintains the accreditation files*

***2012 Recipient of the CALEA Accreditation with Excellence Award***

# *Police Chaplains*

*The Department has two civilians holding the honorary rank of Captain in the position of Police Chaplain. Wallace Dixon has been a Departmental Chaplain for ten years. Pastor Jacob McCready joined the department in 2009. The Chaplains provide the blessings and benedictions at ceremonial functions. They also offer spiritual guidance and advice to both sworn officers and civilian members of the department.*




*Chaplain Jacob McCready and Chaplain Wallace Dixon serving at a recent awards and promotions ceremony*

# *Volunteer*

*The Department currently has one volunteer, Mr. Thomas Kelley who has been with us for fifteen years. Mr. Kelley assists the Records Unit in many different areas and we truly appreciate all of the assistance he offers us.*



*Mr. Kelley - our dedicated volunteer*

# Honor Guard

*Dover Police Department's Honor Guard is comprised of eight volunteer officers from various units within the department. The honor guard is called upon for formal police functions and ceremonies.*



*PFC Justin Richey, Cpl. Frank Fioravaniti, MCpl. Kelli Burns and PFC Joseph Bauer*

# Bagpipers



*The Dover Police Department is proud to have two officers and one civilian bagpiper who represent our fine organization. MCpl. Chad Bernat, MCpl. Christopher Hermance and his daughter, Caroline.*



*Pictured left is MCpl. Christopher Hermance and pictured right his daughter, Caroline performing at a recent awards and promotions ceremony*

# *Retirements*



*Chief Hosfelt's Secretary, Donna Mills, retires with 25 years of service*



*Cpl. Danny Ranger retires with 20 years of service*

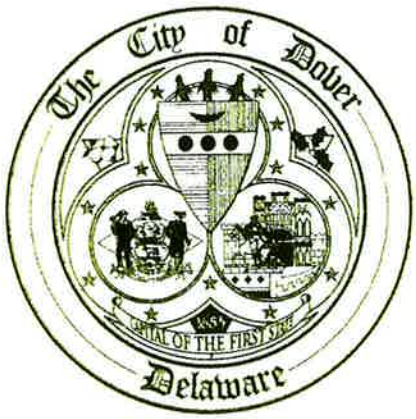


*PFC Matthew Harmon retires with 5 years of service*

# *Dover Police Department*




***"To Protect and Serve"***




# *Certificate of Recognition*

*presented to*

## *Dover Police Department*

*in recognition of being accredited for the 5th consecutive time*
*and by being selected by the Commissioners of CALEA*
*(Commission on Accreditation for Law Enforcement)*
*to receive the "Accreditation with Excellence Award"*
*which is the Gold Standard for Public Safety.*

*This award has only been issued to 34 police agencies nationwide*
*and the Dover Police Department is the first*
*law enforcement agency in the State of Delaware.*

*Congratulations to all members of the*
*Dover Police Department for your continued dedication*
*and in receiving such a prestigious honor!*

Carleton E. Carey Sr.

*Carleton E. Carey, Sr.*
*Mayor*

City of Dover

DRAFT PROPOSED COUNCIL RESOLUTION NO. 2012-04

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO $4,700,000 GENERAL OBLIGATION BOND OF THE CITY OF DOVER FOR THE CONSTRUCTION OF A NEW LIBRARY, STREET REPAVING PROGRAM AND IMPROVEMENTS TO CITY HALL AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH

WHEREAS, the City of Dover (the "City") is authorized pursuant to Section 50, Volume 77, Chapter 130, as amended ("the City Charter") to issue general obligation bonds for the municipal purposes of the City as set forth in a resolution authorizing such issuance; and

WHEREAS, pursuant to the City Charter, the City desires to issue a general obligation bond for the municipal purposes set forth herein (the "Bond");

WHEREAS, the City has approved certain capital construction projects and improvements and desires to issue the Bond to finance the costs of said improvements, including, but not limited to the following:

1. Construction of new Dover Library
2. Street Repaving Program
3. Improvements to City Hall, including installation of sprinkler system
4. Costs of Issuance of the Bond

(the "Projects").

NOW THEREFORE THE CITY OF DOVER HEREBY ORDAINS (AT LEAST THREE FOURTHS OF THE MEMBERS OF COUNCIL CONCURRING HEREIN):

Section 1. Amount and Purpose of the Bond. Acting pursuant to the City Charter, the City shall issue its general obligations in the maximum aggregate principal amount not to exceed $4,700,000 to finance or refinance a portion of the cost of the construction and equipping of the Projects, an estimate of which is appended hereto as Exhibit A.

The monies raised from the sale of the Bond (including the investment earnings thereon) after the payment of the costs of issuance, shall be expended only for the purposes authorized herein or as may otherwise be authorized by subsequent action by City Council. Authorized purposes include the costs of planning, constructing, acquiring and equipping the Projects or any

portion thereof; interest on the Bond and any interim financing during the construction period and for a period of up to one year following the estimated date of completion; the costs of issuance of the Bond and any interim financing; the repayment of temporary loans incurred with respect to the Projects; and the reimbursement of authorized costs previously expended by the City from other funds.

Section 2. Terms of the Bond The Bond shall be sold to PNC Bank, National Association (the "Lender") pursuant to a proposal dated October 21, 2011 (the "Commitment"), a copy of which is appended hereto as Exhibit B, and the other terms and conditions to be contained in a Loan Agreement between the City and the Lender (the "Loan Agreement").

Section 3. Security for the Bond. The full faith and credit of the City shall be pledged to pay principal and interest on the Bond.

Section 4. Qualified Tax-Exempt Obligation. The Bond is hereby designated as a qualified tax-exempt obligation within the meaning of § 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code"). For purposes of § 265(b)(3) of the Code, the Issuer and all entities that issue on behalf of the issuer do not reasonably anticipate issuing more than $10,000,000, inclusive of the Bond, of tax-exempt obligations in calendar year 2012.

Section 5. Details of the Bond. The Mayor and City Treasurer are authorized to determine the details of the Bond including the following: the date or dates of the Bond; provisions for either serial or term bond; sinking fund or other reserve fund requirements; due dates of the interest thereon; the form of the Bond; the denominations and designations of the Bond; registration, conversion and transfer provisions; provisions for the receipt, deposit and investment of the proceeds of the Bond; provisions for the replacement of a lost, stolen, mutilated or destroyed Bond; and provisions for issuing uncertificated obligations and all procedures appropriate for the establishment of a system of issuing uncertificated debt. The Bond shall be executed by the manual or facsimile signature of the Mayor and City Treasurer, shall contain an impression of the City Seal of a facsimile thereof and shall be attested by the manual signature of the City Clerk.

Section 6. Further Action. Each of the Mayor, the President of the City Council, the City Treasurer, the City Manager and the City Clerk are authorized and directed to take such other action on behalf of the City, as may be necessary or desirable to effect the adoption of this Resolution and the issuance and sale of the Bond and to provide for their security and to carry out the intent of this Resolution, including the publication of notices and advertisements and the execution and delivery of customary closing certificates.

Section 7. Effective Date. This Resolution shall become effective immediately upon its passage. The City Clerk is hereby directed to publish once in a newspaper published in the City a notice in substantially the following form:

"NOTICE IS HEREBY GIVEN that the City Council of The City of Dover, Delaware on _____, 2012 pursuant to Chapter 130, Volume 77, Delaware Laws, as amended, adopted a resolution entitled as follows:

"RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO $4,700,000 GENERAL OBLIGATION BOND OF THE CITY OF DOVER FOR THE CONSTRUCTION OF A NEW LIBRARY, STREET REPAVING PROGRAM AND IMPROVEMENTS TO CITY HALL AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH"

"The purpose of the issuance and sale of said bond is to provide funds (approximately $4,700,000) to pay a portion of the costs of certain projects including, but not limited to: (1) construction of a new library; (2) street repaving program, (3) improvements to City Hall including installation of sprinkler system, and (4) pay costs of issuance of said bond.

"Any action or proceeding to contest the validity of said resolution or any of its provisions must be commenced within thirty (30) days after publication of this notice. After expiration of such period of limitation, no right of action or defense founded upon the invalidity of said resolution or any of its provisions shall be asserted, nor shall the validity of said resolution or any of its provisions be open to question in any court upon any ground whatsoever, except in an action or proceeding commenced within such period."

By order of the City Council of the City of Dover.

_____
City Clerk

ADOPTED this __ day of April, 2012.

CITY OF DOVER, DELAWARE

Attest:

_____ _____
Clerk, Dover City Council President, Dover City Council

APPROVED by the Mayor of the City of Dover on the __ day of April, 2012.

_____
Mayor

Exhibit A

Estimated Costs of Projects

| **Projects** | **Estimated Costs** |
|---|---|
| Construction of New Library | $2,700,000 |
| Street Paving Program | 1,750,000 |
| Installation of City Hall Sprinkler System | 220,000 |
| Costs of Issuance of Bond | 30,000 |
| TOTAL | $4,700,000 |

# Appendix

**PRELIMINARY MEMORANDUM OF TERMS AND CONDITIONS FOR**

**The City of Dover**
**October 2011**

**This Preliminary Memorandum of Terms and Conditions is not a commitment or an offer to lend and does not create any obligation on the part of the Bank. The Bank will not be deemed to extend any commitment to the Borrower unless and until a formal commitment letter is issued. This outline is only a brief description of the principal terms of suggested facilities and is intended for discussion purposes only.**

| | |
|---|---|
| **Borrower(s):** | The City of Dover, Delaware ("Borrower") |
| **Lender:** | PNC Bank, National Association ("Bank") |
| **Credit Facilities** | $4,700,000 Non-Revolving Construction Line / Term Loan |
| **Purpose:** | To provide fully bank qualified tax exempt construction and permanent financing, the proceeds of which are to fund the construction of a $2,700,000, 42,000 square foot public library, $1,750,000 for the street paving program, and $250,000 for renovations to City Hall. |
| **Maturity:** | At Borrowers option, 3 year, 5 year or 7 year term loan commencing at the expiration of the construction period. |
| **Amortization:** | Interest only for up to 18 months during the construction period. Monthly principal installments based upon twenty (20) year mortgage style amortization to begin 30 days after the final draw date, with any remaining balance due at maturity. |
| **Interest Rates:** | Interest rates shown below are the tax exempt equivalent of:<br>**3 Year Term:** Daily LIBOR + 1.00%<br>**5 Year Term:** Daily LIBOR + 1.20%<br>**7 Year Term:** Daily LIBOR + 1.40% |
| Three Year Rate: | [(1 month fully absorbed LIBOR, fluctuating daily ("Daily LIBOR") + 1.00%) x 65%] + .018. Based upon the current Daily LIBOR of .24% the indicative rate would be 0.83%. |
| Five Year Rate: | [(1 month fully absorbed LIBOR, fluctuating daily ("Daily LIBOR") + 1.20%) x 65%] + .018. Based upon the current Daily LIBOR of .24% the indicative rate would be 0.96%. |
| Seven Year Rate: | [(1 month fully absorbed LIBOR, fluctuating daily ("Daily LIBOR") + 1.40%) x 65%] + .018. Based upon the current Daily LIBOR of .24% the indicative rate would be 1.09%. |

Interest will be calculated on the daily outstandings on a 360 day year for the actual number of days elapsed and will be due monthly in arrears for Daily LIBOR borrowings; and on the last day of each interest period for all other LIBOR borrowings.

OPTION CHOSEN →

At the end of the construction period, Bank will offer a non synthetic fully bank qualified tax exempt fixed rate that may be selected at the option of the Borrower. The Borrower may also elect to enter into a forward rate commitment with the Bank at the time of closing.

~~**Interest Rate Protection:**~~

No swaps per Debt Policy →

~~in lieu of a non synthetic fixed rate, the Borrower may at its option, enter into and maintain an interest rate protection agreement (the "Hedge Agreement"), which conforms to ISDA standards and has terms and is with a counterparty satisfactory to the Bank, enabling the Borrower to protect itself against fluctuations in interest rates with respect to all or a portion of the principal amount of the Credit Facility. If the Bank is the counterparty to the Hedge Agreement, all obligations of the Borrower to the Bank arising pursuant thereto shall be secured by the Collateral (as described below). If the Bank is not the counterparty, such Hedge Agreement shall be unsecured.~~

~~The indicative rate for a forward starting swap in current market conditions would be the following, using a 3 year, 5 year and 7 year loan term, each with 20 year amortization:~~

~~3 year forward swap: 1.94%~~
~~5 year forward swap: 2.42%~~
~~7 year forward swap: 2.75%~~

**Prepayment:** If interest is accruing at a variable rate, the Borrower may prepay the note in full or in part at any time without penalty. Customary yield protection and fixed rate prepayment cost recovery provisions will be included in the definitive loan documents.

**Default Rate:** 3% over the effective interest rate.

**Commitment/ Closing Fee:** None.

**Expenses**: All expenses incurred by the Bank, including appraisal, environmental, searches, construction consultant, recording of UCC filings and other security interests, and audit and reasonable legal fees (inside and outside), and any other expenses in reference to structuring, documenting, closing, monitoring or enforcing the Credit Facilities, shall be for the account of the Borrower and payable at closing and otherwise on demand.

**Conditions**

**Precedent:** Customary for financing of this nature in form and substance satisfactory to the Bank:

(1) Documentation in form and substance satisfactory to the Bank including without limitation such documents that may be required to be prepared by bond counsel, and opinions of bond counsel and such other legal opinions as are deemed necessary by the Bank or are customary for transactions of this type.

(2) Closing certificate as to accuracy of representation and warranties, compliance with covenants and absence of Event of Default or Potential Event of Default.

(3) Satisfactory legal opinion.

(4) Certified resolutions and incumbency certificate.

(5) No material adverse change.

(6) No material litigation.

(7) Payment of all fees and expenses subject to reimbursement.

(8) Other conditions precedent as appropriate for transactions of this nature.

**Reporting Covenants:**

(a) Annual audited consolidated financial statements of the Borrower within one hundred twenty (120) days of year end.

**Covenants:** Affirmative and negative covenants, including financial covenants, will be specified by the Bank for inclusion in the Loan Documents. Specific covenants are expected to include:

(a) The Borrower will use the proceeds from the sale of the existing library to pay down principal on the credit facility.

(b) The Borrower will maintain a credit rating above BBB-.

**Documentation:** Loan Documents in form and substance satisfactory to the Bank must be executed and delivered containing representations, warranties, covenants, indemnities, conditions to lending, events of default and other provisions as are appropriate in the Bank's opinion and specified by the Bank.

**Governing Law:** Delaware.

**Miscellaneous:** Waiver of jury trial. Confession of Judgment.

# ACTION FORM

| |
|---|
| **PROCEEDING**: City Council |
| **DEPARTMENT OF ORIGIN**: Planning & Inspections **DATE SUBMITTED**: March 30, 2012 |
| **PREPARED BY**: Ann Marie Townshend, AICP, Director of Planning and Community Development |
| **SUBJECT**: 344 West Wind Drive, Dover, Delaware – Violation of Dangerous Building Ordinance |
| **REFERENCE**: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings, Sec. 22-388 – Emergency Cases Case # 12-498 |
| **RELATED PROJECT**: N/A |
| **APPROVALS**: Scott D. Koenig, P.E., City Manager; Donna Mitchell, City Controller/Treasurer |
| **EXHIBITS**: PowerPoint Presentation and File Photos to be presented at the Council meeting. |
| **EXPENDITURE REQUIRED**: Preliminary estimate is $10,000-15,000.<br>**AMOUNT BUDGETED**: $100,000 Budgeted for all demolitions Citywide in the FY-2012 Budget; $5,629.26 remains in line item.<br>**FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33 – Page 155 in the FY 2012 Operating Budget. |
| **TIMETABLE**: As soon as possible. |
| **RECOMMENDED ACTION**:<br>1. Declare this building on this property dangerous.<br>2. Order the property repaired or demolished by **April 23, 2012** by the owner or equity owner at their own risk.<br>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**.<br>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 Rochelle Ross. The property is a two story wood framed duplex. The dwelling was condemned as unfit for human habitation on 2/28/2012 due to the degree of damage to the structure from a fire that occurred on the night of 2/27/2012. Currently the structure is still vacant, with no utilities and in a serious state of disrepair. As this house is a duplex, it is attached to another house.

# ACTION FORM

| |
|---|
| **PROCEEDING**: City Council |
| **DEPARTMENT OF ORIGIN**: Planning & Inspections **DATE SUBMITTED**: March 30, 2012 |
| **PREPARED BY**: Ann Marie Townshend, AICP, Director of Planning and Community Development |
| **SUBJECT**: 726 Slaughter Street, Dover, Delaware – Violation of Dangerous Building Ordinance |
| **REFERENCE**: Chapter 22, Article XI – Dangerous Buildings, Sec. 22-385 - Hearing before Council and Chapter 22, Article XI - Dangerous Buildings Case # 11-3366 |
| **RELATED PROJECT**: N/A |
| **APPROVALS**: Scott D. Koenig, P.E., City Manager; Donna Mitchell, City Controller/Treasurer |
| **EXHIBITS**: PowerPoint Presentation and File Photos to be presented at the Council meeting. |
| **EXPENDITURE REQUIRED**: Preliminary estimate is $10,000-15,000.<br>**AMOUNT BUDGETED**: $100,000 Budgeted for all demolitions Citywide in the FY-2012 Budget; $5,629.26 remains in line item.<br>**FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33 – Page 155 in the FY 2012 Operating Budget. |
| **TIMETABLE**: As soon as possible. |
| **RECOMMENDED ACTION**:<br>1. Declare this building on this property dangerous.<br>2. Order the property repaired or demolished by **May 9, 2012** by the owner or equity owner at their own risk.<br>3. Order the Building Inspector to cause the repair or demolition of the structures, and the removal of a 10' x 10' concrete pad, if not completed by the owner **within 10 days of the date established by City Council**.<br>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 Joe Burden, Sr. The property consists of a two story cape cod wood frame dwelling. The dwelling was condemned as unfit for human habitation on 10/28/2011 due to the degree of damage to the structure from a fire that occurred on the night of 10/27/2011. Currently the structure is still vacant, with no utilities and in a serious state of disrepair.

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the Dover City Council
April 9, 2012

| | |
|---|---|
| Applicants/Owners: | Doreen Lucas<br>Peter & Bonnie Reidy<br>Robert Klewans & Carol Candor |
| Address: | 1510 Forrest Avenue<br>4 Mifflin Road<br>24 Mifflin Road |
| Location: | Southwest corner of Mifflin Road and Forrest Avenue (Route 8) |
| Tax Parcel ID #: | ED-05-076.09-01-08.00-000<br>ED-05-076.09-01-11.00-000<br>ED-05-076.09-01-12.00-000 |
| Size: | 2.21 acres |
| Present Use: | Residential |
| Proposed Use: | Commercial |
| Comprehensive Plan Designation: | Commercial (Per amendment approved on March 12, 2012) |
| Present Zoning: | R-8 (One Family Residence Zone)<br>COZ-1 (Corridor Overlay Zone) |
| Proposed Zoning: | C-2A (Limited Central Commercial Zone)<br>COZ-1 (Corridor Overlay Zone)<br>The applicant has agreed to CPO (Commercial and Professional Office District) zoning, which is what was recommended by the Planning Commission. |
| Planning Commission Recommendation: | Following a public hearing before the Planning Commission on March 19, 2012, where two members of the public spoke in opposition to the rezoning request and four members of the public spoke in favor of the rezoning request (three of the four being owners of subject properties), Planning Commission voted 5-1 in favor of recommending approval of the rezoning request. |
| File Number: | Z-12-01<br>Ordinance #2012-04 |

This rezoning application consists of three parcels of land totaling of 2.21 acres ±. The properties are currently zoned R-8 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The subject properties are located at the southwest corner of Forrest Avenue (Route 8) and Mifflin Road. The owners of record are Peter F. & Bonnie S. Reidy, Robert Klewans, and Doreen Lucas. Property Addresses: 4 Mifflin Road, 24 Mifflin Road, and 1510 Forrest Avenue. Tax Parcels: ED05-076.09-01-11.00-000, ED05-076.09-01-12.00-000, and ED05-076.06-01-08.00-000.

Existing Property:
The subject property consists of three residential parcels of land, each with a one-family home on the property.

Surrounding Land Uses:
The surrounding uses vary. To the north across Route 8 is a condominium complex (apartment style buildings) zoned RG-2 (General Residence Zone). East across Mifflin Road is property zoned CPO (Commercial and Professional Office Zone). South along Mifflin Road are residential properties zoned R-8 (One Family Residence Zone). West long Forrest Avenue is agricultural property in unincorporated Kent County.

Those properties fronting on Forrest Avenue 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 4/11/2011) recommends that this property be used for Residential Low Density Uses. The rezoning request is not consistent with this Land Use Classification; however a Comprehensive Plan Amendment Application accompanies this application (MI-12-01: Item A). The action on the rezoning must be consistent with the action on the proposed Comprehensive Plan Amendment.

Request for C-2A (Limited Central Commercial Zone)
The types of permitted uses in the C-2A Zone are given Article 3 §14 of the *Zoning Ordinance*. The permitted uses include the following:

- Convenience retail stores such as drug stores, grocery stores, luncheonettes, variety stores or combinations thereof.
- 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.
- Service establishments furnishings services other than of a personal nature, but excluding gasoline filling stations and motor vehicle storage, repair, or service.
- Residential uses.
- Other retail and service establishments, but excluding:
    - 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.

  - Wholesaling, warehousing or storage.
  - 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.
  - Excessive traffic generating uses, such as theaters, drive-ins, bowling alleys and other commercial, recreation, restaurants, etc.
- Business, professional or governmental offices.
- Banks, theaters and restaurants.
- Hotels, clubs and places of worship.
- Civic institutions.

Recommendation of CPO (Commercial and Professional Office District)

The types of permitted uses in the CPO Zone are given Article 3 §26 of the *Zoning Ordinance*. The permitted uses include the following:

- Business, professional or governmental offices.
- Banks, savings and loan associations, investment companies, credit bureaus, brokers and similar financial institutions.
- Service agencies, such as real estate agencies, insurance agencies, computer services, and travel agencies.
- Medical and dental offices including clinics and laboratories incidental to these uses.
- Offices for philanthropic and eleemosynary institutions and organizations.
- Conditional uses:
  - Drive-in facilities for any permitted use, designed primarily to provide services to persons while they are in automobiles.
  - Apartments, provided that no dwelling units shall be permitted on the first floor and at least two off-street parking spaces shall be provided in the area for each apartment.

PLUS Review:

The Comprehensive Plan Amendment requests were reviewed through the State's Preliminary Land Use Service (PLUS) process. The following comment was offered by DelDOT and should be considered as it relates to the requested zoning classification:

> Regarding the proposed Commercial classification for the southwest corner of Forrest Avenue (Delaware Route 8) and Mifflin Road, we recommend that the City consider designating more lots for this purpose, keeping the existing Residential Low Density Classification or, perhaps, zoning the lots for a less intense non-residential use. While we cannot say with certainty whether we could permit access without a specific proposed use, the three subject lots may not support some commercial uses one would expect to see on an assemblage of that size. If this amendment is proposed with a specific use in mind, it may be appropriate to require some level of site plan development and perhaps traffic studies before acting on it.

Recommendation of the Planning Staff and Planning Commission:

Staff recommended that the applicant and Planning Commission consider modifying the rezoning to CPO (Commercial and Professional Office) zoning instead of C-2A (Limited Central

Commercial). This would permit a number of less intense commercial (non-retail) uses that would be more compatible with the adjacent residential uses. The CPO Zone has frequently been used as a transition or buffer zone between more intense commercial zones and residential areas. This is also the zoning classification of the bank property to the east at the southeast corner of Mifflin Road and Forrest Avenue. In addition to providing a transition between the commercial and residential areas, this would be consistent with the recommendation provided by DelDOT.

The staff recommended also that the properties remain subject to the COZ-1 (Corridor Overlay Zone) due to their frontage on/or proximity to Forrest Avenue (Route 8). 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 applicant notified the Planning Office by e-mail on March 7, 2012 (see attached), that the recommended CPO (Commercial and Professional Office) zoning is acceptable.

The Planning Office recommendation was made prior to public testimony on the rezoning application. Following a public hearing before the Planning Commission on March 19, 2012, where two members of the public spoke in opposition to the rezoning request and four members of the public spoke in favor of the rezoning request (three of the four being owners of subject properties), Planning Commission voted 5-1 in favor of recommending approval of the rezoning request.

Attachments: Excerpt from Planning Commission DRAFT Minutes of March 19, 2012
Map Exhibit
DAC Agency Comments
Exhibit Provided by Applicant

***Excerpt from Planning Commission DRAFT Minutes of March 19, 2012:***

**Z-12-01 Lands of Reidy, Lucas and Klewans at southwest corner of Route 8 and Mifflin Road** – Public Hearing and Recommendation to City Council on a rezoning application consists of three parcels of land totaling of 2.21 acres ±. The properties are currently zoned R-8 (One Family Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is C-2A (Limited Central Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The subject properties are located at the southwest corner of Forrest Avenue (Route 8) and Mifflin Road. The owners of record are Peter F. & Bonnie S. Reidy, Robert Klewans, and Doreen Lucas. Property Addresses: 4 Mifflin Road, 24 Mifflin Road, and 1510 Forrest Avenue. Tax Parcels: ED05-076.09-01-11.00-000, ED05-076.09-01-12.00-000, and ED05-076.06-01-08.00-000. Council District 1. Ordinance #2012-04. *The ability to consider this Rezoning Application depends on the action taken by City Council on March 12, 2012 on application MI-12-01 Comprehensive Plan Amendments 2012: Part A.*

**Representatives:** Mr. A.C. Lucas, property owner.

Mrs. Townshend stated that this request was initially to change the zoning to C-2A (Limited Central Commercial Zone) subject to the COZ-1 (Corridor Overlay Zone). You will recall that last month this was the subject of a Comprehensive Plan Amendment request. There was discussion regarding the appropriateness of commercial zoning on this corner. Following public hearing, the Planning Commission passed a motion to recommend to City Council that they not approve the Comprehensive Plan Amendment as put forward by the applicant.

Mrs. Townshend further stated that at the City Council meeting last week, City Council held a public hearing and ultimately decided to amend the Comprehensive Plan to show this area as commercial.

Mrs. Townshend further stated that when the Comprehensive Plan Amendment went to PLUS she will point out the DelDOT comments. They stated “regarding the proposed commercial classification for the southwest corner of Forrest Avenue and Mifflin Road, we recommend that the City consider designating more lots for this purpose, keeping the existing residential low density classification, or perhaps, zoning the lots for a less intense non-residential use.” The Planning Staff had recommended that the applicant consider a CPO Zoning (Commercial/Professional Office Zone) which permits businesses, professional and government offices, bank, savings and loans, investment companies, credit bureaus, financial institutions, real estate agencies, insurance agencies, and the like. The CPO zone essentially does not permit retail as it is a lower intensity commercial zone than the C-2A which was requested.

Mrs. Townshend further stated that the report that you have before you shows the uses that are permitted in the CPO zone. Again, with the rezoning, this property would continue to be subject to the COZ-1 (Corridor Overlay Zone). The applicant was provided the information regarding the C-2A versus the CPO zone and based on an email that was provided to us by Mr. Lucas, he indicated that at least on his part, they were amenable to the CPO zoning and the other applicants were copied in that email as well. We have not heard otherwise. The other agency DAC comments have been provided; however, nothing specifically related to the rezoning.

Mr. Lucas stated that the three (3) property owners assembled this property to have ample road frontage and acreage as it made sense and have agreed to downgrade to the CPO zoning which is less intense with more restricted hours and less intense traffic.

Mr. Nichols stated that he has a lot of reservations regarding this application as traffic is already horrendous. He is on Mifflin Road and Route 8 a couple times a day and at the easterly inside lane before you turn into Mifflin Road there is a yield sign there. However, if you stop and watch fifty (50) percent of the people do not know what a yield sign means so they are coming around and in the mean time you have people coming down Route 8 that are turning at the same time and then the ones that are coming in off of the easterly lane want to go into Wawa or the bank so you have confusion of a lot of traffic in this area. There is a tremendous amount of traffic that is turning off of Route 8 onto Mifflin Road. He feels that the traffic is warranting it not being a commercial property.

Mr. Tolbert questioned if their plan was to develop this corner and tear down the houses? Responding to Mr. Tolbert, Mr. Lucas stated that this was correct.

*Mr. Hemmig opened a public hearing.*

**Mr. Edwin Baker – 1526 Forrest Avenue** – Stated that his concern is the traffic. If any of the Commissioners go out and look at this site, you will find that the only section of the road that does not get heavy traffic is the west side of Mifflin Road where those houses are. If you are coming east, there is the yield lane. If you are coming down Mifflin Road, and you are going to turn east, there is a yield sign. When you pull up to the red light and you try to look west, with the cars merging in and the other cars merging the opposite way, it is very hard to see the traffic. There have been numerous accidents already there. So to develop this into a commercial property is only going to compound the problem with the Wawa and the bank being there. He travels this road every day and it is very dangerous now. With the new school coming, it will compound it even more as these properties are torn down. Apparently, to have three (3) different owners to give up their properties to go commercial apparently, there is someone in the wings that may be building a good sized building there which is going to employ people which he realizes will develop more problems for the traffic. He would encourage everyone who has not seen this intersection to go look at it before you approve or disapprove because he feels that it is self-explanatory. Once an area is developed for that, as he has experienced tonight, they come back with other plans and he feels that this would happen. This concerns him as these properties are not that deep and with not knowing what is going there, it is hard to comment on. The traffic issue is going to be a major one and apparently the State has even commented on that. He feels that this is something that you should take a hard look at. He noticed that from Mifflin Road going east into Dover, there are a lot of properties that are available for commercial sites. His feeling is that he always thought that Mifflin Road was the stopping point for commercial expansion and it seems to have stopped there; however, it is trying to move forward west. It is a concern to him because he does have the property located at 1526 Forrest Avenue and believes that now, at quitting time, the traffic in the morning and afternoons is unbelievable. With the 10:00 am coffee break at Wawa, you can hardly get onto Route 8 from the Wawa site as everyone cuts through the bank to get out onto Mifflin Road

because there is a red light there. He feels that this application should be denied and remain residential.

**Mr. Bob Klewans – 24 Mifflin Road** – Stated that he would like to address the concerns of the traffic. When he bought out there, there was not as much traffic. Traffic has come about not because of the commercial development of Wawa and the bank; traffic has come about because of the development on Hazletteville Road. Nothing was ever done in the planning stage to develop any road to connect Hazletteville Road with Route 8 to bring all of the traffic through. When you talk about Cannon Run (Mill), Eagles Nest, and Westover and all the other developments in that area, they all come out and turn to go down Mifflin Road that is the traffic problem. When we went through this a couple of years ago, he sat and actually counted how much traffic actually turns in as opposed to how much traffic uses Mifflin Road as a cut through. Now, the City, or whoever had the power allowed the high school to be built there. Surely, the State is going to do something with the roads. He agrees with what they are saying about the traffic; however, whether you put an insurance company there or a bank that is not going to create a traffic hazard. The traffic hazard is already there and the coming of the high school and a new set of apartment buildings coming out on Route 8 is even going to add to it. They are going to have to widen Route 8 and the turn lane will probably cease to exist or be moved farther into the properties. He does not understand how a building on that corner is going to add that kind of traffic as the traffic is already there. If you have the apartment building, how many cars are you going to have with that apartment building and those people getting in their cars and driving places? He agrees with Mr. Baker, Mifflin Road is the end of the commercial line. When he moved out here, the end of the line was sort of Kenton Road as there was no Wawa or McDonald's. These are all new things. This is the way that the City is moving and this is progress and the fact that there are more and more commercial buildings moving westward is just the way that it is. He would ask the Planning Commission to look at the realities of what is going on out there and also what is going on as far as the movement of commercialism and residential as well. His property located at 24 Mifflin Road. When you say it is on Mifflin Road, it goes back no further than the current WSFS building on Mifflin Road. It is not as if we are going into Mifflin Road and extending the traffic.

**Mr. Thomas Byrns – 1514 Forrest Avenue** – Stated that after we got together the last time, he went home and looked out his front window and he looked at Route 8 and he said "well a lot of things have changed." Then the State came back and said to think about other properties. This was one of the concerns last time we were together too about how far the commercial was going to come. To him, in looking at the map, he is not familiar with what the Corridor Overlay Zone is; however, he went back and took a look at the Comprehensive Plan. The Comprehensive Plan seemed to want the west side of Mifflin Road as well as the whole corner involved in the City corporate. To look at the map, it almost seems like, if in fact, we will commercialize this corner then why not bring it right up to where the natural break is which would be at 1522 Forrest Avenue. This would be a natural break for the corner, not that he and his wife are willing to leave their property because they have been there for so long; however, if it seems like the properties that they are looking at right now. We know for a fact that Bonnie and Pete have moved, the house next to him is a rental property. We are the people who actually live in this house and we pull out onto Route 8 everyday just like the folks behind us.

So to look at the plan, he is not in favor of just doing the corner there; however, if you bring it up to the natural break where it would be at the end of 1522 Forrest Avenue, that makes sense.

**Mrs. Carol Candor – 24 Mifflin Road** – Stated that she lives and has lived for the past eight (8) years at 44 Courtside Drive, B-12 which is a condominium where she lives on the first floor of the B building which out her porch she can see the Lucas property and the Reidy property. Until six (6) months ago, she worked at the hospital so she drove back and forth from 8:00 AM in the morning until 4:30 PM in the evening and the traffic is bad in this area. However, she is hoping that with the high school and if the corner of Mifflin Road becomes commercial and if a physician's office is there or something like that then the lanes will be widened because this is not a developed corner. It is because the roads at this intersection that she can hear the screeches and the accidents because the street is not developed at this corner. There might be a stop sign there. She walks back and forth to Mifflin Road because she has friends that live on it and it takes forever when you push the button to walk across the street. She too remembers when she first lived at Mifflin Road and she looked out the kitchen window and saw across the street where it was a nice green treed property. She thought the end of the commercial was Greentree Plaza Super Fresh and thought that this is where it was going to stop. Then Wawa came and then moved to where the house used to stand next to Wawa and then the Wawa moved there and then WSFS went up. Now she looks out on Route 8 and she sees the Royal Farm complex at Pearsons Corner and she sees the school. She does not think that you are going to be able to say this is where it stops. Mifflin Road is within the City limits and she does not believe that the Bakers and the Byrns are within City limits. However, they could have chosen to be within the City limits; however, they did not so she really does not think that they have a say about what goes on with the City of Dover plans for this area.

**Mrs. Bonnie Reidy – 4 Mifflin Road** – Stated that she looks around the room here and there is no one here from Mifflin Road except for the few of us who are requesting this rezoning. We have been here a very long time on Mifflin Road and have been considered the country because no one even wanted to drive out of Dover to come out here because it was so far out. It is all melded together just like the rest of the City in all different directions. The traffic is ridiculous as we cannot even get out of our driveway at times. It is not fit for young children to be driving around here. Thankfully, all of my children have all grown up and are gone before it got so bad where accidents occur here all the time. Outside last Friday night, she and husband were standing outside working on a car; the noise and exhaust fumes are not even meant for residential of any kind. It is absolutely horrible being outside any time of the day on that corner or on that road for that matter. She used to walk up and down Mifflin Road just for exercise and she wouldn't dare do that anymore. The traffic is not going to go away; it is only going to get worse especially with Dover High School coming in. With property entrances and exits as might occur with the rezoning, that would take care of a lot of the problems that are happening now such as the accidents that are occurring normally on that corner. Besides the fact that people think that they are supposed to be doing 50 MPH coming down Route 8 where it is 35 MPH. Rezoning would solve the lane problems as it is not fit for residential life. She would like you to consider changing the zoning for these properties especially since it is in the Corridor Overlay Zone where at once someone did consider this might happen.

**Mr. Pete Reidy – 4 Mifflin Road** – Stated that they have been in this house for roughly twenty-eight (28) years. The shopping center where Super Fresh is when they moved in was under construction. Technically, the commercial line was the railroad twenty-eight (28) years ago. For someone to say that you cannot go commercial when there is commercial property across the

street from us with a horse farm behind them where they board horses, as far as he is concerned, that is a commercial piece of property from one perspective to another. The traffic can be addressed. It may take roads. It may take lanes and exits and entrances played around; however, it is an area that can be addressed. He thinks that it is ridiculous to think that commercial property would need to stop at the Wawa.

*Mr. Hemmig closed the public hearing after seeing no one else in the public wishing to speak.*

Mr. Ambruso stated that Mifflin Road has evolved into what it is today to be something that it always was intended to be and a lot of people just do not realize it. Mifflin Road was the feeder road for the Hazletteville Road years ago. A contractor came along and bought a lot and built a home on it and it sold, then he bought another lot and before you know it he had built three (3) or four (4) nice homes. Then other people got the idea and even though it is very pretty, that was intended to be a feeder road. Somehow or another, it got away from City Council over the years and one at a time they allowed a lot to be built and you now have the Mifflin Road that you have. It is absolutely gorgeous but this road was intended to be a feeder road for Scott Paper and General Foods.

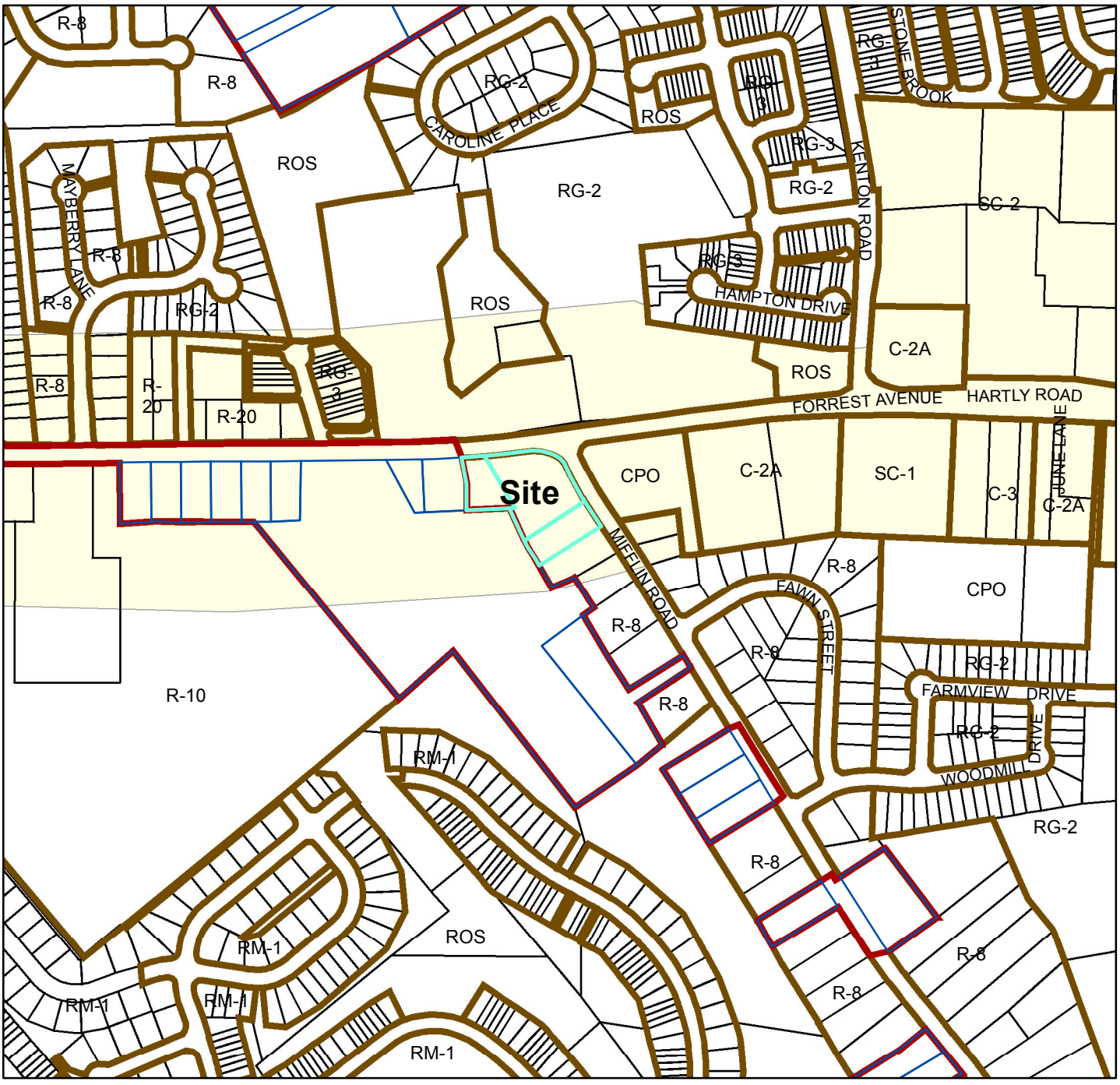
Mr. Tolbert stated that he would raise a question. With regards to going on at length raising the concerns of traffic and other things, the issue before us this evening is just the rezoning and our recommendations to City Council. Responding to Mr. Tolbert, Mr. Hemmig stated that this was correct. Once the zoning is changed and they come back with a plan, all of these issues would be addressed at that time of Site Plan approval.

*Mr. Tolbert moved to forward to City Council a recommendation to approve Z-12-01 Lands of Reidy, Lucas and Klewans located at the southwest corner of Route 8 and Mifflin Road as recommended by Staff to CPO (Commercial Professional Office) and to retain the COZ-1 (Corridor Overlay Zone) with the general reason for approval is the Staff recommendation and the fact that City Council amended the Comprehensive Plan as the land use classification of commercial combined with the public testimony, seconded by Mr. Baldwin and the motion carried 5-1 with Mr. Nichols opposed and Mr. Holt, Mr. Friedman and Colonel Welsh absent. Mr. Nichol's reasons for opposition are noted in his earlier comments.*

# City of Dover

## Department of Planning & Inspections

Application No.: Z-12-01




Plan Title: Lands of Doreen Lucas,
Peter & Bonnie Reidy, Robert Klewans & Carol Candor
Location: 1510 Forrest Ave., 4 Mifflin Rd., and 24 Mifflin Rd.
Plan Type: Rezoning
Tax Parcels: ED05-076.09-01-08.00-000,
ED05-076.09-01-11.00-000, and
ED05-076.09-01-12.00-000
Current Zoning: R-8
Propsoed Zoning: C-2A
Owners: Doreen Lucas, Peter & Bonnie Reidy
and Robert Klewans & Carol Candor
Date: 1-12-12

**Legend**

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

0 300 600 1,200 Feet

N W E S

**CITY OF DOVER**

**DEVELOPMENT ADVISORY COMMITTEE**

**APPLICATION REVIEW COMMENTARY**

**STAFF D.A.C. MEETING DATE: FEBRUARY 1, 2012**

**APPLICATION:** LANDS OF REIDY, LUCAS & KLEWANS

**FILE #:** Z-12-01

**REVIEWING AGENCY:** City of Dover Public Utilities Department

**CONTACT PERSON:** Steve Enss - Electric
Jason A. Lyon - Water, Wastewater, Stormwater

**CONTACT PHONE #:** 302-736-7070

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

1. Our office has no objection to the rezoning of the following tax parcel numbers: ED05-076.09-01-11.00-000, ED05-076.09-01-12.00-000 and ED05-076.06-01-08.00-000.

## RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

### ELECTRIC / WATER / WASTEWATER / STORMWATER

1. None.

## ADVISORY COMMENTS TO THE APPLICANT

### ELECTRIC / WATER / WASTEWATER / STORMWATER

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 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 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 Public Utilities Department standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook requirements.
3. Be advised that at least one of these parcels currently has a failing septic system. It shall be the sole responsibility of the owner/developer to research the possible sanitary sewer options in accordance to City of Dover and DNREC regulations.

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.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 1, 2012

**D E L D O T**

==========

APPLICATION: Lands of Reidy, Lucas and Klewans at southwest corner of Route 8 and Mifflin Road

FILE#: Z-12-01 REVIEWING AGENCY: DelDOT

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

==========

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 to the proposed rezoning.

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).

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.

N/F
EDWIN & NANCY BAKER
(U-52-320)

N/F
THOMAS & LYNN BYRNES
(I-41-102)

N/F
ATHY KLEES
(Q-44-286)

N 23°58' 18" W — 100.10'

N 21°09' 52" W — 113.94'

2.1'

N 86°45' 18" W — 123.31'

N 03°37' 45" E — 92.69'

N 02°46' 04" W — 86.08'

241.51'

S 63°29' 42" W

S 26°19' 35" E — 100.00'

S 28°19' 07" E — 183.08'

59.52'

S 65° 34' 46" E

N 88°44' 25" E 61.45'

R = 2,894.90'

A = 172.54'

595'

FORREST AVENUE
RT 8

MIFFLIN ROAD

# CPO / COZ-1
# SETBACKS

## TOTAL ACRES
## 2.21

**FINAL READING**

CITY OF DOVER
PROPOSED ORDINANCE #2012-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTIES LOCATED AT 4 MIFFLIN ROAD, 24 MIFFLIN ROAD, AND 1510 FORREST AVENUE

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of properties described below from R-8 (One Family Residence Zone) and subject to COZ-1 (Corridor Overlay Zone) to C-2A (Limited Central 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 R-8 (One Family Residence Zone) and subject to COZ-1 (Corridor Overlay Zone) to C-2A (Limited Central Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone) on those 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. (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)

ADOPTED: *

S:\ORDINANCES\2012\Draft\2012-04 4 and 24 Mifflin Rd and 1510 Forrest Ave-FINAL RDG.wpd

Actions History

April 9, 2012 - Scheduled for Public Hearing/Final Reading by Council
March 19, 2012 - Considered by Planning Commission
February 27, 2012 - Public Hearing/Final Reading Rescheduled by Council
January 23, 2012 - First Reading/Referral by Council

Draft

# UTILITY COMMITTEE

The Utility Committee Meeting was held on March 12, 2012 at 5:32 p.m. with Chairman Bonar presiding. Members present were Mr. Lynn, Mr. Blakeman, and Mr. Snaman. Mrs. Williams was absent. Members of Council present were Council President Leary and Mr. Hutchison.

**AGENDA ADDITIONS/DELETIONS**

**By unanimous consent, the agenda was approved as presented.**

**Request for Amendment to Resolution #2010-07 (Adopted August 9, 2010) - Wesley College Alley and Street Abandonment**

During their Regular Meeting of August 9, 2010, City Council adopted Resolution #2010-07, vacating and abandoning the alleys and streets surrounding Wesley College on the condition that the Wesley College Plan include the replacement of existing parking and an increase in total parking, that the utility easements remain in effect, that public access easements for Fulton and Cecil Streets be part of the plan, that the timing of the street and alley closures be coordinated with the site plan approval, and that the aforementioned Development Advisory Committee (DAC) comments generated by this process and those included in the DAC Application Review Commentary *(see Exhibit #9 to the July 12, 2010 Council Minutes)* were included as part of the plan, and that public access easements be provided through the campus along Fulton and Cecil Streets.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Wesley College has requested a revision to the conditions of approval for the abandonment of several improved streets and alleys in the vicinity of Wesley College. Specifically, City Council had adopted staff's recommendation that the City maintain ownership and maintenance of the streets and alleys until they are physically altered by construction in accordance with site plan approval from the Planning Commission. She indicated that the College is requesting that these streets and alleys be abandoned immediately so that they can complete the parcel consolidation and other aspects of their site plan.

Mrs. Townshend assured members that the Wesley College project has been moving forward. Members were advised that in the Summer of 2011, a Site Development Master Plan (S-11-13) was filed for review outlining the site planning and streetscape campus enhancements associated with the abandonment of designated sections of North Bradford Street, Fulton Street, Cecil Street, and several alleys in the Wesley College campus area. The submission included the Record Plan for vacated right-of-way and a Master Plan consisting of five (5) phases of site improvements, including pedestrian amenities, paving, landscaping, and parking lot reconfiguration/construction. At their meeting of August 15, 2011, the City of Dover Planning Commission granted conditional approval of the Site Development Master Plan for the Wesley College Master Plan for Streetscape Campus Enhancements. The approval was granted in accordance with the conditions of approval outlined in the DAC Report dated August 4, 2011. In addition, members were advised that the applicant had taken the next steps and filed the Administrative Site Plan (S-12-01) for the Wesley College Streetscape project, including an overall plan showing the areas to be vacated. This submission is currently under review by staff and other City Departments and agencies.

Staff recommended approval of the request to allow the street and alley abandonment of the designated areas (Areas #1-7) to occur immediately rather than coinciding with physical construction activities. The previous concerns of staff regarding the abandonment of the public streets and alleys

occurring without an approved plan for redevelopment and incorporation of the areas into the Campus has been mitigated through actions taken by Wesley College. The College has presented and received conditional approval from the Planning Commission for a Site Development Master Plan to develop a series of streetscape and campus enhancements in these areas. Wesley College is also working on the Record Plans to document the formal transfer of ownership. In addition, staff recommended that, upon abandonment, the one-way segments of North Bradford Street that will remain public streets be open to two (2) way traffic to provide adequate access and circulation for those properties that are accessed off these segments of North Bradford Street.

Mrs. Townshend advised members that the Planning Commission recommended approval of the revisions requested by Wesley College to allow for the immediate abandonment of the streets and alleys.

In response to Mr. Lynn's concerns regarding the rights of third parties, Mr. Scott Koenig, City Manager, stated that the utilities that have pole attachments associated with these areas have been working with the City's Electric Department. He assured members that all the utilities with facilities in the area are aware of the project and all work is being coordinated between the City and the project managers for Wesley College and the utility companies.

**Mr. Lynn moved to recommend 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, seconded by Mr. Blakeman and unanimously carried.** *(It is Recommended that a Public Hearing be Set to Consider Resolution No. 2012-05 (Attachment #1) Amending Resolution No. 2010-07.)*

**Request for Alley Abandonment (Improved) - East Side of North Bradford Street (Additional Alley in Conjunction with the Wesley College Streetscape Master Plan)**

Members considered a request of Wesley College that the City abandon an alley located on the Wesley College campus on the east side of North Bradford Street. This request is being made as part of the implementation of the Wesley College Master Plan. Members were reminded that in August 2010, a related request to abandon a series of street segments and alleys (Areas #1-7) in the vicinity of the Wesley College Campus was approved by City Council. As part of the work to develop the Record Plat to document the vacation of those streets and alleys, this additional alley, known as the Fulton Street Alley South, was discovered.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the subject right-of-way requested for abandonment consists of a public alley dedicated to the City of Dover. This segment of Fulton Street Alley South is approximately 125.35 feet in length and ten feet in width. However, this alley (Area #8) does not function as an alley that is a path of travel between two connecting streets/alleys. She noted that the alley is part of the current layout of an existing parking lot and is adjacent on both sides to other properties owned by Wesley College. She indicated that the Site Development Master Plan (S-11-13), Wesley College Master Plan for Streetscape Campus Enhancements, shows that this parking lot is proposed to be reconfigured to improve the traffic circulation and layout of the parking lot.

The Planning Commission recommended approval of the alley abandonment for Area #8 - Fulton Street Alley South, as requested by Wesley College. In formulating this recommendation, the Commission considered staff's support of the alley abandonment request since the specific alley does not function as an alley within the overall street network of the area. In addition, portions of the street and the alley immediately connecting to this alley segment were approved for abandonment by City Council with Resolution #2010-07. The area is to be incorporated into an improved parking lot area associated with the site improvements to create a pedestrian-oriented campus for Wesley College. To the extent that long-term abandonment of the subject alley will help accomplish this objective, staff recommended approval of the request.

**Mr. Blakeman moved to recommend 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. The motion was seconded by Mr. Lynn and unanimously carried.** ***(City Clerk's Note: In accordance with the City's Procedure for Alley Abandonments, Resolution No. 2012-03 setting the Public Hearing (Attachment #2) will be presented to Council for consideration for adoption.)***

**Review of Utility Related Capital Investment Plan (CIP)** ***(Electric and Water/Wastewater)***
Members were provided a Project Tracking Report, as of January 31, 2012, for the Utility (Electric and Water/Wastewater) Related Capital Investment Plan (CIP).

**Update - National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit**
With regard to the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit, Mr. Scott Koenig, City Manager, reminded members that the City has submitted a report to the Department of Natural Resources and Environmental Control (DNREC) and that, to date, no response has been received. He noted that the report was submitted in December and that a response from DNREC is not expected for 60-90 days, which is the typical response time.

**30-Day Update - Garrison Oak Technical Park Project**
Mr. Scott Koenig, City Manager, stated that staff met last week with Mr. Greg Moore, Becker Morgan Group, who is the design engineer for the Garrison Oak Technical Park Project. It is anticipated that the subdivision plats will be signed and recorded in the very near future. He advised members that there have also been discussions with the County Engineer's Office regarding the sewer layout, which will enhance wastewater service on the east side of the City.

As mentioned during previous meetings, Mr. Koenig stated that staff is continuing discussions with Calpine Corporation regarding the proposed construction of the Garrison Energy Center, a new power plant, and that representatives of Calpine are continuing to work with local representatives as well as State legislators on the project. The Calpine Project is scheduled for consideration by the Planning Commission on March 19, 2012.

**By unanimous consent, the meeting adjourned at 5:43 P.M.**

David L. Bonar
Chairman

DLB/DD/jg/js/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2012\03-12-2012 UTILITY.wpd

*Attachments*
*Attachment #1 - Resolution No. 2012-05 Amending Resolution No. 2010-07 - Alley Abandonment - Wesley College*
*Attachment #2 - Resolution No. 2012-03 - Alley Abandonment - East Side of North Bradford Street*

City of Dover

MAYOR AND COUNCIL

## COUNCIL RESOLUTION NO. 2012-05

**A RESOLUTION AMENDING RESOLUTION NO. 2010-07 WHICH VACATED AND ABANDONED CERTAIN ALLEYS AND STREETS SITUATED IN THE CITY OF DOVER.**

WHEREAS, Resolution No. 2010-07, adopted by City Council on August 9, 2010 vacated and abandoned the following streets and alleys: and

| | |
|---|---|
| Area #1 | The 100 block of North Governors Avenue Alley West |
| Area #2 | The southern portion of the 200 block of North Governors Avenue Alley East |
| Area #3 | A portion of the unit block of North Bradford Street |
| Area #4 | The unit block of Fulton Street |
| Area #5 | A portion of the unit block of Cecil Street |
| Area #6 | A portion of the 200 block of North Bradford Street |
| Area #7 | The northern portion of the unit block of North State Street Alley West |

WHEREAS, the timing of the abandonment was such that the City would maintain ownership and maintenance of the subject streets and alleys until such time that they are physically altered by construction in accordance with a site plan approved by the Planning Commission; and

WHEREAS, Resolution No. 2010-07 was to be effective upon the filing of a revised plot plan of the aforesaid streets and alleys; and

WHEREAS, the applicant for the alley and street abandonment has requested that the street and alley abandonment and transfer of ownership occur immediately to allow the consolidation of the parcels and filing of the revised plot plan.

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

THAT Resolution No. 2010-07 be amended by deleting Section 4, Paragraph 1 - Timing of Abandonment and deleting duplicate Section 4 - Effective upon the filing of a revised plot.

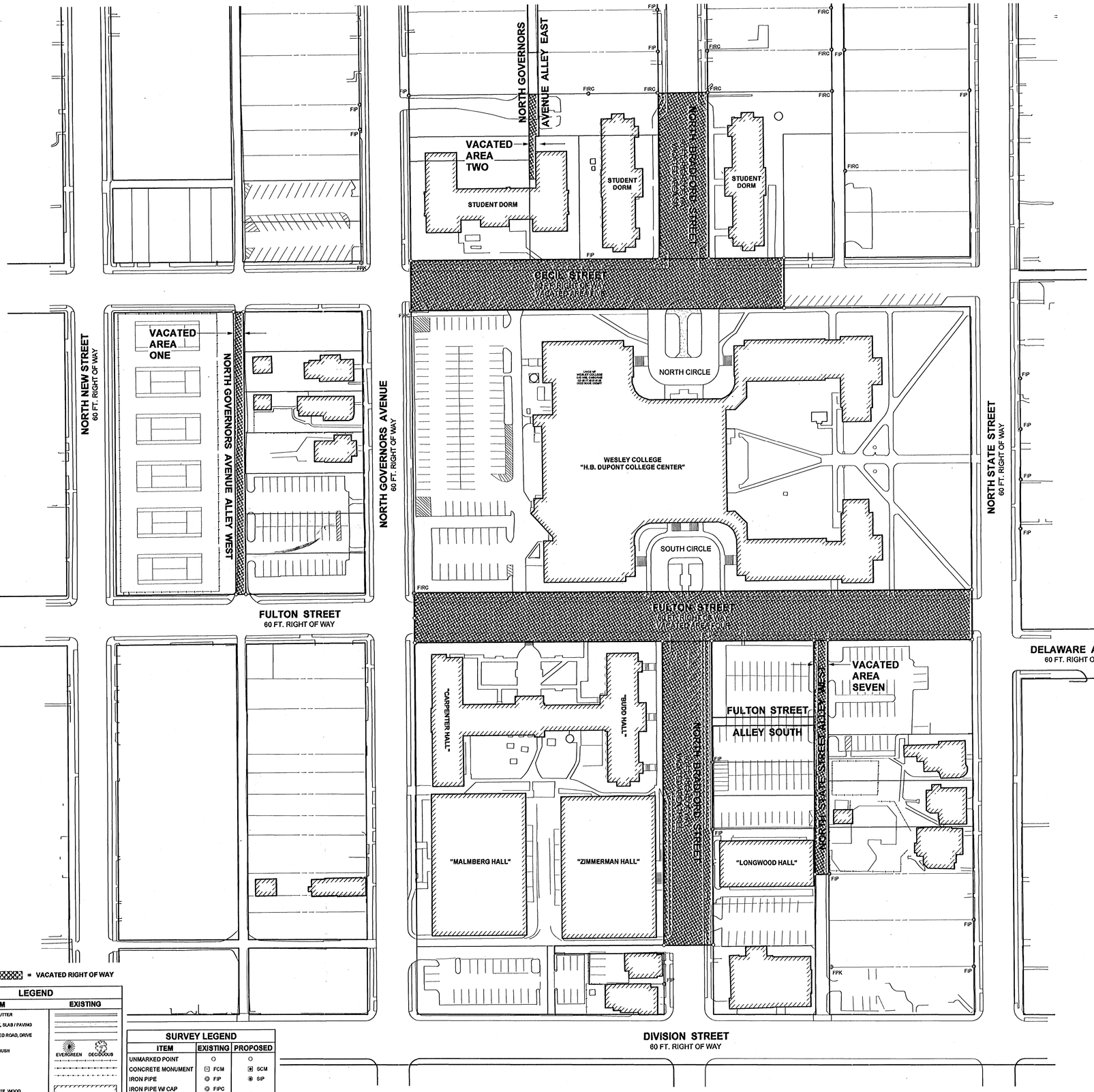
ADOPTED: *

S:\RESOLUTIONS & PROCLAMATIONS\2012\Draft\2012-05 Amending Res. No. 2010-07 - Abandonment of Streets and Alleys - Wesley College.wpd

CARLETON E. CAREY, SR.
MAYOR

THOMAS J. LEARY
COUNCIL PRESIDENT

Actions History:
April 9, 2012 - Introduced at City Council

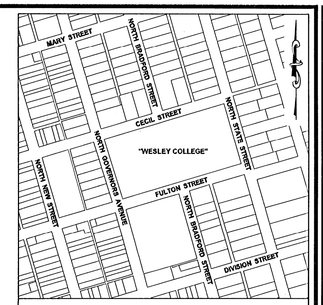



## LEGEND

| ITEM | EXISTING |
|---|---|
| CONCRETE CURB & GUTTER | |
| CONCRETE SIDEWALK, SLAB / PAVING | |
| IMPERVIOUS SURFACED ROAD, DRIVE OR LOT | |
| INDIVIDUAL TREE OR BUSH | EVERGREEN, DECIDUOUS |
| WIRE FENCE | |
| CHAINLINK FENCE | |
| STOCKADE FENCE | |
| STRUCTURE (CONCRETE, WOOD, METAL, ETC.) | |
| PROPERTY OR RIGHT-OF-WAY LINE | |

## SURVEY LEGEND

| ITEM | EXISTING | PROPOSED |
|---|---|---|
| UNMARKED POINT | ○ | ○ |
| CONCRETE MONUMENT | ⊡ FCM | ⊡ SCM |
| IRON PIPE | ◎ FIP | ◉ SIP |
| IRON PIPE W/ CAP | ◎ FIPC | |
| IRON ROD | ◎ FIR | ◉ SIR |
| IRON ROD W/ CAP | ◎ FIRC | ◉ SIRC |




**LOCATION MAP** SCALE : 1" = 400'




## SITE DATA

1. OWNER OF RECORD: WESLEY COLLEGE, COLLEGE SQUARE, DOVER, DE 19901
2. ENGINEER / SURVEYOR: BECKER MORGAN GROUP INC., 309 SOUTH GOVERNORS AVENUE, DOVER, DE 19904, 302-734-7950
3. PROPERTY MAP NUMBERS:

| | | |
|---|---|---|
| ED-05-68.17-02-07.00 | ED-05-76.08-03-64.00 | ED-05-77.05-01-28.00 |
| ED-05-68.17-02-08.00 | ED-05-76.08-03-65.00 | ED-05-77.05-01-27.00 |
| ED-05-68.17-02-09.00 | ED-05-76.08-03-66.00 | ED-05-77.05-01-28.00 |
| ED-05-68.17-02-10.00 | ED-05-76.08-03-67.00 | ED-05-77.05-01-29.00 |
| ED-05-68.17-02-11.00 | ED-05-76.08-03-68.00 | ED-05-77.05-01-35.00 |
| ED-05-68.17-02-12.00 | ED-05-76.08-03-69.00 | ED-05-77.05-01-36.00 |
| ED-05-68.17-02-41.00 | ED-05-77.05-01-01.00 | ED-05-77.05-01-37.00 |
| ED-05-76.08-03-56.00 | ED-05-77.05-01-02.00 | ED-05-77.05-01-38.00 |
| ED-05-76.08-03-63.00 | ED-05-77.05-01-25.00 | |

4. ZONING CLASSIFICATION: EXISTING: IO - INSTITUTIONAL AND OFFICE ZONE; RGO - GENERAL RESIDENCE AND OFFICE ZONE
5. PRESENT USE: COLLEGE CAMPUS
6. DEED SUMMARY: EXEMPT
7. PLAT REFERENCE : P.B. 11 / 95
8. TOTAL VACATED R.O.W.:

| | | |
|---|---|---|
| VACATED AREA ONE: | 4,082 S.F. | (0.0937 ACs) |
| VACATED AREA TWO: | 997 S.F. | (0.0229 ACs) |
| VACATED AREA THREE: | 21,832 S.F. | (0.5012 ACs) |
| VACATED AREA FOUR: | 40,681 S.F. | (0.9339 ACs) |
| VACATED AREA FIVE: | 27,225 S.F. | (0.6250 ACs) |
| VACATED AREA SIX: | 11,938 S.F. | (0.2741 ACs) |
| VACATED AREA SEVEN: | 4,767 S.F. | (0.1094 ACs) |
| TOTAL VACATED AREA: | + 111,522 S.F. | (2.5602 ACs) |

## GENERAL NOTES :

1. THE TOPOGRAPHIC DATA SHOWN HEREON WAS COMPILED FROM AN AERIAL TOPOGRAPHIC SURVEY FLOWN IN JANUARY 2011 AND MAPPED BY COOPER AERIAL SURVEY CO. IN FERUARY 2011 AND A FIELD SURVEY PERFORMED BY BECKER MORGAN GROUP, INC. , DOVER, DE. IN APRIL 2011. PROJECT VERTICAL DATUM IS BASED ON NAVD 88 AND PROJECT HORIZONTAL DATUM IS BASED ON DELAWARE STATE PLANE (NAD83), GPS DERIVED FROM N.G.S. CONTROL MONUMENTS.
2. RIGHT OF WAY LINES AND WIDTHS SHOWN HEREON HAVE BEEN ESTABLISHED BASED ON RECORD PLAT INFORMATION AND KENT COUNTY TAX MAPS AND IN CONJUNCTION WITH PHYSICAL EVIDENCE DISCOVERED IN THE FIELD.
3. THE VACATED RIGHT-OF-WAY AREAS SHOWN SHALL COINCIDE WITH THE CONDITIONS OUTLINED IN THE ABANDONMENT RESOLUTION #2010-07.
4. THE CITY SHALL RETAIN A UTILITY/ PEDESTRIAN EASEMENT FOR THE ENTIRE LENGTH AND WIDTH OF THE AFORESAID STREETS AND ALLEYS AS OUTLINED IN THE ABANDONMENT RESOLUTION #2010-07. ALL COST OF CONVEYANCE SHALL BE BORNE BY THE PROPERTY OWNER.

## APPROVED BY : CITY OF DOVER PLANNING COMMISSION

CITY CLERK (SIGNATURE) _____ PRINTED NAME _____ DATE _____

PLANNING COMMISSION MEMBER _____ PRINTED NAME _____ DATE _____

PLANNING COMMISSION CHAIRMAN _____ PRINTED NAME _____ DATE _____

RECORDED: _____ PLAT BOOK: _____ PAGE: _____

## OWNERS CERTIFICATION

WE, WESLEY COLLEGE, HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN, THAT THE PLAN WAS MADE AT OUR DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE DEVELOPED AS SHOWN IN ACCORDANCE WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE _____ DATE _____

## SURVEYORS CERTIFICATION

I, JEFFREY C. DODD, HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF DELAWARE, THAT THE INFORMATION SHOWN HEREON HAS BEEN PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD SURVEYING PRACTICES AS REQUIRED BY THE APPLICABLE LAWS OF THE STATE OF DELAWARE.

JEFFREY C. DODD P.L.S. NO. 782 DATE _____

BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

**Dover**
309 S. Governors Ave.
Dover, DE 19904
Ph. 302.734.7950
Fax 302.734.7965

**Salisbury**
312 West Main St. Suite 300
Salisbury, MD 21801
Ph. 410.546.9100
Fax 410.546.5824

**Wilmington**
3205 Randall Parkway, Suite 211
Wilmington, North Carolina 28403
Ph. 910.341.7600
Fax 910.341.7506

www.beckermorgan.com

PROJECT TITLE

# WESLEY COLLEGE CAMPUS

STATE STREET & GOVERNORS AVE.
CITY OF DOVER
KENT COUNTY, DELAWARE

SHEET TITLE

## OVERALL VACATED RIGHT OF WAY PLAN

0 30 60 120
SCALE : 1" = 60'

ISSUE BLOCK

| MARK | DATE | DESCRIPTION |
|---|---|---|
| 1 | 12/06/11 | REVISED PER THE CITY OF DOVER COMMENTS MADE ON JULY 28, 2011. |

LAYOUT STATE: (NONAL)

PROJECT NO.: 2009132.00
DATE: 07/01/11
SCALE: 1" = 60'
DRAWN BY: D.S.G. | PROJ. MGR.: J.C.D.
SHEET
1 OF 3

COPYRIGHT 2011

F:\AutoCAD\Projects\2009\2009132\dwg\2009132-VACATED-ROW-PLAT.dwg, Dec 21, 2011 - 5:03pm

City of Dover

MAYOR AND COUNCIL

**DRAFT PROPOSED COUNCIL RESOLUTION NO. 2012-03**

**A RESOLUTION PROPOSING THE VACATING AND ABANDONMENT OF A CERTAIN ALLEY SITUATED IN THE CITY OF DOVER.**

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

Section 1. The Council of the City of Dover favors the vacating and abandoning of the following alley:

All that certain piece, parcel, or tract of land situated in the City of Dover, Kent County, State of Delaware, lying on the east side of North Bradford Street, being bounded on the north by lands of Wesley College, on the east by North State Street Alley West, on the south by other lands of Wesley College, and on the west by North Bradford Street, and being more particularly described as follows:

> Beginning at a point in the easterly right of way line of North Bradford Street at the northwest corner of a 10-foot-wide public alley and lands now or formerly of Wesley College, said point of beginning being South 16°13'11" West 92.67 feet, as measured from the southeast intersection of North Bradford Street and Fulton Street right of way lines, thence from said point of beginning and running with said lands of Wesley College; 1) North 73°46'49" East 125.35 feet to a point in the westerly right of way of North State Street Alley West, thence turning and running with said right of way of North State Street Alley West; 2) South 16°13'11" West 10.00 feet to a point at a corner of said public alley and other lands now or formerly of Wesley College, thence turning and running with said lands of Wesley College; 3) South 73°46'49" West 125.35 feet to a point at a corner of said public alley and in line of the easterly right of way line of North Bradford Street, thence turning and running with said easterly right of way line of North Bradford Street; 4) North 16°13'11" West 10.00 feet to the point and place of beginning and containing 1,254 square feet of land be the same, more or less.

Section 2. The Council of the City of Dover will sit on Monday, April 23, 2012, at 7:30 p.m., in the Council Chambers at City Hall, Dover, Delaware, to hear the objections of such residents of the City or owners of the property affected as shall attend, in accordance with the provisions of Section 27 of the Charter of the City of Dover (Chapter 158, Volume 36, Laws of Delaware).

Section 3. The Clerk of Council is hereby directed to post copies of this Resolution in five or more public places in the City of Dover.

Draft

ADOPTED: *

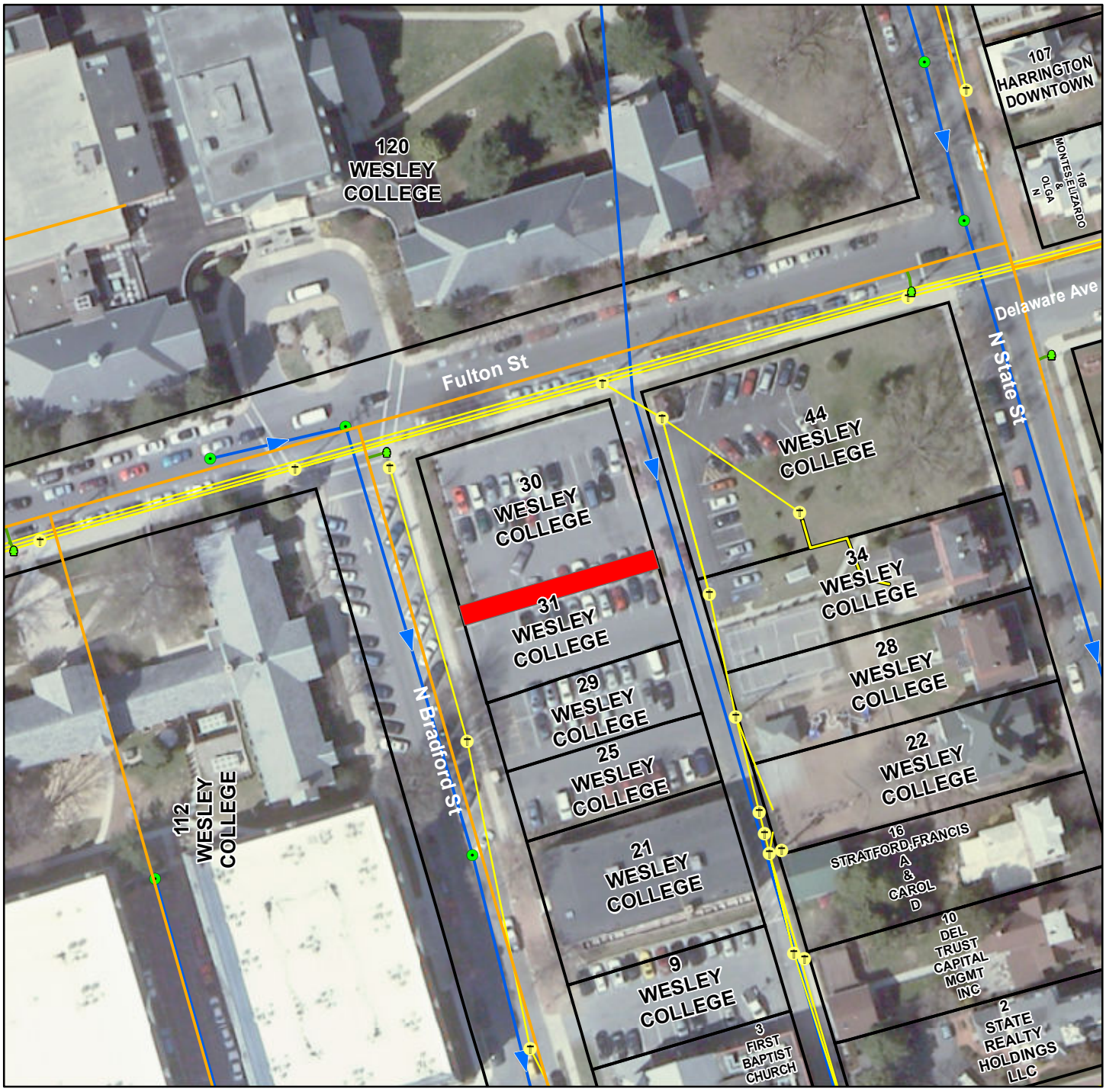
S:\RESOLUTIONS & PROCLAMATIONS\2012\Draft\2012-03 Setting the Public Hearing - Alley Abandonment - Wesley College.wpd

| CARLETON E. CAREY, SR.<br>MAYOR | THOMAS J. LEARY<br>COUNCIL PRESIDENT |
|---|---|

Actions History:
April 9, 2012 - Introduced at City Council

Draft

# Fulton Street Alley South
# Proposed Alley Abandonment




0 50 100 200 Feet

N

Date Printed: January 20, 2012
File: m:\gis_data\projects/tech_mxds
\street_abandonment_map_wesley_college
Department: Public Services GIS
City of Dover, Delaware

**Legend**

- Overhead Electric Pole
- Underground Electric Lines
- Overhead Electric Lines
- Secondary OH Conductor
- Water Main
- Hydrant Line
- Hydrants
- Manholes
- Sewer Line
- Right of Way to be Abandoned
- Dover Parcels

# LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on March 12, 2012 at 6:02 p.m. with Councilman Hare presiding in the absence of Chairman McGlumphy. Members present were Mr. Anderson (arrived at 6:23 p.m.), Dr. Jones, and Mr. Shevock. Members of Council present were Mr. Bonar, Mr. Hutchison, Mr. Lynn (departed at 6:37 p.m.), and Mrs. Williams.

**AGENDA ADDITIONS/DELETIONS**

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

**Recommendation of Civilian Pension Board - Cost of Living Adjustment (COLA)**

Mrs. Donna Mitchell, Controller/Treasurer, reported that during their meeting of February 9, 2012, the Civilian Pension Board considered a Cost of Living Adjustment (COLA) for current retirees and surviving spouses, with the following motion being made by Mr. Lester Blakeman:

> That all members of the Civilian Pension Plan who retired on or before June 30, 2007 receive a 4% cost of living adjustment effective January 1, 2013, that the retirement income of a retired member of the Civilian Pension Plan shall be increased by 2% per annum every January 1, and that this increase in retirement pay shall be cumulative and the previous year's increase shall be included in the retired member's retirement income for the purposes of calculating the annual 2% increase, and that the first 2% increase would be effective on January 1, 2014.

It was noted that although the motion did not specifically include surviving spouses, this was the intent of the maker, and that Mr. Blakeman's calculation of the increase presented to the Board was $126,335, which included all retirees, not only those retired on or before June 30, 2007.

Mrs. Mitchell noted that no funding sources for a COLA have been identified by staff at this time. However, she advised members that Mr. Blakeman had provided the Pension Board with three (3) recommendations for funding the increase, as follows: 1) a one-half cent increase in electric rates; 2) collection of property tax receivables; and 3) use of excess budget balance.

Mrs. Mitchell also advised members that staff could not support an automatic cost of living provision. She stated that staff understood the rationale behind the motion; however, she indicated that retirement plans have been moving away from this provision in general, as demonstrated by the City's other retirement plans. She indicated that all of the State of Delaware Pension Plans with these provisions are now closed.

Should Council approve the 4% Cost of Living Adjustment for the Civilian Pension Plan, staff recommended that the City Manager be directed to budget each year for the cost of the COLA as follows: General Fund $52,400, Water/Wastewater Fund $5,300, and Electric Fund $40,800. Mrs. Mitchell explained that these amounts would fund a COLA only for the individuals who retired on or before June 30, 2007, as stated in Mr. Blakeman's motion.

Responding to Mr. Hare, Mrs. Mitchell stated that, as indicated in the minutes of the Civilian Pension Board Meeting of February 8, 2012, the motion failed by a roll call vote of four (4) no

(Dr. McGlumphy, Mr. Bonar, Mr. Koenig, and Mrs. Mitchell) and three (3) yes (Mr. Blakeman, Mr. Clendaniel, and Mrs. Hettinger).

In response to Dr. Jones, Mrs. Mitchell stated that retirees received a stipend in 2009. She explained that, at that time, $100,000 was allocated to retirees based on age and, as a result, older retirees received higher amounts.

Mr. Lynn questioned the cost of providing a one-time COLA to retirees. Responding, Mrs. Mitchell indicated that a one-time 4% COLA for retirees would cost $98,500; however, she explained that if a 4% COLA were added to the base pension for retirees, the City would be required to budget for this additional $98,500 each year. Prior to 2009, the last adjustment provided to retirees was in 2006.

In response to Mr. Shevock, Mrs. Mitchell stated that in January 2012, the State of Delaware provided a 2% COLA to their retirees and that the last COLA provided by the State was in 2006.

As mentioned by Mr. Hare, Mrs. Mitchell confirmed that the State of Delaware pensioners are not provided with Medicare Part B reimbursement.

Mrs. Williams questioned the cost of the retirees' Medicare Part B reimbursement benefit as compared to the cost of a COLA. Mrs. Mitchell stated that she did not have that information readily available and it would require calculations; however, she offered to provide it to members at a later date. *(Clerk's Office Note: Following the meeting, Mrs. Mitchell advised the City Clerk's Office that the current cost of Medicare Part B premium reimbursements for all City of Dover retirees is $117,500 annually and the cost of a 4% COLA increase for employees who retired prior to 2007 would be $98,500.)*

Mr. Blakeman, 209 Falmouth Way, member of the Civilian Pension Board, thanked the Director/Controller and the City Clerk's Office for their support and assistance. He provided members with several documents ***(Attachment #1)***, as follows: A) List of Retirement Payments Being Issued to Members of the Civilian Pension Plan; B) Reasons for Unfunded Liability (Council President Leary advised members that at one point in the 1990s, the pension fund was almost fully funded.); C) City of Dover Finance Department Pay Plan and Benefit Comparisons - Contract Wage Increase (Mr. Blakeman noted that the addition of the far left column reflects Consumer Price Index increases and the far right column reflects Social Security increases); D) General Pension Plan Cost of Living Adjustment History; E) Example of Effects of a 2% COLA for Police and 0% COLA for Civilians, which included an excerpt from the Comprehensive Annual Financial Report (CAFR) as to when these pension plans started and a Statement of Changes in Pension Trust Fund Net Assets (He noted that the average pension for General Fund retirees is $16,371 and that the average pension for Police Fund retirees is $30,336.); F) Electric Revenue - Sample Increases by Year and Costs to Customers; G) Real Estate Transfer for Sample Revenue Increases; and H) An Excerpt from State Law (77 Del. Laws, c. 130, §3, which states the City's ability to create a pension and includes a paragraph mentioning the City's authority to institute a property transfer tax. Mr. Blakeman felt that, due to the paragraph being located within the text granting the City the ability to create a pension,

it would not be inappropriate to utilize general revenue from the property transfer tax to fund the pension plan.) Mr. Blakeman explained that this information was distributed to members to provide them additional facts to consider during their deliberations of this matter.

Mr. Shevock noted that there are several residents who could not afford any increase in electric rates, and that there would be many complaints from local realtors if there were an increase in the transfer tax, explaining that attempts are being made to bring businesses to the area and that an increase would be a deterrent. Responding, Mr. Blakeman stated his understanding of such concerns; however, he reminded members that police retirees receive an annual COLA and that civilian retirees questioned why police retirees would be treated differently. Although 75% of the COLA for police retirees is paid by the State, he noted that the City budgets for the remaining 25%. He advised members that there are several retirees who receive a very small pension amount each month and that this problem for them is compounded each year that a COLA is not provided.

Mr. Shevock felt that additional information should be provided regarding the City's deficit prior to making any decision regarding the possibility of a COLA.

Mr. Hutchison reiterated that no current police officer will retire under the City's plan and receive a 2% COLA. Confirming, Mr. Blakeman stated that the City's Police Pension is a closed plan; however, he noted that current members will continue to receive a 2% COLA each year. He reminded members that employees who retired in 1970 and who have been without a COLA for the past several years have seen their pensions eroded by the cost of living.

Noting that the Civilian Pension Board had two (2) parts to their motion, Dr. Jones questioned if members would be receptive to a one-time COLA adjustment. Responding, Mr. Blakeman stated that retirees would be grateful for any action in this regard, explaining that retirees are also affected by the economic times. He reiterated that it was also the desire of the civilian members of the Pension Board to bring to Council's attention the disparity between the two (2) pension plans. In addition, he reminded members that prior to the last one (1) or two (2) years, active employees have been provided substantial salary increases.

Mr. Bonar applauded Mr. Blakeman for his work on this matter and the retirees for their attendance and participation at the Pension Board Meeting; however, he noted the difficult economic times for the City. He felt that approval of an automatic COLA at this time would be irresponsible of City Council. However, he felt that a one-time COLA might be an acceptable solution.

Mr. Hutchison felt that Council has the responsibility to review this matter and make decisions. He reminded members that Council would be holding their Annual Retreat on March 26, 2012 and suggested the possibility of further discussion regarding this matter at that time.

Mr. Anderson also relayed appreciation to Mr. Blakeman for the research provided and stated that he was "disturbed" that the City had not provided retirees with an increase for several years. Although he stated he could not support a 4% COLA at this time, he felt that once the City has moved through the next fiscal year, Council should take action to address this matter. It was his

feeling that it was unfair for retirees to bear the brunt of the budgetary shortfall when others were not subjected to it for the past several years.

Mrs. Mitchell advised members that the concerns of staff were not in regard to providing a COLA but in regard to ensuring that it is funded. The funding source would be a decision required of Council.

Mr. Hare suggested that such a COLA be "tied to" another system, such as the State or Federal governments and that the City should negotiate for the COLA by eliminating Medicare Part B reimbursement.

After much discussion, Mr. Bonar suggested that this matter be tabled by the Committee and that staff be requested to add this for Council's consideration for discussion during the Council Retreat consideration of possible funding to provide a one-time COLA.

**Mr. Anderson moved to recommend 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. The motion was seconded by Dr. Jones and unanimously carried.**

**Approval of Transfer of Additional Reciprocal Borrowing Funds**

Members were advised that Kent County collects a special Library Tax from each County property owner who does not reside within a municipality. This tax is used to reimburse the municipal libraries in the County for each item loaned to a County resident who is not a resident of a municipality.

Mrs. Donna Mitchell, Controller/Treasurer, advised members that in 2011, residual library tax was distributed at a rate of $30,000 to each municipal library to be used for capital purposes. The Dover City Council approved transfer of the City's allotment to the Library Reserve Fund. In 2012, residual tax was disbursed by the Kent County Levy Court at a rate of $15,000 per library.

Staff recommended approval of a transfer in the amount of $15,000 from the General Fund (contributed by Kent County residual reciprocal borrowing funds) to the Library Reserve Fund for the capital project. It was noted that this item has been included in the proposed budget amendment scheduled to be considered later in the evening and that if it was not approved, it would be removed from the proposed budget amendment.

**Dr. Jones moved to recommend approval of staff's recommendation to transfer $15,000 (residual reciprocal borrowing funds contributed by Kent County) from the General Fund to the Library Reserve Fund, seconded by Mr. Anderson and unanimously carried.**

**Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012**

Members reviewed Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012. Mrs. Donna Mitchell, Controller/Treasurer, advised members that the proposed budget amendment included adjustments to the Beginning Budget Balances for the major operating and capital funds now that the City's audit has been completed. It also included a transfer to the Other Post-Employment Benefits (OPEB) Trust toward the unfunded liabilities in the following amounts, as approved by Council action on September 12, 2011: General Fund $239,532; Water/Wastewater Fund $372,417; Electric Fund $573,547. Members were provided details regarding additional adjustments included in the proposed ordinance.

In response to Mr. Anderson, Mrs. Mitchell confirmed that there was a shortfall of 7.8%; however, there are several vacant positions which will result in more than enough savings to cover the shortfall. She explained that the proposed amendments affect only the operating funds and that no projects will be affected.

**Mr. Shevock moved to recommend adoption of proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012 *(Attachment #2)*, seconded by Mr. Anderson and unanimously carried.**

**Public Comment Period**

There was no one present wishing to address members.

**Mr. Anderson moved for adjournment, seconded by Dr. Jones and unanimously carried.**

Meeting Adjourned at 6:40 P.M.

William F. Hare
Acting Chairman

WFH/DD/jg/js/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2012\03-12-2012 LF&A.wpd

*Attachments to Original*
*Attachment #1 - Research Information Provided by Mr. Lester Blakeman (Lettered A-G)*
*Attachment #2 - Proposed Ordinance #2012-09 - Budget Amendments for Fiscal Year 2012*

# SPECIAL PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

A Special Parks, Recreation, and Community Enhancement Committee meeting was held on March 15, 2012, at 10:02 a.m. with Chairwoman Russell presiding. Members present were Mr. Anderson, Mrs. Horsey, and Mr. Lewis. Mr. Bonar was absent.

**AGENDA ADDITIONS/DELETIONS**

**By unanimous consent, the agenda was approved as presented.**

**Community Development Block Grant (CDBG) Application Review**

Mrs. Tracey Harvey, Community Development Manager, noted that members would be serving as the Community Development Block Grant (CDBG) Review Panel for the CDBG Applications for Fiscal Year 2012. As such, members were provided a list of applicants, a CDBG Interview Schedule, a breakdown of federal resources available for use and the total amount of grant funds requested, CDBG scoring criteria, a 2012 CDBG Review Panel Scoring Sheet for each applicant, and staff reports summarizing each application. She requested that members summarize their evaluation of each application on the CDBG Grant Application Review Sheet and provide a score based on the information presented. Members were advised that the numbers in parenthesis next to each measure indicated the maximum score for a given category and that the maximum total points was 100.

Mrs. Harvey advised members that the total amount of grant funds available for activities was $188,286 and explained the allocation requirements of the grant, as follows:

| | |
|---|---|
| CDBG Funds Allocation | $226,803 |
| Anticipated Program Income | $ 8,554 |
| Total Grant Allocation | $235,357 |
| | |
| 20% of the grant must be allocated for Program Administration | $235,357 x.20 $47,071 |
| | |
| Grant Funds Available for Activities | $188,286 |
| | |
| Total Grant Funds Requested by Applicants | $248,000 |

Mrs. Harvey cautioned that, according to CDBG requirements, funds awarded for public service activities could not exceed 15% of the total grant allocation ($35,303).

**Oral Presentations**

Each applicant was provided an opportunity to make oral presentations before the committee, as follows:

Dover Interfaith Mission for Housing

Ms. Jeanine Kleimo, Chair, Board of Directors, Dover Interfaith Mission for Housing (DIMH), reviewed a grant application in the amount of $27,500. She explained that DIMH is an interfaith community organization which provides shelter, meals, and assistance to homeless men from the

greater Dover community. Ms. Kleimo indicated that DIMH's shelter at 684 Forest Street can accommodate up to 36 lodgers. She stated that the organization sheltered 142 men during 2011 and has sheltered more than 700 over the past four (4) years. Mrs. Kleimo explained that the organization has maintained a success rate of approximately 60% in transitioning men from the shelter into permanent employment and private housing, with an estimated impact of $1.5M on the local economic community (based on the assumption that individuals work full-time and earn only minimum wage) and also provides employees for difficult to fill, entry-level jobs in the community. The organization uses volunteer services whenever possible and has no full-time staff, with the Board of Directors performing most of the day-to-day tasks that paid staff members typically perform in other facilities. DIMH partners with local colleges to obtain interns, provide employment, and alcohol/drug counseling, as well as nursing assistance. Mrs. Kleimo noted that CDBG funds would be used for operational, maintenance, and repair costs for the shelter. She advised members that DIMH hopes to match CDBG funds with funds from the Delaware State Housing Authority (DSHA) and Delaware Grant-in-Aid and that the organization receives significant support from local faith communities, businesses, and private citizens of Dover.

Mr. Anderson expressed appreciation for the work performed in the community by DIMH.

Mrs. Russell noted the need for similar services for the City's female population.

In response to Mrs. Horsey, Ms. Kleimo stated that the 36-bed shelter has been sustained on a relatively low budget through the generosity of those who volunteer and provide support to the organization and that it would be difficult to expand at the current time. In addition, expansion would be problematic at the current location because the property is leased. Mrs. Kleimo explained that most shelters in the State limit residents to 30 days lodging and the average cost of serving each client is $2,000. In contrast, she noted that DIMH's clients are allowed to stay for 90 days at an average cost of $675 per resident.

Milford Housing Development Corporation (MHDC) Housing Rehabilitation Program

Ms. Valerie DeMarco, Development Director, and Mr. Russell Huxtable, Vice President and Chief Operating Officer, reviewed a grant application in the amount of $60,000 for the Milford Housing Development Corporation (MHDC) Housing Rehabilitation Program. Mr. Huxtable explained that MHDC is a private, non-profit housing development organization established 35 years ago and that the application was being submitted in regard to the home ownership program. He noted that 140 "sweat equity" homes have been built through MHDC's self-help housing program in and around Kent and Sussex County and that the organization has been partnering with the City of Dover since 2006.

Mr. Huxtable explained that in November 2011, MHDC combined with First State Resource Conservation and Development (RC & D) and acquired this organization's emergency home repair project and staff. He noted that MHDC had submitted two (2) proposals for CDBG funding, one for housing rehabilitation and one for emergency home repair. Mr. Huxtable stated that the rehabilitation project would serve six (6) to eight (8) homeownership units per year with up to $15,000 of rehabilitation per unit. Since the application was for a multi-year grant, the work would be accomplished over three (3) years, for a total of 18-24 total units. All those served would meet

the low-to-moderate income qualifications. Mr. Huxtable explained that MHDC works with City of Dover to identify qualified individuals on the CDBG waiting list. He noted that funding this program would help to preserve the City's affordable housing stock and allow some of the City's elderly residents to age in place by keep their homes livable.

Milford Housing Development Corporation (MHDC) - Home Repair Project

Mr. Fred Traute, Preservation Manager, reviewed a grant application for the Milford Housing Development Corporation's (MHDC's) Home Repair Project in the amount of $40,000. He advised members that he previously worked with First State Resource Conservation and Development's (RC & D's) Home Repair Project and that partnering with MHDC has allowed the Project to leverage more resources. Members were provided a Memorandum from Mr. Traute dated March 15, 2012, Grant Request for Community Development Block Grant, 2012-2013 ***(Attachment #1)*** outlining the details of the request and accomplishments of the program.

Mr. Traute explained that the repairs performed under this program typically cost a few thousand dollars and initially address emergency repair needs, such as lack of heat, rather than long-term rehabilitation. The goal of the program is to take care of immediate hazards in the home, followed by a site visit to determine if there are other needs present. He noted that 58 homes in the City of Dover have been served through the use of CDBG funds for this purpose over the past six (6) years. The organization partners with the Senior Employment Program through the First State Community Action Agency in Sussex County and through the Modern Maturity Center in Kent County. Through this program, a staff construction supervisor leads two (2) or three (3) senior employees who receive job training and provide labor at no cost.

In response to Mr. Lewis, Mr. Traute explained that previously expenditures on each home were limited to $2,500; however, with the increased costs of performing heat or electrical work, this figure was increased to $7,500.

Mr. Huxtable provided members a Success Profile that featured the account of Mary B. Ashley ***(Attachment #2),*** an 82-year-old client who was living in substandard housing and was successfully placed in a new two (2) bedroom home. He emphasized that clients are evaluated to determine which of the organization's programs will help them meet their goals of decent, safe, and affordable housing, which is the goal and mission of MHDC.

In response to Mr. Anderson, Mr. Traute explained that the estimate of 45 units to be repaired through the use of CDBG funds referred to independent repairs rather than the number of individual clients, since homes often require more than one repair. He noted that he requires all contractors to complete work to his satisfaction.

Responding to Mrs. Horsey, Mr. Huxtable stated that the organization receives funds from some sources that are specifically allocated for a particular geographic or population demographic. He emphasized that any home repair funds received from the City of Dover would be expended within City limits.

For clarification, Mrs. DeMarco explained that MHDC was founded in 1977 in Milford by residents who saw the need for affordable housing. Since that time, the organization has expanded State-wide and into Maryland. She noted that MHDC staff have had internal discussions regarding the possibility of changing the name of the organization because the title of Milford Housing Development Corporation is misleading.

National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL)

Mr. Joe Myer, Executive Director, and Ms. Denise Freeman, Pre-Purchase Housing Counselor and Housing Counseling Director, National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL), reviewed a grant application in the amount of $12,500. Mr. Myer advised members that NCALL has been addressing affordable housing in the area since 1976. He explained that NCALL provides homeownership counseling, foreclosure prevention, and financial literacy; has been approved by the Department of Housing and Urban Development (HUD); has been recognized by HUD for its performance; and has attained high rankings nationally as an affordable housing and community development organization. He noted that CDBG funds were being sought for home ownership and foreclosure prevention programs and that NCALL has previously partnered with the City of Dover in the First State Program, which provides down payment and settlement help.

Mr. Myer advised members that, over the past year, NCALL assisted 215 first-time homebuyers in closing on their first homes and prevented 206 foreclosures in Delaware. He noted that $12,500 in grant funds were being requested in 2012, $7,500 for homeownership counseling and $5,000 for foreclosure prevention, with the same amounts being projected for Fiscal Years 2013 and 2014.

Members were provided with an NCALL Dover CDBG Application Summary ***(Attachment #3)*** for their review. Mr. Myer estimated that 40 households in the City would benefit from the program, resulting in a potential impact of $6,000,000 in new mortgages leveraged and mortgages saved. He noted that it was estimated that 25 of the 40 households served would be in the low-to-moderate income bracket.

In response to Mrs. Horsey, Mr. Myer explained that median incomes in Kent and Sussex Counties are 25% lower than New Castle; however, the cost of home construction is the same or more, so clients in these areas are disadvantaged in terms of meeting income guidelines. He indicated that the internal goal of the agency is to serve lower income households and solicit tools, such as the First Start Program, that help NCALL to bridge that gap. Mr. Myer noted that HUD guidelines dictate that anyone requesting foreclosure prevention assistance must be served regardless of income. He assured members that the estimate provided for low-to-moderate income households served was conservative and that NCALL would have no difficulty meeting program goals in this regard.

Responding to Mr. Anderson, Mr. Myer stated that NCALL was a CDBG subgrant recipient previously, but not in recent years. NCALL is currently a Neighborhood Stabilization Program (NSP) partner, which involves working with the CDBG, although NCALL does not receive grant funds. He stated that the multi-year approach that the City is currently utilizing for CDBG funding attracted NCALL to apply this year because housing programs tend to require an extended period of time.

Serenity Place

Mr. William Boyles, Executive Director, and Mrs. Lisa Boyles, Member of the Board of Directors and volunteer staff member, Serenity Place, presented a grant application in the amount of $30,000. Mr. Boyles explained that Serenity Place is a State-licensed treatment facility for adult males with substance abuse problems who are homeless and unemployed. He noted that the program has been in existence for 21 years and has served more than 1,000 men. All residents are required to make at least a three (3) month commitment to the program; however, many stay an average of nine (9) months. Residents are provided licensed treatment, including individual and group counseling. They are required to seek employment and pay approximately $100 for room and board once they are employed. Residents share responsibilities for maintaining the facility, meal preparation, and performing chores.

Mr. Boyles advised members that in June 2011, a fire occurred at Serenity Place, resulting in the loss of the main building. A small building next door survived and has been made into an administration office where counseling, meetings, and administration take place. A new building is planned which will double the capacity of the facility from 10 to 20, and a capital campaign drive has begun to raise funds. Mr. Boyles explained that insurance proceeds for damage to the building were approximately $300,000 and the full project cost will be approximately $600,000. Approximately $60,000 of the additional funds needed have been raised to date.

Mr. Boyles noted that Serenity Place provides an invaluable service to the community by providing treatment to homeless and unemployed individuals, many from criminal backgrounds, thus making the community a safer place. He indicated that many of those who complete the program stay in the Dover area, occupy low-wage jobs, pursue their education or start businesses, and are successful in terms of staying clean and sober and becoming productive members of society.

In response to Mrs. Russell, Mr. Boyles noted that Serenity Place is well established and is well known throughout the State by community organizations that serve this segment of the population. He stated that clients pay $100 per week, which covers room and board. Their stay at Serenity Place is subsidized and they are encouraged to save the remainder of their earnings for future needs. Mr. Boyles advised members that the program is highly structured and there is a 10:00 p.m. curfew Sunday through Thursday and 11:00 p.m. on weekends.

Responding to Mrs. Russell, Mr. Boyles stated that the organization has continued to serve its clients following the fire. Clients are being housed in a building on State Street on an interim basis and services, including counseling, are being provided out of the office at 327 Martin Street. He indicated that the program would continue with or without CDBG funds. He noted that the organization is seeking additional contributions through grant funds and community organizations.

In response to Mr. Anderson, Mr. Boyles stated that the request was for a one-time grant for a capital contribution to the rebuilding project. Agreeing with Mr. Anderson, he stated that there was a tremendous need for a similar facility for women and that Serenity Place would like to address this in the future.

Responding to Mrs. Russell, Mr. Boyles stated that Serenity Place is not technically a religious-based organization; however, men are strongly encouraged to pursue spiritual growth and the program utilizes the Alcoholics Anonymous 12 steps of recovery utilized by Alcoholics Anonymous. Mrs. Boyles stated that the organization is not affiliated with any one church and the men come from all spiritual walks.

In response to Mr. Lewis, Mr. Boyles stated that the organization is working with the City of Dover Planning Department to coordinate the details of the building project and hopes to break ground this summer.

In response to Mrs. Harvey, Mr. Boyles assured members that the project would proceed even if not all of the requested funding was received and that any CDBG funds awarded would be utilized. He noted that the project's capital campaign would remain open indefinitely and the organization would secure bank financing if needed.

Elizabeth W. Murphey School, Inc.

Mr. Michael Kopp, Executive Director, Elizabeth W. Murphey School, Inc., reviewed a grant application in the amount of $38,000. He advised members that the Murphey School is a group home that serves neglected and abused homeless children. Mr. Kopp explained that the organization is seeking to reduce utility costs in order to remain solvent and continue serving the children of the State. All referrals are made from the State of Delaware Children's Department, Division of Prevention and Behavioral Health Services. Children are cared for until they can return to their homes, are placed in a suitable foster home, or age out of care. Mr. Kopp stated that children typically remain and age out of care. He advised members that the Murphey School has opened an additional building for 16-17 year-olds who are learning independent living skills. He indicated that CDBG funds would be used to convert the building's heating system from a steam boiler to geothermal heating and air conditioning and to replace old steam pipes within the walls. The school has experienced a dramatic decrease in utility costs as a result of utilizing this type of energy system for their other buildings and would like to do the same for the building that was recently opened. Mr. Kopp stated that the building will house four (4) individuals and the downstairs area will be used as a teaching area for cooking and homemaking skills.

Mr. Kopp noted that, although an endowment was left by Mr. Murphey for the school in 1922, it contains specific instructions regarding the amount of funds that the school receives per year and the amount is proportional to income earned. As a result, the organization is struggling and staff is anxious to complete the project as soon as possible to realize utility savings.

In response to Mr. Anderson, Mr. Kopp stated that if all of the requested CDBG funding were not granted this year, the geothermal well system would be installed at this time and the interior wall work would be postponed until subsequent years.

Mr. Kopp reminded members that the children in long-term care at the Murphey School are legally considered to be homeless.

City of Dover Homeownership Assistance Program

Mrs. Tracey Harvey, Community Development Manager, reviewed a grant application in the amount of $40,000 for the City of Dover Homeownership Assistance Program. She indicated that this program provides first-time homebuyers assistance with down payment or closing costs, allowing them to purchase affordable housing in the City of Dover. Mrs. Harvey advised members that there is a high demand for this program and that CDBG funds would be used to provide up to $10,000 to each of four (4) first-time homebuyers to assist in the purchase of properties in the City. She noted that all purchasers must complete a homeownership counseling session with the National Council on Agricultural Life and Labor Research, Inc. (NCALL) before signing a sales contract. Mrs. Harvey stated that 2011 has been an exceptional year for the program, with seven (7) first-time homebuyers closing on properties and an eighth closing planned before the end of the year. She explained that housing is more affordable now because the depressed economy has created a buyer's market, which has resulted in increased opportunities for first-time homebuyers. Mrs. Harvey indicated that there is a definite need for the program and that she receives frequent inquiries about the program.

**Review/Scoring of Community Development Block Grant (CDBG) Applications**

Members reviewed and discussed the various CDBG grant applications to develop a score for each applicant.

After a period of discussion, members conducted a review of each grant application and provided individual scores on the CDBG Grant Application Scoring Sheet for applicants *(as on file in the Office of the City Clerk)* and staff tallied the scoring sheets.

Mrs. Townshend reminded members that the funding of public service projects would be limited to $35,303 (15% of the total grant allocation).

Mrs. Russell stated that, due to her position on the Board of Directors of the Dover Interfaith Mission for Housing, she would not participate in the scoring or ranking of public service applications.

**Mr. Lewis moved that the full amount of CDBG funds permitted for public service activities ($35,303) be dedicated for this purpose, seconded by Mrs. Horsey and unanimously carried.**

Mrs. Horsey moved to recommend that $27,500 of the City's CDBG grant allocation for public service activities be distributed to the Dover Interfaith Mission for Housing and $7,803 be awarded to the National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL). The motion passed by a vote of two (2) yes, and one (1) no (Mr. Lewis; Mrs. Russell abstained).

Members then scored the CDBG applications for non-public service programs.

**Based on the scoring of the grant applications by the Committee, Mr. Lewis moved to recommend approval of the distribution of the City's Community Development Block Grant (CDBG) monies for non-public service programs as follows:**

| Applicant | Amount Requested | Amount Recommended |
|---|---|---|
| MHDC - Housing Rehabilitation | $ 60,000 | $ 40,000 |
| MHDC - Emergency Home Repair | $ 40,000 | $ 35,000 |
| Serenity Place | $ 30,000 | $ 27,983 |
| Elizabeth W. Murphey School | $ 38,000 | $ 20,000 |
| Homeownership Assistance Program | $ 40,000 | $ 30,000 |

The motion was seconded by Mr. Anderson and unanimously carried.

By unanimous consent, the meeting adjourned at 12:44 P.M.

Sophia R. Russell
Chairwoman

SR/JS/dd/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2012\03-15-2012 SPECIAL PR&CE.wpd

*Attachments to Original and File Copy*
*Attachment #1 - Memorandum from Mr. Fred Traute dated March 15, 2012 - Grant Request for Community Development Block Grant, 2012-2013*
*Attachment #2 - Success Profile of MHDC Client - Mary B. Ashley*
*Attachment #3 - NCALL Dover CDBG Application Summary*

# SPECIAL
# LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

A Special Legislative, Finance, and Administration Committee meeting was held on March 27, 2012 at 5:00 p.m. with Chairman McGlumphy presiding. Members present were Mr. Anderson (arrived at 5:39 p.m.), Mr. Hare, Dr. Jones (arrived at 5:02 p.m.), and Mr. Shevock. Members of Council present were Mrs. Russell, Mr. Hutchison, Mr. Lynn, and Council President Leary. Mayor Carey was also present.

**AGENDA ADDITIONS/DELETIONS**

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

**Consideration of Re-titling and Re-grading - City Clerk and Assistant City Clerk Positions**

Members considered a request for the retitling and regrading of positions within the City Clerk's Office. Mrs. Traci McDowell, City Clerk, reviewed information that supported the retitle/regrade of the Assistant City Clerk to a pay grade of 124 at a salary of $58,571 (current salary $40,452), with the title Deputy Director of Council Affairs and Constituent Services and the retitle/regrade of the City Clerk's position to a pay grade of 133 at a salary of $90,864 (current salary $66,459.92), with the title of Director of Council Affairs and Constituent Services. She assured members that funds were available in the FY12 Budget to implement the requested regrades on May 13, 2012 at the proposed rates.

Chairman McGlumphy noted that several individuals had requested the opportunity to speak on this subject; therefore, he suggested that public testimony be heard prior to the Committee's deliberations.

Mr. Bob Hartman, 35 Lotus Street, questioned the reasons for the submission of the proposal and the City's process in bringing this matter before the Committee. He assured members that it was not his intention to criticize any employee currently serving in these positions, explaining that he felt that the City Clerk and Assistant City Clerk are outstanding employees who work very hard. However, with budget shortfalls threatening the City year after year and the City's financial obligations increasing, Mr. Hartman questioned how management could consider submitting a proposal that would increase annual salaries for any employee by such an "embarrassing" amount. He reminded members that ultimately it would be City taxpayers and fee payers who pay the City's bills, including salaries. He stated that the proposed salary increases were outrageous and urged members to deny the request. Mr. Hartman felt that such proposals should be brought forth for consideration across the organization and that individual requests should not be considered.

Mrs. Ann Marie Townshend, Director of Planning and Community Development and resident at 52 Washington Street, stated that she was hesitant to address members regarding this matter; however, as a staff member who works very closely with the City Clerk's Office, she felt called upon to speak. Mrs. Townshend read the following statement into the record:

> *"I don't believe I need to sell you on the value of the City Clerk's Office, because you probably know their value better than anyone. Of the City departments and staff, I probably have more interaction and work more closely with the City Clerk's Office*

*than anyone in the City. This is why I feel compelled to share my support for their staffing requests. I want to summarize this support into three areas: Expertise, Retention, and Succession.*

*The City Clerk and her staff are the City's experts on many of the legal requirements and processes within which the City works. This is not to equate them to our legal staff, but they are knowledgeable about the City Code, the City Charter, and the State statutes that affect municipalities. The Clerk is knowledgeable on parliamentary procedure, open meeting requirements, FOIA, record retention, elections, and many other things that are important to the competent management of the City. To summarize, they keep us out of trouble. There are many questions that come up during the course of business, where the best answer we can give in our department is, "Ask the Clerk's Office." They ensure that legal notice requirements are met for code amendments, that matters are referred to the proper committee, and that department staff follow up on requests by Council and Council committees. The amount of training and experience required to ensure that the City Clerk is able to provide the level of expertise expected is overwhelming to think about.*

*That brings me to my second point, retention. The City Clerk's Office is responsive to the needs of constituents and Council alike. They make sure that the little things don't fall through the cracks. They make sure that packets are prepared in time for delivery, which frequently includes reminders to departments of items they need to submit. They are responsible for ordinance preparation and review of ordinances prepared by department staff. The workload and the demands on the Clerk's Office are a lot, and everything has firm deadlines and legal implications. The staff is committed, so is often here late hours, even when there isn't a meeting, simply because the work needs to get done. This high-stress situation causes burnout, which has made it difficult for the Clerk's Office to retain staff.*

*In order to avoid burnout, adequate staffing and fair compensation are necessary.*

*And finally, succession. I hate to think about this, but Traci is eligible for retirement. While I think we all know her commitment to the City, the reality is that she won't be here forever. In order to ensure that there is viable succession when Traci ultimately decides to retire, a job description and title with the appropriate level of compensation is necessary. Adequate staffing to reduce burnout and staff turnover is important to the long-term success of the City."*

Mrs. Jody Stein, 522 Woodsedge Road, read the following statement into the record:

*"My name is Jody Stein and I have been employed in the Clerk's Office for the past 3½ years. I just wanted to give you an idea of what it is like to work in the Clerk's Office. The Clerk's Office has the potential to be the greatest place in the world to work. You couldn't ask for a more dedicated, hardworking or supportive supervisor or co-workers. The work is interesting, varied, and the days just fly. You deal with*

*a huge variety of people: senators; council representatives, staff from every department, and of course the public, ranging from irate individuals who just want someone to vent to, to the thankful group that brought me fresh daffodils for performing a minor service this week.*

*I know that Council and Committee members are familiar with the meeting process but often do not see the work that precedes and follows actions and the different factors involved:*

1) *Preparing for and following up on Council's decisions involves a large number of detailed procedures. We have worked hard to develop written guidelines for some of the processes.* [She displayed examples of Alley Abandonment and Elections Procedures and a meeting packet.] *We have not had the time to document others and must rely heavily on staff experience. You are familiar with our meeting packets, but may not be aware of the "blood, sweat, and tears" that goes into them.*

2) *While performing work, there is a constant stream of interruptions, including telephone calls, office visitors, and email.*

3) *All work is driven by the cyclical preparation and follow up on Council, Committee, and Board meetings, which dominates everything that happens in the Clerk's Office. These are deadlines that must be met while performing the regular duties (FOIA, records, Council's calendar, etc.) and special projects, such as Charter changes that wreak havoc with priorities.*

4) *There is a huge variety of technology, including Wordperfect, Word, Excel, Quattropro, Adobe, Access, Fortis, and website posting. It takes time to learn these programs, and technology is constantly changing, so additional learning is required. Staff must become and remain well versed in these programs. Training is on the fly and much of the learning is accomplished through making mistakes.*

*I recently submitted my resignation. You may be wondering why I would want to leave a job that I enjoy so much.*

*The problem with working in the Clerk's Office is that the volume of work exceeds what can be done in a 40 hour week. No tasks are optional and many have legal consequences, so we are constantly having to make the choice about which responsibilities will be neglected, and sooner or later that catches up with you. There are frequent regular night meetings and many unscheduled ones that crop up, so it is difficult to plan your home life. Numerous hours of comp time are accumulated and remain unused (particularly with the new policy that limits accumulation to 80 hours). Everything that we do is very detailed and there are constant interruptions; it is very difficult to concentrate on the task at hand. You*

*constantly worry about what you are forgetting. After a time, the pressure gets to you. You feel that if only you could work smarter or faster you should be able to keep up with it.*

*During my 3½ years in the Clerk's Office, I saw two very capable and dedicated co-workers leave to accept other positions, in one case for a higher salary, and in another for similar pay for a job that involves very little pressure and no extra hours.*

*I also witnessed my supervisor working countless hours; providing invaluable procedural and legal advice to Council members, staff, and the public; guiding the City through the development and passage of ordinances and Charter amendments; and preventing significant losses to the City through the wealth of experience she has accumulated, while being compensated at a lower rate than nearly every other department head in the City.*

*When our staff was cut from four to three, I concluded that my work situation was no longer sustainable. I was fortunate enough to be offered a position with the State. The training and experience that I have accumulated over the last three years with the City of Dover has highly qualified me for position with the Delaware Public Archives that will require me to work 37.5 hours per week at a salary that (within one year) will be comparable to my present salary.*

*I urge members to give careful consideration to allowing for the staffing needs of the City Clerk's Office."*

Mr. Lynn relayed appreciation for the service Mrs. Stein provided to the City.

Mr. Hare noted that, as a neighbor, he spoke with Mrs. Stein regarding her leaving the City's employment and realized that there is a quality of life issue working in the City Clerk's Office. Responding, Mrs. Stein stated that there were two (2) considerations: 1) equitable compensation for the amount of work involved, noting that paid salaries amounted to lower hourly rates due to extra hours worked, and 2) stress due to the reduced staffing in the office that cannot be compensated for.

Dr. McGlumphy also relayed appreciation for the service provided and wished her well in her future endeavors.

Mr. Eugene Ruane, 122 Shadow Court (previously served as a member of Council), stated that the issue is not strictly monetary but also recognition for what the positions are and what they do, and that one way to do this is with money. He reminded members that there has been discussion regarding the upgrading of these positions for a minimum of 10 years and he appreciated that the proposal was finally presented for consideration. He advised members that the Dover City Clerk's Office is considered the number one clerk's office in the State of Delaware. He stated that the current and former City Clerks for the City of Dover have had a reputation for being model City Clerks in the State of Delaware, and he felt that they should be recognized as such. During the 10 years he served as a member of Council, Mr. Ruane stated that there were innumerable times

when a new issue would be presented (such as double taxation) whereby the City Clerk would be required to gather information, conduct research, develop presentations, etc. He noted that the City Clerk's Office serves nine (9) members of Council, all of whom utilize the office for providing information or performing requested work. He explained that the employees of the office are required to have a variety of experience and understanding, as well as a willingness to stick to tasks. In addition, he explained the importance of the confidentiality required of the Office and that a price cannot be put on respecting the Code of Ethics as has been done by the employees of the City Clerk's Office.

Mrs. Traci McDowell, City Clerk, relayed appreciation for the supporting comments and understanding of the concerns stated by Mr. Hartman. She explained that the matter was being presented at this time due to the upcoming budget review process. Mrs. McDowell advised members that each year, prior to the preparation of the budget, the City Manager asks department heads if there are any position regrades and/or retitlings that should be considered. She advised members that this information was prepared last year; however, due to the economy, she decided not to submit the request. Prior to September 2011, she stated that the City Clerk's Office had a full complement of staff, which consisted of four (4) employees. In September 2011, one employee left to work with the Delaware Public Archives and, since the City was in a hiring freeze and she wished to be a "team player," that position has remained vacant. She stated that the amount of work required in the City Clerk's Office is a lot for four (4) employees and too much for the three (3) that have continued to serve, which is why the request was submitted (see next agenda item).

Mrs. McDowell advised member that there was a crisis looming in the Clerk's Office. She noted that the revised job descriptions detail the unique nature of the work and the stresses associated with the office. Mrs. McDowell stated that the only way the work can be accomplished is by having a dedicated and experienced staff to protect the City's interests and that longevity of staff is very important. She indicated that employee retention has been an ongoing program in the Clerk's Office due to the workload and stress.

Mrs. McDowell noted that she began working in the Clerk's Office in 1998 and made a promise at that time to ultimately assume the City Clerk position, although that was not her desire due to the workload and stress involved. She explained that it was her goal to put a full staff in place prior to retiring; however, the recent loss of one staff member in September 2011 and the resignation of Mrs. Stein were presenting challenges to this goal. Mrs. McDowell stated that she did not wish to minimize the contributions of other City employees, noting that the City has a "great team of hardworking, dedicated people." However, she advised members that she felt it was inequitable that identical job descriptions and qualifications are applied to all Administrative Assistant positions in the City and that this position in the Clerk's Office is the lowest paid of all the Administrative Assistants, in spite of the long hours and stressful conditions involved.

Mrs. McDowell noted that some of the employees who have transitioned out of the Clerk's Office have made lateral moves to reduce the pressure; others have been promoted within the City to jobs that may not be quite as stressful or require the number of hours. She advised members that 14 individuals have transitioned through the Clerk's office since 1994.

Mr. Lynn explained his concerns regarding the potential for litigation issues. He advised members that, although he has been to law school and performs legal research, he has had to call on the City Clerk on several occasions regarding legal issues and he received accurate information from her. He felt it was extremely important for the City to have staff with this type of knowledge. In addition, Mr. Lynn relayed concerns regarding the succession planning issue and requested a commitment from the City Clerk to remain with the City beyond the eligible date of retirement. Responding, Mrs. McDowell stated that her plan is not to retire, explaining that she could not leave until the City and, more particularly, the City Clerk's Office, is in much better condition.

Council President Leary advised members of a recent incident whereby a City board attempted to move a published meeting to an alternate location, which would have been a violation of the Freedom of Information Act (FOIA). He explained that, due to the knowledge and response of the City Clerk, the meeting location remained as published and the FOIA violation was avoided. It was his opinion that the vacant positions in the City Clerk's Office should be filled and he felt that no organization could be expected to continue with such a lack of manpower.

Mr. Hare indicated that he was aware of the City Clerk working on weekends on several occasions and was advised that, due to the numerous interruptions through the week, she could accomplish much more when the office is closed. He noted that, following a recent surgery, Mrs. Stein brought work to his home after work hours. Mr. Hare stated that members of Council, as well as the City, could not function without the City Clerk's Office. It was his opinion that it was time to take action and approve the retitling and regrading of the positions within the City Clerk's Office.

Mrs. Russell stated her support of the request and commended Mrs. McDowell and her staff for their dedication and professionalism.

Referring to comments made by Mr. Hartman, Mr. Lynn stated that the increase in salaries would be justified if members applied a cost-benefit analysis, explaining that the increase in salaries is a small sum of money compared to the legal fees and court costs that would be engendered if the City did not have the experience that is currently in the City Clerk's Office. Not providing proper notices, violations of FOIA, etc., all have financial consequences, both in terms of hiring legal staff and potential damages. He felt that the requested salary increases was a meager sum of money to avoid such legal issues. Mr. Lynn advised members that Mrs. McDowell has demonstrated the ability to assist the City in avoiding those types of problems. As a result, he urged members to approve the retitling and regrading of the City Clerk and Assistant City Clerk and also approve the hiring of the two (2) vacant positions (see next agenda item).

Responding to Mr. Shevock, Mrs. McDowell confirmed that City Charter authorizes the position of City Clerk and that it has been her observation that some municipalities use the title "City Clerk" along with a different title.

Dr. Jones relayed appreciation to the employees of the City Clerk's Office for their efficiency and professionalism. Responding to the question regarding the crisis situation facing the Clerk's Office, Mrs. McDowell stated that the crisis was created both by the need to retitle and regrade the positions and the need to fill the vacant positions. She indicated that extremely qualified, compatible

individuals can be hired to fill the vacant Administrative Assistant positions; however, if there is no differentiation in compensation, frustration results. She stated her feeling that these positions in the City Clerk's Office are not properly titled, explaining that any member of Council, staff, or the public can call the office with a question regarding the Dover Code, Delaware Law, etc., and any employee of the office can respond; they do not have to depend upon the City Clerk.

Responding to Dr. Jones, Mrs. McDowell stated that the most recent pay raises provided to the employees of the City Clerk's Office was in July 2010 and that the percentage was consistent with what was provided to all non-bargaining employees.

Mr. Hutchison relayed his appreciation for the work provided by the City Clerk's Office. Having almost 40 years of experience working with the office, he indicated an understanding of the value of the Clerk's Office. He felt that no other department in the City is regularly required to "change gears" several times during the course of a day.

Mr. Anderson noted that the City Clerk's Office has experienced evolution, explaining that it once served as a clerical office and now serves as a complex, administrative office, handling a host of specialized functions; however, the salaries have not changed to reflect the change in responsibilities. It was his feeling that the City Clerk's Office employees have been underpaid for several years and he relayed support for the request, with the possibility of phasing in the changes over the next couple of years.

**Mr. Hare moved to recommend approval of the retitling and regrading of the City Clerk and Assistant City Clerk positions, as recommended by staff, seconded by Mr. Shevock and carried by a roll call vote of four (4) yes and one (1) no (Dr. McGlumphy).**

Dr. McGlumphy explained his opposition to the request was due to it being excessive and his belief that the Pay for Performance evaluation process is severely flawed. He noted that the Salary and Benefits Compensation Comparison Committee would present its findings in the near future regarding this issue. Although he supported filling the vacant positions, he stated that the retitling and regrading would cause other departments to submit similar requests.

Responding to Dr. Jones, Mr. Koenig stated that when the Management Advisory Group (MAG) study was conducted, a desk audit approach was not taken; however, it has been mentioned by several members of Council in the past. He stated that concerns regarding inequities are raging and will continue. He agreed that the City should conduct desk audits.

In response to Dr. McGlumphy, Mr. Hare advised members that he has performed many desk audits and explained that it is not necessary for an outside firm to perform the work and that it could be accomplished internally.

**Review and Recommendation - Filling Critical Positions**

During their Regular Meeting of January 23, 2012, City Council approved an amendment to the process for filling critical positions, which was approved by City Council on August 22, 2011, to specify that if a position becomes vacant that will affect public or employee safety or cause financial

harm to the City, Permission to Recruit, Hiring Justification Outline, and Wage and Benefit Information for Employee Hiring and Transfers forms shall be submitted to the Legislative, Finance, and Administrative Committee, and that such requests would be forwarded to the City Manager and Controller/Treasurer for their review and recommendation prior to the Committee's consideration.

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

Mrs. Traci McDowell, City Clerk, reviewed a request to fill two (2) vacant Administrative Assistant positions within the City Clerk's Office. She reviewed documentation provided to members which outlined the request to re-title, re-grade, and fill two (2) vacant or soon to be vacant positions within the department and to hire one (1) temporary, full-time position to assist the department until the vacant positions are filled. Due to department vacancies in the current fiscal year, she assured members that funds were available to hire the requested positions at the proposed rate. In addition, she stated that the FY 2013 budget should be able to accommodate the level of staffing as a result of vacancies throughout the organization.

With regard to the request to hire a temporary employee, Mrs. McDowell advised members that there is a retiree who would be interested and has served in the office during previous occasions on a temporary basis; therefore, due to her familiarity with the City's departments and functions of the office, it would not be necessary to train or familiarize this individual.

Mrs. McDowell explained that the positions being requested were critical to the function of the City Clerk's Office and must be filled. The estimated FY 2012 budget impact of the upgrades would $17,142.67, which she stated was available in the City Clerk's Office budget. She indicated that the recommendation was being made to address the Clerk's Office employee retention issue and her belief that the requested re-titling, re-grading, and recruitment was in the best interests of the department and the City of Dover.

Staff requested approval to fill the two (2) Administrative Assistant positions to include the re-titling to "Assistant to the Director of Council Affairs and Constituent Services" and re-grading from 112 to 118, and the hiring of a temporary Administrative Assistant at a pay grade of 112.

In response to Dr. Jones, Mrs. McDowell stated that the temporary position would serve until the two (2) permanent employees were hired. Dr. Jones suggested that in-house candidates be considered for filling the vacancies. Responding, Mrs. McDowell stated that due to current employees' knowledge of the work required in the office, rarely are there in-house applicants; however, she assured members that consideration would be given to any current employee who applies for a position in the office.

Mr. Anderson encouraged the City Clerk to consider the lack of diversity that exists in City employment.

**Mr. Shevock moved to recommend 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. The motion was seconded by Mr. Anderson and carried by a roll call vote of four (4) yes and one (1) no (Dr. McGlumphy).**

Dr. McGlumphy explained his opposition was not to filling the critical positions but rather the retitling and re-grading of the positions due to his belief that the Pay for Performance (PFP) evaluation process is severely flawed.

Mr. Hare relayed his concurrence with Dr. McGlumphy with regard to the job descriptions for the City and the PFP; however, he explained that his support for the request was based on the amount of work, time, expertise, etc., that is required of the positions in the City Clerk's Office.

Mr. Anderson agreed that the current system, although a good concept, was fatally flawed and broken.

Payroll Specialist - Finance Department

Mrs. Donna Mitchell, Controller/Treasurer, reviewed a request to fill a Payroll Specialist position within the Finance Department. She explained that the department has struggled to maintain focus on deadlines and matters that impact the financial well-being of the City during the past fiscal year. The vacancy is the result of the extended military deployment of Mr. Turhan Jordan.

Mrs. Mitchell stated that the vacancy has resulted in certain staff members working as many as 10 to 12-hour days and weekends and that several employees are experiencing health and family issues. She reminded members that the vacancy resulted in a request for two (2) extensions for the City's annual audit. She noted that the total cost of the position for annual wages and benefits is estimated at $60,571.

Responding to Mr. Shevock, Mrs. Mitchell stated that Mr. Jordan has not been able to provide an estimated date of return and that his absence has exceeded the extended military deployment timeframe. She assured members that the Human Resources Director and City Manager are aware of the military leave procedure and that, upon his return, the City would be required to offer Mr. Jordan a comparable position within the organization.

Council President Leary noted that the employees in the Finance Department have also been required to put in extra hours, including weekends, to get the job done and that there are critical financial issues involved.

In response to Dr. McGlumphy, Mrs. Mitchell stated that there was no change in the pay grade for the Payroll Special position; however, she included a revised job description to include experience in the ADP system. In addition, she stated that qualifications for the position previously included only preference for Associate's degree and that the revised job description now requires the individual to have accounting knowledge.

**Mr. Hare moved to recommend approval of the request to fill the position of Payroll Specialist in the Finance Department, as recommended by staff. The motion was seconded by Mr. Shevock and carried by a unanimous roll call vote.**

Inspector I - Planning and Community Development

Mrs. Ann Marie Townsend, Director of Planning and Community Development, reviewed the request to fill an Inspector I position in the Code Enforcement Division of the Planning and Community Development Department. She explained that the vacancy is the result of the recent resignation of Mr. Ed Graves.

Mrs. Townshend stated that leaving the position vacant would hamper the City's ability to move forward to resolve problem property cases, follow up on vacant buildings, proceed with the demolition of dangerous buildings, and provide support to other City divisions and departments in offering services to maintain and improve the quality of life in Dover. This would also make it harder to respond to citizen complaints in a timely manner and resolve the violations that are generating complaints.

**Mr. Hare moved to recommend 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. The motion was seconded by Mr. Shevock and carried by a roll call vote of four (4) yes and one (1) no (Mr. Anderson).**

Library Clerk I (4) - Dover Public Library

Members were provided a request for permission to recruit for four (4) part-time Library Clerk I positions. Dr. McGlumphy noted the receipt of correspondence, as follows: 1) Bob and Beverly Bresnahan; 2) Judi Leaming; and 3) N.C. Vasuki ***(Attachment #1)***.

Mr. Scott Koenig, City Manager, reviewed the request of Ms. Margie Cyr, Library Director, to hire four (4) permanent, part-time Library Clerk I positions, designated at 18 hours per week, for the Dover Public Library. He explained that the request was the result of a need at the current Library that has been present since the beginning of the budget year. Members were advised that in December 2011, due to staffing levels, operating hours were reduced from 68 hours per week to 63 hours per week. Since then, there has continued to be a reduction in staffing levels at the Dover Public Library. Mr. Koenig stated that staff recently received another resignation from a part-time employee, which created the Library's eighth vacancy. As a result, he submitted a recommendation, via a memo to City Council, to further reduce the scheduled hours of the Library from 63 hours to 59 hours per week and close the facility on Sundays. Subsequently, Mr. Lynn contacted him and inquired if an alternative action could be taken. Responding, Mr. Koenig stated his intention to discuss the Library vacancies at the Council Retreat, which occurred on March 26, 2012. He stated that his intent is to submit a request to Council to fill those vacant positions that are in the budget for the Library before the opening of the new building. Mr. Koenig stated that in next year's budget, it was anticipated that the library staff would expand to include a part-time librarian and a custodial position. During the Budget presentation at the Council Retreat, this request was not submitted. Instead, Mr. Koenig recommended opening the new Library with the existing staff complement authorized in the budget and then analyzing the Library's ability to deliver service.

Mr. Koenig explained his long-range plan to expand the hours of the existing temporary employees to cover system operations for the new Library and then conduct a service audit to determine if those positions that were originally identified for future budgets were necessary to maintain a high level of service at the Library. He stated that the short-range plan is to hire four (4) Library I positions, maintain the reduced schedule at the Library, and have staff focus on the closing of the old Library and the opening of the new Library, which is scheduled for September 2012. Mr. Koenig noted that the four (4) Library I positions would earn an hourly was of $12.65, which equates to approximately $228 per week, per person. He felt that this was a minimal expense to maintain the current level of service and prepare for moving into a new facility.

Referring to the previous request for filling the Inspection I position in the Planning and Community Development Department, Mr. Anderson explained his opposing vote was not due to his opposition to fulfilling the request but rather due to the requirement to consider filling positions that are critical to the safety, financial well-being, or legal liability of the City. He questioned how this request fell into the required criteria for approval of such requests. Responding, Mr. Koenig indicated that the request was being submitted in an effort to maintain the current level of public service. However, he reminded members that the new library has a $10M commitment from the State for financing; therefore, it was his opinion that the City has a commitment to adequately staff the new facility.

Responding to Mr. Lynn, Mr. Koenig explained that the request for the four (4) Library I positions was the "first wave," referred to as Tier I during the City Council Retreat, and that the Tier II request will include several utility-related positions he intends to present to the Committee during their second meeting in April. He stated that there may be a change in the pay rate of Page positions, which represents three (3) of the four (4) additional openings. The remaining positions are slated as a Tier III request and will be presented for consideration in late May/early June in order to have staff in place prior to the opening of the new Library. He stated that if he knew that the hiring freeze would be lifted effective July 1, 2012, it would not be necessary to submit these requests for consideration.

At the request of Mr. Lynn regarding the plan to fill the remaining vacancies, Mr. Koenig stated that one of the positions was related to custodial services. Rather than filling a new position, it was planned to utilize existing custodial employees to accommodate the new Library as well as the City Hall complex.

Mr. Koenig advised members of concerns relayed by the Governor's Office regarding recent newspaper articles that mentioned the reduction of hours of operation at the existing Library and their expectation that the new Library would open at a service level that is respectful of the current level of service and mindful of new services that will be offered at the new Library. In regard to the actual level of staff that will be required at the new Library, Mr. Koenig stated the need to evaluate how that building will actually be funded before determining definitively whether another librarian or additional part-time employees are necessary, if the hours of part-time staff should be expanded, etc. He stated that a facility audit will be conducted to determine ifservice is being met at a level that Council and the patrons expect.

**Mr. Hare moved to recommend approval of the request to fill the four (4) Library Clerk I positions for the Dover Public Library, as recommended by staff. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.**

**Assignment of Emergency Management Coordinator Responsibilities**

Mr. Scott Koenig, City Manager, advised members that the lack of an Emergency Management Coordinator (EMC) was recently discussed at the Safety Advisory and Transportation Committee Meeting. He provided members with a history of the EMC, noting that over the past ten (10) years, the duties of EMC have been executed by various positions and departments throughout City government. These departments include the former Community Services Department, the Police Department and, most recently, the Public Services Department. After September 11, 2001, federal and state emergency management requirements became more complex, including requiring and tracking National Incident Management System (NIMS) training and having a NIMS compliant Emergency Management Plan. These complexities caused a need for a full-time Emergency Management Coordinator. The City's first EMC, Mr. Wayne Hutchison, was promoted from an Inspector position in the Fire Marshall's Office on June 2, 2008, and he retired on December 23, 2010. His final salary and benefit load was roughly $75,566 ($53,216 + $22,350). Mr. Hutchison performed an admirable job and completely rewrote the City's Emergency Management Plan, created an emergency call center, developed notification protocols, equipped an EMC trailer, and applied for Homeland Security grants. In addition, Mr. Hutchison was assigned safety-related duties such as the routine inspection of Silver Lake Dam and providing safety training for various City employees. Due to the economic environment at the time of Mr. Hutchison's announced retirement, staff elected to not fill the position at that time. The duties of the position were divided among various staff members including the Public Services Manager, the Public Affairs Coordinator, and the City Manager.

Mr. Koenig advised members that Ms. Kay Dietz-Sass, who currently serves as the City's Public Affairs Coordinator, has been a key member of the City's Emergency Management Team. He stated that, after considerable thought, he felt the best option for continuing the City's Emergency Management efforts was to request permission from City Council to assign the EMC responsibilities to Ms. Dietz-Sass on a permanent basis. Ms. Dietz-Sass has degrees in Business Management, General Business, and Marketing. In addition, he stated that she has completed the entire Professional Development Series for Emergency Management as well as successfully completing the Advanced Public Information Officer course through the Federal Emergency Management Agency (FEMA). He provided members with a list of completed courses through the U.S. Department of Homeland Security, FEMA, and the Delaware Emergency Management Agency (DEMA). Mr. Koenig noted that Ms. Dietz-Sass worked closely with Mr. Hutchison on various emergency procedures for the City and has proven to be a well-organized, decisive, and a dedicated individual in several emergency situations. She played a key role in opening a shelter for 126 fire victims when Dover experienced its largest apartment fire in many years. She has also worked closely with the NASCAR events, attended meetings for the implementation of the Dover Downs Joint Operations Center, and handled weather and emergency notifications and bridge calls with the

State of Delaware, DEMA, the National Weather Service, and more. In addition, Ms. Dietz-Sass was the primary point of contact for the City's most recent FEMA reimbursements related to a hurricane in 2011.

As a result of an organizational assessment of this function, Mr. Koenig stated his opinion that it would be in the best interest of the City to permanently assign the duties of the EMC position to the City's Public Affairs Coordinator. If this request were approved, he explained that Ms. Dietz-Sass would have the dual title of Public Affairs Coordinator/Emergency Management Coordinator. He noted that staff conducted a preliminary analysis of the combined position using the Point Factor Analysis (PFA) system. The preliminary review yielded a grade of 129 for the position with a salary range of $62,784 (minimum) - $76,010 (market) - $98,701 (maximum). If authorized, staff would finalize the analysis, confirm a pay rate, and inform members of Council of the final results of the analysis.

Staff recommended authorization to permanently assign the duties of the Emergency Management Coordinator position to Ms. Kay Dietz-Sass. The proposal salary would be based on a final analysis of the position using the PFA system with a preliminary grade of 129 for the dual-titled position.

Responding to Dr. Jones, Mr. Koenig stated the need to complete the analysis and required paperwork; therefore, he anticipated an effective date of the first of May.

In response to Mr. Hare, Mr. Koenig stated that Mr. Hutchison's final salary was $53,216.

Dr. McGlumphy suggested that the Committee defer taking action to allow staff the opportunity to prepare the necessary paperwork for a title and grade change.

Mr. Koenig stated that he would not be present at the April 9, 2012 Committee Meeting; however, he requested the opportunity to submit a recommendation for consideration during that meeting.

Responding to Mr. Anderson, Mr. Koenig stated that recent action authorized City Hall to be designated as the Emergency Operations Center for the City and that the Police Department serve as a backup location.

Mayor Carey requested the opportunity to provide information regarding this matter. It was suggested that he discuss the recommendation with the City Manager prior to providing members this information.

**Mr. Anderson moved to recommend postponing action regarding the assignment of Emergency Management Coordinator responsibilities until the Legislative, Finance, and Administration Committee Meeting scheduled for April 9, 2012. The motion was seconded by Mr. Hare and unanimously carried.**

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

Meeting Adjourned at 6:59 P.M.

William P. McGlumphy
Chairman

WPM/DD/jg/js/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2012\03-27-2012 SPECIAL LF&A.wpd

*Attachment to Original*
*Attachment #1 - Correspondence - Filling of Library Clerk I Positions*

# Memorandum

**Office of the City Manager**
**PO Box 475**
**Dover, DE 19903**
**Phone: (302) 736-7005**
**FAX: (302) 736-7002**
**E-mail: skoenig@dover.de.us**

---

**To:** **Members of City Council**
**Mayor Carleton E. Carey**

**From:** **Scott D. Koenig, P.E.**
**City Manager**

**Date:** **April 4, 2012**

**Subject:** **Information Request – Dr. McGlumphy**

---

Attached is a series of documents requested for information purposes by Dr. McGlumphy via email on April 3, 2012. The following documents are attached:

1. MAG Multi-Dimensional Evaluation Criteria Quick Reference Guide (2007).
2. City of Dover – 2008 Proposed Job Class Evaluation for the City Clerk Position.
3. City of Dover – 2008 Proposed Job Class Evaluation for the Assistant City Clerk Position.
4. City of Dover Pay Plans with Performance Score and Percentage of Increase of Midpoint (2011 Annual Operating Budget Personnel Section).

If you have questions regarding this information, please contact me or a staff member to discuss. I will be out of town from April 6, 2012 through April 15, 2012 but I can be reached by cell phone or email, if necessary.

SDK/sdk

**Management Advisory Group, Inc.**

# MULTI-DIMENSIONAL EVALUATION CRITERIA©

## *QUICK REFERENCE GUIDE*

© 2007Proprietary and Confidential

GUIDE TO USING THE POINT FACTOR ANALYSIS SYSTEM:

To the extent possible, the classifier is guided by the selection of levels by the subject matter experts on the job – the employee and the immediate supervisor – in assigning factor point levels for each of the compensable work factors.

The classifier should be aware that employees who complete a "self evaluating" Job Analysis Questionnaire are keenly aware that the results of the review and placement of the job is influenced by the level self selected. There fore it is incumbent on the classifier to use the "self selected" levels as a guide, but to objectively and thoroughly review the levels selected in light of the appropriate overall placement of the position within the organization hierarchy, remembering that the guide chart of point factors must be able to be applied to all positions in the organization from the most entry level job to that of ultimate responsibility for the entire organization.

The classifier should also be aware, that in interpreting the factor levels, the incumbent in the position is inherently drawn to make all decisions in his or her favor.

Keeping this in mind, if the factor being reviewed by the classifier has a total of 9 levels, and an employee, who is several levels down in the organization, ranks him or her self at one of the highest levels, it will be necessary to make some common sense adjustments.

As a guide each compensable work factor has the following number of levels:

| Factor | Levels |
|---|---|
| DATA RESPONSIBILITY: | 10 |
| PEOPLE RESPONSIBILITY: | 10 |
| ASSETS RESPONSIBILITY: | 10 |
| VOCATIONAL/EDUCATIONAL PREPARATION: | 9 |
| EXPERIENCE REQUIREMENTS: | 9 |
| MATHEMATICAL REQUIREMENTS: | 9 |
| COMMUNICATIONS REQUIREMENTS: | 9 |
| JUDGMENT: | 10 |
| COMPLEXITY: | 9 |
| IMPACT OF ERRORS: | 9 |
| PHYSICAL REQUIREMENTS: | 9 |
| EQUIPMENT USAGE: | 9 |
| UNAVOIDABLE HAZARDS: | 9 |
| SAFETY OF OTHERS: | 9 |

The first three factors are considered the Major Factors. The other 11 factors are support factors. The Major Factor serve as multipliers of all other factors in the system and are the key factors that assess overall organizational responsibility. The overall responsibility one has for data, people and assets permeate all of the decisions and actions taken an impact on the remaining factor. All of the factors are additionally weighted to reflect their econometric value in the market place. For example, the market place values complexity of the work higher than it values physical demands.

The selection of a Major Factor will directly influence the value of the support factors and should be done only with a great deal of care and consideration.

ORGANIZATION VALUE

0. Trainee/Apprentice
1. Employee
2. Lead Worker - Office Manager
3. Supervisor/Coordinator - First Line Manager
4. Group or Unit Manager - Small
5. Group or Unit Manager - Large
6. Department Manager/Administrator
7. Second Level Director - Superintendent - Coordinator (as used in large Schools)
8. Director
9. Director report to CEO/CAO
10. Other (describe)

Some leeway should be shown in determining the appropriate level and this particular organizational structure (outlined above) is for a very large organization (up to 10,000 employees or more). Smaller organizations would have fewer levels and the points should be applied accordingly. Smaller organizations probably do not have more than 6-7 levels.

## COMPETENCY FACTORS
## DATA RESPONSIBILITY
## DEFINITION OF DATA

Data are information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description**: Comparing or inspecting items against a standard |
| 2 | **Description**: Copying, transcribing, entering, or posting data or information |
| 3 | **Description**: Computing or performing arithmetic operations using data or information |
| 4 | **Description**: Summarizing, tabulating, or formatting data or information in accordance with a prescribed schema or plan, to facilitate the identification and extraction of useful information. |
| 5 | **Description**: Gathering, organizing, analyzing, examining, or evaluating data or information and may prescribe action based on such data or information |
| 6 | **Description:** Coordinating or determining time, place or sequence of operations or activities based on analysis of data or information and may implement and report on operations and activities |
| 7 | **Description**: Planning or directing others in the sequence of major activities and reporting on operations and activities which are very broad in scope |
| 8 | **Description**: Synthesizing or integrating analysis of data or information to discover facts or develop knowledge or interpretations; changes policies, procedures, or methodologies based on new facts, knowledge, or interpretations |
| 9 | **Description**: Developing new approaches or methodologies to solve problems not previously encountered by analyzing, synthesizing, or evaluating data or information using unconventional or untried methods. |
| 10 | **Description**: Formulating new concepts or theories based on original research, intellectual creativity, and ideas |

## PEOPLE RESPONSIBILITY

### DEFINITION OF PEOPLE

People are defined in the normal sense of the word and means co-workers, customers, crime victims, patients, the general public, and any other persons the employee may encounter in the course of work.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description**: Following instructions and orders of supervisor |
| 2 | **Description**: Serving others such as customers, attending to their requests and exchanging information with them |
| 3 | **Description**: Speaking or signaling to people to convey or exchange information of a general nature |
| 4 | **Description**: Giving information, guidance, or assistance to people which directly facilitates task accomplishment; may give instructions or assignments to helpers or assistants |
| 5 | **Description**: Persuading or influencing others in favor of a service, point of view, or course of action; may enforce laws, rules, regulations, or ordinances |
| 6 | **Description**: Supervising or leading others by determining work procedures, assigning duties, maintaining harmonious relations, and promoting efficiency |
| 7 | **Description**: Counseling or instructing/training others through explanation, demonstration and supervised practice or making recommendations based on technical expertise |
| 8 | **Description**: Negotiating, exchanging ideas, information, and opinions with others to formulate policy and programs or arrive jointly at decisions, conclusions, or solutions |
| 9 | **Description**: Directing or commanding others by issuing orders and instructions |
| 10 | **Description**: Mentoring others by advising, counseling, or guiding them regarding problems that may be resolved by legal, scientific, clinical, spiritual, or professional principles |

## ASSETS RESPONSIBILITY

### DEFINITION OF ASSETS RESPONSIBILITY

Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description**: I have minimum responsibility for only small quantities of low cost items or supplies where opportunities for achieving economies or preventing loss are negligible. |
| 2 | **Description**: I have some responsibility for achieving minor economies and/or preventing minor losses through the handling of or accounting for materials, supplies or small amounts of money. |
| 3 | **Description**: I have responsibility and opportunity for achieving moderate economies and/or preventing moderate losses through the management of a small division; handling supplies of high value or moderate amounts of money consistent with the operation of a small division. |
| 4 | **Description**: I have responsibility and opportunity for achieving considerable economies and/or preventing considerable losses through the management of a large division or minor department; and/or handling of very large amounts of money. |
| 5 | **Description**: I have responsibility and opportunity for achieving major economies and/or preventing manor losses through the management of a moderate sized department, authorizing expenditures of large amounts of money or supervising the purchasing of high value materials, supplies and equipment, or for providing routine legal counsel. |
| 6 | **Description**: I have responsibility for achieving major economies or preventing major losses |

through the management of a large department, or through interpreting policy as legal counsel.

7 **Description**: I have responsibility for achieving major economies or preventing major losses through the management of a highly complex and/or technical department, or through developing and recommending policy as legal counsel.

8. **Description**: I have responsibility and opportunity for achieving wide-spread economies and/or prevent losses through the management of a department that has an organization-wide impact or significant impact on the general population, or the supervision of a staff of attorneys.

9. **Description**: I have responsibility and opportunity for achieving widespread economies and/or preventing losses through the development and administration of organization-wide programs and policies that impact the operations of two or more major departments or three or more minor department, or for providing legal counsel to the elected officials.

10. **Description**: I have responsibility for the overall administration of fiscal and administrative policy with authority and responsibility over all departments or the direction of the organization's legal department. Reports directly to the top elected body.

## EXPERIENCE REQUIREMENTS
## DEFINITION OF EXPERIENCE

Experience refers to the amount of work experience that is required for entry level into the position that would result in a reasonable expectation that the employee can perform the job. It may be experience that can be gained on the job or experience in a previous job.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** Requires a short demonstration up to and including one month. |
| 2 | **Description:** Requires a minimum of three months |
| 3 | **Description:** Requires a minimum of 6 months. |
| 4 | **Description:** Requires a minimum of one year. |
| 5 | **Description:** Requires a minimum of three years. |
| 6 | **Description:** Requires a minimum of five years. |
| 7 | **Description:** Requires a minimum of eight years |
| 8 | **Description:** Requires a minimum of ten years |
| 9 | **Description:** Requires over ten years |

## VOCATIONAL/EDUCATIONAL PREPARATION
## DEFINITION OF VOCATIONAL/EDUCATIONAL PREPARATION

Vocational/Educational preparation includes job specific training and education that may be acquired in a school, work, military, institutional or vocational environment. It does not include the orientation time required of a fully qualified worker to become accustomed to the special conditions of any new job. Nor does it include the amount of time that a worker spends to learn reasoning, language, and mathematical skills, which are often learned in school.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** Requires instruction that is sufficient for satisfactory job performance |
| 2 | **Description:** Requires High school, GED or specialized vocational training |
| 3 | **Description:** Requires High school diploma, GED and formal training, special courses or self-education that is equivalent to satisfactory completion of one year of college education or specialized advanced training |

| | |
|---|---|
| 4 | **Description:** Requires Associate's degree, vocational technical degree or specialized training that is equivalent to satisfactory completion of two years of college education |
| 5 | **Description:** Requires Bachelor's degree or education and training equivalent to four years of college education in business, liberal arts, or any field other than engineering or the hard sciences |
| 6 | **Description:** Requires Bachelor's degree in engineering or the hard sciences such as architecture, chemistry, geology, biology, mathematics, or physics or a Master's degree in Liberal Arts, Information, or Fire Science |
| 7 | **Description:** Requires Master of Science degree in a professional or scientific field such as physics, engineering, geology or closely related field |
| 8 | **Description:** Requires Master of Science degree in a professional or scientific field such as physics, engineering, geology or closely related field with one year Doctoral work |
| 9 | **Description:** Requires Medical Doctor, or Doctorate level degree. |

## MATHEMATICAL REQUIREMENTS
## DEFINITION OF MATHEMATICS

Mathematics requires the use of symbols, numbers and formulas to solve mathematical problems.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** Using basic addition and subtraction, such as making change of measuring |
| 2 | **Description:** Using addition and subtraction, multiplication and division, and/or and calculating ratios, rates and percents |
| 3 | **Description:** Using basic algebra involving variables and formulas and/or basic geometry involving plane and solid figures, circumferences, areas, and volumes and/or computing discounts and interest rates |
| 4 | **Description:** Using mathematics involving the practical application of fractions, percentages, ratios and proportions; or measurements, logarithmic, or geometric construction; may use algebraic solutions of equations and inequalities; descriptive statistics; deductive geometry, plane and solid, and rectangular coordinates; mathematical classifications or schemes |
| 5 | **Description:** Using algebra working with such factors as exponents, logarithms, linear and quadratic equations; concepts of analytic geometry, differentiation and integration of algebraic functions; statistics applying such functions as frequency distribution, reliability, validity and correlation techniques; finance and economics using financial and econometric models |
| 6 | **Description:** Using advanced calculus using such factors as limits, real number systems, mean values; algebraic functions including very complex functions; inferential statistics and econometrics |
| 7 | **Description:** Using advanced mathematical concepts and models in experimental design |
| 8 | **Description:** Using theoretical mathematical theorems and concepts to solve theoretical and practical problems and in original research to advance the mathematical body of knowledge |
| 9 | **Description:** Developing advanced mathematical theories and concepts with application in such areas as nuclear science, chemistry, economics and physics |

## COMMUNICATIONS REQUIREMENTS
## DEFINITION OF COMMUNICATIONS

Communication involves the ability to read, write, and speak.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|

| | |
|---|---|
| 1 | **Description:** Comprehending simple signs, labels, symbols; understanding routine lists of instructions when explained; little or no reading or writing required by the job; basic speaking skills not necessarily including complete sentences |
| 2 | **Description:** Reading simple sentences, instructions, or work orders; writing simple sentences and completing simple job forms; speaking simple sentences using basic grammar |
| 3 | **Description:** Reading routine sentences, instructions, regulations, procedures, or work orders; writing routine sentences and completing routine job forms and incident reports; speaking routine sentences using proper grammar |
| 4 | **Description:** Reading technical instructions, procedures manuals, and charts to solve practical problems such as assembly instruction for tools, routine office equipment operating instructions, and methods and procedures for investigations, and in drawing and layout work; composing routine reports and specialized reports, forms, and business letters, with proper format; speaking compound sentences using normal grammar and word form |
| 5 | **Description:** Reading journals, manuals, and professional publications; speaking informally to groups of co-workers, staff in other organizational agencies, the general public, people in other organizations, and presenting training; composing original reports, training and other written materials, using proper language, punctuation, grammar, and style |
| 6 | **Description:** Reading professional literature and technical manuals; speaking to groups of employees, other public and private groups; writing manuals and complex reports |
| 7 | **Description:** Reading scientific and technical journals, abstracts, financial reports, and legal documents; speaking before professional and civic groups, participating in panel discussions and speaking extemporaneously on a variety of subjects; writing complex articles, reports, and developing presentations for sophisticated audiences |
| 8 | **Description:** Reading and interpreting professional materials involving advanced bodies of knowledge related to politics, economics, technology, law, medicine, and other complex disciplines; writing extremely complex papers and reports; speaking to high level scientific, political, economic, legal, medical, or other such groups |
| 9 | **Description:** Reading and interpreting highly complex scientific, medical, or professional materials involving abstract theories and concepts; speaking before scientific, professional, and civic groups; writing articles for scientific and technical journals, and developing papers and presentations for professional symposiums and conferences. |

## JUDGMENT
## DEFINITION OF JUDGMENT

Judgment refers to the frequency and complexity of judgments and decisions given the stability of the work environmental, the nature and type of guidance, and the breadth of impact of the judgments and decisions.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | I make very few decisions, affecting only the individual; working in a very stable environment with clear and uncomplicated written/oral instructions |
| 2 | I guide others requiring a few decisions, affecting the individual and a few co-workers; work in a stable environment with clear and uncomplicated written/oral instructions but with some variations from the routine |
| 3 | I guide others, requiring frequent decisions, affecting the individual, co-workers, and others whom depend on the service or product; work in a somewhat fluid environment with rules and procedures but many variations from the routine |
| 4 | I am responsible for actions of others, requiring almost constant decisions affecting coworkers, crime victims, patients, customers, clients or others in the general public; work in a moderately |

| | |
|---|---|
| | fluid environment with guidelines and rules, but frequent variations from the routine |
| 5 | I am responsible for actions of others requiring development of procedures and constant decisions affecting subordinate workers, crime victims, patients, customers, clients, or others in the general public; work in a very fluid environment with guidelines but significant variation |
| 6 | Decision-making is a significant part of job, affecting a large segment of the organization and the general public; works in a dynamic environment, responsible to assist in developing policy and practices |
| 7 | Decision-making a major part of job, affecting a major segment of the organization and the general public; works in a dynamic environment, responsible to develop policy and practices |
| 8 | Decision-making almost entire focus of job, affecting most segments of the organization and the general public; works in a highly dynamic environment, responsible to establish goals, objectives and policies |
| 9 | Decision-making is the main focus of job, affecting entire organization and surrounding population; works in an unstable environment with frequent and significant changes in conditions |
| 10 | Decision-making primary to job, affecting organization, related organizations, and major segments of the general population; works in an evolving environment with emerging knowledge and technologies, competing priorities, and changing politics |

## COMPLEXITY OF THE WORK
## DEFINITION OF COMPLEXITY OF THE WORK

Reasoning requires consideration of factors and variables to derive solutions to problems.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** I perform routine work using common sense; requires little attention for accurate results. |
| 2 | **Description:** I perform semi-routine work, following procedures, with occasional problems; requires normal attention for accurate results |
| 3 | **Description:** I perform semi-skilled work involving set procedures and rules but with frequent problems; requires normal attention with short periods of concentration for accurate results or occasional exposure to unusual pressure. |
| 4 | **Description:** I perform skilled work involving rules/systems with almost constant problem solving; requires normal attention with short periods of concentration for accurate results and occasional exposure to unusual pressure. |
| 5 | **Description:** I perform coordinating work involving guidelines and rules, with constant problem solving; requires continuous, close attention for accurate results or frequent exposure to unusual pressures. |
| 6 | **Description:** I perform supervisory work involving policy and guidelines, solving both people and work related problems; requires continuous, close attention for accurate results and frequent exposure to unusual pressures |
| 7 | **Description:** I perform work involving the application of logical principles and thinking to solve practical problems within or applying to a unit or division of the organization; requires continuous, close attention for accurate results and frequent exposure to unusual pressures |
| 8 | **Description:** I perform work involving the application of principles of logical thinking, scientific, medical, or legal practice to diagnose or define problems, collect data and solve abstract problems with widespread unit or organization impact; Requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure |
| 9 | **Description:** I perform work involving the application of broad principles of professional |

management and leadership to solve new problems for which conventional solutions do not exist; Requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure.

## IMPACT OF DECISIONS
## DEFINITION OF IMPACT OF DECISIONS

Mistakes can cause consequences such as damage to equipment and property, loss of data, exposure of the organization to legal liability, and injury or death for individuals.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** I make decisions where the impact is very minor – affects only the individual |
| 2 | **Description:** Impact of decisions is minor – affects only those in immediate work area |
| 3 | **Description:** Impact of decisions is moderate – affects those in work unit |
| 4 | **Description:** Impact of decisions is moderately serious – affects work unit and may affect other units or citizens or loss of life could occur but probability is low |
| 5 | **Description:** Impact of decisions is moderately serious – affects most units in organization, and may affect citizens or loss of life and/or damage could occur and probability is likely |
| 6 | **Description:** Impact of decisions is very serious - affects entire organization and the general public or loss of life and/or damage could occur and probability is very likely |
| 7 | **Description:** Impact of decisions is extremely serious -- affects entire organization and impacts other activities/organizations and the general public or loss of life and/or damage could occur and is highly likely |
| 8 | **Description:** Impact of decisions impact is severe - affects entire organization, other activities/organizations, the general public, and a wide geographic area or loss of life and/or damage could occur and is highly likely |
| 9 | **Description:** Impact of decisions is catastrophic - has a widespread impact on both public and private organizations, the general public, an extensive geographic area and may impact private citizens, the community or a larger geographic area; survival of organization is threatened or widespread loss of life and severe damage is probable |

## PHYSICAL DEMANDS
## DEFINITION OF PHYSICAL DEMANDS

Physical demands refers to the physical exertion and dexterity requirements involving coordination of limb and body movement.

| DEGREE | GRADING CRITERIA AND DESCRIPTION |
|---|---|
| 1 | **Description:** Sedentary work that involves sitting most of the time, but may involve walking or standing for brief periods of time; requires little or no dexterity |
| 2 | **Description:** Sedentary work that involves walking or standing some of the time and involves exerting up to 10 pounds of force on a regular and recurring basis or sustained keyboard operations |
| 3 | **Description:** Light work that involves walking or standing most of the time and involves exerting up to 20 pounds of force on a regular and recurring basis or skill, adeptness and speed in the use of fingers, hands or limbs on repetitive operation of mechanical or electronic office or shop machines or tools within moderate tolerances or limits of accuracy |
| 4 | **Description:** Light to medium work that involves walking or standing virtually all of the time |

and also involves exerting between 20 and 50 pounds of force on a regular and recurring basis or considerable skill, adeptness and speed in the use of the fingers, hands or limbs in tasks involving close tolerances or limits of accuracy

5 **Description:** Medium work that involves walking, standing, stooping, jumping, dancing, stretching, or lifting all of the time and also involves exerting between 20 and 50 pounds of force or exceptional skill, adeptness, and speed in the use of fingers, hands, or limbs in tasks involving very close tolerances or limits of accuracy

6 **Description:** Medium to heavy work that involves walking, standing, stooping, lifting, digging, pushing and raising objects and also involves exerting between 20 to 50 pounds of force on a regular basis and 50 to 100 pounds of force on a occasional basis

7 **Description:** Heavy work that involves constantly lifting, shoveling, and carrying 35 to 50 pounds on a regular and recurring basis and exerting 100 pounds of force on a frequent basis

8 **Description:** Very heavy work that involves constantly lifting, shoveling, and carrying 50 to 75 pounds on a regular and recurring basis and exerting 100 pounds of force on a frequent basis

9 **Description:** Very heavy work that involves exerting more than 120 pounds of force on a regular and recurring basis, loading and unloading, moving, lifting, fabricating and installing very large or very heavy equipment.

## EQUIPMENT USAGE
## DEFINITION OF EQUIPMENT USAGE

Equipment usage involves responsibility for, materials, machines, tools, equipment, work aids, and products

**DEGREE** **GRADING CRITERIA AND DESCRIPTION**

1 **Description:** Handling or using machines, tools, or equipment requiring little or no prior experience such as shovels, picks, mops, brooms, copiers, calculators, kitchen equipment or similar small items

2 **Description:** Handling or using machines, tools, or equipment requiring brief instruction or experience such as hand and power tools, buffers, floor polishers, vacuum sweepers, outdoor hand-held power equipment, small mowers, commercial kitchen equipment, computers for data entry, fax, complex copiers, phone systems, and other similar equipment, services office machines including such actions as adding paper and changing toner.

3 **Description:** Handling or using machines, tools, or equipment requiring moderate instruction and experience such as large shop equipment and machines, firefighting apparatus, protective equipment, gang mowers, tractors, vehicles, police vehicles or light trucks, firearms, computers, peripherals, medical or dental equipment, software programs such as word processing, spreadsheets, or custom applications, switchboard OR may repair power tools and light equipment and office machines.

4 **Description:** Leading or operating or repairing complex machinery or equipment that requires extended training and experience such as HVAC equipment, heavy construction equipment, trucks using hydraulic pumping equipment, rescue vehicles, firefighting apparatus, aircraft, watercraft, protective equipment, electronic telecommunications equipment, electronic signaling equipment, commercial video equipment, medical, dental, or scientific equipment, complex drafting or GIS software, software used for programming custom applications; or the application of custom or commercial financial, accounting, administrative, legal, medical, dental, scientific or other complex software or systems; may involve installation and testing. Involves operations of limited scope.

5 **Description:** Coordinating the activities of those operating or repairing complex machinery or equipment that requires extended training and as described in item 4 above; may involve

installation and testing. Involves operations of moderate scope.

6 **Description:** Supervising the activities of those operating or repairing complex machinery or equipment that requires extended training and experience such as those described in item 4 above; may involve development, installation and testing. Span of control and scope of operations is extensive involving a large number of facilities.

7 **Description:** Interpreting policy and establishing methods and procedures for acquiring, installing, testing, operating or repairing complex machinery or equipment that requires extended training and experience such as those described in item 4 above; preparing specifications for contracts for goods and services

8 **Description:** Establishing policy for the acquisition, installation, testing, operation, maintenance and repair of complex machinery, equipment, or systems; includes establishing specifications for the acquisition of major pieces of equipment, rolling stock, machinery, and technology systems; establishing budgets for major construction repairs or new construction; determining the allocation of materials, equipment and supplies with respect to major construction projects.

9 **Description:** Establishing long range plans and programs, identify funding sources, allocate funds for, and implement long range capital improvements, major construction projects, major equipment, rolling stock, and new technology systems which support goals and objectives of the organization.

10 **Description:** Developing and establishing capital improvements plans, overseeing major construction projects, or having control and authority over the purchase of major equipment, rolling stock, and new technology systems

## UNAVOIDABLE HAZARDS
## DEFINITION OF AN UNAVOIDABLE HAZARDS

Unavoidable hazards refer to the job conditions that may lead to injury or health hazards even though precautions have been taken.

**DEGREE** **GRADING CRITERIA AND DESCRIPTION**

1 **Description:** None
**Definition:** Works in environmentally controlled situation such as office.

2 **Description:** Bright/dim light; Dusts and pollen
**Definition:** Works in dimly lit areas such as crawl spaces, outdoors in bright sunlight, or in other situations where excessively bright or dim light conditions prevail; or works in outdoor or indoor areas under dusty conditions or outdoor areas with pollen producing vegetation prevalent.

3 **Description:** Extreme heat and/or cold;: Wet or humid conditions
**Definition:** Works outdoors in very hot or very cold conditions or indoors in areas where cold or hot conditions are generated such as a cold storage room or boiler room, or works outdoors in wet or humid conditions or indoors in areas where wet or humid conditions are generated such as kitchen dish washing machine area or food processing area.

4 **Description:** Extreme noise levels; or Animals/wildlife
**Definition:** Works indoors in areas generating extreme noise levels such as heavy machine shop or outdoors in areas where heavy machinery such as bulldozers or jackhammers are at work; or works in area where exposure to animals and wildlife is deliberate such as a zoo or in relatively uninhabited outdoor areas involving heavy vegetation or swampy conditions.

5 **Description:** Vibration; or Fumes and/or noxious odors
**Description:** Works in situation of exposure to a shaking object or surface such as operating a compressed air rock drilling machine; or works indoors in areas where fumes and noxious odors are generated such as painting booth, animal shelter, or engine repair facility or outdoors in such areas as landfills or refuse disposal facility.

6 **Description:** Traffic; Moving machinery
**Definition:** Operates vehicles in urban areas where heavy vehicle traffic is prevalent such as driving delivery truck to deliver mail and parcels within city; or works in proximity to moving mechanical parts such as in wood working or metal working shop.

7 **Description:** Electrical shock; Heights
**Definition:** Words where exposure to bodily injury from electrical shock is a possibility such as operating high voltage equipment or repairing electrical generating equipment; or works in high, exposed places with risk of falling such as on power lines or scaffolding.

8 **Description:** Radiation; Disease/pathogens; Industrial Toxic/caustic chemicals; Explosives
**Definition:** Works in area where exposure to radiation is a possibility such as near xray equipment or in a nuclear reactor facility; or works in area where exposure to disease or pathogens is a possibility such as an animal control facility or hospital; or works in area where toxic or caustic chemicals are used, such as shop area where batteries are handled or charged or in areas where electronic parts are cleaned; or works in areas where explosions are possible such as maintaining gas lines or welding or where explosions are deliberate such as excavation or earth moving.

9 **Description:** Violence; Other extreme hazard not listed above
**Definition:** Works under circumstances where violence is a real and constant possibility such as in police work or in a prison facility; or works under other hazardous conditions such as underground where suffocation or crushing is possible or underwater where the bends or oxygen deprivation could occur.

## SAFETY OF OTHERS
## DEFINITION OF SAFETY OF OTHERS

Safety of others refers to the level of responsibility for the safety of others, either inherent in the job or to assure the safety of the general public.

**DEGREE** **GRADING CRITERIA AND DESCRIPTION**

1 **Description:** Requires no responsibility and provides minimum opportunity for exercise of care to effect safety of others in performing duties of the position.

2 **Description:** Requires some responsibility for safety and health of others and/or for occasional enforcement of the standards of public safety or health.

3 **Description:** Requires responsibility for safety and health of others and for occasional enforcement of the laws and standards of public heath and safety.

4 **Description:** Requires considerable responsibility for safety or health of others and/or for continuous enforcement of the laws and standards of public health and safety.

5 **Description:** Requires considerable responsibility for the first-line supervision of the provision of continuous enforcement of the laws and standards of public health and safety.

6 **Description:** Requires considerable responsibility for the mid-level management of the provision

# City of Dover - 2008
## Proposed Job Class Evaluation

Title: CITY CLERK | Code: 00080 | Benchmark: ☐
Pay Plan: Dover | Occ Category: | Exempt: ☑

**Copy Points From:**

| Degree of Involvement | |
|---|---|
| Org Responsibility | 4 |
| Data Responsibility | 8 |
| People Responsibility | 6 |
| Assets Responsibility | 3 |
| Experience | 9 |
| Education | 5 |
| Math | 3 |
| Communications | 8 |
| Judgment | 7 |
| Complexity of Work | 8 |
| Impact of Errors | 6 |
| Physical Demands | 2 |
| Equipment Usage | 3 |
| Unavoidable Hazards | 1 |
| Safety Of Others | 2 |
| EAC | 0 |

Total Points: E+03
Proposed Grade: 127

| Min | Mkt | Max |
|---|---|---|
| 56,947 | 68,943 | 89,525 |

| Original Class | Class Code | PayPlan | Grade | Min | Mid | Max |
|---|---|---|---|---|---|---|
| CITY CLERK | 00080 | Dover | 123 | 46,849 | 55,784 | 73,651 |

Original Class Specified In Issue

| Issue# | Original Class Title | View Issue |
|---|---|---|
| 4 | CITY CLERK | |

Employees Specified In Issue

| Issue# | Employee | View Issue |
|---|---|---|
| 4 | MCDOWELL. TRACI | |

Notes

Was 124 in 2002 study. ICMA data supports a higher level, equivalent to grade 127.

City of Dover
Position Description
Title: City Clerk
Alderman/Assistant Treasurer
FLSA: Exempt

## GENERAL DESCRIPTION:

The essential function of the position within the organization is to provide extensive administrative support, maintain official municipal records, and conduct official elections. The position is responsible for staff supervision, administrative support for the Mayor and City Council, records of responsibility, elections, and preparing reports. Decision-making a major part of the job, affecting a major segment of the organization and the general public; works in a dynamic environment, responsible to develop policy and practices.

**PRIMARY DUTIES:** *This list represents the essential tasks performed by the position. Employees may be assigned additional duties by management as required.*

Supervises assigned personnel, including selecting or recommending selection, training, assigning and evaluating work, counseling, disciplining, and terminating or recommending termination.

Prepares and types correspondence, ordinances, resolutions, proclamations, certificates, meeting agendas, memoranda, documents, reports, or other materials observing strict confidentiality; proofreads and edits documents for legal form and procedures.

Performs administrative tasks such as conducting research, maintaining Council referral/tracking pending items, providing for proper legal notification and required ads, providing Mayor and Council firsthand knowledge of Charter/Code, or preparing and maintaining budgets for Clerk's Office, Council, and Mayor or schedules for members of Council.

Acts as Assistant Treasurer; signs accounts payable checks, deposits funds in designated banks, and confirms wire transfers, deposits, and payroll change orders.

Administers and presides at municipal elections and referendums.

Provides Council knowledge regarding Parliamentary Procedures; follows through on all Council actions; follows up with staff on directives of Council.

Serves as Public Information Officer in Council-related matters for staff, media, and citizens, and in Delaware emergency operations; serves as liaison between Council and citizens.

Sets up and maintains record/filing system; processes daily paperwork such as contracts, agreements, leases, deeds, reports, memos, requisitions, or personnel information; supervises proper storage and disposition of City records.

Assists in conducting the Annual City Auction.

Attends or conducts staff, Council, committee, City Management Team, and other professional meetings to exchange information and/or to prepare and maintain official records of the proceedings and actions.

**DATA RESPONSIBILITY:** *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Synthesizing and integrating analysis of data or information to discover facts or develop knowledge or interpretations; changes policies, procedures, or methodologies based on new facts, knowledge, or interpretations.

**PEOPLE RESPONSIBILITY:** *People refers to individuals who have contact with or are influenced by the position.*

Supervising or leading others by determining work procedures, assigning duties, maintaining harmonious relations, and promoting efficiency.

**INVOLVEMENT WITH THINGS:** *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handling or using machines, tools, or equipment requiring moderate instruction and experience such as large shop equipment and machines, firefighting apparatus, protective equipment, gang mowers, tractors, vehicles, police vehicles, or light trucks, firearms, computers, peripherals, medical or dental equipment, software programs such as word processing, spreadsheets, or custom applications, switchboard or may repair power tools and light equipment and office machines.

**ASSETS RESPONSIBILITY:** *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility and opportunity for achieving moderate economies and/or preventing moderate losses through the management of a small division; handling supplies of high value or moderate amounts of money consistent with the operation of a small division.

**SAFETY OF OTHERS:** *Safety of others refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.*

Requires some responsibility for safety and health of others and for occasional enforcement of the laws and standards of public health or safety.

**MATHEMATICAL REQUIREMENTS:** *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Using basic algebra involving variables and formulas and/or basic geometry involving plan and solid figures, circumferences, areas, and volumes and/or computing discounts and interest rates.

**COMMUNICATIONS REQUIREMENTS:** *Communications involves the ability to read, write, and speak.*

Reading and interpreting professional materials involving advanced bodies of knowledge related to politics, economics, technology, law, medicine, and other complex disciplines; writing extremely complex papers and reports; speaking to high level scientific, political, economic, legal, medical, or other such groups.

**COMPLEXITY OF WORK:** *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Perform work involving the application of principles of logical thinking, scientific, medical, or legal practice to diagnose or define problems, collect data and solve abstract problems with widespread unit or organization impact; requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure.

**IMPACT OF DECISIONS:** *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.*

Impact of decisions is very serious – affects entire organization and the general public or loss of life and/or damage could occur and probability is very likely.

## EDUCATION AND EXPERIENCE REQUIREMENTS

**EDUCATION REQUIREMENTS:** *Education requirements refers to job specific training and education required for entry into the position.*

Requires Bachelor's degree, vocational technical degree or specialized training that is equivalent to satisfactory completion of two years of college education.

**LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED:** *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires Certified Municipal Clerk and Notary Public certification.

**EXPERIENCE REQUIREMENTS:** *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires over ten years.

## AMERICANS WITH DISABILITIES REQUIREMENTS

**PHYSICAL DEMANDS:** *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Sedentary work that involves walking and standing some of the time and involves exerting up to 10 pounds of force on a regular and recurring basis or sustained keyboard operations.

**UNAVOIDABLE HAZARDS:** *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

Works in environmentally controlled situation such as office.

**SENSORY (ADA) REQUIREMENTS:** *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, and speaking.

## AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Dover is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

Updated 2-23-09

# City of Dover - 2008
## Proposed Job Class Evaluation

Title: ASSISTANT CITY CLERK | Code: 00075 | Benchmark: ☐

Pay Plan: Dover | Occ Category: | Exempt: ☐

**Copy Points From:**

| Degree of Involvement | |
|---|---|
| Org Responsibility | 0 |
| Data Responsibility | 5 |
| People Responsibility | 5 |
| Assets Responsibility | 3 |
| Experience | 4 |
| Education | 4 |
| Math | 2 |
| Communications | 5 |
| Judgment | 5 |
| Complexity of Work | 6 |
| Impact of Errors | 5 |
| Physical Demands | 2 |
| Equipment Usage | 2 |
| Unavoidable Hazards | 1 |
| Safety Of Others | 1 |
| EAC | 0 |
| Total Points | 560 |
| Proposed Grade | 116 |

| Min | Mkt | Max |
|---|---|---|
| 33,296 | 40,310 | 52,343 |

| Original Class | Class Code | PayPlan | Grade | Min | Mid | Max |
|---|---|---|---|---|---|---|
| ASSISTANT CITY CLERK | 00075 | Dover | 115 | 31,709 | 37,757 | 49,850 |

**Original Class Specified In Issue**

| Issue# | Original Class Title | View Issue |
|---|---|---|
| 3 | ASSISTANT CITY CLERK | |

**Employees Specified In Issue**

| Issue# | Employee | View Issue |
|---|---|---|
| 3 | CLENDANIEL, AMBER | |

Notes

Was 115 in 2002 study.

City of Dover
Position Description
Title: Assistant City Clerk
Also serves as Deputy Alderman and Assistant Treasurer
FLSA: Non-Exempt

## GENERAL DESCRIPTION:

The essential function of the position within the organization is to provide technical and complex clerical support. The position is responsible for supervising assigned personnel and technical & clerical support for the Mayor and City Council. The position is also responsible for actions of others, requiring almost constant decisions affecting subordinate workers, crime victims, patients, customers, clients, or others in the general public; working in a very fluid environment with guidelines but significant variation.

**PRIMARY DUTIES:** *This list represents the essential tasks performed by the position. Employees may be assigned additional duties by management as required.*

Supervises assigned personnel, including training, assigning and evaluating work, counseling, and disciplining; prepares time sheets as required.

Prepares and types correspondence, resolutions, proclamations, ordinances, meeting agendas, memoranda, documents, reports, or other materials observing strict confidentiality.

Attends staff, Council/Committee, and other professional meetings to exchange information and/or to take minutes; transcribes and distributes minutes to appropriate personnel.

Assists with preparation and conducting of City elections.

Conducts property annexations; prepares for property rezoning.

Performs research for Council, staff, and citizens.

Assists in conducting the Annual City Auction.

Performs administrative tasks such as tracking budget for Clerk and Council, providing monthly budget report for Council and assisting with maintaining files/records, and coordinating records retention/destruction.

**DATA RESPONSIBILITY:** *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Gathering, organizing, analyzing, examining, or evaluating data or information and may prescribe action based on such data or information.

**PEOPLE RESPONSIBILITY:** *People refers to individuals who have contact with or are influenced by the position.*

Persuading or influencing others in favor of a service, point of view, or course of action; may enforce laws, rules, regulations, or ordinances.

**INVOLVEMENT WITH THINGS:** *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Handling or using machines, tools, or equipment requiring brief instruction or experience such as hand and power tools, buffers, floor polishers, vacuum sweepers, outdoor hand-held power equipment, small mowers, commercial kitchen equipment, computers for data entry, fax, complex copiers, phone systems, and other similar equipment, services office machines including such actions as adding paper and changing toner.

**ASSETS RESPONSIBILITY:** *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility and opportunity for achieving moderate economics and/or preventing moderate losses through the management of a small divisions; handling supplies of high value or moderate amounts of money consistent with the operation of a small division.

**SAFETY OF OTHERS:** *Safety of others refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.*

Requires no responsibility and provides minimum opportunity for exercise of care to effect safety of others in performing duties of the position.

**MATHEMATICAL REQUIREMENTS:** *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Using addition and subtraction, multiplication and division, and/or calculating ratios, rates, and percents.

**COMMUNICATIONS REQUIREMENTS:** *Communications involves the ability to read, write, and speak.*

Reading journals, manuals, and professional publications; speaking informally to groups of co-workers, staff in other organizational agencies, the general public, people in other organizations, and presenting training; composing original reports, training and other written materials, using proper language, punctuation, grammar, and style.

**COMPLEXITY OF WORK:** *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Perform supervisory work involving policy and guidelines, solving both people and work related problems; requires continuous, close attention for accurate results and frequent exposure to unusual pressures.

**IMPACT OF DECISIONS:** *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.*

Impact of decisions is moderately serious – affects most units in organization, and may affect citizens or loss of life and/or damage could occur and probability is likely.

## EDUCATION AND EXPERIENCE REQUIREMENTS

**EDUCATION REQUIREMENTS:** *Education requirements refers to job specific training and education required for entry into the position.*

Requires Associate's degree, vocational technical degree or specialized training that is equivalent to satisfactory completion of two years of college education.

**LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED:** *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires none

**EXPERIENCE REQUIREMENTS:** *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires a minimum of one year.

## AMERICANS WITH DISABILITIES REQUIREMENTS

**PHYSICAL DEMANDS:** *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Sedentary work that involves walking or standing some of the time and involves exerting up to 10 pounds of force on a regular and recurring basis or sustained keyboard operations.

**UNAVOIDABLE HAZARDS:** *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

Works in environmentally controlled situation such as office.

**SENSORY (ADA) REQUIREMENTS:** *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, and speaking.

## AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Dover is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

Updated 2-23-09

## 2. City of Dover Pay Plans with Performance Score and Percentage Increase of Midpoint

| Grade | Beginning of Scale | Top of Scale | Midpoint | 20-29 0.00% | 30-35 2.50% | 36-41 3.30% | 42-50 4.00% |
|---|---|---|---|---|---|---|---|
| 101 | $16,016 | $25,178 | $20,597 | $0.00 | $514.93 | $679.70 | $823.88 |
| 102 | 16,816 | 26,437 | 21,627 | 0.00 | 540.66 | 713.67 | 865.06 |
| 104 | 18,540 | 29,148 | 23,844 | 0.00 | 596.10 | 786.85 | 953.76 |
| 108 | 22,535 | 35,428 | 28,982 | 0.00 | 724.54 | 956.39 | 1,159.26 |
| 109 | 23,662 | 37,199 | 30,431 | 0.00 | 760,76 | 1,004.21 | 1,217.22 |
| 110 | 24,845 | 39,060 | 31,953 | 0.00 | 798.81 | 1,054.43 | 1,278.10 |
| 111 | 26,088 | 41,012 | 33,550 | 0.00 | 838.75 | 1,107.15 | 1,342.00 |
| 112 | 27,392 | 43,062 | 35,227 | 0.00 | 880.68 | 1,162.49 | 1,409.08 |
| 113 | 28,762 | 45,215 | 36,989 | 0.00 | 924.71 | 1,220.62 | 1,479.54 |
| 114 | 30,200 | 47,475 | 38,838 | 0.00 | 970.94 | 1,281.64 | 1,553.50 |
| 115 | 31,709 | 49,850 | 40,780 | 0.00 | 1,019.49 | 1,345.72 | 1,631,18 |
| 116 | 33,295 | 52,342 | 42,819 | 0.00 | 1,070.46 | 1,413.01 | 1,712.74 |
| 117 | 34,959 | 54,960 | 44,960 | 0.00 | 1,123.99 | 1,483.66 | 1,798.38 |
| 118 | 36,708 | 57,706 | 47,207 | 0.00 | 1,180.18 | 1,557.83 | 1,888.28 |
| 119 | 38,543 | 60,592 | 49,568 | 0.00 | 1,239.19 | 1,635.73 | 1,982.70 |
| 120 | 40,471 | 63,621 | 52,046 | 0.00 | 1,301.15 | 1,717.52 | 2,081.84 |
| 121 | 42,494 | 66,802 | 54,648 | 0.00 | 1,366.20 | 1,803.38 | 2,185.92 |
| 122 | 44,619 | 70,143 | 57,381 | 0.00 | 1,434.63 | 1,893.57 | 2,295.24 |
| 123 | 46,849 | 73,651 | 60,250 | 0.00 | 1,506.25 | 1,988.25 | 2,410.00 |
| 124 | 49,191 | 77,332 | 63,262 | 0.00 | 1,581.54 | 2,087.63 | 2,530.46 |
| 125 | 51,652 | 81,199 | 66,426 | 0.00 | 1,660.64 | 2,192.04 | 2,657.02 |
| 126 | 54,235 | 85,258 | 69,747 | 0.00 | 1,743.66 | 2,301.63 | 2,789.86 |
| 127 | 56,947 | 89,521 | 73,234 | 0.00 | 1,830.85 | 2,416.72 | 2,929.36 |
| 128 | 59,794 | 93,997 | 76,896 | 0.00 | 1,922.39 | 2,537.55 | 3,075.82 |
| 129 | 62,783 | 98,697 | 80,740 | 0.00 | 2,018.50 | 2,664.42 | 3,229.60 |
| 130 | 65,922 | 103,631 | 87,777 | 0.00 | 2,119.41 | 2,797.62 | 3,391.06 |
| 131 | 69,219 | 108,814 | 89,017 | 0.00 | 2,225.41 | 2,937.54 | 3,560.66 |
| 132 | 72,679 | 114,254 | 93,467 | 0.00 | 2,336.66 | 3,084.39 | 3,738.66 |
| 133 | 76,314 | 119,967 | 98,141 | 0.00 | 2,453.51 | 3,238.64 | 3,925.62 |
| 134 | 80,130 | 125,966 | 103,048 | 0.00 | 2,576.20 | 3,400.58 | 4,121.92 |
| 135 | 84,137 | 132,264 | 108,201 | 0.00 | 2,705.01 | 3,570.62 | 4,328.02 |
| 136 | 88,344 | 138,877 | 113,611 | 0.00 | 2,840.26 | 3,749.15 | 4,544.42 |
| 137 | 92,759 | 145,819 | 119,289 | 0.00 | 2,982.23 | 3,936.54 | 4,771.56 |
| 138 | 97,397 | 153,110 | 125,254 | 0.00 | 3,131.31 | 4,133.37 | 5,010.14 |
| 139 | 102,267 | 160,766 | 131,517 | 0.00 | 3,287.91 | 4,340.04 | 5,260.66 |

**City of Dover**

**Historical Management Salary Amounts (Past 10 years)**

| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Annual Average |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| City Manager | $69,488 | $ 85,000 | $ 87,550 | $ 89,308 | $ 93,550 | $ 100,098 | $ 106,555 | $ 112,948 | $ 117,082 | $ 121,180 | $ 125,520 | |
| Percentage | | 22.3% | 3.0% | 2.0% | 4.7% | 7.0% | 6.5% | 6.0% | 3.7% | 3.5% | 3.6% | 6.2% |
| Date | | 11/5/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Promotion | Annual | Annual | Grade Chg | Annual | Annual | Annual | Grade Chg | Annual | Annual | |
| Grade | | CE | CE | CE | 137 | 137 | 137 | 137 | 139 | 139 | 139 | |
| Controller/Treasurer | $72,000 | $ 74,880 | $ 77,126 | $ 80,920 | $ 84,561 | $ 88,154 | $ 91,460 | $ 95,118 | $ 113,229 | $ 113,229 | $ 117,166 | |
| Percentage | | 4.0% | 3.0% | 4.9% | 4.5% | 4.2% | 3.8% | 4.0% | 19.0% | 0.0% | 3.5% | 5.1% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 3/10/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Annual | Annual | Annual | Promotion | Annual | Annual | |
| Grade | | CE | CE | CE | 131 | 131 | 131 | 131 | 137 | 137 | 137 | |
| Public Services Manager | $69,000 | $ 71,760 | $ 73,913 | $ 81,090 | $ 84,942 | $ 88,339 | $ 93,268 | $ 100,636 | $ 104,319 | $ 107,970 | $ 110,811 | |
| Percentage | | 4.0% | 3.0% | 9.7% | 4.8% | 4.0% | 5.6% | 7.9% | 3.7% | 3.5% | 2.6% | 4.9% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 3/10/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Annual | Promotion | Annual | Grade Chg | Annual | Annual | |
| Grade | | G31 | G31 | G31 | 131 | 131 | 134 | 134 | 136 | 136 | 136 | |
| Public Utilities Manager | | | | | | | $ 100,000 | $ 104,000 | $ 107,806 | $ 111,580 | $ 116,124 | |
| Percentage | | | | | | | 0.0% | 4.0% | 3.7% | 3.5% | 4.1% | 3.8% |
| Date | | | | | | | 12/1/2006 | 7/1/2007 | 3/10/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | | | | | | New Hire | Annual | Grade Chg | Annual | Annual | |
| Grade | | | | | | | 134 | 134 | 136 | 136 | 136 | |
| Public Utilities Manager | | | | | $ 83,000 | $ 86,320 | $ 93,268 | | | | | |
| Percentage | | | | | 0.0% | 4.0% | 8.0% | | | | | 6.0% |
| Date | | | | | 7/1/2004 | 7/1/2005 | 7/1/2006 | | | | | |
| Reason | | | | | New Hire | Annual | Promotion | | | | | |
| Grade | | | | | 131 | 131 | 134 | | | | | |
| Electric Director | $73,560 | $ 76,452 | $ 78,708 | $ 83,280 | $ 86,972 | | | | | | | |
| Percentage | | 3.9% | 3.0% | 5.8% | 4.4% | | | | | | | 4.3% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | | | | | | | |
| Reason | | Annual | Annual | Annual | Grade Chg | | | | | | | |
| Grade | | E30 | E30 | E30 | 133 | | | | | | | |

**City of Dover**
**Historical Management Salary Amounts (Past 10 years)**

| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Annual Average |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Prior Chief of Police | $75,476 | $ 78,495 | $ 84,562 | $ 86,887 | $ 91,014 | $ 95,110 | $ 99,390 | $ 104,111 | $ 108,275 | $ 112,064 | | |
| Percentage | | 4.0% | 7.7% | 2.7% | 4.7% | 4.5% | 4.5% | 4.7% | 4.0% | 3.5% | | 4.5% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 3/10/2008 | 7/1/2009 | | |
| Reason | | Annual | Annual | Annual | Grade Chg | Annual | Annual | Annual | Grade Chg | Annual | | |
| Grade | | CE | CE | CE | 134 | 134 | 134 | 134 | 136 | 136 | | |
| Current Chief of Police | $51,709 | $ 53,260 | $ 54,858 | $ 60,166 | $ 63,830 | $ 65,745 | $ 73,799 | $ 79,435 | $ 91,707 | $ 112,065 | $ 116,609 | |
| Percentage | | 3.0% | 3.0% | 9.7% | 6.1% | 3.0% | 12.3% | 7.6% | 15.4% | 22.2% | 4.1% | 8.6% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 2/17/2009 | 4/4/2010 | 4/4/2011 | |
| Reason | | Contract | Contract | Promotion | Contract | Contract | Promotion | Contract | Promotions | Promotions | Promotion | |
| Grade | | 13 | 14 | 15 | 16 | 17 | 19 | 19 | 21 | 136 | 136 | |
| Position | | CPL | CPL | SGT | SGT | SGT | LT | LT | CPT | CHIEF | CHIEF | |
| Prior Major | $65,000 | $ 70,663 | $ 72,783 | $ 74,967 | $ 77,215 | $ 86,072 | $ 88,653 | $ 92,200 | $ 95,888 | $ 99,244 | | |
| Percentage | | 8.7% | 3.0% | 3.0% | 3.0% | 11.5% | 3.0% | 4.0% | 4.0% | 3.5% | | 4.9% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 3/10/2008 | 7/1/2009 | | |
| Reason | | Promotion | Contract | Contract | Contract | Promotion | Contract | Contract | Grade Chg | Annual | | |
| Grade | | PM6 | PM6 | PM6 | PM6 | 129 | 129 | 129 | 130 | 130 | | |
| Position | | CPT | CPT | CPT | CPT | MAJOR | MAJOR | MAJOR | MAJOR | MAJOR | | |
| Current Major | $51,709 | $ 53,260 | $ 59,199 | $ 60,976 | $ 63,830 | $ 71,650 | $ 73,799 | $ 79,435 | $ 82,618 | $ 103,378 | $ 106,769 | |
| Percentage | | 3.0% | 11.2% | 3.0% | 4.7% | 12.3% | 3.0% | 7.6% | 4.0% | 25.1% | 3.3% | 7.7% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 2/17/2009 | 4/4/2010 | 7/2/2009 | |
| Reason | | Contract | Promotion | Contract | Contract | Promotion | Contract | Contract | Contract | Promotions | Promotion | |
| Grade | | 12 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 130 | 130 | |
| Position | | CPL | SGT | SGT | SGT | LT | LT | LT | LT | MAJOR | MAJOR | |
| Current City Planner | | | | | $ 73,000 | $ 77,708 | $ 82,371 | $ 85,385 | $ 88,374 | $ 91,775 | | |
| Percentage | | | | | 0.0% | 6.4% | 6.0% | 3.7% | 3.5% | 3.8% | | 4.7% |
| Date | | | | | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | | |
| Reason | | | | | New Hire | Annual | Annual | Grade Chg | Annual | Annual | | |
| Grade | | | | | 131 | 131 | 131 | 134 | 134 | 134 | | |
| Prior City Planner | | | | $ 70,000 | $ 74,550 | | | | | | | |
| Percentage | | | | 0.0% | 6.5% | | | | | | | n/a |
| Date | | | | 1/5/2004 | 7/1/2005 | | | | | | | |
| Reason | | | | New Hire | Annual | | | | | | | |
| Grade | | | | CE | 131 | | | | | | | |

**City of Dover**

**Historical Management Salary Amounts (Past 10 years)**

| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Annual Average |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Prior I/T Director | $68,550 | $ 71,292 | $ 73,431 | $ 75,431 | $ 79,014 | $ 82,174 | $ 85,256 | $ 88,666 | $ 91,911 | $ 95,128 | $ 95,128 | |
| Percentage | | 4.0% | 3.0% | 2.7% | 4.8% | 4.0% | 3.8% | 4.0% | 3.7% | 3.5% | 0.0% | 3.7% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Annual | Annual | Annual | Grade Chg | Annual | Termntd | |
| Grade | | G29 | G29 | G29 | 132 | 132 | 132 | 132 | 133 | 133 | 133 | |
| Current I/T Director | | $ 30,000 | $ 31,040 | $ 35,923 | $ 37,630 | $ 40,076 | $ 42,661 | $ 49,710 | $ 51,529 | $ 53,333 | $ 76,314 | |
| Percentage | | 0.0% | 3.5% | 15.7% | 4.8% | 6.5% | 6.5% | 16.5% | 3.7% | 3.5% | 43.1% | 11.5% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 2/17/2009 | 4/4/2010 | 8/1/2010 | |
| Reason | | New Hire | Annual | Annual | Grade Chg | Annual | Annual | Promotion | Grade Chg | Annual | Promotion | |
| Grade | | G19 | G19 | G19 | 119 | 119 | 119 | 121 | 122 | 122 | 133 | |
| Current H/R Director | $36,500 | $ 37,595 | $ 38,723 | $ 39,497 | $ 41,472 | $ 45,261 | $ 48,520 | $ 73,861 | $ 76,564 | $ 79,244 | $ 82,983 | |
| Percentage | | 3.0% | 3.0% | 2.0% | 5.0% | 9.1% | 7.2% | 52.2% | 3.7% | 3.5% | 4.7% | 9.3% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 2/19/2008 | 2/19/2009 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Promotion | Annual | Promotions | Grade Chg | Annual | Annual | |
| Grade | | G22 | G22 | G22 | 120 | 121 | 121 | 130 | 132 | 132 | 132 | |
| Sr. City Administrator | $67,080 | $ 69,763 | $ 71,856 | $ 73,652 | $ 76,967 | $ 80,454 | $ 83,471 | $ 86,810 | $ 89,987 | $ 93,137 | $ 96,221 | |
| Percentage | | 4.0% | 3.0% | 2.5% | 4.5% | 4.5% | 3.7% | 4.0% | 3.7% | 3.5% | 3.3% | 3.7% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 2/17/2009 | 4/4/2010 | 8/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Promotion | Annual | Annual | Grade Chg | Annual | Annual | |
| Grade | | G30 | G30 | G30 | 126 | 130 | 130 | 130 | 132 | 132 | 132 | |
| Central Services Director | $47,140 | $ 64,592 | $ 66,499 | $ 68,343 | $ 71,530 | $ 76,450 | $ 81,300 | $ 86,103 | $ 89,209 | $ 92,287 | $ 94,624 | |
| Percentage | | 37.0% | 3.0% | 2.8% | 4.7% | 6.9% | 6.3% | 5.9% | 3.6% | 3.5% | 2.5% | 7.6% |
| Date | | 1/15/2002 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Promotions | Annual | Annual | Grade Chg | Promotion | Annual | Annual | Annual | Annual | Annual | |
| Grade | | G29 | G29 | G29 | 132 | 132 | 132 | 132 | 132 | 132 | 132 | |
| Com. Services Director | $50,545 | $ 52,567 | $ 54,144 | $ 60,749 | $ 63,635 | $ 68,089 | $ 70,643 | $ 72,939 | $ 75,609 | $ 78,255 | $ 81,339 | |
| Percentage | | 4.0% | 3.0% | 12.2% | 4.8% | 7.0% | 3.8% | 3.3% | 3.7% | 3.5% | 3.9% | 4.9% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Annual | Annual | Annual | Grade Chg | Annual | Annual | |
| Grade | | G27 | G27 | G27 | 128 | 128 | 128 | 128 | 132 | 132 | 132 | |

**City of Dover**
**Historical Management Salary Amounts (Past 10 years)**

| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | Annual Average |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| City Clerk | $35,686 | $ 41,110 | $ 42,344 | $ 43,402 | $ 45,355 | $ 54,532 | $ 56,986 | $ 59,693 | $ 61,878 | $ 64,043 | $ 66,460 | |
| Percentage | | 15.2% | 3.0% | 2.5% | 4.5% | 20.2% | 4.5% | 4.8% | 3.7% | 3.5% | 3.8% | 6.6% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Annual | Annual | Annual | Grade Chg | Promotion | Annual | Annual | Annual | Annual | Annual | |
| Grade | | CE | CE | CE | 115 | 123 | 123 | 123 | 123 | 127 | 127 | |
| | | | | | | | | | | | | |
| City Assessor | $32,060 | $ 36,400 | $ 37,492 | $ 38,429 | $ 40,159 | $ 41,564 | $ 42,811 | $ 46,849 | $ 53,548 | $ 55,422 | $ 57,410 | |
| Percentage | | 13.5% | 3.0% | 2.5% | 4.5% | 3.5% | 3.0% | 9.4% | 14.3% | 3.5% | 3.6% | 6.1% |
| Date | | 7/1/2001 | 7/1/2002 | 7/1/2003 | 7/1/2004 | 7/1/2005 | 7/1/2006 | 7/1/2007 | 7/1/2008 | 7/1/2009 | 7/1/2010 | |
| Reason | | Promotion | Annual | Annual | Grade Chg | Annual | Annual | Temp Incr. | Promotion | Annual | Annual | |
| Grade | | CE | CE | CE | 114 | 114 | 114 | 123 | 123 | 123 | 123 | |

# Permission to Recruit

To: Carleton E. Carey
Mayor

Date: April 5, 2012

From: James E Hosfelt Jr.
Chief of Police

Permission to recruit: 1 Person

Type of Position: (PF) PP TF TP

Title of Position: Police Officer

Start employment on: April 23, 2012

Opening is due to:

Termination, Transfer, Promotion, (Other:) Retirement of Captain Steven Getek

Captain Steven Getek
(name of previous employee)

Type of recruitment desired:

Local Newspaper: None, Dover Police Department currently has an eligibility list
(Name of publication)

*Note: All out-of-house job postings will be advertised in the Delaware State News*

Other: None See above

Chief James E Hosfelt Jr.

☐ APPROVED ☐ DENIED

Mayor of the City of Dover

# Hiring Justification Outline

1. **Explain the principal function of this job.**

   The principal function of these positions is to ensure security for the citizens of Dover. The persons would be responsible to enforce the laws of the State of Delaware within the city limits of Dover.

2. **Explain why this position is critical and cannot go unfilled or postponed**.

   The departments authorized strength is currently 92 officers. It is essential for the department to maintain personnel to provide all levels of safety for the citizens of Dover. However due to the recent retirement the authorized strength has dropped to 91 officers. At this time the department maintains an active roster of qualified applicants for hire as positions become available. The next applicant on the list is not a certified officer. When hired, this individual will have to attend training at a police academy. The next police academy class is scheduled to begin April 23, 2012.

   **These positions also need to be filled in order for the department and the City of Dover to remain compliant with the staffing provisions of the COPS Grant which city council accepted on September 14, 2009. Failure to replace this officer would put the department and the city in violation of the COPS Grant requirements for this current budget year.**

3. **How would City services diminish if this position were not filled or postponed at this time?**

   The Police Department would become unable to provide the level of services we currently provide to the citizens of our city. Public safety services provided to the city would diminish quickly. The department must maintain its authorized strength in order to perform the day to day operations of the police department.

4. **Are there other employees whose ability to perform would be diminished by not filling or postponing this position?**

   Yes, the departments' performance would diminish overall by not maintaining current staffing needs to provide security and safety for all citizens within the City of Dover.

5. **Is there a person that can be promoted into these positions and whose position is less critical at this time and can go unfilled permanently or temporarily?**

   No. This position is for new police officer.

6. **Can one or more existing employees absorb the duties of these positions?**

Over time the quality of service the department currently provides would diminish. The current authorized strength for the police department is 92 officers, which has been approved by City Council. Without these positions the department would once again be working under the authorized number of officers. For that reason the department is seeking to hire an additional officer to fill the vacant position.

7. **Could a temporary person be hired to fill these positions for 60 days?**

No, there are too many complexities in this position. The people hired would be certified law enforcement officers in the State of Delaware and would still need to pass a background check.

8. **Grade / Salary Information**

Patrolman / POL-01 $45,999.47

City of Dover
Wage and Benefit Information for Employee Hiring and Transfer Request

**DEPARTMENT/DIVISION ORIGINATING REQUEST: POLICE**

| Position | Current Grade/Step | Reason | FY12 Wages Budgeted | FY12 Benefits Budgeted | Total Wages & Benefits | % Year Wages Used | # Mos. Benefits Used | To Date Wages Paid | To Date Benefits Paid | Lump Sum Vacation/Sick Payment* | FY12 Total Paid To Date | Balance | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Accessions** | | | | | | | | | | | | | |
| Police Officer | Capt | Retirement | 69,954.86 | 26,728.06 | 133,092.44 | 80.6% | 9.7 | 56,384.38 | 21,599.76 | 68,607.12 | 146,591.27 | (13,498.83) | health care = employee |
| Budgeted Retirements | | | 187,343.33 | | | | | | | 34,209.66 | | 153,133.67 | |
| **Totals** | | | | | **133,092.44** | | | | | **102,816.78** | | **$139,634.84** | |

*** Includes lump sum amounts spent previously for Ranger, Harmon & Boyce.**

** esitmate based on # hours sold back

| Position | Position | Reason | FY12 Salary | FY12 Benefits | Total Pay | % Year Wages Needed | # Mos. Benefits Needed | Wages | Benefits | Total Pay Needed | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **New Positions** | | | | | | | | | | | health care = family for all |
| Police Officer | Ptlm | New Hire | 47,994.78 | 29,277.25 | 77,272.03 | 18.9% | 2.3 | 9,048.20 | 5,534.00 | 14,582.19 | Recruit for DSP Academy |
| **Totals** | | | | | **77,272.03** | | | | | **$14,582.19** | |
| **Balance (Retirements)** | | | | | | | | | | **$125,052.65** | |

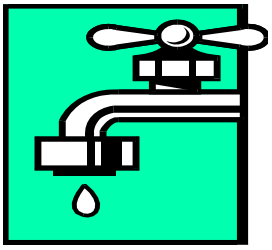
# CITY OF DOVER

# FINANCE & CENTRAL SERVICES DEPARTMENTS

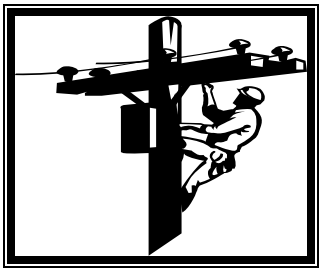
# MONTHLY BUDGET REPORT

# FEBRUARY 2012









**PREPARED BY: FINANCE DEPARTMENT**

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

# City of Dover
# Finance Department
# Monthly Budget Report

## February 2012

## Strategic Objectives for Fiscal Year 2011 – 2012

1. Coordinate audit program with the Legislative, Finance & Administrative Committee.
2. Fortis training and implementation for Payroll and Accounts Payable.
3. Each Staff Member will take three in-house Sungard training sessions.

## ACTIVITY LEVELS

| | FY11 YTD | | | FY12 YTD | | |
|---|---|---|---|---|---|---|
| **BANK TRENDS** | | | | | | |
| Number of Deposits Made | 2,275 | | | 3,372 | | |
| Total Amount of All Deposits | $ 101,523,502 | | | $ 103,794,631 | | |
| | | | | | | |
| **PAYROLL** | | | | | | |
| | Hours | % | Amount | Hours | % | Amount |
| **Gross wages per registers** | **629,550** | **100.0%** | **$ 14,171,556** | **629,115** | **100.0%** | **$ 14,628,638** |
| | | | | | | |
| **Wages and Hours Worked** | | | | | | |
| Regular | 525,254 | 83.4% | $ 11,262,318 | 531,564 | 84.5% | $ 11,335,080 |
| All over time | 24,103 | 3.8% | $ 997,509 | 24,718 | 3.9% | $ 1,032,967 |
| **Other Paid or Unpaid Wages and Hours** | | | | | | |
| Vacation | 38,732 | 6.2% | $ 984,135 | 37,675 | 6.0% | $ 1,199,713 |
| Sick | 13,844 | 2.2% | $ 318,416 | 16,588 | 2.6% | $ 405,278 |
| Furlough (July 2010) | 1,482 | 0.2% | $ - | - | 0.0% | $ - |
| Terminal Leave - Retiree Vacation/Sick Payout | 3,220 | 0.5% | $ 91,298 | 8,501 | 1.4% | $ 279,896 |
| Comp Time (Police) | 4,900 | 0.8% | $ 155,372 | 7,125 | 1.1% | $ 201,261 |
| Personal | 1,126 | 0.2% | $ 31,864 | 1,209 | 0.2% | $ 32,949 |
| Leave Without Pay | 2,434 | 0.4% | $ - | - | 0.0% | $ - |
| Other (description below) | 14,433 | 2.3% | $ 330,644 | 1,736 | 0.3% | $ 141,494 |

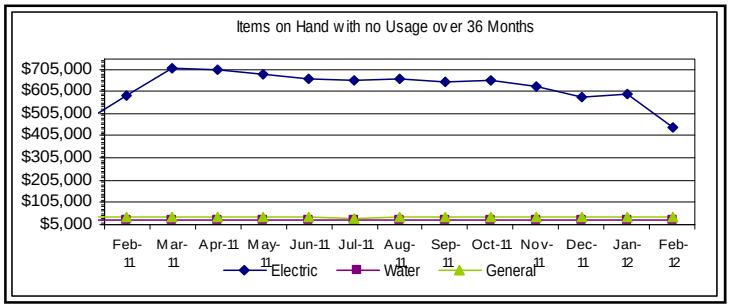
**Other includes:** pay adjustments, military differential pay, committee meetings, worker compensation tracking/adjustments, etc.

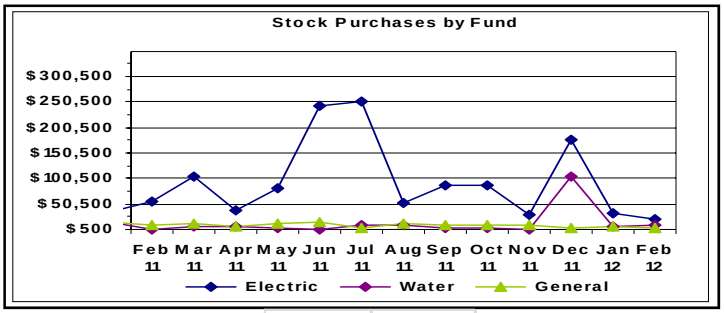
| | | |
|---|---|---|
| **Other Activity** | | |
| Number of Pay Periods | 18 | 18 |
| Number of Payroll Checks & Direct Deposits Issued | 7,396 | 6,895 |
| Number of Pension Checks Issued | 1,905 | 1,914 |
| Total Pension Benefits Paid - Defined Benefit Plan | $ 3,025,321 | $ 3,112,759 |

**Payroll Checks & Direct Deposits issued**: number of payroll checks issued for FY 2010 includes separate checks for shoe allowance & clothing allowance.

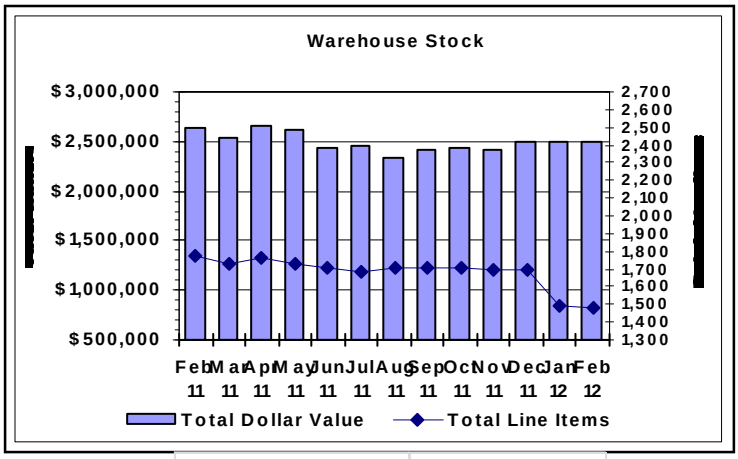
| | | |
|---|---|---|
| **ACCOUNTS PAYABLE** | | |
| Number of Check Vouchers | 3,781 | 4,263 |
| Number of EFT Vouchers | 1,207 | 1,520 |
| Vouchers Dollar Amount Disbursed | $ 59,169,764 | $ 63,971,288 |

# CENTRAL SERVICES
# FEBRUARY 2012REPORT




| | |
|---|---|
| Electric: | $21,305 |
| Water: | $8,729 |
| General: | $2,974 |




| | |
|---|---|
| Total Dollar Value: | $2,488,678 |
| Total Line Items: | 1,486 |

**Fuel Use**

| | | |
|---|---|---|
| Unleaded: | 9,531.4 | gallons |
| Diesel: | 6,575.4 | gallons |
| Total: | $ 36,262 | |

**Major Program Updates**

| Measure | February 12 | FY End 2011 | Difference |
|---|---|---|---|
| *Issue Effectiveness – How often the warehouse has what the customer needs when it is needed.* | FY to date 99.73% | 99.23% | +0.05% |
| Turn Over Rate (4-5 per year) – Indicates that the material stocked is the material being used. | FY to date 1 every 33.2 years | 1 every 6.54 years | +26.66 years |
| Bids for non-inventory items converted to purchase orders within timeframe. *(Quantity and Percentage)* | FY to date 3 out of 3 – 100% | 11 out of 12 – 91.67% | +8.33% |
| Sealed bids prepared, received & distributed within 7 working days of receipt. *(Quantity and Percentage)* | FY to date 13 out of 14 – 93.7% | 36 out of 38 – 94.7% | -1% |
| Mail receiving lowest discounted rate. *(Quantity and Percentage)* | FY to date 192,475 pieces – 96.76% | 399,185 pieces – 95.96% | +0.8% |

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**General Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance (Unaudited) | $ 3,322,305 | $ 3,322,305 | $ 3,561,837 | $ (239,532) | 107.2% |
| **Revenues** | | | | | |
| Court of Chancery Fees | 690,000 | 690,000 | 495,300 | 194,700 | 71.8% |
| Fines & Police Revenues | 939,000 | 939,000 | 728,616 | 210,384 | 77.6% |
| Franchise Fees | 520,000 | 520,000 | 276,104 | 243,896 | 53.1% |
| Grants | 753,500 | 833,373 | 378,588 | 454,785 | 45.4% |
| Intrafund Services | 4,359,171 | 4,359,171 | 2,667,441 | 1,691,730 | 61.2% |
| Library & Recreation Revenues | 587,000 | 587,000 | 428,923 | 158,077 | 73.1% |
| Licenses & Permits | 2,457,675 | 2,457,675 | 2,181,946 | 275,729 | 88.8% |
| Property Taxes (Includes BID Revenue) (1) | 11,185,188 | 11,185,188 | 10,944,649 | 240,539 | 97.8% |
| Sanitation Revenues | 2,050,000 | 2,050,000 | 1,285,304 | 764,696 | 62.7% |
| Other Miscellaneous Revenues | 381,650 | 381,650 | 124,032 | 257,618 | 32.5% |
| Garrison Farm Rent Revenue | 87,000 | 87,000 | 75,984 | 11,016 | 87.3% |
| Transfers-In from Special Funds & Utilities | | | | | |
| Civil Traffic Penalties | 1,000,000 | 1,000,000 | 360,531 | 639,469 | 36.1% |
| Municipal Street Aid Fund | 526,814 | 526,814 | 527,412 | (598) | 100.1% |
| Transfer Taxes | 900,000 | 900,000 | 991,344 | (91,344) | 110.1% |
| Water/Wastewater Fund | 424,508 | 424,508 | 200,000 | 224,508 | 47.1% |
| Electric Fund | 7,876,288 | 7,876,288 | 6,000,000 | 1,876,288 | 76.2% |
| **Total Revenues** | 34,737,794 | 34,817,667 | 27,666,174 | 7,151,493 | 79.5% |
| **Total Beginning Balance & Revenues** | **$ 38,060,099** | **$ 38,139,972** | **$ 31,228,011** | **$ 6,911,961** | 81.9% |
| **Expenditures** | | | | | |
| City Clerk & Council | $ 417,092 | $ 417,092 | $ 224,462 | $ 192,630 | 53.8% |
| Mayor, City Manager & Human Resources | 1,088,039 | 1,088,039 | 639,018 | 449,021 | 58.7% |
| Police & Police Extra Duty | 13,386,407 | 13,386,407 | 8,553,972 | 4,832,435 | 63.9% |
| Public Services | 4,566,400 | 4,646,273 | 2,844,949 | 1,801,324 | 61.2% |
| Central Services | 2,341,454 | 2,341,454 | 1,503,167 | 838,287 | 64.2% |
| Planning & Inspections | 1,934,120 | 1,934,120 | 1,257,617 | 676,503 | 65.0% |
| Finance, Info Tech & Customer Services | 2,466,266 | 2,466,266 | 1,584,564 | 881,702 | 64.2% |
| Library & Recreation | 1,948,788 | 1,948,788 | 1,220,029 | 728,759 | 62.6% |
| Fire Department | 684,725 | 684,725 | 449,344 | 235,381 | 65.6% |
| Assessor | 213,175 | 213,175 | 121,397 | 91,778 | 56.9% |
| Insurance | 550,000 | 550,000 | 381,555 | 168,445 | 69.4% |
| OPEB - Retiree's Health Care Contribution | 1,374,709 | 1,374,709 | 687,353 | 687,356 | 50.0% |
| Police Pension Trust Contribution - State Grant | 620,000 | 620,000 | 165,375 | 454,625 | 26.7% |
| Appropriation to Pension Fund | 1,545,000 | 1,545,000 | 1,045,000 | 500,000 | 67.6% |
| Street Lights | 960,000 | 960,000 | 658,405 | 301,595 | 68.6% |
| Debt Service | 327,270 | 327,270 | 327,263 | 7 | 100.0% |
| Provision for Uncollectible | 10,000 | 10,000 | 10,025 | (25) | 100.3% |
| Transfers Out | | | | | |
| Capital Asset Reserve | 200,000 | 200,000 | 200,000 | - | 100.0% |
| Capital Projects Fund | 623,847 | 623,847 | 623,847 | - | 100.0% |
| **Total Expenditures** | 35,257,292 | 35,337,165 | 22,497,342 | 12,839,823 | 63.7% |
| Budget Balance - Working Capital | 2,802,807 | 2,802,807 | - | 2,802,807 | 0.0% |
| **Total Budget Balance & Expenditures** | **$ 38,060,099** | **$ 38,139,972** | **$ 22,497,342** | **$ 15,642,630** | 59.0% |
| **Reserve Balances** | | | | | |
| Contingency | $ 725,554 | $ 711,747 | $ 719,548 | | |

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 02/29/12 is $622,057.09 as compared to $544,044.16 in February 2011.

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**Water/Wastewater Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance - Water (Unaudited) | $ 2,385,027 | $ 2,385,027 | $ 2,567,172 | $ (182,145) | 107.6% |
| Beginning Balance - Wastewater (Unaudited) | $ 1,741,242 | $ 1,741,242 | $ 1,931,514 | $ (190,272) | 110.9% |
| Beginning Balance - Kent County Treatment (Unaudited) | $ (1,757,484) | $ (1,757,484) | $ (1,243,243) | $ (514,241) | 70.7% |
| | 2,368,785 | 2,368,785 | 3,255,443 | (886,658) | 137.4% |
| **Revenues** | | | | | |
| Water Fees | 4,603,400 | 4,603,400 | 3,234,648 | 1,368,752 | 70.3% |
| Wastewater Fees | 3,756,700 | 3,756,700 | 2,514,875 | 1,241,825 | 66.9% |
| Kent County Treatment Fees | 3,090,900 | 3,090,900 | 2,074,336 | 1,016,564 | 67.1% |
| Ground Water Adjustment Fees | 1,386,900 | 1,386,900 | 826,801 | 560,099 | 59.6% |
| Water Tank Leases | 307,600 | 307,600 | 194,585 | 113,015 | 63.3% |
| Miscellaneous | 85,800 | 85,800 | 73,487 | 12,313 | 85.6% |
| Impact Fees - Water | 323,000 | 323,000 | 218,500 | 104,500 | 67.6% |
| Impact Fees - Wastewater | 357,000 | 357,000 | 243,600 | 113,400 | 68.2% |
| **Total Revenues** | 13,911,300 | 13,911,300 | 9,380,832 | 4,530,468 | 67.4% |
| **Total Beginning Balance & Revenues** | **$ 16,280,085** | **$ 16,280,085** | **$ 12,636,275** | **$ 3,643,810** | 77.6% |
| **Expenses** | | | | | |
| Water/Wastewater Operating Divisions | | | | | |
| Engineering & Inspection | $ 622,230 | $ 622,230 | $ 320,639 | $ 301,591 | 51.5% |
| Water | 382,655 | 382,655 | 255,399 | 127,256 | 66.7% |
| Water Treatment Plant | 1,543,114 | 1,543,114 | 911,897 | 631,217 | 59.1% |
| Wastewater | 959,735 | 959,735 | 589,464 | 370,271 | 61.4% |
| Construction & Inspection | 440,088 | 440,088 | 228,467 | 211,621 | 51.9% |
| Kent County Treatment Fees | 4,235,400 | 4,235,400 | 2,558,799 | 1,676,601 | 60.4% |
| Intrafund Services | 1,228,596 | 1,228,596 | 705,072 | 523,524 | 57.4% |
| OPEB - Retiree's Health Care Contribution | 190,830 | 190,830 | 95,416 | 95,414 | 50.0% |
| Pension Unfunded Liability | 228,400 | 228,400 | 114,200 | 114,200 | 50.0% |
| Debt Service | 736,936 | 736,936 | 352,841 | 384,095 | 47.9% |
| Inventory/Fixed Asset Write-offs | 10,000 | 10,000 | 10,000 | - | 100.0% |
| Transfers Out | | | | | |
| General Fund | 424,508 | 424,508 | 200,000 | 224,508 | 47.1% |
| Uncollectible Reserve | 5,000 | 5,000 | 5,000 | - | 100.0% |
| Contingency Reserve | 8,000 | 8,000 | 8,000 | - | 100.0% |
| Water I & E Fund | 750,000 | 750,000 | 750,000 | - | 100.0% |
| Wastewater I & E Fund | 1,000,000 | 1,000,000 | 1,000,000 | - | 100.0% |
| Capital Asset Reserve - Water | 100,000 | 100,000 | 100,000 | - | 100.0% |
| Capital Asset Reserve - Wastewater | 300,000 | 300,000 | 300,000 | - | 100.0% |
| Impact Fee Reserve - Water | 36,147 | 36,147 | - | 36,147 | 0.0% |
| **Total Expenses** | 13,201,639 | 13,201,639 | 8,505,194 | 4,696,445 | 64.4% |
| **Budget Balances** | | | | | |
| Budget Balance - Working Capital - Water | 2,738,400 | 2,738,400 | - | 2,738,400 | 0.0% |
| Budget Balance - Working Capital - WW | 1,855,130 | 1,855,130 | - | 1,855,130 | 0.0% |
| Budget Balance-Working Capital - KSA | (1,515,084) | (1,515,084) | - | (1,515,084) | 0.0% |
| Total Budget Balances | 3,078,446 | 3,078,446 | - | 3,078,446 | 0.0% |
| **Total Budget Balances & Expenses** | **$ 16,280,085** | **$ 16,280,085** | **$ 8,505,194** | **$ 7,774,891** | 52.2% |
| **Reserve Balances** | | | | | |
| Contingency-Water | $ 130,696 | $ 136,680 | $ 101,811 | | |
| Contingency-Wastewater | $ 146,149 | $ 152,839 | $ 184,806 | | |
| Impact Fee Reserve - Sewer | NO BUDGET | NO BUDGET | $ 3,357,297 | | |
| Impact Fee Reserve - Water | NO BUDGET | NO BUDGET | $ 380,193 | | |
| **Bond Coverage Ratio (Covenant 1.20)** | 5.39 | 4.47 | 7.38 | | |

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**Electric Revenue Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance (Unaudited) | $ 11,867,003 | $ 11,867,003 | $ 12,440,550 | $ (573,547) | 104.8% |
| **Revenues** | | | | | |
| Sales to Customers | 95,675,500 | 95,675,500 | 66,924,728 | 28,750,772 | 69.9% |
| Purchased Power Adjustment - Credit | (6,012,000) | (6,012,000) | (4,231,944) | (1,780,056) | 70.4% |
| Utility Tax | 1,966,100 | 1,966,100 | 1,061,715 | 904,385 | 54.0% |
| Weyandt Hall Rents | 225,000 | 225,000 | 97,710 | 127,290 | 43.4% |
| Miscellaneous Revenues | 1,048,000 | 1,048,000 | 878,306 | 169,694 | 83.8% |
| Interest Earned | 264,900 | 264,900 | 104,232 | 160,668 | 39.3% |
| Transfer from Rate Stabilization | 1,000,000 | 1,000,000 | 1,000,000 | - | 100.0% |
| Intrafund Service Receipts Water/Wastewater | 240,203 | 240,203 | 113,255 | 126,948 | 47.1% |
| **Total Revenues** | 94,407,703 | 94,407,703 | 65,948,002 | 28,459,701 | 69.9% |
| **Total Beginning Balance & Revenues** | **$ 106,274,706** | **$ 106,274,706** | **$ 78,388,552** | **$ 27,886,154** | 73.8% |
| **Expenses** | | | | | |
| Power Supply & Generation | | | | | |
| Power Supply | $ 42,047,430 | $ 42,047,430 | $ 29,565,320 | $ 12,482,110 | 70.3% |
| Power Supply Management/Incentive | 1,170,000 | 1,170,000 | 664,000 | 506,000 | 56.8% |
| Capacity Charges | 8,506,512 | 8,506,512 | 5,633,280 | 2,873,232 | 66.2% |
| PJM Charges - Load | 15,043,396 | 15,043,396 | 7,672,135 | 7,371,261 | 51.0% |
| Total Power Supply | 66,767,338 | 66,767,338 | 43,534,735 | 23,232,603 | 65.2% |
| Plant Operations | 5,964,817 | 5,964,817 | 3,282,108 | 2,682,709 | 55.0% |
| Generation Fuels | 664,641 | 664,641 | 1,355,251 | (690,610) | 203.9% |
| Capacity Credits | (7,388,283) | (7,388,283) | (4,448,092) | (2,940,191) | 60.2% |
| PJM Credits | (1,285,675) | (1,285,675) | (3,400,629) | 2,114,954 | 264.5% |
| Total Generation | (2,044,500) | (2,044,500) | (3,211,362) | 1,166,862 | 157.1% |
| Total Power Supply & Plant | 64,722,838 | 64,722,838 | 40,323,373 | 24,399,465 | 62.3% |
| Electric Operating Divisions: | | | | | |
| Transmission/Distribution | 3,162,026 | 3,162,026 | 1,807,595 | 1,354,431 | 57.2% |
| Electrical Engineering | 1,177,060 | 1,177,060 | 622,229 | 554,831 | 52.9% |
| Administration | 602,715 | 602,715 | 443,843 | 158,872 | 73.6% |
| Meter Reading | 215,208 | 215,208 | 131,015 | 84,193 | 60.9% |
| Systems Operations | 473,895 | 473,895 | 323,573 | 150,322 | 68.3% |
| Intrafund Services | 3,370,778 | 3,370,778 | 2,075,624 | 1,295,154 | 61.6% |
| Utility Tax | 1,966,100 | 1,966,100 | 1,058,705 | 907,395 | 53.8% |
| OPEB Trust Contribution - Unfunded Liability | 1,115,300 | 1,115,300 | 1,115,300 | - | 100.0% |
| OPEB - Retirees Health Care Contribution | 646,510 | 646,510 | 323,256 | 323,254 | 50.0% |
| Pension Trust Contribution - Unfunded liability | 1,110,500 | 1,110,500 | 555,250 | 555,250 | 50.0% |
| Interest on Deposits | 54,500 | 54,500 | 14,459 | 40,041 | 26.5% |
| Green Energy Payment to DEMEC | 129,000 | 129,000 | 88,328 | 40,672 | 68.5% |
| Accounts Receivable Write-Offs | 150,000 | 150,000 | 150,000 | - | 100.0% |
| Inventory Write-Offs | 175,000 | 175,000 | 175,000 | - | 100.0% |
| Contractual Services Power Supply | 115,000 | 115,000 | - | 115,000 | 0.0% |
| Debt Service | 3,336,800 | 3,336,800 | 2,247,712 | 1,089,088 | 67.4% |
| Transfers Out: | | | | | |
| General Fund | 7,876,288 | 7,876,288 | 6,000,000 | 1,876,288 | 76.2% |
| Electric Improvement & Extension Fund | 3,500,000 | 3,500,000 | 1,500,000 | 2,000,000 | 42.9% |
| **Total Expenses** | 93,899,518 | 93,899,518 | 58,955,262 | 34,944,256 | 62.8% |
| Budget Balance - Working Capital | 12,375,188 | 12,375,188 | - | 12,375,188 | 0.0% |
| **Total Budget Balance & Expenses** | **$ 106,274,706** | **$ 106,274,706** | **$ 58,955,262** | **$ 47,319,444** | 55.5% |
| **Reserve Balances** | | | | | |
| Contingency Reserve | $ 1,110,496 | $ 1,056,789 | $ 1,068,371 | | |
| Insurance Reserve | $ 350,000 | $ 344,905 | $ 336,496 | | |
| Rate Stabilization Reserve | $ 5,406,419 | $ 5,346,768 | $ 5,218,489 | | |
| **Bond Coverage Ratio (Covenant 1.25)** | 2.07 | 2.07 | 4.84 | | |
| **Megawatt Hours Sold & Purchased** | | | | | |
| Sales to Customers MWh (excluding Street Light MWh) | 707,536 | 707,536 | 493,791 | | |
| Sales per MWh | $ 129.688 | $ 129.688 | $ 129.292 | | |
| Purchased/Generated MWh | 738,215 | 738,215 | 496,576 | | |
| All In MWh Supply & Generation | $ 87.675 | $ 87.675 | $ 81.203 | | |

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**
**General Capital Project Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance - Projects (Unaudited) | $ 195,191 | $ 195,191 | $ 256,392 | $ (61,201) | 131.4% |
| Beginning Balance - Library | $ - | $ 100,962 | $ 100,962 | $ - | 100.0% |
| **Revenues** | | | | | |
| Transfer from General Fund for Projects | 623,847 | 623,847 | 623,847 | - | 100.0% |
| State Grant - Library | 5,597,505 | 7,422,183 | 1,498,200 | 5,923,983 | 20.2% |
| Miscellaneous Receipts | - | - | 91,870 | (91,870) | 0.0% |
| Library Bond Issue/Contributions | 2,334,889 | 4,184,961 | 500,000 | 3,684,961 | 11.9% |
| Loan Proceeds - Street Projects & City Hall (1) | 2,000,000 | 2,000,000 | - | 2,000,000 | 0.0% |
| Transfer from Library Reserve | 3,262,615 | 2,590,784 | 2,594,860 | (4,076) | 100.2% |
| Interest Earnings | 10,900 | 10,900 | 8,793 | 2,107 | 80.7% |
| Income from Sale of Assets | - | - | 36,858 | (36,858) | 0.0% |
| **Total Revenues** | 13,829,756 | 16,832,675 | 5,354,428 | 11,478,247 | 31.8% |
| **Total Beginning Balance & Revenue** | **$ 14,024,947** | **$ 17,128,828** | **$ 5,711,782** | **$ 11,417,046** | 33.3% |
| **Expenditures** | | | | | |
| Fire | $ 244,820 | $ 244,820 | $ 245,556 | $ (736) | 100.3% |
| Library | 11,195,009 | 14,298,890 | 6,636,227 | 7,662,663 | 46.4% |
| Recreation | 30,000 | 30,000 | - | 30,000 | 0.0% |
| Police | 65,000 | 65,000 | 23,410 | 41,590 | 36.0% |
| Streets (1) | 1,230,027 | 230,027 | 167,803 | 62,224 | 72.9% |
| Sanitation | 136,500 | 136,500 | - | 136,500 | 0.0% |
| Information Technology | 6,400 | 6,400 | 5,204 | 1,196 | 81.3% |
| Facilities Management | - | 220,000 | - | 220,000 | 0.0% |
| Loan Issuance Costs | - | 30,000 | 1,539 | 28,461 | 5.1% |
| Transfer to Capital Asset Reserve | - | - | 27,638 | (27,638) | 0.0% |
| Transfer Out to CT Fund-Streets | - | 1,750,000 | - | 1,750,000 | 0.0% |
| **Total Expenditures** | 12,907,756 | 17,011,637 | 7,107,377 | 9,904,260 | 41.8% |
| Budget Balance - Bond Proceeds | 1,000,000 | - | - | - | 0.0% |
| Budget Balance - Projects | 117,191 | 117,191 | - | 117,191 | 0.0% |
| **Total Budget Balance & Expenditures** | **$ 14,024,947** | **$ 17,128,828** | **$ 7,107,377** | **$ 10,021,451** | 41.5% |
| **Reserve Balances** | | | | | |
| Capital Asset Replacement Reserve | $ 464,145 | $ 460,920 | $ 485,882 | | |
| Library Reserve | $ - | $ - | $ - | | |
| Parkland/Recreation | $ 197,272 | $ 201,422 | $ 198,827 | | |

(1) Street program - Budget includes $2 million for street repaving and City Hall improvements to be completed over two years (FY12 & FY13). Will be funded by bond issue or commercial bank loan.

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**Water/Wastewater Improvement & Extension Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance - Water (Unaudited) | $ 1,139,872 | $ 1,139,872 | $ 1,537,774 | $ (397,902) | 134.9% |
| Beginning Balance - Wastewater (Unaudited) | $ 303,476 | $ 303,476 | $ 339,673 | $ (36,197) | 111.9% |
| **Revenues** | | | | | |
| Interest Earned | - | - | 22,435 | (22,435) | 0.0% |
| State Loan-Water | - | 1,923,489 | 1,923,489 | - | 100.0% |
| State Loan-Wastewater 2009 | 1,800,000 | 1,621,272 | 787,433 | 833,839 | 48.6% |
| State Loan-Wastewater 2011 | - | 765,060 | - | 765,060 | 0.0% |
| Transfer from Water Operating Fund for Water | 750,000 | 750,000 | 750,000 | - | 100.0% |
| Transfer from Wastewater Operating Fund for Wastewater | 1,000,000 | 1,000,000 | 1,000,000 | - | 100.0% |
| Transfer from Impact Fee Reserve - Wastewater | 262,840 | 867,032 | 760,270 | 106,762 | 87.7% |
| **Total Revenues** | 3,812,840 | 6,926,853 | 5,243,627 | 1,683,226 | 75.7% |
| **Total Beginning Balance & Revenues** | **$ 5,256,188** | **$ 8,370,201** | **$ 7,121,074** | **$ 1,249,127** | 85.1% |
| **Expenses** | | | | | |
| Water | $ 766,240 | $ 3,086,468 | $ 1,999,291 | $ 1,087,177 | 64.8% |
| Wastewater | 3,404,900 | 4,217,976 | 1,362,750 | 2,855,226 | 32.3% |
| Water Treatment Plant | 22,900 | 22,900 | 22,898 | 2 | 100.0% |
| Water Construction | 30,100 | 30,100 | 29,985 | 115 | 99.6% |
| **Total Expenses** | 4,224,140 | 7,357,444 | 3,414,924 | 3,942,520 | 80.8% |
| Budget Balance - Working Capital - Water | 1,070,632 | 673,893 | - | 673,893 | 0.0% |
| Budget Balance - Working Capital - Wastewater | (38,584) | 338,864 | - | 338,864 | 0.0% |
| **Total Budget Balances** | 1,032,048 | 1,012,757 | - | 1,012,757 | 0.0% |
| **Total Budget Balances & Expenses** | **$ 5,256,188** | **$ 8,370,201** | **$ 3,414,924** | **$ 4,955,277** | 40.8% |
| **Reserve Balances** | | | | | |
| Capital Asset Replacement - Water | $ 452,146 | $ 431,777 | $ 426,129 | | |
| Capital Asset Replacement - Wastewater | $ 473,524 | $ 473,020 | $ 472,565 | | |

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**Electric Improvement & Extension Fund Summary**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance (Unaudited) | $ 2,561,096 | $ 2,648,141 | $ 3,175,375 | $ (527,234) | 119.9% |
| **Revenues** | | | | | |
| Interest Earnings | 38,400 | 38,400 | 19,842 | 18,558 | 51.7% |
| Transfer from Electric Revenue Fund | 3,500,000 | 3,500,000 | 1,500,000 | 2,000,000 | 42.9% |
| Transfer from Insurance Stabilization | 70,730 | 70,730 | 70,730 | - | 100.0% |
| Transfer from Depreciation Reserve | 300,000 | 300,000 | 300,000 | - | 100.0% |
| **Total Revenues** | 3,909,130 | 3,909,130 | 1,890,572 | 2,018,558 | 48.4% |
| **Total Beginning Balance & Revenues** | **$ 6,470,226** | **$ 6,557,271** | **$ 5,065,947** | **$ 1,491,324** | 77.3% |
| **Expenses** | | | | | |
| Power Plant | $ 1,810,410 | $ 1,897,455 | $ 470,456 | $ 1,426,999 | 24.8% |
| Transmission/Distribution | 648,337 | 648,337 | 327,232 | 321,105 | 50.5% |
| Electrical Engineering | 1,790,716 | 1,790,716 | 1,136,649 | 654,067 | 63.5% |
| Meter Reading | 20,000 | 20,000 | - | 20,000 | 0.0% |
| **Total Expenses** | 4,269,463 | 4,356,508 | 1,934,337 | 2,422,171 | 44.4% |
| Budget Balance - Working Capital | 2,200,763 | 2,200,763 | - | 2,200,763 | 0.0% |
| **Total Budget Balance & Expenses** | **$ 6,470,226** | **$ 6,557,271** | **$ 1,934,337** | **$ 4,622,934** | 29.5% |
| **Reserve Balances** | | | | | |
| Depreciation Reserve | $ 10,018,155 | $ 9,918,621 | $ 9,719,835 | | |
| Future Capacity Reserve | $ 10,073,428 | $ 9,957,571 | $ 9,783,114 | | |

**City of Dover**
**Finance Department**
**Monthly Report – February 2012**

**Community Transportation Improvement Fund**

| | Budget | Revised Budget | YTD | Balance | 67% of Budget |
|---|---|---|---|---|---|
| Beginning Balance (Unaudited) | $ 312,651 | $ 312,651 | $ 435,160 | $ (122,509) | 139.2% |
| **Revenues** | | | | | |
| Grants Revenue | 1,900,000 | 1,900,000 | 221,861 | 1,678,139 | 11.7% |
| Transfer In Loan Proceeds | - | 1,750,000 | - | 1,750,000 | 0.0% |
| MSA Receipts | - | - | 132,130 | (132,130) | 0.0% |
| Interest Earned | 2,800 | 2,800 | 209 | 2,591 | 7.5% |
| **Total Revenues** | 1,902,800 | 3,652,800 | 354,200 | 3,298,600 | 9.7% |
| **Total Beginning Balance & Revenues** | **$ 2,215,451** | **$ 3,965,451** | **$ 789,360** | **$ 3,176,091** | 19.9% |
| **Expenses** | | | | | |
| Program Expenses | $ 2,200,000 | $ 2,200,000 | $ 6,100 | $ 2,193,900 | 0.3% |
| Program Expenses - City appropriated | - | 875,000 | 24,546 | 850,454 | 2.8% |
| Transfer to Capital Project Fund | - | - | 68,000 | (68,000) | 0.0% |
| **Total Expenses** | 2,200,000 | 3,075,000 | 98,646 | 2,976,354 | 3.2% |
| Budget Balance - Working Capital | 15,451 | 890,451 | - | 890,451 | 0.0% |
| **Total Budget Balances & Expenses** | **$ 2,215,451** | **$ 3,965,451** | **$ 98,646** | **$ 3,866,805** | 2.5% |

**CITY OF DOVER**
**SPECIAL REVENUE FUNDS**
**COMBINING STATEMENT OF REVENUES, EXPENDITURES**
**AND CHANGES IN UNRESERVED FUND**
**PERIOD ENDED FEBRUARY 29, 2012**

| | POLICE GRANTS | LIBRARY GRANTS (2) | CDBG/NSP HOUSING GRANTS | SUBSTANCE ABUSE PREV. GRANT (1) | TOTALS |
|---|---|---|---|---|---|
| **REVENUES:** | | | | | |
| State Grants received | $ 97,862 | $ 280,467 | $ - | $ 25,145 | $ 403,474 |
| Federal Grants received | 149,623 | 1,280 | 90,803 | - | 241,706 |
| Recreation revenue | - | - | - | 5,867 | 5,867 |
| Investment income (loss) | 149 | - | - | - | 149 |
| **TOTAL REVENUES** | $ 247,634 | $ 281,747 | $ 90,803 | $ 31,012 | $ 651,196 |
| **EXPENDITURES:** | | | | | |
| Program expenditures | $ 333,031 | $ 133,142 | $ - | $ 57,202 | $ 523,375 |
| Program expenditures - NSP | - | - | 55,505 | - | 55,505 |
| Program expenditures - CDBG | - | - | 133,898 | - | 133,898 |
| **TOTAL EXPENDITURES** | $ 333,031 | $ 133,142 | $ 189,403 | $ 57,202 | $ 712,778 |
| Excess (deficiency) of revenues over expenditures | $ (85,397) | $ 148,605 | $ (98,600) | $ (26,190) | $ (61,582) |
| Other financing sources (uses): Operating transfers-out | (20,448) | - | - | - | (20,448) |
| Excess (deficiency) of revenues and other financing sources over expenditures & other uses | $ (105,845) | $ 148,605 | $ (98,600) | $ (26,190) | $ (82,030) |
| **FUND BALANCE AT BEGINNING OF YEAR** | $ 415,403 | $ 47,472 | $ 73,368 | $ 16,326 | $ 552,569 |
| **FUND BALANCE AT END OF PERIOD** | $ 309,558 | $ 196,077 | $ (25,232) | $ (9,864) | $ 470,539 |

**Notes:**

**(1) Substance Abuse Prev. Grant:** This grant is on a reimbursement basis.

**(2) Library Grants** Library personnel were not able to expend all of the grant in FY 2011. A letter was written by the Department Head requesting permission to spend the grant out in FY 2012.

# *Dover Police Department*

*Monthly Report*

*To*

*Mayor and City Council*

*"To Protect and Serve"*

***February 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**

*March 16, 2012*

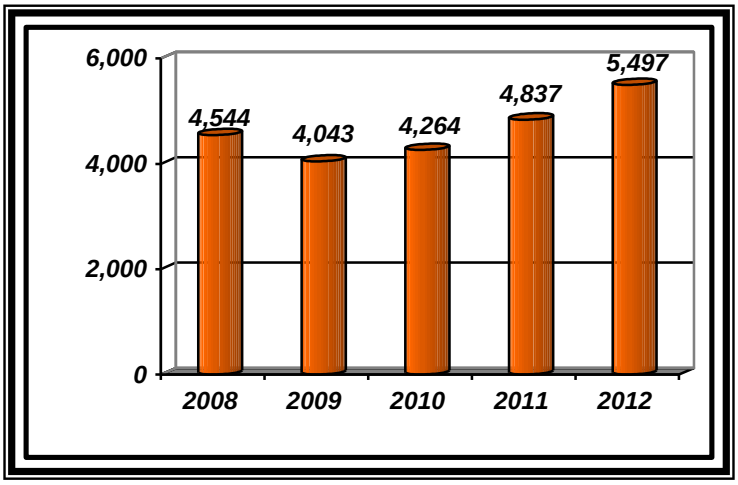
*Honorable Carleton E. Carey, Sr., Mayor*
*Members of Dover City Council*
*City Hall*
*Dover, DE 19901*

*Mayor Carey and Council Members:*

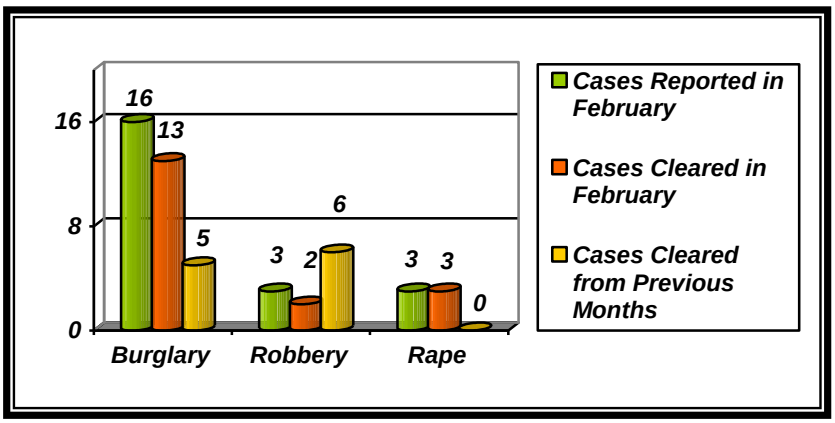
*The following is the report on Police Department activities for the month of February 2012:*

## *COMPLAINTS*

*Total complaints received through February 29th, numbered 5,497. This is an increase of 660 complaints over the same time period for last year.*




## *CRIMINAL INVESTIGATIONS*

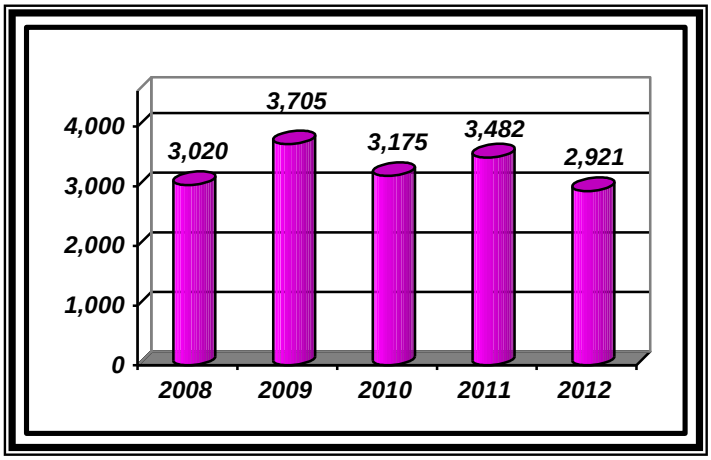


## *COMMUNITY POLICE SECTION*

| ENFORCEMENT ACTION | ARRESTS |
|---|---|
| ABANDONED VEHICLES | 0 |
| ALCOHOL VIOLATIONS/DUI'S | 3 |
| ASSIST OTHER | 0 |
| WARRANTS ON FILE | 1 |
| BIKE ON SIDEWALK | 1 |
| CITY PARK VIOLATIONS | 2 |
| CRIMINAL ARRESTS | 7 |
| DRUG RELATED ARRESTS | 0 |
| LOUD MUSIC | 1 |
| MISCELLANEOUS VIOLATIONS | 3 |
| PARKING VIOLATIONS | 7 |
| PEDDLER | 0 |
| MEETINGS | 46 |
| PROSTITUTION | 0 |
| COLLECTION OF DELINQUENT DCO'S | 0 |
| WANTED CHECKS/CPC'S | 10 |
| TRAFFIC ARRESTS | 17 |
| WARNINGS | 15 |
| FUGITIVE | 1 |
| **TOTAL ARRESTS** | 114 |

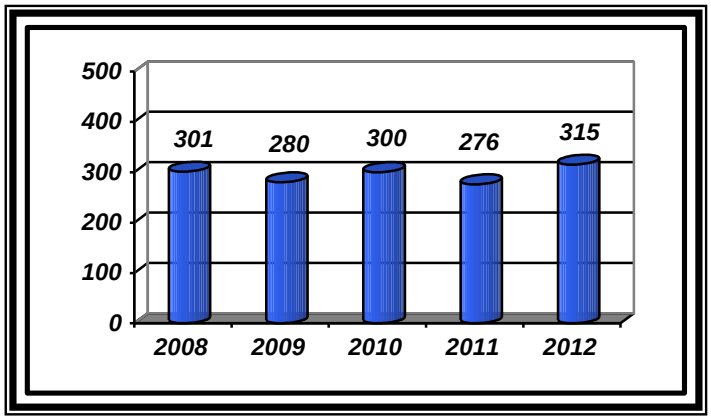
## *TRAFFIC ARRESTS*

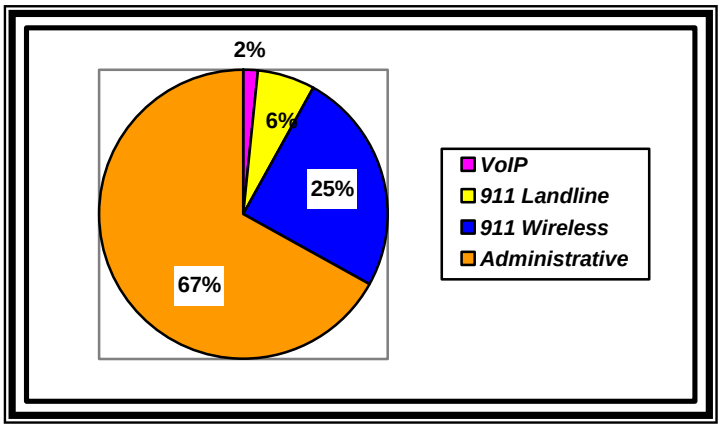
*The department issued 2,921 traffic citations through this reporting period. This is a decrease of 561 citations over the number issued during the same period last year.*




## *TRAFFIC CRASHES*

*Through February 29th, Dover Police investigated 315 traffic crashes. This is an increase of 39 accidents investigated during the same period last year.*



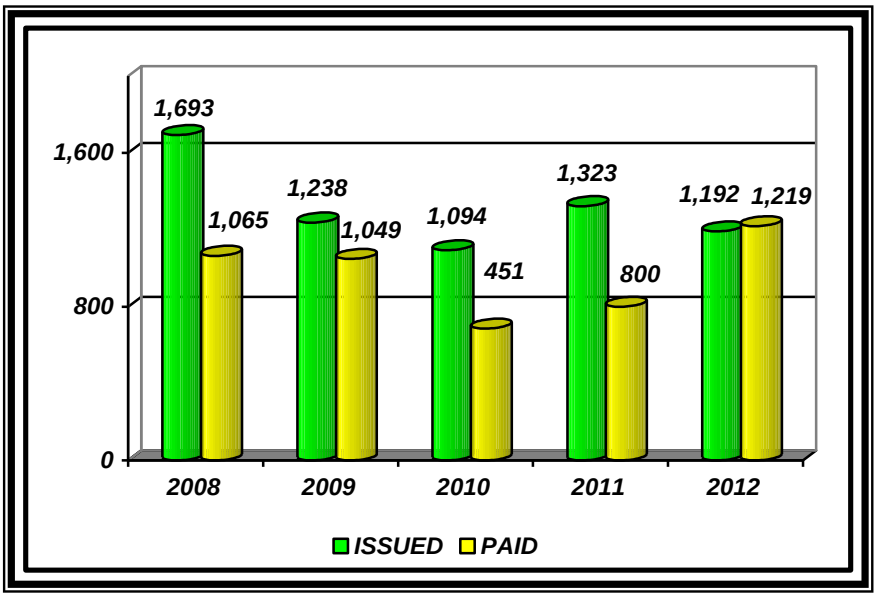



## *911 CENTER*

*During the month of February, our 911 Center handled a total of 9,126 calls averaging 315 calls per day. Dispatchers handled 2,268 calls on the 911 wireless lines, an average of 79 calls per day, 590 calls on the 911 landlines, an average of 21 calls per day, and 147 calls on the Voice Over Internet Protocol lines an average of 6 calls per day.*

## *CITY ORDINANCE SUMMONS*

*Through February 29th, we issued 1,192 city ordinance summons, a decrease of 131 summons over February of last year. *Note: of those summonses issued in February, 19 were issued for handicapped parking violations, 9 for fire lane parking violations, 18 for false alarms (15 for 3-5 alarms, 2 for 6-9 alarms, 1 for 10-15 alarms, and 0 for 16 or more alarms) and 6 for noise violations (4 for vehicle violations and 2 for residence violations).*




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

- *On Monday, February 6, 2012, at 2000 hours, an unknown, white male entered a local department store and approached the jewelry counter where he handed the cashier a pillow case and demanded jewelry. The suspect then opened his jacket and displayed a handgun in his waistband. The subject then fled the store in an unknown direction. Subsequently, on Tuesday, February 14, 2012, Dover Officers observed the subject in the 300 block of W. Division Street attempting to sell the jewelry. Officers recovered a bag that contained a large amount of jewelry with price tags still on the merchandise. The subject was taken into custody and the jewelry was later positively identified by store employees as the items that were stolen during the armed robbery.*

- *On Monday, February 6, 2012, at approximately 0125 hours, an unknown black male wearing blue jeans and a white shirt used a cinder block to break a sliding glass door and gain entry into a residence in the 400 block of S. Governors Ave. Once inside, the suspect removed a flat screen television and fled on foot. On February 8, 2012, the investigation led to the arrest of a twenty-eight year old subject for this burglary.*

- *On February 7, 2012, at approximately 2300 hours, a twenty-six year old subject of Dover, was contacted by a Dover Officer as he was walking on Walker Road near Pear Street. The subject was found to be in possession of a .25 caliber handgun, which was concealed in his jacket as well as 52 grams of marijuana. The subject was taken into custody by the officer and charged.*

- *On February 8, 2012, at approximately 1845 hours, Dover Officers responded to a report of an explosion in the parking lot of a local shopping center. Officers arrived and observed what appeared to have been a homemade incendiary device, a soda bomb, which exploded between two parked vehicles. Both the City and State Fire Marshal's responded to the scene and rendered the area safe. The evidence was collected for processing by the Dover Police Criminal Investigation Unit. Several of these incidents have recently occurred in the downstate area.*

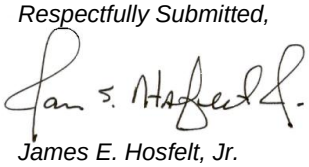
- *On February 24, 2012, officers from the Sex Offender Unit were conducting sex offender verifications. They discovered that a subject did not verify his address with the State Bureau of Identification for the month of January, 2012. His last registered address was verified and it was discovered that he no longer resides there. The subject is a Tier 3 sex offender and is required to register his address with the State Bureau of Identification. A warrant has been obtained for the thirty-one year old subject.*

- *On Friday, February 24, 2012, at approximately 2200 hours, a subject made an unauthorized entry into an apartment at a local apartment complex and set fire to the master bedroom prior to fleeing. The apartment was unoccupied; however, numerous adjacent apartments were inhabited. There are a total of twenty-four apartments within this building. The fire caused extensive damage to the apartment and additional damage occurred to neighboring apartments when the Dover Fire Department extinguished the fire. An investigation by Dover Officers and the City of Dover Fire Marshalls Office determined that the subject was on scene when the incident occurred and had set the fire. She was subsequently arrested and is incarcerated.*

- *On Friday, February 24, 2012, at approximately 2345 hours, two unidentified black males, who concealed their faces, entered a restaurant brandishing a pistol and an assault rifle. The subjects then threatened three employees with the weapons and forced them to hand over U.S. currency. The subjects fled from the restaurant to an unknown area.*

- *On Saturday, February 25, 2012, from 1300-1600 hours, the Dover Police Department hosted a "How to Succeed" seminar. The seminar was designed for those who are currently participating in the hiring process and for those who may be considering a career in law enforcement. The seminar outlined the comprehensive hiring process which encompassed the submission of the initial application and commenced with the prospect of being selected for the police academy.*

*Respectfully Submitted,*



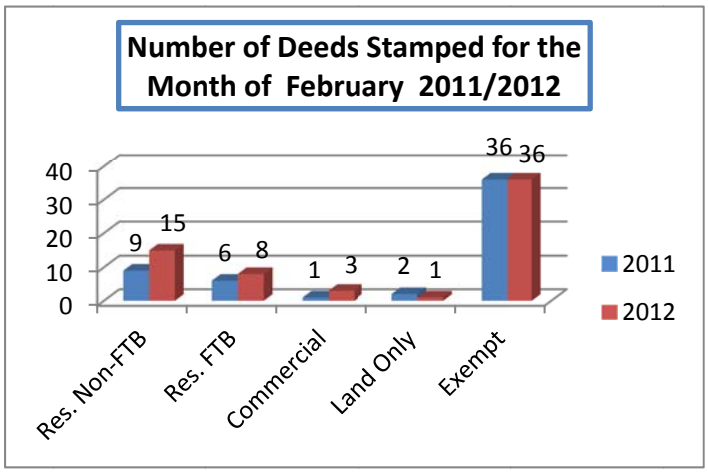
*James E. Hosfelt, Jr.*
*Chief of Police*

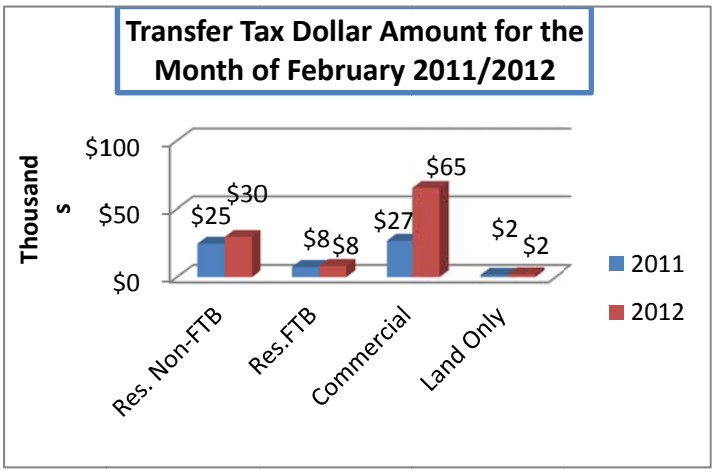
*JEH:sbf*

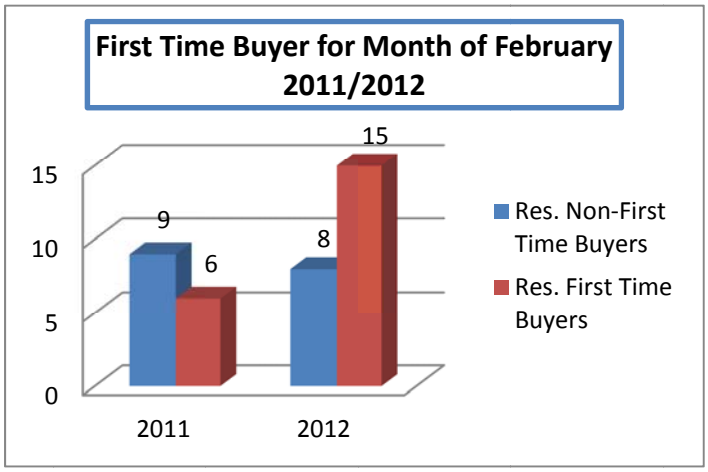
# Monthly Report
# February 2012

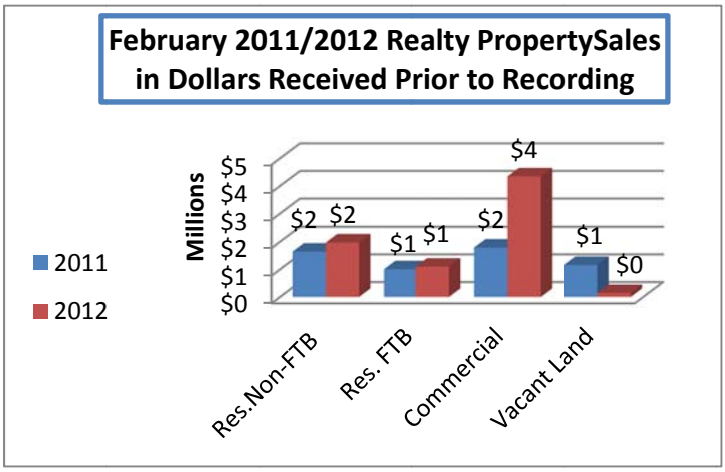
Office of City Assessor

# Assessor's Report




## Major Updates

| | Dec - 11 | Jan - 12 | Feb - 12 |
|---|---|---|---|
| Assessment Change | **$3,147,900** | **$333,500** | **$ 779,500** |

## Residential Sales Ratio Report

| Sales in Study | Total Assessed Value | Total Sale Price | Ratio | PRD |
|---|---|---|---|---|
| **6** | **$864,800** | **$795,700** | **1.09** | **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.

# City of Dover Sales Ratio Report for February 2012

| PARID | Address | Total Assessed Value | Sales DT | Sales Price | ASR |
|---|---|---|---|---|---|
| ED05-075.08-01-47.00 | 208 FALMOUTH WAY | $210,800 | 1-Feb-12 | $235,000 | 0.90 |
| ED05-076.13-02-51.03 | 217 CHARRING CROSS | $150,800 | 28-Feb-12 | $128,000 | 1.18 |
| ED05-077.06-02-27.00 | 711 S HALSEY RD | $146,000 | 15-Feb-12 | $107,000 | 1.36 |
| ED05-077.11-04-37.00 | 496 BARRISTER PL | $70,700 | 16-Feb-12 | $55,000 | 1.29 |
| ED05-077.17-04-19.00 | 152 PINE ST | $135,900 | 7-Feb-12 | $132,500 | 1.03 |
| LC05-068.10-01-64.00 | 428 EAST WIND DR | $150,600 | 7-Feb-12 | $138,200 | 1.09 |
| | | $864,800 | | $795,700 | 6.84 |

# CITY MANAGER'S MONTHLY REPORT



# FEBRUARY 2012

# Monthly Highlights

**Customer Services**

- In the month of February we processed 1,662 payments as of February 29, 2012.
- City of Dover property taxes were due July 31, 2011 (July 31 in 2011 was a Sunday). As of January 31, 2012 the delinquent property taxes total 694,786.73 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. Currently, there are approx 70 properties selected for processing.

**Human Resources**

- Began contract negotiations with the FOP.

**Parks, Recreation & Library**

Library
- 1,337 children attended 27 children's programs & 19 teens attended 3 teen programs.
- Job Center noted 43 participants this month.

Parks & Recreation
- Silver Lake/St. Jones Restoration project is underway along the stream that runs from the dam towards Division Street.

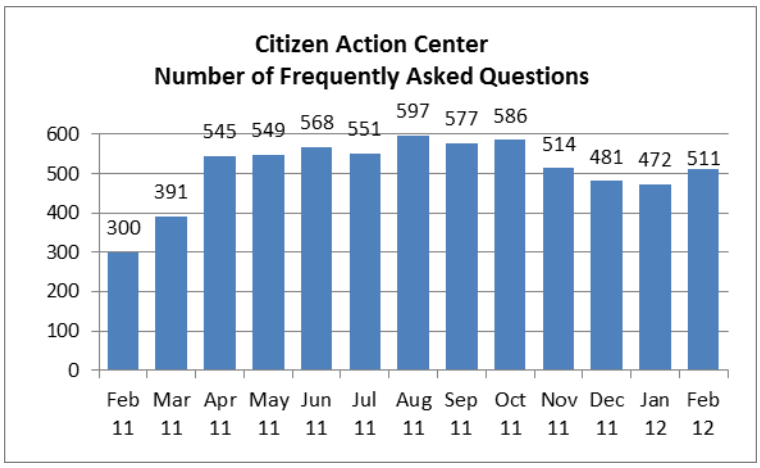
**Public Works**

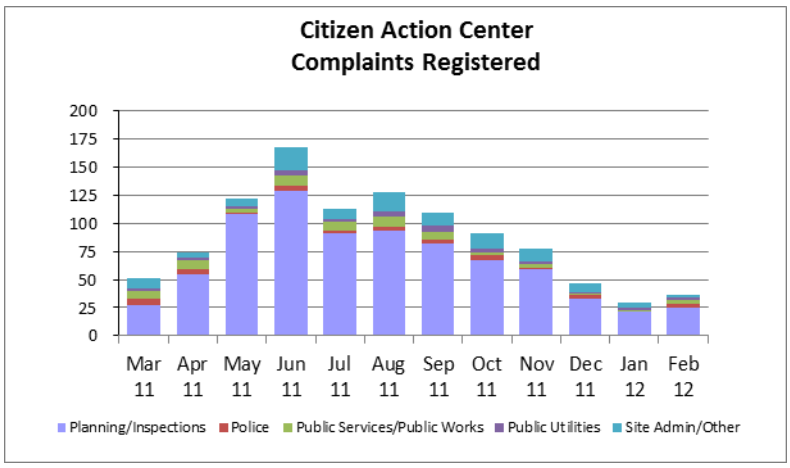
- Working on CIP and additional funding for future street program and other projects.

**Electric**

- Between the end of January and the month of February, the Electric Division went 32 consecutive days with no power interruptions. This is an all-time best!

# PUBLIC AFFAIRS



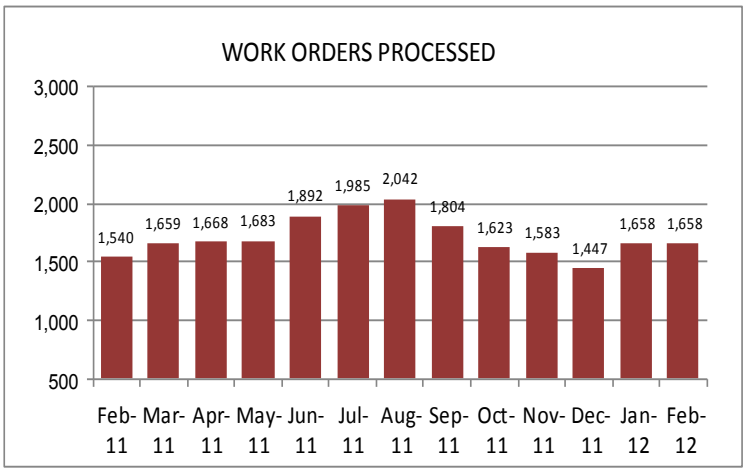

**AVERAGE TIME TO CLOSE COMPLAINTS RECEIVED - January 2012**

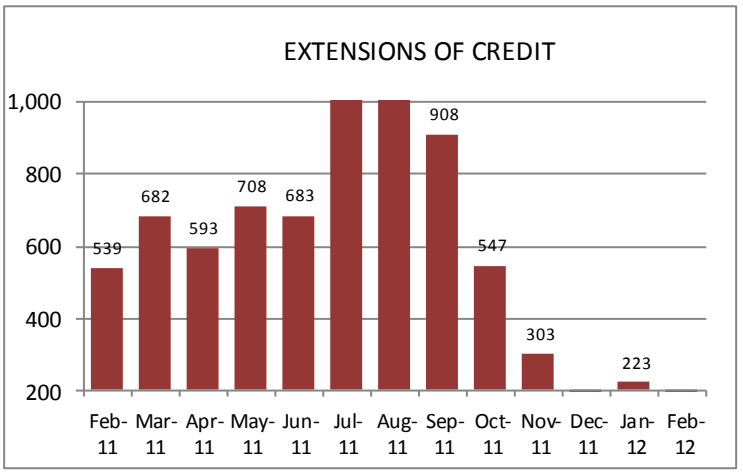
| Department | Total # Complaints | # Of Days |
|---|---|---|
| **Planning/Code Enforcement** (property code violations) | 25 | 2.7 days |
| **Police** (community policing) | 3 | 2.6 days |
| **Public Services**<br>- Grounds<br>- Sanitation<br>- Streets | <br>1<br>2<br>1 | 2.1 days |
| **Public Utilities** | 2 | 2.8 days |
| **Site Admin/Other Departments** | 2 | 2.1 days |

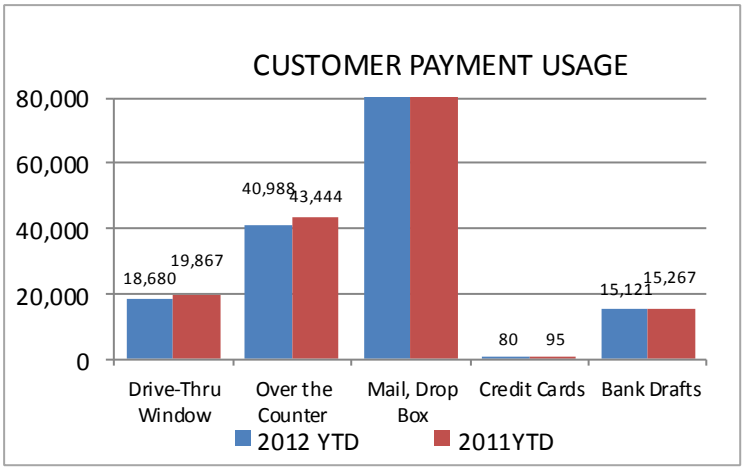
## Social Media

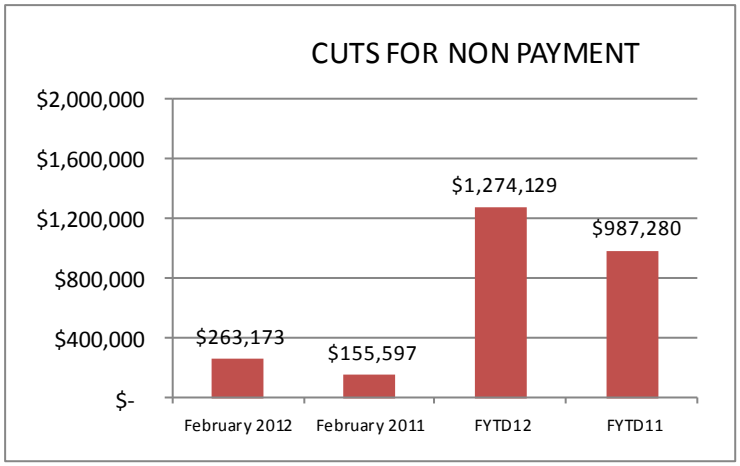
| OTHER ACTIVITIES | FEB 11 | MAR 11 | APR 11 | MAY 11 | JUNE 11 | JULY 11 | AUG 11 | SEPT 11 | OCT 11 | NOV 11 | DEC 11 | Jan 12 | FEB 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Facebook - New Posts | 38 | 42 | 37 | 34 | 29 | 17 | 29 | 22 | 21 | 17 | 9 | 11 | 12 |
| Facebook - Page Views | 1,903 | 2,114 | 2,206 | 2,217 | 2,276 | 2,196 | 2,776 | 2,796 | 2,777 | 2,198 | 2,966 | 3,112 | 3,341 |
| Facebook - Replies to questions | 16 | 19 | 11 | 12 | 16 | 13 | 26 | 14 | 11 | 17 | 9 | 11 | 7 |
| Press Releases | 3 | 5 | **4** | 6 | 16 | 11 | 19 | 11 | 13 | 11 | 3 | 5 | 7 |
| Ceremonial Documents | 12 | 17 | 20 | 19 | 18 | 17 | 11 | 24 | 22 | 19 | 16 | 19 | 17 |

# *CUSTOMER SERVICES*



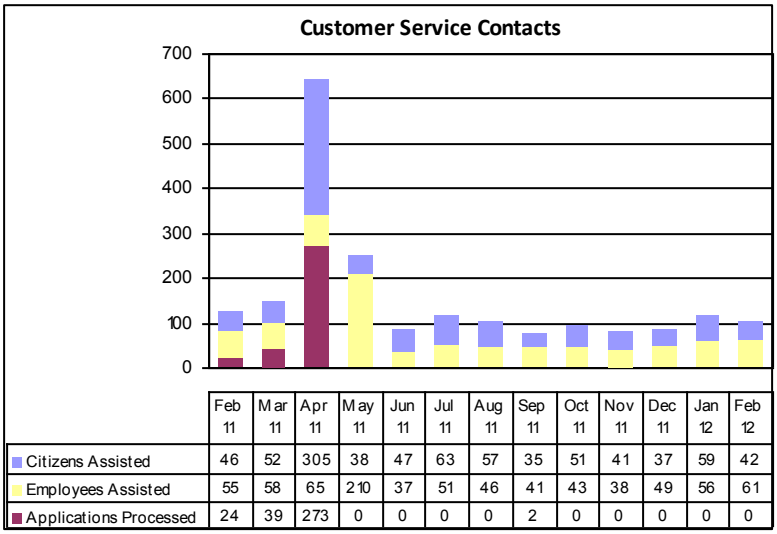




| Major Program Updates | Feb 2012 | Feb 2011 | Difference | FY 2012 Year-to-Date | FY 2011 Year-to-Date |
|---|---|---|---|---|---|
| Number of Customers Served | 20,526 | 22,483 | (1,957) | 188,281 | 198,548 |
| Final Bills | 632 | 588 | 44 | 5,319 | 5,179 |
| Estimated Bills | 147 | 141 | 6 | 1,242 | 1,155 |
| Penalties Posted | $ 15,173 | $ 10,340 | $ 4,833 | $ 149,208 | $ 171,867 |
| Extensions of Credit - Amount Extended | $ 62,781 | $ 197,136 | $ (134,355) | $ 1,366,833 | $ 1,594,284 |
| Balance Transfers | $ 381 | $ 251 | $ 130 | $ 12,124 | $ 18,888 |
| Utility Collections | $ 19,253 | $ - | $ 19,253 | $ 226,571 | $ 184,509 |
| Special Assessments | $ 110 | $ 225 | $ (115) | $ 220 | $ 7,559 |
| Miscellaneous Billings | $ 94,822 | $ 76,383 | $ 18,440 | $ 1,123,085 | $ 944,039 |
| CNP through Disconnect Collars | $ 28 | 9 | 19 | 121 | 64 |
| Court Cases | - | - | - | - | - |
| Tamperings | 6 | 2 | 4 | 39 | 31 |
| Taxes Levied (includes carry forward) | $ 694,787 | $ 662,707 | $ 32,080 | $ 6,253,554 | $ 5,736,701 |
| Billing Adjustments | $ 3,906 | $ 0 | $ 3,906 | $ 24,076 | $ (222,224) |
| Total Taxes Collected | $ 61,750 | $ 99,071 | $ (37,321) | $ 10,420,595 | $ 9,747,251 |
| Taxes Outstanding | $ 629,131 | $ 563,635 | $ 65,496 | $ 9,453,401 | $ 6,546,146 |
| Payments in Lieu | $ - | $ 1,500 | $ (1,500) | $ - | $ 12,000 |
| Billing Accuracy (on schedule billings) | 99.0% | 99.0% | - | 99.0% | 99.0% |
| Bills Published on Schedule | 99.0% | 99.9% | - | 99.9% | 99.9% |
| Meters Read on Schedule | 99.9% | 99.9% | - | 99.9% | 99.9% |
| Customer Satisfaction Rating | 99.9% | 99.7% | - | 99.7% | 99.7% |
| Delinquent Accounts Collected | 99.7% | 99.8% | - | 99.8% | 99.8% |

# *HUMAN RESOURCES*




| | Feb 11 | Mar 11 | Apr 11 | May 11 | Jun 11 | Jul 11 | Aug 11 | Sep 11 | Oct 11 | Nov 11 | Dec 11 | Jan 12 | Feb 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Citizens Assisted | 46 | 52 | 305 | 38 | 47 | 63 | 57 | 35 | 51 | 41 | 37 | 59 | 42 |
| Employees Assisted | 55 | 58 | 65 | 210 | 37 | 51 | 46 | 41 | 43 | 38 | 49 | 56 | 61 |
| Applications Processed | 24 | 39 | 273 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 |

| Category | Feb 11 | Mar 11 | Apr 11 | May 11 | June 11 | July 11 | Aug 11 | Sep 11 | Oct 11 | Nov 11 | Dec 11 | Jan 12 | Feb 12 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Caucasian* | 314 | 315 | 316 | 316 | 313 | 310 | 306 | 302 | 299 | 299 | 299 | 295 | 293 | N/A |
| Minorities* | 61 | 61 | 63 | 63 | 63 | 63 | 63 | 63 | 62 | 61 | 59 | 59 | 61 | N/A |
| Hired | 1 | 1 | 5 | 1 | - | - | - | 1 | - | 1 | - | - | 2 | 12 |
| Terminated/Resigned/ Retired | - | - | 2 | 1 | 2 | 3 | 4 | 5 | 4 | 2 | 2 | 4 | 3 | 32 |
| Transferred/Promoted | - | - | - | - | - | - | - | - | - | 2 | - | - | - | 2 |
| Jobs Posted | - | 1 | 3 | - | - | - | 1 | - | - | - | - | - | - | 8 |
| Workers Comp. Injuries | 2 | 2 | 5 | 5 | 5 | 4 | 7 | 4 | 2 | 9 | 4 | 3 | 3 | 59 |
| Workers Comp. Hours | 445 | 336 | 438 | 50 | 46 | 63 | 135 | 263 | 565 | 369 | 418 | 315 | 222 | 3,803 |
| Insurance Claims | 3 | 6 | 8 | 2 | 5 | 3 | 10 | 1 | 2 | 1 | 2 | 1 | 2 | 47 |

**Full-time Employees: 340** **Part-time Employees: 11 (4 Pitts Center, 1 Recreation, 6 Library)**

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

**Resigned:** Water Service Person, Library Clerk II (PT)

## Recruitment Information

| Position | Total | Female | Male | Black | White | Hispanic | Asian/Pacific Islander | American Indian/Alaskan Native | Unknown | In Dover | Ou Dov |
|---|---|---|---|---|---|---|---|---|---|---|---|
| No Positions Posted | | | | | | | | | | | |

## Unfilled/Open Positions by Department*

| Unfilled/Open Positions By Department | Feb 11 | Mar 11 | Apr 11 | May 11 | Jun 11 | July 11 | Aug 11 | Sept 11 | Oct 11 | Nov 11 | Dec 11 | Jan 12** | Feb 12 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Electric | 4 | 3 | 3 | 2 | 2 | 2 | 3 | 4 | 4 | 5 | 5 | 5 | 5 |
| Public Works | 1 | 1 | 1 | 2 | 3 | 1 | 1 | 3 | 3 | 5 | 5 | 9 | 11 |
| Police | 2 | 2 | - | - | - | 4 | 4 | 4 | 5 | 3 | 3 | 3 | 1 |
| All Other Departments | 3 | 3 | 4.5 | 4.5 | 7.5 | 5 | 6.5 | 8.5 | 12 | 10.5 | 12.5 | 11.5 | 12 |
| **Totals** | **10** | **9** | **8.5** | **8.5** | **12.5** | **12** | **14.5** | **19.5** | **22.5** | **23.5** | **25.5** | **28.5** | **29** |

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

Human Resources Clerk on terminal leave (included in totals).

**Electric:** Substation Technician, Journeyman – 1st Class Lineman, Substation Relay Foreman, Public Utilities Director, Dept. Budget & Support Supervisor

**Public Works:** Water Service Person, Motor Equipment Operator II/Water, Heavy Equipment Operator II, Field Supervisor I - Streets, and (2) MEO I & (1) MEO II – Sanitation, Public Services Manager, Custodian I (1), Custodian II, Facilities Management - Craftsperson II,

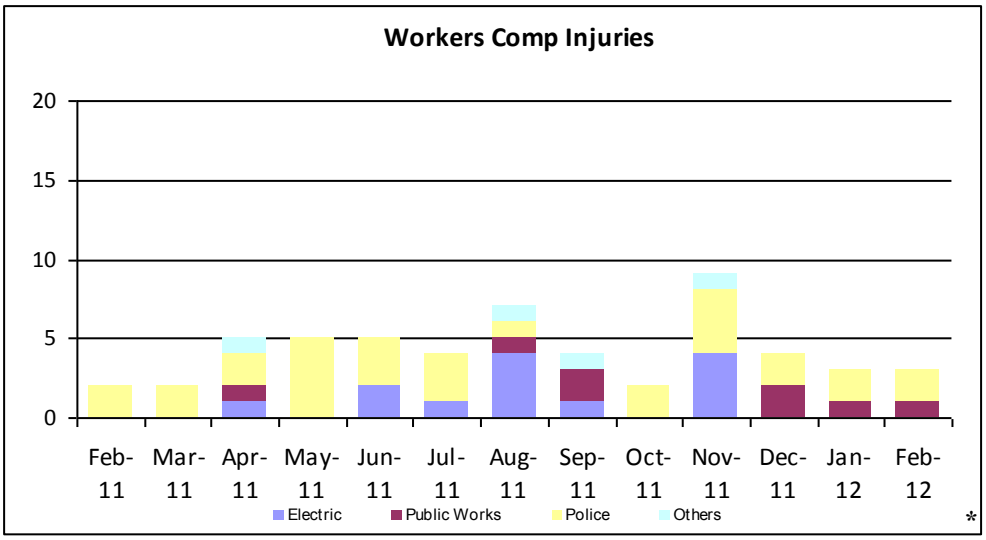
**Police:** Police Officer

**All Other Departments:** Sr. LAN Analyst (due to A. Siegel currently acting as IT Director), LAN Analyst, Human Resources Clerk, Human Resources and Safety Coordinator, Senior City Administrator, (2) Library Clerk (PT), (2)Library Page (PT), Administrative Assistant - Clerk's Office, Planner II, Fire Dispatcher, Central Services Director, Central Mailroom Clerk

# *HUMAN RESOURCES*
# continued

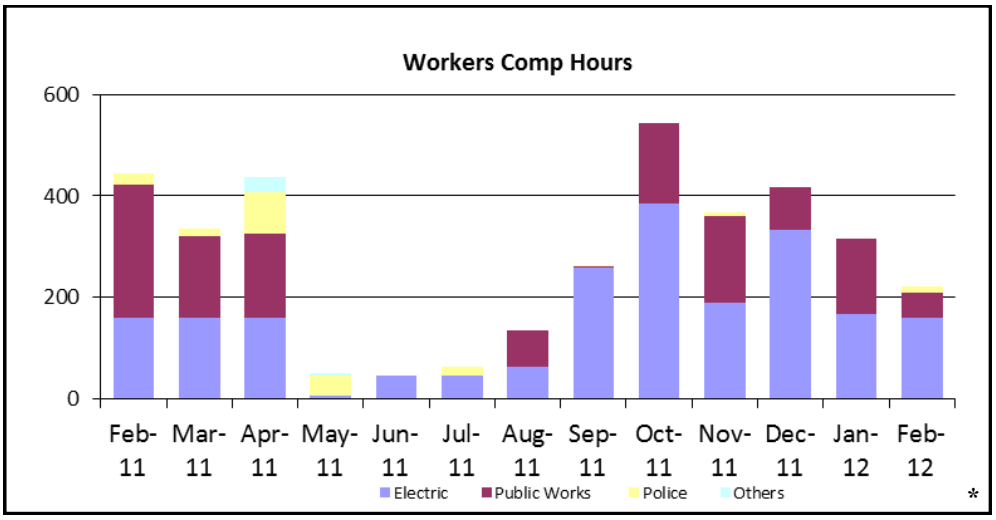
**Bonus Programs by Month**

| Bonus Program Category | Feb 11 | Mar 11 | Apr 11 | May 11 | Jun 11 | July 11 | Aug 11 | Sept 11 | Oct 11 | Nov 11 | Dec 11 | Jan 12 | Feb 12 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Stop Program-*Sensibly Taking Off Pounds(weigh-ins)* | 27 | 17 | 6 | 21 | - | 15 | 4 | 5 | 22 | 5 | 8 | - | 13 | 143 |
| 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**

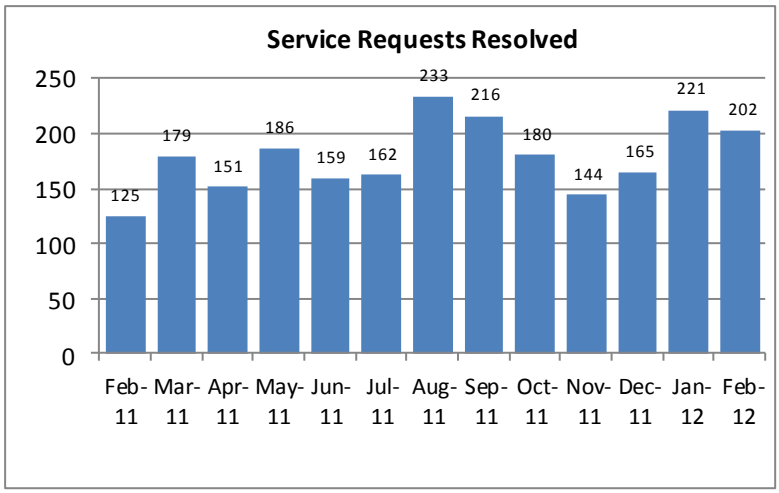
Electric: 0 Public Works: 1 Police: 2 All Other Depts.: 0

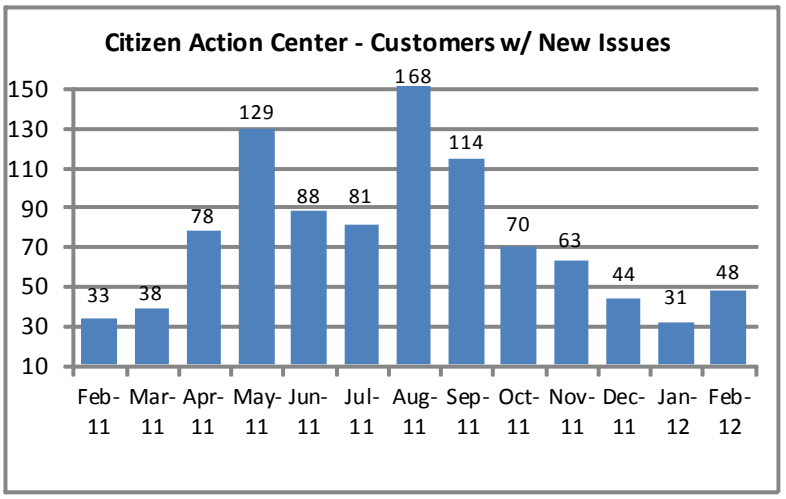


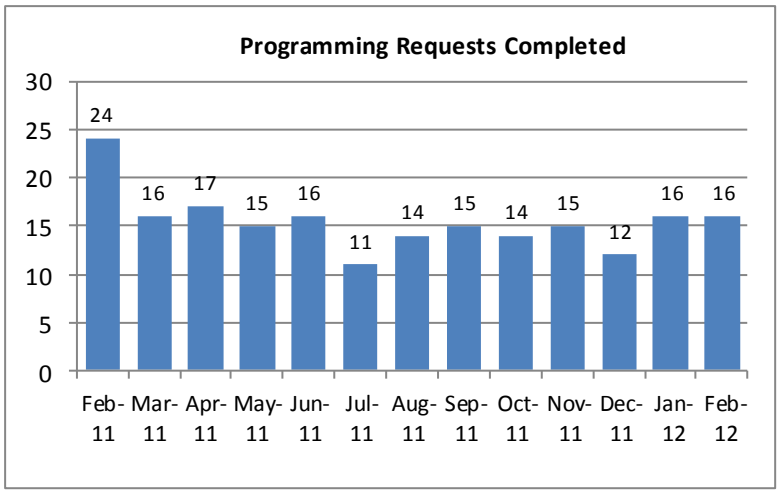

*** Organization Change**

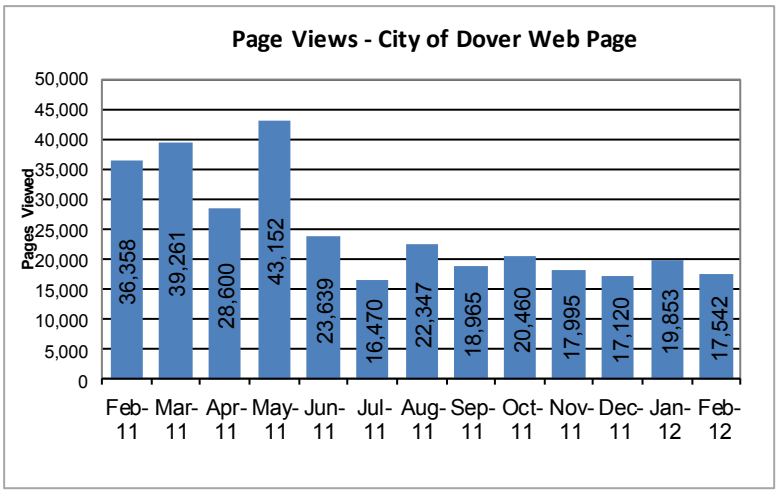
Electric: 160 Public Works: 50 Police: 12 All Other Depts.: 0

# *INFORMATION TECHNOLOGY*



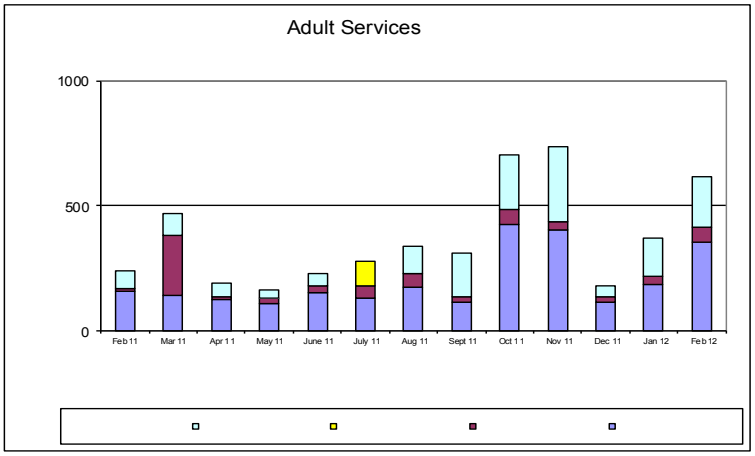




| Performance Indicators | Current Month | Last Month | Same Month Last Year |
|---|---|---|---|
| iSeries Availability | 100% | 100% | 100% |
| Server Availability | 100% | 100% | 100% |
| AS/400 Connections *(concurrent/authorized users)* | N/A | N/A | N/A |
| PCs Supported | 343 | 343 | 334 |
| Scheduled PCs Replaced | - | - | - |
| Servers Supported | 16 | 16 | 15 |
| People Trained | 16 | 4 | 5 |

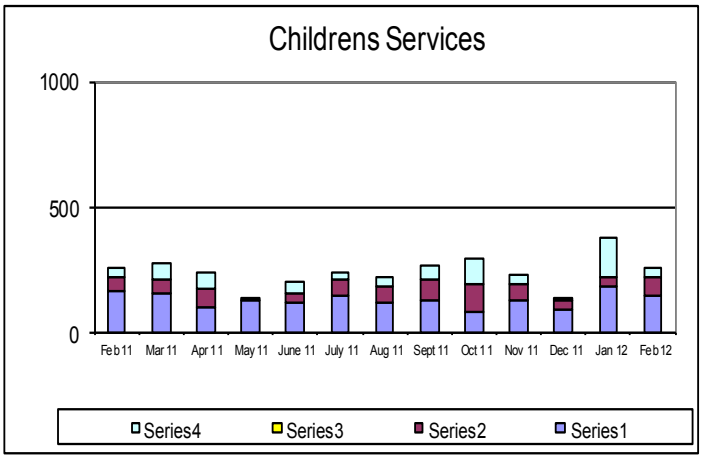
Availability Statistics based on 7:00 AM until 5:00 PM Monday—Friday

# *PARKS, RECREATION & LIBRARY*

## Library




Reference – 353 Reader's Advisory – 61
Electronic Assistance – 204;




Reference - 144; Reader's Advisory – 73
Electronic Assistance – 35; Outreach – 0

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

| Circulation | February12 | | FYTD 12 | | February11 | | FYTD 11 |
|---|---|---|---|---|---|---|---|
| Dover residents | 15,010 | | 129,739 | | 15,716 | | 135,688 |
| Ebooks (began 12/2011) | 722 | | 1,734 | | *New for 2012* | | |
| Kent residents* | 13,597 | | 114,065 | | 14,607 | | 120,876 |
| Non-county residents | 2,214 | | 14,376 | | 1,603 | | 11,835 |
| **Registrations** | | | | | | | |
| Dover residents | 185 | | 1,550 | | 198 | | 1,833 |
| Kent residents* | 78 | | 632 | | 70 | | 767 |
| Non-county residents | 9 | | 78 | | 7 | | 81 |
| **Other** | | | | | | | |
| Visiting Patrons | 26,737 | | 244,109 | | 28,971 | | 244,909 |
| Meeting Room Usage** | 60 | | 500 | | 400 | | 2,020 |
| Photocopier Usage | 1,777 | | 10,958 | | 1,680 | | 12,552 |
| Dial-A-Story | 438 | | 7,096 | | 980 | | 9,328 |
| Computer Usage | 3,720 | | 32,698 | | 3,889 | | 35,312 |
| Holds (Total) | 6,515 | | 55,892 | | 5,945 | | 54,156 |

***Breakout of Kent County Residential Statistics**

| Circulation | Registrations |
|---|---|
| Harrington: 88 | Harrington: 0 |
| Smyrna: 849 | Smyrna: 6 |
| Milford: 92 | Milford: 0 |
| Outside City Limits: 12,568 | Outside City Limits: 72 |

**Total Registered Users: (Card Holders)**

City: 18,112 Kent County: 13,479 Outside Kent County: 1,123

**Other Points of Interest:**

Inter/Interlibrary***: 0 items loaned out
30 items borrowed

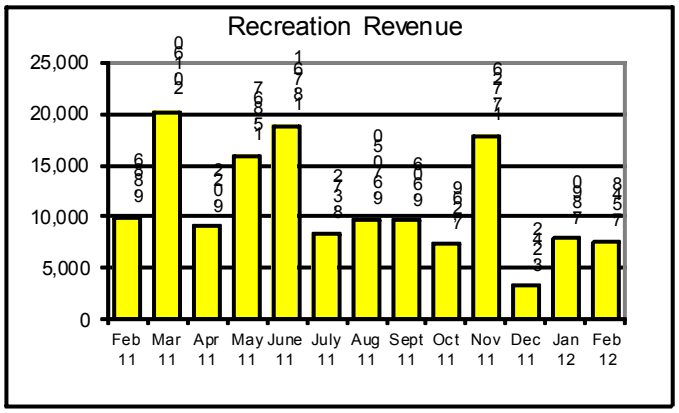
Technical services: 1,853 items added
1,182 items deleted

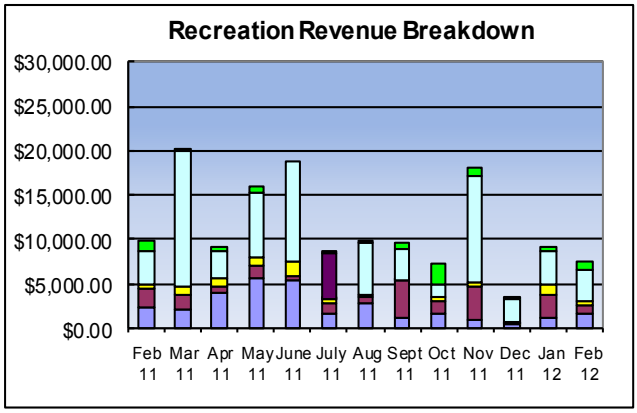
Volunteers: 559 hours of service completed

***** Meeting Room Usage***

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

## Parks and Recreation

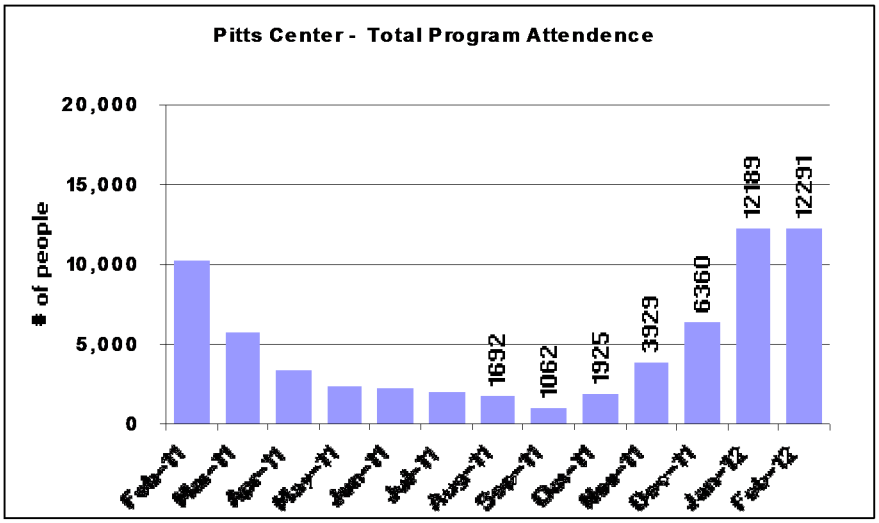



Year To Date Revenue Comparison
FY11 $68,050 vs FY12: $68,569

General – $1,606
Rental Payments – $937
Sports – $350
Leagues – $3,635
Trips – $1,020

| Rentals | FEBRUARY12 | | FYTD 12 | | FEBRUARY11 | | FYTD 11 |
|---|---|---|---|---|---|---|---|
| Baseball/Softball Field Rentals* | 1 | | 99 | | 0 | | 111 |
| Dover Park Pavilions (2) | 0 | | 48 | | 0 | | 18 |
| Multipurpose/Field Hockey Field Rentals* | 0 | | 22 | | 0 | | 54 |
| Recreation Center – Dover Park | 11 | | 97 | | 14 | | 128 |
| Silver Lake Pavilions (2) / Schutte (1) | 2 | | 21 | | 2 | | 34 |
| Soccer Field Rentals* | 0 | | 6 | | 0 | | 9 |
| Stage – Mobile Platform | 0 | | 15 | | 0 | | 19 |
| *These numbers reflect groups that utilized our facilities during July.* | | | | | | | |
| **Dover Park Program Attendance*** | **FEBRUARY12** | | **FYTD 12** | | **FEBRUARY11** | | **FYTD 11** |
| No program activities took place in Dover Park during February 2012. | | | | | | | |
| *This number reflects activities that took place in January. (Not included on the JWP report.)* | | | | | | | |




**FREE Open Gym Registration Cards*** - through 12/31/2011
Total Cards Issued: **4,788**
City Residents: 2,126 - (44%)
Non-City Residents: 2,662- (56%)
- Kent County: 2,193 - (46%)
- Sussex County: 149 - (3%)
- New Castle County: 106 - (2%)
- Out of State: 214 - (4%)

**The cards permit entrance to the facility during scheduled Public Open Gym Periods at no charge.*

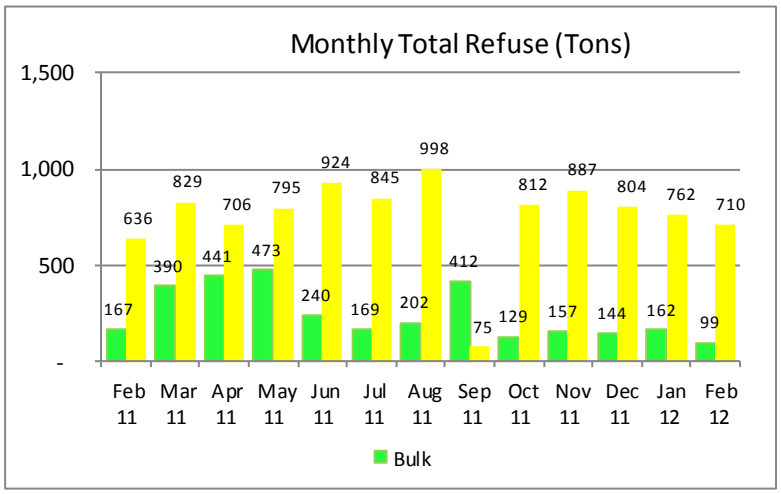
# PUBLIC WORKS

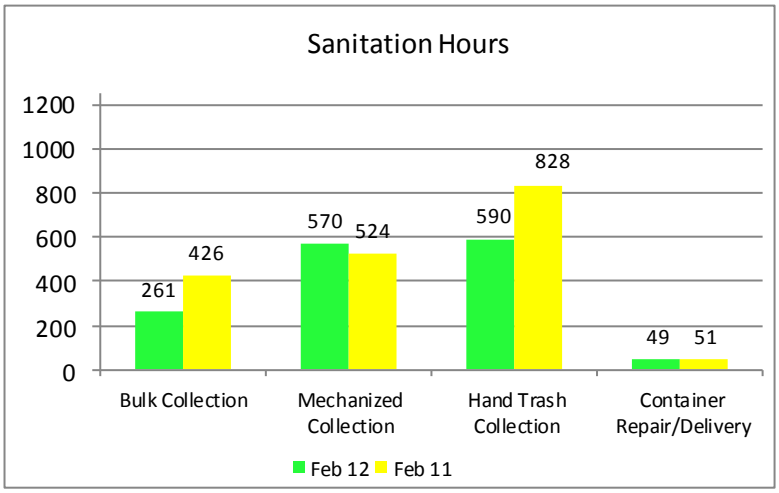
## Administration

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




| | FEBRUARY 12 | FYTD 12 | FEBRUARY 11 | FYTD 11 |
|---|---|---|---|---|
| Trips to DSWA Sandtown Landfill | 170 | 1437 | 188 | 1,639 |
| Total Tonnage to DSWA | 808.76 | 8037.96 | 917.53 | 9,403.72 |
| 90-Gallon Containers Delivered | 17 | 153 | 22 | 161 |
| 300-Gallon Containers Delivered | 6 | 29 | 7 | 37 |
| Total Man Hours-containers Delivered | 49 | 359 | 51 | 426 |

| CURBSIDE RECYCLING STATS | TOTAL # OF HOUSEHOLDS COLLECTED | TOTAL # OF AC-COUNTS | WEIGHT/LBS. | AVE. LBS. |
|---|---|---|---|---|
| February 2012 | 17,796 | 8,553 | 246,300 | 1.84 |

| Streets | FEBRUARY 12 | FYTD 12 | FEBRUARY 11 | FYTD 11 |
|---|---|---|---|---|
| Signed Installed | 74 | 215 | 35 | 171 |
| Signs Repaired | 14 | 137 | 38 | 175 |
| Curbs Painted Yellow (feet) | 0 | 942 | 100 | 948 |
| New Post Installed | 3 | 49 | 14 | 64 |
| Storm Catch Basins Repaired | 16 | 47 | 0 | 30 |
| Storm Catch Basin Repairing (Hrs.) | 96 | 238 | 0 | 196 |
| Storm Catch Basins Cleaned | 126 | 2,063 | 180 | 253 |
| Storm Catch Basins Cleaning (Hrs.) | 196 | 877 | 225 | 335 |
| Hot Mix Patching (Tons) | 0 | 63 | 2 | 95 |
| Hot Mix Patching (Hrs.) | 0 | 420 | 4 | 355 |
| Cold Mix Patching Hrs.) | 170 | 431 | 38 | 262 |
| Concrete Work (Hrs) | 0 | 544 | 0 | 221 |
| Concrete Patching (Cubic Yards) | 0 | 1 | 0 | 37 |
| Street and Alley Maintenance (Hrs) | 160 | 1,344 | 147 | 1,236 |
| Ditch Work (Hrs). | 0 | 64 | 0 | 65 |
| Street Sweeping (Miles) | 1,350 | 6,905 | 962 | 6,591 |
| Street Sweeping (Cubic Yards) | 24 | 1,376 | 0 | 1,359 |
| Leaves Collected (Cubic Yards) | 24 | 14,698 | 0 | 8,525 |
| Leaf Collection (Miles) | 12 | 5,194 | 0 | 5,745 |

## Grounds

| Arborist Crew | FEBRUARY 2012 | FEBRUARY 2011 |
|---|---|---|
| Trees Trimmed | 118 | 94 |
| Trees Removed | 14* | 19 |
| Trees Planted | 20 | 0 |
| Stumps Removed | 2 | 0 |

*****Including a couple of large hazardous trees along the Fox Hall ditch

- Chipped brush for the contractor working at Silver Lake Park from tree removals along the St. Jones River.
- Removed all fallen trees in ditches between the detention pond at Bicentennial Village and Salisbury Road to keep storm water flowing.
- Began a major clearance of alleys around the City for clearance for sanitation trucks.

**Beautification Crew**

- Began planting seed flats in the greenhouse including begonias, sedum, cannas, dianthus and ornamental grasses.
- Assisted with cleanup of stump grindings to make room for new street trees.
- Continued mulching landscape areas along the St. Jones River using recycled Christmas Trees.
- Mulched natural areas on The Plaza with 11 loads of mulch.

**Mowing Crew**

- Assisted with ditch work at Bicentennial Village and the Four Seasons subdivisions.
- Continued hauling materials to the contractor working at Silver Lake Park along the St. Jones River.
- Planted twenty (20) street trees. The trees were purchased through a grant from the Urban/Community Forestry program.
- Worked on the Puncheon Run stream from New Burton Road to the lift station on S. Governors Avenue. Removed trees leaning into the stream and removed all logs in the stream. Chipped up all brush except in the center of the woods.

## Geographic Information Systems (GIS)

- Prepared address list for survey for Dover PD.
- Prepared hand trash pickup area map for sanitation.
- Prepared map of downtown Dover cameras for Dover PD.
- Created and printed several posters for Downtown Dover Development Office.
- Created alley trimming status map.
- Prepared voter district maps for City Clerk's office

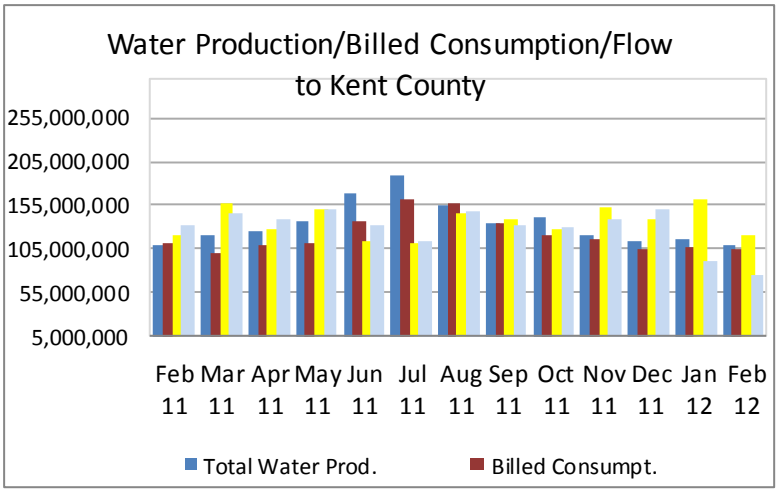
## Fleet and Facilities Management

**Fleet Maintenance**

Work Orders: 86

**Major Program Updates**

| Measure | February 12 | February 11 | DIFFERENCE |
|---|---|---|---|
| Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)* | 18 out of 26<br>69.23% | 25 out of 27<br>92.5%% | - 23.36% |
| Routine work orders completed within 5 days *(Quantity and Percentage)* | 37 out of 41<br>90.24% | 33 out of 35<br>94.29% | - 4.05% |
| Emergency work orders completed within 2 days *(Quantity and Percentage)* | 5 out of 5<br>100% | 3 out of 3<br>100% | 0 % |



# Water/Wastewater

**ENGINEERING SUMMARY**

| Major Program Updates | FEBRUARY 12 | FEBRUARY 11 | DIFF | FY12 YTD | FY11 |
|---|---|---|---|---|---|
| **State and Federal Violations** | 0 violations | 0 violations | - | - | - |
| **Water Quality Complaints** | 7 | 2 | 5 | 72 | 80 |
| **Plan Review Completed Within 30 days of Sub-mission** | 10 plans 100% | 3 100% | 8 plans | 100% | 95% |
| **Field Inspection Response within 48 hours of Request** | 97.06% | 100% | 2.94% | 99.14% | 97.07% |

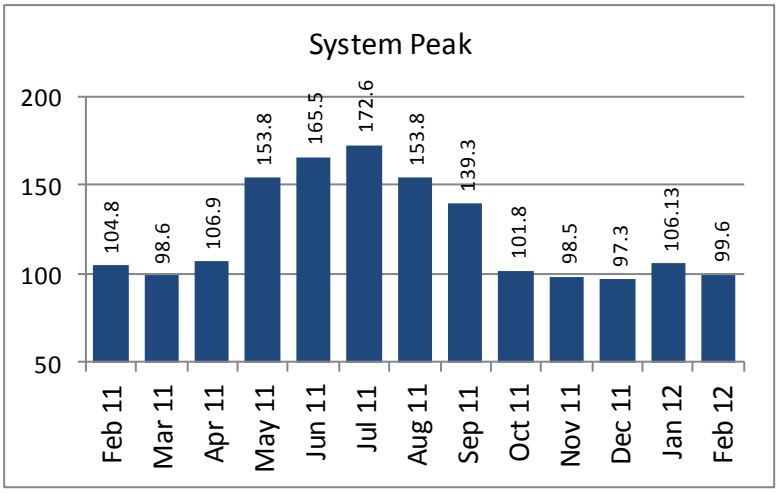
**OPERATIONAL SUMMARY**

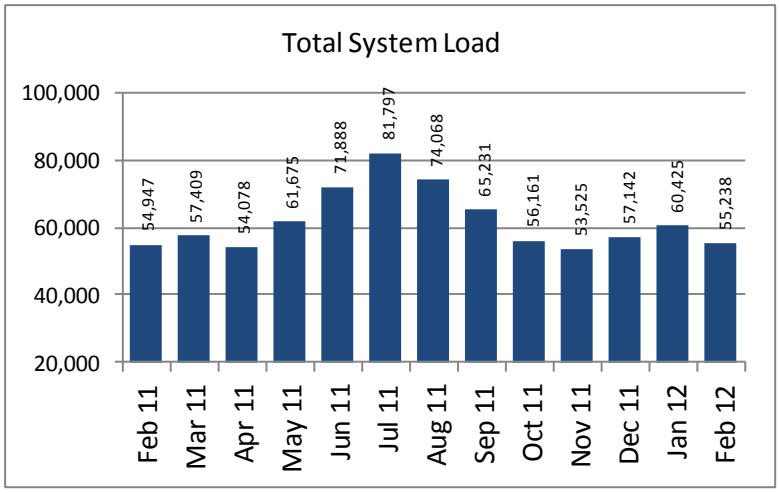
| Task | FEBRUARY 12 | FEBRUARY 11 | Current FY |
|---|---|---|---|
| Water Production – Daily Average | 3,747,690 | 4,523,600 | 1,508,176,000 |
| Average Field Response Time (goal is < 30 minutes) | 22 | 20.25 | 23.6 |
| Water Mains Repaired | 1 | 0 | 19 |
| Water Service Lines Repaired | 2 | 0 | 13 |
| Wastewater Mains Repaired | 0 | 1 | 2 |
| Wastewater Service Lines Repaired | 0 | 0 | 8 |
| Sewer Lines Flushed – Linear Feet | 101,553 | 26,181 | 460,338 |
| Total Water Meters in City Distribution System | 14,0014 | 13,893 | 74 |
| Lost Time Accidents – All Water/Wastewater Divisions | 0 | 0 | 1 |

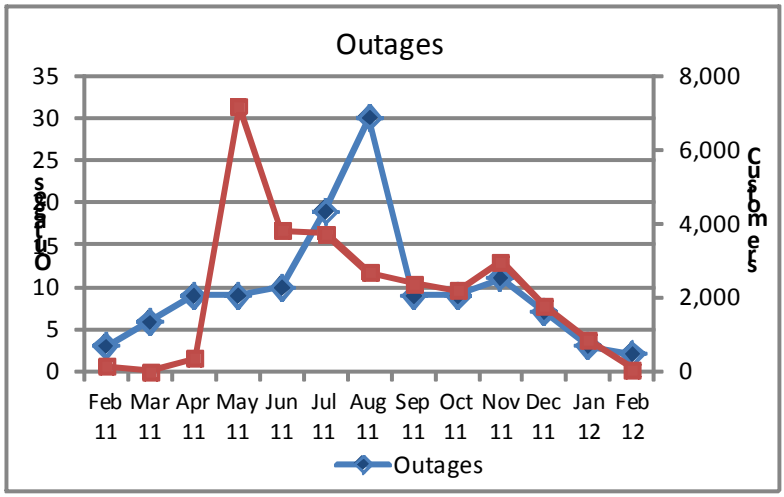
| SOP/CIP Updates (percentages below represent percent completed) |
|---|
| FY-2011 Spring Street Program – 34.5% |

# PUBLIC UTILITIES

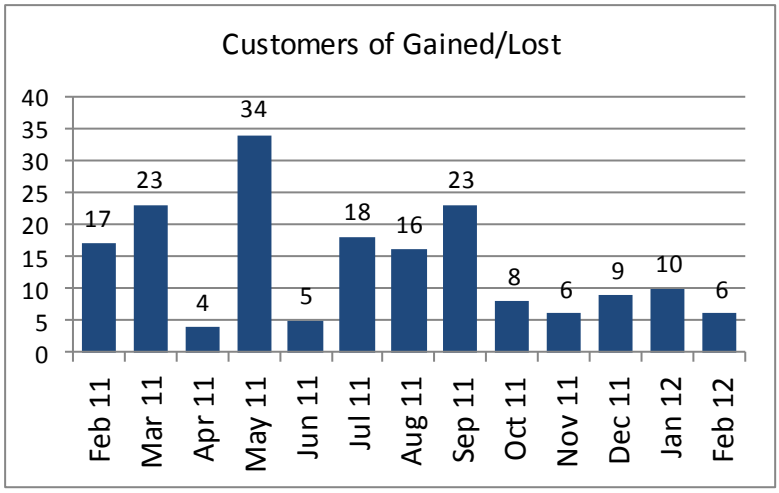
## Electric




Outages: 2 Customers: 53




### 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 12 YTD | FY 11 | FY 10 |
|---|---|---|
| 49.83 | 63.78 | 160.14 |

| Controllable Outages<br>*Annual goal is less than 40* | | Average Response Time<br>*Goal is less than 30 minutes* | |
|---|---|---|---|
| **Month** | **Year-to-date** | **Month** | **Year-to-date** |
| 0 | 39 | 18 Minutes | 30.45 Minutes |

**Electric Engineering Design**

| Major Program Updates | FEB 12 | FEB 11 | DIFF | FY12 YTD | FY11 |
|---|---|---|---|---|---|
| Extensions Design Completed Within 30 days of complete Submission | 0 | 0 | - | 4 | 0 |

| New Underground Installation | % Completed | New Underground Installation | % Completed |
|---|---|---|---|
| N/A | | | |

| PROGRAM UPDATES | FEB 12 | FEB 11 | FY12 YTD |
|---|---|---|---|
| Tree Trimming | 96 | 206 | 1054 |
| Number of Oil Releases | 0 | 0 | 1 |
| Lost Time Accidents – All Electric Utility Divisions | 0 | 0 | 8 |
| New Services | 6 | 17 | 96 |
| **Major Goals Completed in the Past Two Months** | | | |
| N/A | | | |

# CITY PLANNER'S MONTHLY REPORT

Public Services Group
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7196 Fax (302) 736-4217

## February 2012

**PERSONEL**

On February 13, 2012 Dawn Melson-Williams (Principal Planner), Janelle Cornwell (Planner II), Ann Marie Townshend (Director, Planning & Community Development), and Tracey Harvey (Community Development Manager) attended an IPA training class "Helping Your Community Emerge from the Housing Crisis" as part of the University of Delaware's Institute for Public Administration planning education series.

On February 29, 2012 the Code Enforcement Staff began a series of training presentations to the Dover Police Department, as a part of the Police Department's in-service training. The Code Enforcement staff presented information on what the Code Enforcement Program does and how the Code Enforcement Program and Police Department can work together to address common problems. The training is scheduled to continue through March.

**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 February 2012, Planning Staff was involved with review of 45 Permits and 22 Certificate of Occupancy (2012 Year to Date total of 128 Permits and COs compared to 90 year-to-date in 2011).

**EDEN HILL FARM TND**

- In February 2012, Certificates of Occupancy were issued for a set of six townhouse dwelling units located at 413-423 Ridgely Boulevard within Phase 1 of the Residential District. The construction continued on another series of six townhouse units (401-411 Ridgely Boulevard). For the Residential District of Eden Hill Farm Traditional Neighborhood Design, the totals are now 65 dwelling units complete of the 71 permits approved for dwelling units.
- There are approximately six residential lots left in Phase 1 of the project. With the project anticipated to seek commencement of development in Phase 2, City Staff will be working with the site developer in regards to addressing delays in street lighting installation, tree planting requirements, and other infrastructure items.
- A Revised Record Plan for adjustments to the widths of townhouse lots in the northern portion of Phase 2 was approved for recordation on February 29, 2012 (MI-10-20).
- In January, there was no specific 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 Staff continues to work on the development of several ordinances and a future update to the AEOZ (Airport Environs Overlay Zone).
- In February as part of the annual opportunity for consideration of applications to amend the Comprehensive Plan, the Planning Commission considered amendments to the *2008 Comprehensive Plan* for Map 12-1: Land Development Plan Map and Map 13-1 Annexation Areas and Map 13-2 Potential Land Use for Annexation Areas (Ordinance #2012-02). The Planning Commission's recommendation on each of the amendment requests will be forwarded for the March 12th Public Hearing on the amendments at City Council.

**New Dover High School Project (C-10-05/S-11-18)** – Construction activities related to utilities, stormwater management facilities, site prep, and building foundation construction activities continue at the site. The copies of the Final Site Plan set associated with the overall site development plan (Bid Pack C) were received by the Planning Office and are awaiting confirmation of agency approvals. The monthly progress meeting on the Dover High School project was held on February 16th with Planning Staff and Public Work/Utilities Staff meeting with the district's design professionals and DelDOT staff. Review of the plans for transportation elements (the west entrance, east entrance, Dover High Drive) associated with the school project continues. The Building Permit (Structure) application for the high school building was filed for review.

## BOARDS AND COMMISSIONS REPORTS

**Board of Adjustment**:
The Board of Adjustment did not meet in February. The next regular scheduled meeting of the Board of Adjustment is scheduled for March 21, 2012.

**Historic District Commission**:
The Historic District Commission did not meet in February. The next Historic District Commission meeting is scheduled for March 15, 2012.

**Planning Commission**
The Planning Commission met on February 21, 2012 (Tuesday due to holiday) and took the actions summarized listed below. The next Planning Commission meeting is scheduled for March 19, 2012.

1. **S-10-03 South Dover Plaza at 560 & 600 Bay Road** – Moved to approve a one year extension for Site Development Master.
2. **HI-10-04 and S-10-12 Wesley United Methodist Church: Elevation and Canopy Addition: Architectural Review Certification** – Moved to approve a Revised Architectural Review Certification to increase the height of the fence.
3. **C-11-04 M & L Ventures, LLC at Lafferty Lane** – Moved to approve a change in construction timing of proposed street within the warehouse building project.
4. **S-06-19 State Street Commons** – Moved to approve waiver reducing the parking requirements for the project contingent upon the applicant's acceptance of Staff recommendation regarding the five (5) bicycle racks being installed and that the applicant seek opportunities for off-site parking from the State of Delaware and from the Downtown Dover Partnership.
5. **C-11-06 Revised Kent County 911 Center: Parking Expansion at 911 Public Safety Boulevard** – Moved to approve a Site Plan to expand the parking lot by twenty-two (22) spaces and to create a storage yard. Also approved the waiver request for partial elimination of the upright curbing and partial elimination of sidewalk. The approval also included the recommendation for installation of evergreen plantings along the western side of the parking expansion and storage yard areas as screening for the nearby residential development.
6. **MI-12-02 Request for Alley Abandonment: Fulton Street Alley South** - Moved to forward a recommendation of approval to City Council for the abandonment of the Fulton Street Alley South (Area #8) associated with the Wesley College Campus Enhancements.

7. **MI-10-06 Revision to Request for Street and Alley Abandonment: Portions of North Bradford Street, Fulton Street, Cecil Street, and Alleys** - Moved to forward a recommendation of approval to City Council for revisions of the conditions of street and alley abandonment associated with the Wesley College Campus Enhancements to allow for immediate abandonment.
8. **MI-12-01 Comprehensive Plan Amendments 2012** - Moved to forward recommendation to City Council to deny Part A: Land Use Classification change from Residential Low Density to Commercial for properties at Mifflin Road and Route 8 and then moved to forward recommendation to City Council of approval for Part B: the addition of land east of Horsepond Road as a Category 2 Annexation Area with a Land Use Classification of Agriculture.

## CODE ENFORCEMENT

| Case Type | # cases current month | # cases YTD | % staff initiated current month | % staff initiated YTD |
|---|---|---|---|---|
| No valid rental permit | 9 | 15 | 100% | 100% |
| No valid building permit | 4 | 8 | 75% | 88% |
| Tall grass and weeds | 1 | 1 | 100% | 100% |
| Unregistered vehicle | 4 | 12 | 100% | 67% |
| Abandoned vehicle | 15 | 30 | 53% | 60% |
| Annual Housing Inspection | 116 | 212 | 97% | 98% |
| Property Maintenance – Exterior | 35 | 70 | 63% | 73% |
| Electric Termination | 31 | 49 | 90% | 90% |
| Dover Code of Ordinances | 22 | 40 | 73% | 83% |
| Zoning | 13 | 20 | 77% | 50% |
| **Total Cases** | **250** | **457** | | |
| **Total # of Inspections** | **366** | | | |

## COMMUNITY DEVELOPMENT
## CDBG FY11 PROJECTS

### Homeownership Assistance Program
Four families have purchased homes using the Dover First Start Program and two families are scheduled to close at the end of the month.

### Homeowner Rehabilitation Program
One home has been completed and two are scheduled to be completed early February.

### Dover Interfaith Mission to the Homeless
CDBG funds have been utilized to cover the operation cost for the shelter.

### Emergency Home Repair Project
Emergency repairs have been completed on four properties.

### 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 $1,249,467 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 $177,272 will be utilized for renovations and acquisition. Three properties have been sold, four are for sale, one is a lease purchase and one is a

rental that serves persons with disabilities. The City has partnered with Central Delaware Habitat for Humanity as an NSP partner.

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 (for sale)
254 Green Blade Drive (sold)
302 Stonebrook Place (for sale)
11 Westover Drive (under contract)

## LIFE SAFETY

| Inspections | FEBRUARY 12 | FYTD 12 | FEBRUARY 11 | FYTD 11 |
|---|---|---|---|---|
| Fire Protection Inspections (new & existing) | 33 | 384 | 66 | 445 |
| Fire Code Inspections | 17 | 313 | 63 | 758 |
| Inspection Deficiencies | 4 | 372 | 72 | 782 |
| Certificate of Occupancy | 4 | 23 | 1 | 40 |
| | | | | |
| Office | 80 | 754 | 140 | 869 |
| Meetings | 34.5 | 250 | 35 | 341 |
| Plan Review | 50 | 332 | 48 | 342 |
| Training | 160 | 550 | 0 | 379 |
| Fire Investigations | 9 | 66 | 6 | 138 |
| | | | | |
| Accidental | $22,100.00 | $227,110.00 | $52,000.00 | $140,950.00 |
| Incendiary | $202,500.00 | $262,000.00 | $2,000.00 | $194,550.00 |
| Undetermined | $0.00 | $20,000.00 | $0.00 | $22,600.00 |

## PERMITTING AND LICENSING

| Permits Issued | FEBRUARY 12 | FYTD 12 | FEBRUARY 11 | FYTD 11 |
|---|---|---|---|---|
| Administrative Permit | 1 | 14 | 3 | 15 |
| Building Addition/Renovation Permits | 23 | 244 | 23 | 371 |
| Building Permits | 2 | 103 | 6 | 81 |
| Demolition Permits | 3 | 15 | 6 | 22 |
| Fence Permits | 8 | 72 | 2 | 48 |
| Fire Prevention Permits | 4 | 50 | 13 | 49 |
| Mechanical Permits | 31 | 195 | 21 | 200 |
| Plumbing Permits | 32 | 284 | 18 | 329 |
| Sign Permits | 21 | 182 | 18 | 162 |
| Swimming Pool Permits | 0 | 6 | 0 | 2 |
| | | | | |
| Business Licenses | 14 | 1,354 | 25 | 1,542 |
| Merchant Licenses | 9 | 274 | 1 | 276 |
| Contractor Licenses | 27 | 732 | 29 | 819 |
| Lodging House Licenses | 7 | 15 | 9 | 40 |
| Mobile Homes | 3 | 300 | 2 | 233 |
| Public Occupancy | 46 | 124 | 80 | 319 |
| Rental Dwelling | 816 | 1,303 | 688 | 2,467 |

## BUILDING INSPECTIONS

| | FEBRUARY 12 | FYTD 12 | FEBRUARY 11 | FYTD 11 |
|---|---|---|---|---|
| Building | 307 | 2,396 | 245 | 2,925 |
| Plumbing/Mechanical | 341 | 2,796 | 320 | 2,938 |
| Certificate of Occupancy | 22 | 89 | 9 | 140 |

## DANGEROUS BUILDINGS/DEMOLITION STATUS

The following buildings were demolished during January, after prior dangerous building declaration by City Council:

- 423 Collins Drive
- 29 North Kirkwood Street

Asbestos abatement was begun on the following building, after prior dangerous building declaration by City Council:

- 41 South Queen Street

The following buildings were declared dangerous by City Council on January 27, 2012:

- 123 Blue Beach Drive
- 22 Fair Wind Place

## DOWNTOWN DOVER PARTNERSHIP

- Staff met with Kent County Tourism Staff to discuss plans for a visit by approximately 70 Main Street representatives from the State of Wyoming.
- A tenant was identified for the second floor space at 680 Forest Street effective March 1st. The addition of this tenant makes the 680-684 Forest Street property fully occupied.
- Bill Neaton had several meetings with representatives from Brightfields and DNREC to finalize the next steps in the Brownfield remediation at 680-684 Forest Street.
- Bill held a follow-up meeting with Richard Gessner of ING Direct on New Market Tax Credits, and he met with Toni Schmiegelow of HUD to discuss their 108 Loan Fund.
- Ed Perez worked with the YWCA's Center for Women's Entrepreneurship to hold workshops for merchants and prospective business owners during February on social media marketing and Microsoft Excel.
- Ed Perez worked with two new businesses that opened in the downtown district – A&B Plus Consignment Shop and New Class Act.
- Ed Perez also met with the 2012 Capital Celebration Planning Committee.

## ECONOMIC DEVELOPMENT OFFICE

- Bill Neaton continued to meet with Calpine and participated in a tour of their York, PA facility meant to address concerns raised by residents of Wild Meadows. He also participated in meetings with DEDO and DNREC to facilitate Calpine's application process for state funding.
- Bill met with Alan Levin and other DEDO staff to discuss progress on downtown projects.
- Bill and Mayor Carey met with Dr. Harry Williams to discuss the DSU Bond Bill proposal for a Civic Center.
- He also met with Dr. Mike Casson of DSU to discuss the next steps in developing the marketing plan for the Garrison Tract.
- Bill worked with Jim Waddington, Kent Economic Partnership, and Jeff Stone at DEDO to develop the presentation for the second visit with Mezzetta.

**Measures:**

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

| | 2009-2010 Actual | 2010-2011 Actual | 2011-2012 Projected |
|---|---|---|---|
| **Results** | <10% rate in July 2010<br>9.5% - U.S. Rate<br>8.5% - DE Rate<br>9.9% - City of Dover Rate | <10% unemployment rate in July 2011<br>9.2 % - U.S. Rate<br>8.0 % - DE Rate | <10% unemployment rate in July 2012<br>8.3% - U.S. Rate<br>7.0 % - DE Rate |

| | | | |
|---|---|---|---|
| | July 2010 – Actual | 9.9% - City of Dover Rate<br>June 2011 – Actual | 8.8% - City of Dover Rate<br>January 2012 – Actual |

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

| | **2009-2010 Actual** | **2010-2011 Actual** | **2011-2012 Projected** |
|---|---|---|---|
| **Results** | ≥20 contacts with potential small businesses;<br>**11 contacts YTD**<br>≥15 contacts with out-of-town companies interested in locating in Dover.<br>**8 contacts YTD** | ≥20 contacts with potential small businesses;<br>**12 contacts YTD**<br>≥15 contacts with out-of-town companies interested in locating in Dover.<br>**10 contacts YTD** | ≥20 contacts with potential small businesses;<br>**10 Contacts YTD**<br>11 contacts with out-of-town companies interested in locating in Dover<br>**8 Contacts YTD** |

Submitted by:

Ann Marie Townshend

Ann Marie Townshend, AICP
Planning & Community Development Director

# DOVER
# FIRE DEPARTMENT




# FEBRUARY
# 2012

# Incident Type Report (Summary)

**Dover Fire Department**

**Date Range:** From 02/01/2012 to 02/29/2012

| Incident Type | | Count | Pct of Incidents | Total Est Loss | Total Est Loss |
|---|---|---|---|---|---|
| **1 Fire** | | | | | |
| 111 Building fire | | 4 | 5.00% | $0 | 0.00% |
| 112 Fires in structure other than in a building | | 2 | 2.50% | $0 | 0.00% |
| 113 Cooking fire, confined to container | | 11 | 13.75% | $0 | 0.00% |
| 150 Outside rubbish fire, other | | 2 | 2.50% | $0 | 0.00% |
| | **Totals** | **19** | **23.75%** | **$0** | **0.00%** |
| **2 Overpressure Rupture, Explosion, Overheat(no fire)** | | | | | |
| | **Totals** | **0** | **0.00%** | **$0** | **0.00%** |
| **3 Rescue & Emergency Medical Service Incident** | | | | | |
| | **Totals** | **0** | **0.00%** | **$0** | **0.00%** |
| **4 Hazardous Condition (No Fire)** | | | | | |
| 400 Hazardous condition, other | | 1 | 1.25% | $0 | 0.00% |
| 410 Combustible/flammable gas/liquid condition, other | | 1 | 1.25% | $0 | 0.00% |
| 412 Gas leak (natural gas or LPG) | | 6 | 7.50% | $0 | 0.00% |
| 440 Electrical wiring/equipment problem, other | | 3 | 3.75% | $0 | 0.00% |
| 445 Arcing, shorted electrical equipment | | 1 | 1.25% | $0 | 0.00% |
| 480 Attempted burning, illegal action, other | | 1 | 1.25% | $0 | 0.00% |
| | **Totals** | **13** | **16.25%** | **$0** | **0.00%** |
| **5 Service Call** | | | | | |
| 510 Person in distress, other | | 1 | 1.25% | $0 | 0.00% |
| 522 Water or steam leak | | 1 | 1.25% | $0 | 0.00% |
| 531 Smoke or odor removal | | 2 | 2.50% | $0 | 0.00% |
| 550 Public service assistance, other | | 1 | 1.25% | $0 | 0.00% |
| 551 Assist police or other governmental agency | | 1 | 1.25% | $0 | 0.00% |
| 571 Cover assignment, standby, moveup | | 2 | 2.50% | $0 | 0.00% |
| | **Totals** | **8** | **10.00%** | **$0** | **0.00%** |
| **6 Good Intent Call** | | | | | |
| 600 Good intent call, other | | 10 | 12.50% | $0 | 0.00% |
| 611 Dispatched & canceled en route | | 2 | 2.50% | $0 | 0.00% |
| 622 No incident found on arrival at dispatch address | | 1 | 1.25% | $0 | 0.00% |
| 651 Smoke scare, odor of smoke | | 2 | 2.50% | $0 | 0.00% |
| | **Totals** | **15** | **18.75%** | **$0** | **0.00%** |
| **7 False Alarm & False Call** | | | | | |
| 700 False alarm or false call, other | | 3 | 3.75% | $0 | 0.00% |
| 730 System malfunction, other | | 3 | 3.75% | $0 | 0.00% |
| 731 Sprinkler activation due to malfunction | | 1 | 1.25% | $0 | 0.00% |
| 733 Smoke detector activation due to malfunction | | 1 | 1.25% | $0 | 0.00% |
| 735 Alarm system sounded due to malfunction | | 3 | 3.75% | $0 | 0.00% |
| 740 Unintentional transmission of alarm, other | | 1 | 1.25% | $0 | 0.00% |
| 741 Sprinkler activation, no fire - unintentional | | 2 | 2.50% | $0 | 0.00% |
| 743 Smoke detector activation, no fire - unintentional | | 4 | 5.00% | $0 | 0.00% |
| 744 Detector activation, no fire - unintentional | | 2 | 2.50% | $0 | 0.00% |
| 745 Alarm system activation, no fire - unintentional | | 1 | 1.25% | $0 | 0.00% |
| 746 Carbon monoxide detector activation, no CO | | 4 | 5.00% | $0 | 0.00% |
| | **Totals** | **25** | **31.25%** | **$0** | **0.00%** |

# Incident Type Report (Summary)

**Dover Fire Department**

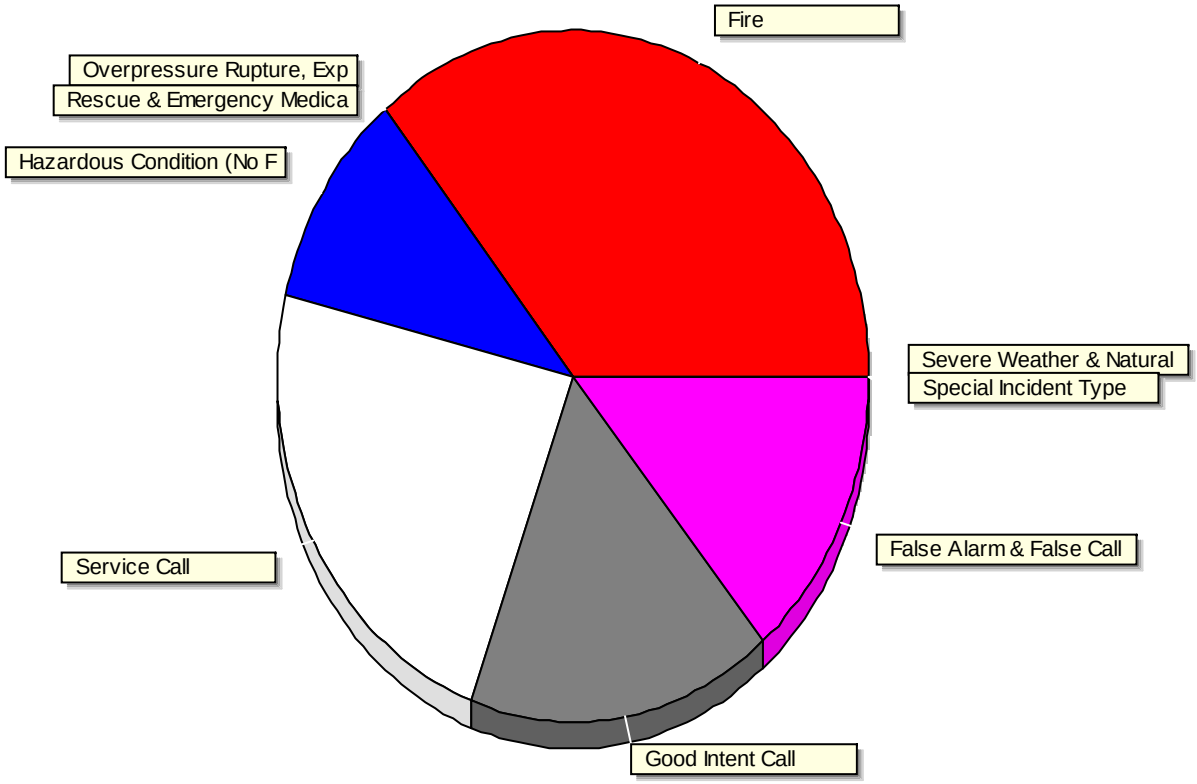
**Date Range:** From 02/01/2012 to 02/29/2012

| Incident Type | | Count | Pct of Incidents | Total Est Loss | Total Est Loss |
|---|---|---|---|---|---|
| **8 Severe Weather & Natural Disaster** | | | | | |
| | **Totals** | **0** | **0.00%** | **$0** | **0.00%** |
| **9 Special Incident Type** | | | | | |
| | **Totals** | **0** | **0.00%** | **$0** | **0.00%** |
| | **Totals** | **80** | | **$0** | |

# Manpower Hours by Sitation Found

**Date Range:** From 02/ 01/ 2012 to 02/ 29/ 2012

**Dover Fire Department**



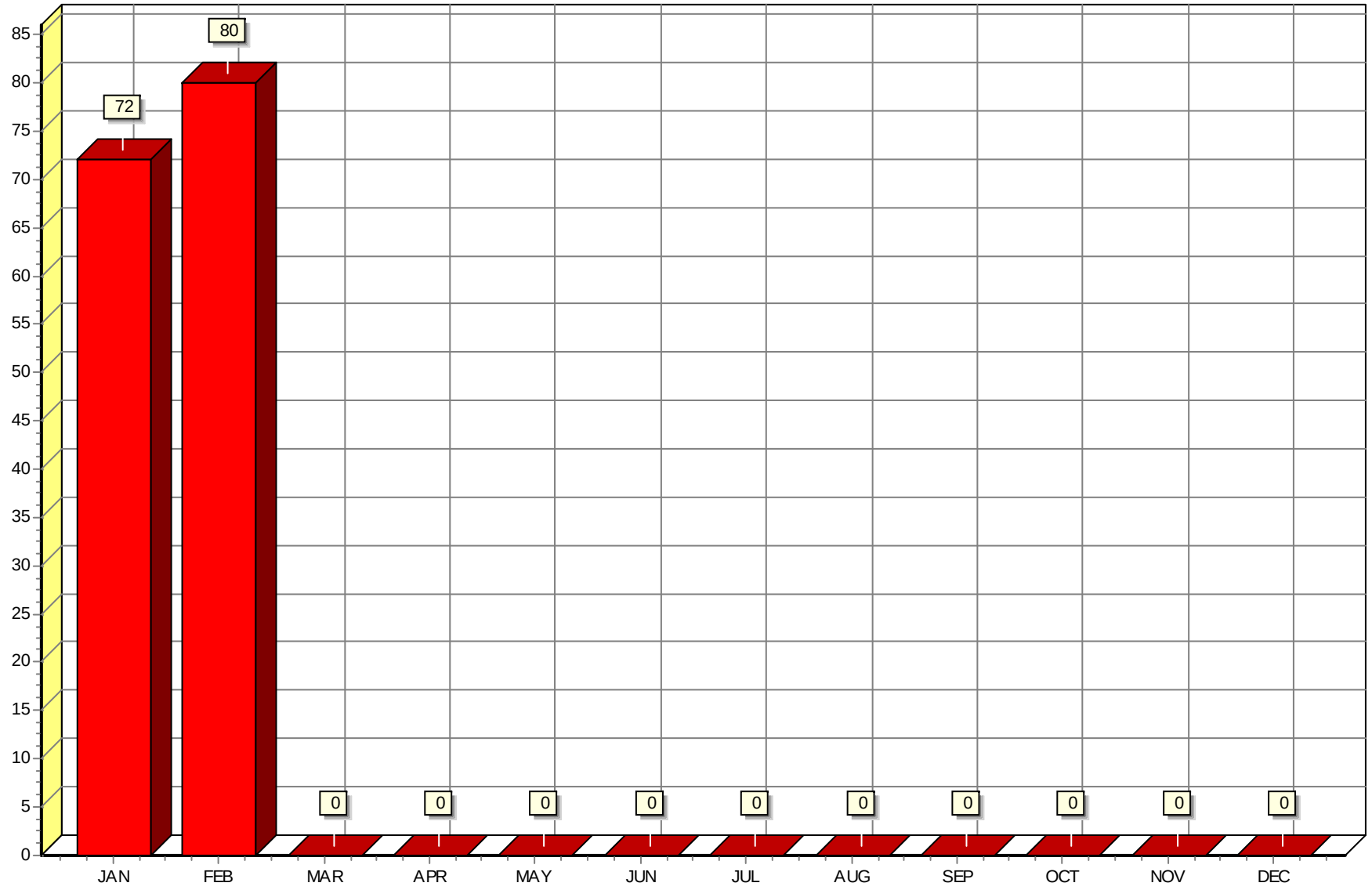

**Number of Hours by Situation Found**
**Sum of # Attending X Incident Length**

- 179 Fire
- 0 Overpressure Rupture, Exp
- 0 Rescue & Emergency Medica
- 51 Hazardous Condition (No F
- 115 Service Call
- 83 Good Intent Call
- 69 False Alarm & False Call
- 0 Severe Weather & Natural
- 0 Special Incident Type

# Alarms by Month of Year

**Dover Fire Department**

**Date Range:** From 01/ 01/ 2012 to 02/ 29/ 2012



# Incident Run Log

**Dover Fire Department**

**Date Range:** From 02/01/2012 to 02/29/2012
**Company:** All Companies
**Sorted by:** Incident Number

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type |
|---|---|---|---|---|---|---|---|
| 02/01/2012 | 30046 | 2012-000073 | 01:24 | 930 | WHATCOAT DR | | Carbon monoxide detector activation, no CO |
| | | CO detector activation. No CO levels in residence. Dead battery in detector | | | | | |
| 02/01/2012 | 30046 | 2012-000074 | 17:55 | 745 | BACON AVE | | Cooking fire, confined to container |
| | | Smoke detector activation due to unattended cooking. | | | | | |
| 02/01/2012 | 30046 | 2012-000075 | 19:20 | 801 | N DUPONT HWY | | Gas leak (natural gas or LPG) |
| | | Reported odor of natural gas. Upon arrival found a strong odor of sewer all through the parking lot. | | | | | |
| 02/01/2012 | 30046 | 2012-000076 | 20:02 | 115 | WILLIS RD | | Arcing, shorted electrical equipment |
| | | Electrical wire arcing rear of oven. Wires and outlet burnt. No extention. Electric isolated to the kitchen. Pictures taken and FM notified, | | | | | |
| 02/02/2012 | 30046 | 2012-000077 | 01:10 | 413 | COURT ST | J | Cooking fire, confined to container |
| | | Cooking fire on the stove. Engine 4s crew used a dry chem and checked for extention. Minor extention into the cabinets and refridgerator. FM notified | | | | | |
| 02/02/2012 | 30046 | 2012-000078 | 05:53 | 866 | TOWNSEND BLVD | | Carbon monoxide detector activation, no CO |
| | | Co detector activation. No CO found. Unit was approx 10 years old and was advising malfunction. Advised resident to change out unit. | | | | | |
| 02/03/2012 | 30046 | 2012-000079 | 07:50 | 1200 | N DUPONT HWY | | Alarm system sounded due to malfunction |
| | | Dispatched to above address for an alarm sounding. Upon arrival DSU Officer walked me to the alarm panel and found it was a first floor detector activation. Walked first floor and found no detector activated. Cleared and reset alarm. Cleared. | | | | | |
| 02/03/2012 | 30046 | 2012-000080 | 11:28 | 861 | SILVER LAKE BLVD | | Smoke detector activation due to malfunction |
| 02/04/2012 | 30046 | 2012-000081 | 03:59 | 20 | N BRADFORD ST | | Cooking fire, confined to container |
| | | Dispatched to above address for an alarm sounding. Upon arrival found a dorm bldg. had been evacuated and security was on scene. Security advised that the alarm was on the third floor, room 314. Went to room and found that it was something in the microwave was cooked to long. No extension. Had security open the windows in the room. Had them reset the alarm, cleared. | | | | | |
| 02/04/2012 | 30046 | 2012-000082 | 14:45 | 1289 | WALKER RD BUILD N | | Cooking fire, confined to container |
| | | UNATTENDED COOKING. OWNER RETURNED UPON OUR ARRIVAL. TURNED OVER TO BLD. MAINT. | | | | | |
| 02/04/2012 | 30046 | 2012-000083 | 15:16 | 413 | COURT ST | B | Cooking fire, confined to container |
| | | Dispatched to the above location for a possible stove fire. Upon arrival, crews investigated a kitchen fire in apartment D2. The resident related that she was cooking on the stove when a baby fell in the room. She relates that everyone went running to the baby. When she turned around, she noticed the pot on the stove was on fire. The resident went outside their door and obtained a fire extinguisher and extinguished the fire. Upon our arrival, there was no active fire or smoke. Some extension was noted to the refrigerator, vent hood and cabinets. The kitchen walls were layered in some soot. The entire area was investigated and found to have no more fire spread other than noted above. The situation was placed under control. Maintenance was contacted to reset the fire alarm and pull station. The City of Dover FMO was contacted (FM-2) and the writer of this report spoke to him via public service to give him a verbal report. He said he would call the resident and speak to them and make a determination whether he would respond or not. Cleared the scene.<br><br>Resident: Mary Curtis<br>(302) 465-4014<br><br>User: O'Connor, Jr., Michael 02/04/2012 15:51:08 | | | | | |
| 02/04/2012 | 30046 | 2012-000084 | 17:56 | 1250 | W NORTH ST | | No incident found on arrival at dispatch address |
| | | Dispatched to above address for a bush on fire. Upon arrival with E3, did an investigation of the area and found nothing. Cleared scene. | | | | | |
| 02/05/2012 | 30046 | 2012-000085 | 15:29 | 115 | W LOOCKERMAN ST | | Public service assistance, other |
| | | Writer responded to the above location and learned that the resident had locked herself out of the apartment with a toaster oven left on with food inside of it. Due to the threat of fire entry was forced with the assistance of Dover Police. Entry was made and damage was minimal. | | | | | |
| 02/05/2012 | 30046 | 2012-000086 | 22:45 | 140 | S STATE ST | | Building fire |
| | | On arrival crews found a small fire just inside the door. Crews pulled booster line and extinguished same. The owner prior to FD arrival extinguished most of the fie with an extinguisher. FM 2 was notified and respondeed to investigate same. All units cleared. | | | | | |
| 02/07/2012 | 30046 | 2012-000087 | 10:22 | 139 | BALTUSROL RD | | Dispatched & canceled en route |
| | | Call for a key pad fire alarm activation. After dispatch (silent/crew in station) received a call from the homeowner advising they are doing construction in the residence and the key pad was hanging down and her child pushed the buttons on it. Alarm canceled per Dover 15. | | | | | |
| 02/07/2012 | 30046 | 2012-000088 | 16:18 | 550 | OTIS DR | | Cooking fire, confined to container |
| | | E4'S CREW FOUND FOOD IN THE MICROWAVE THAT WAS LEFT INTO LONG. CREWS CHECKED FOR EXTENSION AND CLEARED. | | | | | |
| 02/07/2012 | 30046 | 2012-000089 | 23:44 | 35 | COMMERCE WAY | SUITE | System malfunction, other |
| | | Dispatched to above address for a AFA. Upon arrival found the water flow alarm sounding. Had crews from E4 and L1 investigate. They found a malfunction of alarm system. Put bldg under fire watch and to contact the City FM to investigate. | | | | | |
| 02/08/2012 | 30046 | 2012-000090 | 19:28 | 1365 | N DUPONT HWY | 3054 | Combustible/flammable gas/liquid condition, other |
| | | Standby for a soda bomb exploded in mall parking lot. | | | | | |
| 02/08/2012 | 30046 | 2012-000091 | 21:36 | 1450 | N DUPONT HWY | 0587 | Sprinkler activation, no fire - unintentional |
| | | On arrival manager advised his sprinkler system dry valve activated causing the AFA. Maintenance is scheduled in for the morning to repair same. Bldg placed on fire watch unitl system is repaired. | | | | | |

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type |
|---|---|---|---|---|---|---|---|
| 02/09/2012 | 30046 | 2012-000092 | 22:24 | 820 | WOODCREST DR | | Electrical wiring/equipment problem, other |
| | | | | | Responded to the above address for an electrical issue in the basement. Crews from ladder 1 and Engine 4 investigated to find an electrical outlet in the basement had shorted out. Crews secured the power to the basement and pulled the outlet and panel board to check for extension. Crews found the two by four behind the paneling had some chairing on it. Home owner was advised to contact an electrician and leave the power off to the basement. Scene was placed under control. | | |
| 02/10/2012 | 30046 | 2012-000093 | 11:01 | 885 | S GOVERNORS AVE | | Sprinkler activation, no fire - unintentional |
| | | | | | Water flow activation due to flushing the hydrants. | | |
| 02/10/2012 | 30046 | 2012-000094 | 21:35 | 1225 | N DUPONT HWY | | Gas leak (natural gas or LPG) |
| | | | | | FM1 responded to the above address to check on a propane heater in the lobby. He placed it out of service due to a gas odor as well to check compliance. | | |
| 02/11/2012 | 30046 | 2012-000095 | 10:55 | 1009 | E DIVISION ST | | Gas leak (natural gas or LPG) |
| | | | | | Car struck gas meter at back of house. Meter shut off at location. Readings taken inside of structure. Sood by for arrival of Chesapeake Utilities. | | |
| 02/11/2012 | 30046 | 2012-000096 | 11:46 | 149 | CHERRY ST | | Good intent call, other |
| | | | | | R.P. advised she has been smelling an odor of the past several days. Area checked with negative results. | | |
| 02/11/2012 | 30046 | 2012-000097 | 11:50 | 901 | FOREST ST | | Alarm system sounded due to malfunction |
| | | | | | Responded to the above address for an AFA. Did a walk through to find one of the beam detectors in the gym was activated with negative results. Scene was placed under control and turned over to maitnence. | | |
| 02/11/2012 | 30046 | 2012-000098 | 11:58 | 1365 | N DUPONT HWY | 1000 | Gas leak (natural gas or LPG) |
| | | | | | 40 lb. cylinder over pressured due to weather conditions. Bled aome LP off and valve reset. | | |
| 02/11/2012 | 30046 | 2012-000099 | 15:06 | 1368 | ROSE VALLEY SCHOOL RD | | Good intent call, other |
| | | | | | Responded to the above address for a report of a vehicle fire. Engine 4 arrived on location to find a SUV with an over heated motor. Scene was placed under control Engine 4 returned. | | |
| 02/12/2012 | 30046 | 2012-000100 | 00:55 | 35 | COMMERCE WAY | SUITE | False alarm or false call, other |
| | | | | | CAPTAIN CAREY COMPLETED A WALK THROUGH OF THE BUILDING AND FOUND A MALFUNCTIONING ALARM. BUILDING WAS PLACED ON FIRE WATCH AND CAPTAIN CAREY CLEARED. | | |
| 02/12/2012 | 30046 | 2012-000101 | 15:09 | 1300 | S FARMVIEW DR | G | Smoke scare, odor of smoke |
| | | | | | Responded to the above address for a odor of smoke on the second floor. Crews from Engine 4 and Ladder 1 investigated to find no smoke but a odor of wax. Maitenence was requested so the crews could make access into all the apartments. Nothing was found in any apartments scene was placed under control and all units returned. | | |
| 02/12/2012 | 30046 | 2012-000102 | 17:41 | 2030 | PINE CABIN RD BLDG G | | Smoke scare, odor of smoke |
| | | | | | Dispatched to above address for a smell of smoke. Upon arrival J/S crew from E4 investigatedalong with L2 crew, and found the odor to be burnt hair when the resident was using a hair straightener. Cleared scene. | | |
| 02/12/2012 | 30046 | 2012-000103 | 21:49 | 885 | S GOVERNORS AVE | | Outside rubbish fire, other |
| | | | | | On arrival Dover PD on scene and had extinguished a small fire in the roadway of an unknown material. No action taken by DFD. Brush 9 cleared. | | |
| 02/13/2012 | 30046 | 2012-000104 | 14:32 | 1105 | WHITEOAK RD | | Carbon monoxide detector activation, no CO |
| | | | | | On arrival occupant advised her CO detector was activating in her bedroom. The residence was checked with negative results. Dover 17 cleared. | | |
| 02/14/2012 | 30046 | 2012-000105 | 04:27 | 426 | COURT ST | | Water or steam leak |
| | | | | | On arrival found a hot water pipe had broke at the pipe joint to the bathroom sink. Hot water was shut off and the leak was secure. Dover 17 cleared. | | |
| 02/14/2012 | 30046 | 2012-000106 | 09:30 | | W LOOCKERMAN ST & S KIRKWOOD | | Good intent call, other |
| | | | | | Reported vehicle fire but was cancelled prior to arrival. DPD on scene. | | |
| 02/15/2012 | 30046 | 2012-000107 | 04:21 | 511 | Tuxedo lane | | Cover assignment, standby, moveup |
| | | | | | DFD responded to asist station 41 with a truck company assist. Crews ventilated the structure and assisted with fire extinguishment. | | |
| 02/15/2012 | 30046 | 2012-000108 | 14:05 | 620 | RIVER RD | | Good intent call, other |
| | | | | | CAPTAIN CAREY COMPLETED A WALK THROUGH WITH NEGATIVE FINDINGS OF A REPORTED ODOR OF KEROSENE. THE GAS METER ALSO HAD ZERO READINGS IN THE RESIDENCE. THE HOMEOWNER WAS ADVISED TO CONTACT DOVER FIRE IF SHE FELT THE ODOR SHE REPORTED RETURNED. | | |
| 02/15/2012 | 30046 | 2012-000109 | 22:37 | 6 | DOGWOOD CT | | Good intent call, other |
| | | | | | SUSPICIOUS ODOR COMPLAINT HANDLED BY 54-2 AND 41-1 | | |
| 02/15/2012 | 30046 | 2012-000110 | 22:38 | 502 | ROBERTA AVE | | Building fire |
| | | | | | Dispathed to above address for a working house fire. Upon arrival had smoke showing from the 2nd floor windows. E4 J/S crew went inside to investigate and pulled 1 1 3/4" hose and attacked the fire in the 2nd floor left bedroom. Fold down crew hand stretched the 5" hose to the hydrant at S. Little Creek Rd. and Roberta Ave. and left it dry. The other Fold down crew threw a ground ladder to the 2nd floor window.<br><br>L1 did a search and checked the attic for extintion. 41-1 crew threw a ground ladder to the roof and stood by for opening the roof, none needed.<br><br>54-5 on scene for RIT. A63 and KM7 on scene.<br><br>Fire was contained to the bedroom and heat and smoke damage to 2nd floor. Unknown if smoke detector activated, it was melted.<br><br>Fire under control at 22:58 hrs. | | |

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type |
|---|---|---|---|---|---|---|---|
| | | | | | City FM 5 on scene, gave report and turned fire over to same. | | |
| 02/16/2012 | 30046 | 2012-000111 | 01:55 | 344 | W WIND DR | | Building fire |
| | | | | | Dispatched to above address for a working house fire. Upon arrival found the left side of a 2 townhouse duples involved in fire. E4 took hydrant in front of the structure. E4 J/S crew pulled a 1 3/4 and entered the front door and attacked the fire. L1 pulled rear of E4, had L1 crews throw ground ladders to side A and B, then set up the main. Had L1 crew go to the roof and open it.<br><br>54-5 on scene and had thier crew pull a second 1 3/4 and attack the fire in the garage. R43 steup the RITat AB corner in the front yard. Had E3 crew assist with fire suppression, then had E3 back into l1 and lay a 5" suuply line to another hydrant, not completed. E4 then stretched the supply line to L1.<br><br>Was advised by E4 crew that the stairway to the second floor was comprimised and the could not advance any further. Pulled the crew out of the structure and off the L1 and attacked the fire with L1s main. Once the fire was contained, sent the interior crews back inside to finish extinguishing the fire.<br><br>Called for Dover FM | | |
| 02/16/2012 | 30046 | 2012-000112 | 04:02 | 277 | N DUPONT HWY | | Gas leak (natural gas or LPG) |
| | | | | | Dispatched to above address for a natural gas leak at the rear of the structure. Upon L1 arrival crews found a small gas leak from the main. Upon arrival of E6 Dover 19 assumed command and called for Cheseapeake utilities to respond. L1 Crew made entry to the bldg and found no gas inside the bldg. Upon arrival of the gas company, they secured the leak and turned the scene over to them. Cleared. | | |
| 02/16/2012 | 30046 | 2012-000113 | 19:25 | 125 | RODRIC TERR | | Person in distress, other |
| | | | | | Dispatched to above address for a child locked in a vehicle. Upon arrival made entry to the vehicle and the childs mother took the child out. Cleared. | | |
| 02/16/2012 | 30046 | 2012-000114 | 20:21 | 145 | KINGS HWY | | Smoke detector activation, no fire - unintentional |
| | | | | | On arrival found unattended cooking on the first floor. No damage. Units cleared. | | |
| 02/16/2012 | 30046 | 2012-000115 | 21:51 | 353 | N GOVERNORS AVE | | Cooking fire, confined to container |
| | | | | | Dispatched to above address for a AFA. Upon arrival E4 crew went inside to investigate and found the smoke dectector activated due to a unattended cooking. Asst. Chief Carey related that it looked like the residence had been cut up into apts. Going to notify Dover FMO to check it out. Cleared. | | |
| 02/17/2012 | 30046 | 2012-000116 | 06:20 | 414 | FEDERAL ST | | Good intent call, other |
| | | | | | On arrival a security gaurd advised he arrived to work and found the fire alarm activated in the building. Crews investigated same and found Facilities management testing the system. Units cleared. | | |
| 02/17/2012 | 30046 | 2012-000117 | 20:25 | 304 | TRIBBITT ST | | Gas leak (natural gas or LPG) |
| | | | | | On arrival found a gas leak around the meter of 304 Tribbitt St along with a second meter leaking on a unit under construction. Crews secured the natural gas to both units. Chesapeke notified and units cleared. | | |
| 02/18/2012 | 30046 | 2012-000118 | 08:50 | 1101 | S LITTLE CREEK RD | | Good intent call, other |
| | | | | | Black smoke from the chimney of a trailer, unfounded. | | |
| 02/18/2012 | 30046 | 2012-000119 | 18:26 | 986 | WHATCOAT DR | | Cooking fire, confined to container |
| | | | | | Unattended cooking in apt 31. Alarm was silenced due to extended maintenence ETA. | | |
| 02/18/2012 | 30046 | 2012-000120 | 21:08 | 3422 | FORREST AVE | | Dispatched & canceled en route |
| | | | | | DISPATCHED FOR AN AFA TO THE ABOVE ADDRESS. ENROUTE, THE ALARM COMPANY CALLED AND REQUESTED TO CANCEL. ADT STATED THE HOMEOWNER STATED THE ALARM SYSTEM WAS ACCIDENTALLY ACTIVATED BY A CHILD PLAYING WITH THE KEYPAD. | | |
| 02/18/2012 | 30046 | 2012-000121 | 23:44 | 148 | WILLIS RD | | Cooking fire, confined to container |
| | | | | | Small cooking fire in the kitchen of apt E, after being unattended. Residents were playing XBox and forgot they had something on the stove. Minor smoke damage and melted curtains. FM notified | | |
| 02/19/2012 | 30046 | 2012-000122 | 01:13 | 310 | EISENHOWER DR | | Smoke detector activation, no fire - unintentional |
| | | | | | Smoke detector activation in the basement. Residents claimed to have a smoke machine and set it off. | | |
| 02/21/2012 | 30046 | 2012-000123 | 04:58 | 430 | KINGS HWY NE | 2 | Smoke detector activation, no fire - unintentional |
| | | | | | On arrival found unattended cooking in Apt 4215. Occupant burnt a bagel in the toaster. No Damage. Units cleared. | | |
| 02/21/2012 | 30046 | 2012-000124 | 20:24 | 425 | COUNTRY DR | E | Fires in structure other than in a building |
| | | | | | DFD responded to the above address in reference to a possible building fire. Units arrived on location and investigation revealed that there was two small fires in two separate closets inside apartment E. The first closet was located just inside the apartment door on the east side wall and a coat ignited. The second closet was located in a back bedroom, along the west side wall where clothing was ignited. The only damage was to the clothing items. It should be noted that both small fires were extinguished prior to fire department arrival. FM-2 was notified and made a response. See FM-2's report for further details. | | |
| 02/21/2012 | 30046 | 2012-000125 | 21:36 | 425 | COUNTRY DR | | Smoke or odor removal |
| | | | | | DFD responded to the above address to remvoe smoke from the building at the request of the City Fire Marshall, who was on location investigating a previous incident. | | |
| 02/22/2012 | 30046 | 2012-000126 | 08:46 | 1001 | WHITEOAK RD BLDG E | | Cooking fire, confined to container |
| | | | | | Dispatched to above address for smoke in the bldg. Upon arrival DPD on scene and advised that it was a unattended cooking in apt 22. E4 crew investigated. E4 crew found that the fire was out but needed PPF. Set up PPF and removed smoke. Cleared. | | |
| 02/22/2012 | 30046 | 2012-000127 | 17:34 | 411 | LEGISLATIVE AVE | | Good intent call, other |
| | | | | | Dispatched to above address for a smell of gas in the bldg. Upon arrival E4 and L2 crews investigated and found nothing. Good intent call. | | |
| 02/22/2012 | 30046 | 2012-000128 | 19:11 | 75 | MCDANIEL DR | | Hazardous condition, other |
| | | | | | On the above date and time E4 responded for report of a CO problem in the residence, with one resident complaining of a headache. Crews | | |

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type |
|---|---|---|---|---|---|---|---|
| | | | | | arrived on scene and conducted a thorough walk thru of the residence finding no CO readings. A63 arrived on scene and began patient assesment. It was found the that resident had no CO readings in her blood and that there was no CO found in the residence. All crews cleared and the patient was not transported to the hosptial. Residents name was Gilda Bynum. | | |
| 02/22/2012 | 30046 | 2012-000129 | 20:26 | 1200 | N DUPONT HWY | | System malfunction, other |
| | | | | | Writer responded to the Village Cafe on DSU campus. Upon arrival Campus security had reset the alarm prior to my arrival. No investigation could be done. Unit cleared. | | |
| 02/22/2012 | 30046 | 2012-000130 | 22:12 | 516 | JEFFERIC BLVD | B | Unintentional transmission of alarm, other |
| | | | | | Dispatched to above address for a AFA. Prior to response, all units were cancelled by Dover 15, due to the alarm was set off when the electric was turned back on to the bldg, accidential. | | |
| 02/23/2012 | 30046 | 2012-000131 | 21:40 | 325 | N NEW ST | | False alarm or false call, other |
| | | | | | On the above date Dover Fire was alerted for report of a basement smoke detector activation. E4, L1, and L2 responded. E4 arrived on scene and writer assumed command. The resident met crews at the front door and advised everything was okay and that he did not want the FD to check the residence. Writer advised him it was in his best interest to let the FD personnel conduct a walk thru to make sure nothing was on Fire. After a brief conversation crews entered the residence and found that the residents were smoking what appeared to be marijuana in the basement and the smoke from same had set the detector off. Scene was placed under control and all units cleared. | | |
| 02/23/2012 | 30046 | 2012-000132 | 22:22 | 425 | COUNTRY DR | | Fires in structure other than in a building |
| | | | | | On the above date and time Dover Fire was alerted for report of smoke in the building. E4 and L1 went responding and while enroute , units were advised poss bed on fire. E4 arrived on scene and writer assumed command. L1 staged on side A of the structure . Crews from E4 and L1 investigated smoke coming from Apartment E and found that a pile of clothes on the bed had been lit on fire. The clothes were extinguised using a water can. Ladder 2 arrived and staged in the parking lot area . While crews remained on scene waiting for the FM , crews located a second fire had been lit in the hallway bathroom in a hamper. That fire was also extinguised with a water can. While FM-2 was investigating the first two fires a third fire was located in a closet , that fire was extinguised using a water can as well. The residents of the entire apartment building were evacuated to the fire alam being set off. Everyone exited safely and no one was injured. Crews remained on scene until FM-2 cleared the residence. All crews returned and the scene was turned over to the City FM and Dover PD.. | | |
| 02/24/2012 | 30046 | 2012-000133 | 11:59 | 371 | MAIN ST | | Cover assignment, standby, moveup |
| | | | | | DFD responded to station 43 for a Engine standby. | | |
| 02/24/2012 | 30046 | 2012-000134 | 12:35 | 30 | Barnsley Ct | | Assist police or other governmental agency |
| | | | | | FM 19 requested FM 1 and FM 2 along with DPD to help with a fire investigation due to a possible connection with past incidents in Dover. | | |
| 02/24/2012 | 30046 | 2012-000135 | 12:39 | 706 | Fox Point Dr | | Electrical wiring/equipment problem, other |
| | | | | | While standing by at station 43 Engine 6 was sent on an investgation for an electrical odor coming from the refrigerator. Crews investigated and found no problem at the residence. Units cleared with no further action. | | |
| 02/24/2012 | 30046 | 2012-000136 | 16:29 | 1200 | N DUPONT HWY | | Sprinkler activation due to malfunction |
| | | | | | On arrival University PD advised they had a fire alarm in the building, when they arrived on scene there were no horns or strobes activated in the building. They also advised they thought they had lost an electrical phase in the building. Checked the building and found a power outage to the building. Fire alarm panel was also checked and found the Fire Alarm had no power or batteries for battery back up. FM-2 responded and turned over to same.<br><br>Dover 17 cleared. | | |
| 02/24/2012 | 30046 | 2012-000137 | 16:57 | 16 | CLARA ST | | Detector activation, no fire - unintentional |
| | | | | | On arrival found occupant had burnt popcorn i the microwave, which activated the fire alarm system. All units cleared. | | |
| 02/24/2012 | 30046 | 2012-000138 | 18:08 | 1350 | N DUPONT HWY | | Electrical wiring/equipment problem, other |
| | | | | | CREWS CHECKED FOR A BURNING ODOR INSIDE THE BUILDING. AFTER A WALK THROUGH OF THE BUILDING CREWS FOUND A ELECTRICAL BACK UP SYSTEM MALFUNCTIONING OFF AND ON DUE TO POWER FAILURE IN THE AREA. COMMAND (CAPTAIN CAREY) HAD THE POWER SECURED TO THE BUILDING AND ADVISED THE MANAGER TO HAVE AN ELECTRICIAN RESPOND ASAP. | | |
| 02/24/2012 | 30046 | 2012-000139 | 19:17 | 122 | DAVIS CIR | | Alarm system activation, no fire - unintentional |
| | | | | | On arrival occupant advised she was cooking and had forgot to turn on her exhaust fan and smoked up the kitchen. Dover 17 cleared. | | |
| 02/24/2012 | 30046 | 2012-000140 | 20:43 | 101 | BABB DR | | Detector activation, no fire - unintentional |
| | | | | | On arrival found unattended cooking in a first floor apt. Crews ventilated the apt and units cleared. | | |
| 02/24/2012 | 30046 | 2012-000141 | 22:16 | 102 | KATRINA WAY | | Building fire |
| | | | | | DFD responded to the above address in reference to a building fire. Writer was first to arrive and observed smoke conditions from the first floor apartment. Engine 4 arrived and advanced an 1 3/4" preconnect through the front door for fire extinguishment. As the crew entered the apartment, they noticed the sprinkler system had contained the fire and only had to extinguish a small fire in a bedroom closet. Ladder 1 arrived and conducted search and rescue. Ladder 2 arrived and assisted Engine 4's crew. The fire was quickly contained and positive pressure was used to remove the smoke. The City Fire Marshal's office was contacted and responded to the scene as there were several separate locations where the fire had started. See his report for further details. | | |
| 02/24/2012 | 30046 | 2012-000142 | 23:30 | 1200 | N DUPONT HWY | | Smoke detector activation, no fire - unintentional |
| | | | | | BURNED HAIR IN APARTMENT WEST 24-A SET OFF THE DETECTOR. CREWS COMPLETED A WALK THROUGH OF THE BUILDING AND THE SCENE WAS TURNED OVER TO DSU POLICE. | | |
| 02/25/2012 | 30046 | 2012-000143 | 12:25 | 100 | KEARSNEY CT | | Outside rubbish fire, other |
| | | | | | E4'S CREW WET DOWN A AREA OF MULCH THAT WAS SMOLDERING BEHIND THE ABOVE ADDRESS.APPROX. 20 GALLONS OF WATER WAS USED. | | |
| 02/25/2012 | 30046 | 2012-000144 | 12:35 | 910 | WHATCOAT DR | | Cooking fire, confined to container |
| | | | | | E4'S CREW CHECKED APARTMENT 31 FOR A SMOKE CONDITION. CREWS FOUND FOOD LEFT ON THE STOVE. E4'S CREW OPENED THE WINDOWS AND UNITS CLEARED WITH THE ALARM STILL SOUNDING. | | |
| 02/25/2012 | 30046 | 2012-000145 | 22:08 | 22 | FOREST CREEK DR | | Good intent call, other |
| | | | | | DFD responded to the above address in reference to a smoke investigation, On arrival, crews determined the cause of the smoke was a result of a heater malfunction. No action taken. | | |

| Date | FDID | Incident# | Alarm | ### | Address | Suite | Type |
|---|---|---|---|---|---|---|---|
| 02/25/2012 | 30046 | 2012-000146 | 22:37 | 325 | BROAD STAIRS PL | | Smoke or odor removal |
| | | Responded to the above address for a odor of smoke coming from the heater. Crew from ladder 1 investigated with negative results. Scene was placed under control. | | | | | |
| 02/26/2012 | 30046 | 2012-000147 | 05:30 | 1365 | N DUPONT HWY | 1000 | False alarm or false call, other |
| | | Crews checked the above address for a water flow activation. Crews found know water flow and cleared the scene. | | | | | |
| 02/27/2012 | 30046 | 2012-000148 | 09:38 | 6068 | W DENNEYS RD | | Carbon monoxide detector activation, no CO |
| | | Dispatched to above address for a CO detector activation. Upon arrival found the resident outside in thier vehicle. She related that the CO detector had activated. Did a walk thru with the gas meter, no activation. Good intent, cleared. | | | | | |
| 02/27/2012 | 30046 | 2012-000149 | 13:01 | 1506 | N. Little Creek Road | | Attempted burning, illegal action, other |
| | | On arrival FM-1 was on scene and found on his arrival a subject burning rubber off of copper wiring. Fire was extinguished by homeowner. FM-1 requestd a fire dept response to ensure fire extinguishment. | | | | | |
| 02/27/2012 | 30046 | 2012-000150 | 14:41 | 154 | OLD FORGE DR | | Alarm system sounded due to malfunction |
| | | On arrival occupant advised she entered the improper pass code. Crews checked the residence with negetive results. | | | | | |
| 02/27/2012 | 30046 | 2012-000151 | 18:04 | 1200 | N DUPONT HWY | | System malfunction, other |
| | | Dispatched to above address for a AFA at DSU Memorial Hall. Upon arrival DSU secruity had done a walk thru and found nothing. The alarm was suppose to be a pull station on the north wall of the swimming pool area. Checked that area out and found no pull station pulled. DSU tried to get a reset with no success. Put the bldg on fire watch and had them call Advantech. Cleared. | | | | | |
| 02/29/2012 | 30046 | 2012-000152 | 14:38 | 63 | WAYNE DR | | Good intent call, other |
| | | On arrival RP stated she heard a smoke detector going off in the residence. I walked around the residence found an open door on the rear porch. Once inside found a malfunctioning smoke detector sitting on the table in the rear porch. I removed the battery from same and cleared. | | | | | |

Total Incidents: 80

# FY 11-12 City Funded Account Balance Sheet

| ACCOUNT | BUDGET | SPENT | BALANCE |
|---|---|---|---|
| Apparatus Repairs & Maintenance | $ 62,000.00 | $ 53,493.50 | $ 8,506.50 |
| Gasoline | $ 19,050.00 | $ 11,728.37 | $ 7,321.63 |
| Medical Supplies | $ 700.00 | | $ 700.00 |
| Other Equipment Repairs | $ 3,000.00 | $ 43.99 | $ 2,956.01 |
| Program Expenses | $ 36,630.00 | $ 29,675.30 | $ 6,954.70 |
| Radio Repairs | $ 2,000.00 | $ 652.27 | $ 1,347.73 |
| Safety & Security | $ 2,150.00 | $ 2,013.72 | $ 136.28 |
| Small Tools | $ 4,800.00 | $ 4,816.73 | **$ (16.73)** |
| Uniforms & Firefighting Gear | $ 26,100.00 | $ 19,700.49 | $ 6,399.51 |
| Building Expenses- Electricity | $ 51,820.00 | $ 34,064.24 | $ 17,755.76 |
| Building Maintenance Supplies | $ 1,650.00 | $ 62.31 | $ 1,587.69 |
| Heating Expenses- Gas | $ 20,000.00 | $ 6,971.07 | $ 13,028.93 |
| Telephone | $ 20,340.00 | $ 4,095.41 | $ 16,244.59 |
| Water & Sewer | $ 3,150.00 | $ 841.29 | $ 2,308.71 |
| Contractual Services | $ 16,587.00 | | $ 16,587.00 |
| Training & Travel | $ 8,815.00 | $ 4,559.00 | $ 4,256.00 |
| Pension | $ 3,500.00 | | $ 3,500.00 |
| Office Supplies | $ 2,500.00 | $1,343.35 | $ 1,156.65 |

Balance as of: 02/29/12

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

| | Type | Date | Num | Name | Memo | Clr | Split | Amount | Balance |
|---|---|---|---|---|---|---|---|---|---|
| **Ordinary Income/Expense** | | | | | | | | | |
| **Expense** | | | | | | | | | |
| **Apparatus Repairs & Maintenance** | | | | | | | | | |
| | Check | 02/18/2012 | 603 | Atlantic Emergency Solutions | Invoice # MOS1041P | | City Fund Account | 432.09 | 432.09 |
| Total Apparatus Repairs & Maintenance | | | | | | | | 432.09 | 432.09 |
| **Electricity** | | | | | | | | | |
| | Check | 02/04/2012 | 598 | City of Dover Utility | Acct # 44343-32052 | | City Fund Account | 2,985.01 | 2,985.01 |
| | Check | 02/11/2012 | 600 | City of Dover Utility | Acct # 44255-31966 | | City Fund Account | 600.37 | 3,585.38 |
| Total Electricity | | | | | | | | 3,585.38 | 3,585.38 |
| **Heating Expenses- Gas** | | | | | | | | | |
| | Check | 02/04/2012 | 597 | Chesapeake Utilities | Station1- 12/29 to 1/26 | | City Fund Account | 603.54 | 603.54 |
| | Check | 02/18/2012 | 604 | Chesapeake Utilities | Sta 1 from 01/5 to 02/3 | | City Fund Account | 1,463.81 | 2,067.35 |
| Total Heating Expenses- Gas | | | | | | | | 2,067.35 | 2,067.35 |
| **Office Supplies** | | | | | | | | | |
| | Check | 02/19/2012 | 607 | Staples | Acct # 6035 5178 2028 2647 | | City Fund Account | 265.45 | 265.45 |
| | Check | 02/25/2012 | 608 | Andrew Siegel | Dell Hard Drive Replacement | | City Fund Account | 189.00 | 454.45 |
| Total Office Supplies | | | | | | | | 454.45 | 454.45 |
| **Other Equipment Repairs** | | | | | | | | | |
| | Check | 02/12/2012 | 602 | Rommel's ACE | Invoice # 25598- Gas Can | | City Fund Account | 43.99 | 43.99 |
| Total Other Equipment Repairs | | | | | | | | 43.99 | 43.99 |
| **Program Expenses** | | | | | | | | | |
| | Check | 02/25/2012 | 610 | Witmer Public Safety | Invoice # 1141287 | | City Fund Account | 110.16 | 110.16 |
| Total Program Expenses | | | | | | | | 110.16 | 110.16 |
| **Telephone** | | | | | | | | | |
| | Check | 02/11/2012 | 601 | Verizon Wireless | Wireless Charges- 11/20 to 1/20 | | City Fund Account | 166.92 | 166.92 |
| Total Telephone | | | | | | | | 166.92 | 166.92 |
| **Training & Travel Expenses** | | | | | | | | | |
| | Check | 02/04/2012 | 599 | Delaware State Fire School | Pipeline Emergencies-Neidig | | City Fund Account | 25.00 | 25.00 |
| | Check | 02/18/2012 | 605 | Reed Exhibitions | JEMS EMS Conference- Baltimore | | City Fund Account | 315.00 | 340.00 |
| | Check | 02/25/2012 | 609 | Delaware State Fire School | Invoice # 12-2110- Knight | | City Fund Account | 35.00 | 375.00 |
| Total Training & Travel Expenses | | | | | | | | 375.00 | 375.00 |
| **Uniforms** | | | | | | | | | |
| | Check | 02/18/2012 | 606 | Signature Stitches | Invoice # m184 | | City Fund Account | 358.00 | 358.00 |
| Total Uniforms | | | | | | | | 358.00 | 358.00 |
| **Water/Sewer** | | | | | | | | | |
| | Check | 02/04/2012 | 598 | City of Dover Utility | Acct # 44345-32054 | | City Fund Account | 52.25 | 52.25 |
| | Check | 02/04/2012 | 598 | City of Dover Utility | Acct # 44341-32050 | | City Fund Account | 11.54 | 63.79 |
| | Check | 02/11/2012 | 600 | City of Dover Utility | Acct # 44253-31964 | | City Fund Account | 20.58 | 84.37 |
| Total Water/Sewer | | | | | | | | 84.37 | 84.37 |
| Total Expense | | | | | | | | 7,677.71 | 7,677.71 |
| Net Ordinary Income | | | | | | | | -7,677.71 | -7,677.71 |
| **Net Income** | | | | | | | | **-7,677.71** | **-7,677.71** |

**City of Dover**

**Capital Investment Plan**

**Project Tracking Report**

**February 29, 2012**

**Points to Remember -**

* Original Project Budget = Original Total Project Budget initially included in approved annual budget.
* Latest Project Budget = Revised Total Project Budget included in most recent approved annual budget or one of the following: bond resolution, revolving fund loan agreement, Council approved budget amendment, or City Manager approved amendment as per the Budget Amendment Procedure.
* Current Fiscal Year - Revised Fiscal Year Budget = Current Year approved project budgets plus carry forward balances of unspent budgets in the prior fiscal year. Project Carry Forward balances will be submitted to City Council for amendment in January 2010. Can also be amended with City Manager approval per the Budget Amendment Procedure.
* Water Quality, Inflow/Infiltration, Distribution Upgrades and New Development projects are budgeted as a blanket project and once individual projects are identified and estimated they are created using an allocation of the overall budgeted amount.
* Status and Comments provided by City Manager.
* For Finance purposes projects are considered completed when placed in service and **all** charges have been processed.

| Current Year Budget Funding Sources | General | Community Transportation | Water & Wastewater | Electric | Total CIP |
|---|---|---|---|---|---|
| Budget Balance | $ 78,000 | $ 118,588 | $ 430,591 | $ 360,333 | $ 987,512 |
| Library Funding - FY11 Budget Balance | 100,962 | - | - | 87,045 | 188,007 |
| Federal and/or State Grants | 7,422,183 | 1,400,000 | - | - | 8,822,183 |
| Library Green Energy/Bridge Loan | 2,700,000 | - | - | - | 2,700,000 |
| Friends of the Library Donation | 210,000 | - | - | - | 210,000 |
| Kent County Library Contribution | 1,000,000 | - | - | - | 1,000,000 |
| Library Reserve | 2,590,784 | - | - | - | 2,590,784 |
| Construction Loan | 274,961 | - | - | - | 274,961 |
| Community Transportation Fund - FY11 Balances | - | 678,612 | - | - | 678,612 |
| Revolving Fund Loans | - | - | 4,309,821 | - | 4,309,821 |
| Transfer from Capital Reserves | - | - | - | 370,730 | 370,730 |
| Impact Fees | - | - | 867,032 | - | 867,032 |
| Loan Proceeds - Streets & City Hall | 1,970,000 | - | - | - | 1,970,000 |
| Transfer Loan Proceeds to CT Fund - Streets | - | 875,000 | - | - | 875,000 |
| Transfer from Operating Funds | 623,847 | - | 1,750,000 | 3,500,000 | 5,873,847 |
| Interest Earned | 10,900 | 2,800 | - | 38,400 | 52,100 |
| Total Funding Sources (Unaudited) | $ 16,981,637 | $ 3,075,000 | $ 7,357,444 | $ 4,356,508 | $ 31,770,589 |

| | Hide | | TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS | | | | | | CURRENT FISCAL YEAR | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Project Code | Type | Description | Original Project Budget | Latest Project Budget | Project To Date Expenses | Project Budget Balance | % Budget Spent | Current Fiscal Yr. Budget | Revised Fiscal Yr. Budget | Fiscal YTD Expenses | % Budget Spent | Status | Comments |
| 1 | | | **FY2009** | | | | | | | | | | | |
| 2 | LB0901 | M/G | New Library Project | $ 18,200,000 | $ 20,469,080 | $ 10,806,417 | $ 9,662,663 | 52.8% | $ 11,195,009 | $ 14,298,890 | $ 6,636,227 | 46.4% | Started | Bid Pack A - Done. Bid Pack B - 40% Complete/Construction |
| 3 | | | **Totals - FY09** | $ 18,200,000 | $ 20,469,080 | $ 10,806,417 | $ 9,662,663 | 52.8% | $ 11,195,009 | $ 14,298,890 | $ 6,636,227 | 46.4% | | |
| 4 | | | | | | | | | | | | | | |
| 5 | | | **FY2012** | | | | | | | | | | | |
| 6 | --- | | Ann FD Truck Payment | $ 244,820 | $ 244,820 | $ 217,556 | $ 27,264 | 88.9% | $ 244,820 | $ 244,820 | $ 217,556 | 88.9% | | |
| 7 | --- | | Vehicles & Equipment | 377,927 | 377,927 | 221,999 | 155,928 | 58.7% | 377,927 | 377,927 | 221,999 | 58.7% | | Sweeper due in Jan. 2012; Sanitation Truck due in March 2012; |
| 8 | PR1201 | | Roof Replacement @ Dover Park | 30,000 | 30,000 | - | 30,000 | 0.0% | 30,000 | 30,000 | - | 0.0% | | |
| 9 | CT Fund | B/L | Streets & Alleys Program | 1,000,000 | 1,750,000 | - | 1,750,000 | 0.0% | 1,000,000 | 1,750,000 | - | 0.0% | | Pending financing |
| 10 | ST1202 | | Concrete Program | 30,000 | 30,000 | - | 30,000 | 0.0% | 30,000 | 30,000 | - | 0.0% | | Bid development in process |
| 11 | ST1203 | | Streets Dump Truck Refurbishment | 30,000 | 30,000 | 2,418 | 27,582 | 8.1% | 30,000 | 30,000 | 2,418 | 8.1% | | In progress |
| 12 | | | City Hall Sprinkler System | - | - | - | - | 0.0% | - | 220,000 | - | 0.0% | | |
| 13 | | | **Totals - FY12** | $ 1,712,747 | $ 2,462,747 | $ 441,973 | $ 2,020,774 | 17.9% | $ 1,712,747 | $ 2,682,747 | $ 441,973 | 16.5% | | |
| 14 | | | | | | | | | | | | | | |
| 15 | | | **Grand Totals** | $ 19,912,747 | $ 22,931,827 | $ 11,248,389 | $ 11,683,438 | 49.1% | $ 12,907,756 | $ 16,981,637 | $ 7,078,199 | 41.7% | | |

Legend

M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
G = Grant funded project
B/L = To be financed through bonds or commercial loan;Projects will be completed through CT Fund, therefore the loan proceeds will be transferred from Capital Fund into the Community Transportation Fun

**City of Dover**
**Community Transportation & General Fund Street Funds - Major CIP Projects**
**February, 2012**

| | Hide | | | TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS | | | | | CURRENT FISCAL YEAR | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Project Code | Type | Description | Original Project Budget | Latest Project Budget | Project To Date Expenses | Project Budget Balance | % Budget Spent | Current Fiscal Yr. Budget | Revised Fiscal Yr. Budget | Fiscal YTD Expenses | % Budget Spent | Status | Comments |
| 1 | | | **FY 2007** | | | | | | | | | | | |
| 2 | CT0708 | M | E. Water Street Brick | $ 65,000 | $ 65,000 | $ 68,000 | $ (3,000) | 104.6% | $ - | $ 65,000 | $ 68,000 | 104.6% | | Specialty contract needed. |
| 3 | | | **Totals** | $ 65,000 | $ 65,000 | $ 68,000 | $ (3,000) | 104.6% | $ - | $ 65,000 | $ 68,000.00 | 0.0% | | |
| 4 | | | | | | | | | | | | | | |
| 5 | | | **FY 2009** | | | | | | | | | | | |
| 6 | CT0977 | M | Schutte Parking Lot | $ 21,950 | $ 21,950 | $ - | $ 21,950 | 0.0% | $ - | $ 21,950 | $ - | 0.0% | | Deferred |
| 7 | CT1165 | M | Rte. 13,N. State -Kings Hwy | 591,662 | 591,662 | - | 591,662 | 0.0% | - | 591,662 | - | 0.0% | | |
| 8 | | | **Totals** | $ 613,612 | $ 613,612 | $ - | $ 21,950 | 0.0% | $ - | $ 613,612 | $ - | 0.0% | | |
| 9 | | | | | | | | | | | | | | |
| 10 | | | **FY2012** | | | | | | | | | | | |
| 11 | CT | M | Street Projects - State Funds | $ 950,000 | $ 800,000 | $ 9,135 | $ 790,865 | 1.1% | $ 950,000 | $ 121,388 | $ 9,135 | 7.5% | In process | Concrete work on Independence Blvd complete |
| 12 | Various | B/L | Street Projects - General Fund | 350,000 | 1,750,000 | 15,300 | 1,734,700 | 0.9% | 350,000 | 875,000 | 15,300 | | In process | Concrete work on Hazel to proceed in January/February |
| 13 | CT1201 | M | North Street Roundabout | - | 500,000 | - | 500,000 | 0.0% | - | 500,000 | - | 0.0% | In process | 60% complete |
| 14 | TE1201 | M | Lincoln Park Center | 900,000 | 900,000 | 6,211 | 893,789 | 0.0% | 900,000 | 900,000 | 6,211 | 0.7% | | |
| 15 | | | **Totals** | $ 2,200,000 | $ 3,950,000 | $ 30,646 | $ 3,919,354 | 0.8% | $ 2,200,000 | $ 2,396,388 | $ 30,646 | 1.4% | | |
| 16 | | | | | | | | | | | | | | |
| 17 | | | **Grand Totals** | $ 2,878,612 | $ 4,628,612 | $ 98,646 | $ 3,938,304 | 2.1% | $ 2,200,000 | $ 3,075,000 | $ 98,646 | 4.5% | | |

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
C = Project funded by combination of CT Funds and General Fund
B/L = To be financed through bonds or commercial loan; Projects will be completed through CT Fund, therefore the loan proceeds will be transferred from Capital Fund into the Community Transportation Fund;

**City of Dover**
**Water/Wastewater Improvement & Extension Fund - Major CIP Projects**
**February, 2012**

| | Project Code | Type | Description | TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS: Original Project Budget | Latest Project Budget | Project To Date Expenses | Project Budget Balance | % Budget Spent | CURRENT FISCAL YEAR: Approved Fiscal Yr. Budget | Revised Fiscal Yr. Budget | Fiscal YTD Expenses | % Budget Spent | Status | Comments |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | | | **FY 2008** | | | | | | | | | | | |
| 2 | WD0804 | M | 1.0 MG Elevated Water Storage | $ 4,196,600 | $ 2,590,000 | $ 31,861 | $ 2,558,139 | 1.2% | $ - | $ 178,916 | $ 10,777 | 6.0% | Started | Option to purchase land agreement under review |
| 3 | WD0805 | M | Piney Point Well | 398,800 | 665,000 | 70,011 | 594,989 | 10.5% | - | 147,319 | 2,329 | 1.6% | Started | DNREC permitting ongoing |
| 4 | WW0810 | M/SL | US 13 East Sanitary Sewer Interceptor | 2,376,800 | 3,022,562 | 3,232,228 | (209,666) | 106.9% | - | 295,722 | 286,629 | 96.9% | Complete | Complete |
| 5 | | | **Totals - FY08** | $ 6,972,200 | $ 6,277,562 | $ 3,334,100 | $ 2,943,462 | 53.1% | $ - | $ 621,957 | $ 299,735 | 48.2% | | |
| 6 | | | | | | | | | | | | | | |
| 7 | | | **FY2009** | | | | | | | | | | | |
| 8 | WQ0905 | M/SL | Bayard Avenue | $ 590,910 | $ 490,910 | $ 534,068 | $ (43,158) | 108.8% | $ - | $ 239,121 | $ 247,278 | 103.4% | In process | Complete; Final invoice Jan 2012; |
| 9 | WQ0907 | M/SL | Route 13 Water Main | 1,058,700 | 2,282,682 | 1,957,184 | 325,498 | 85.7% | - | 1,869,872 | 1,544,374 | 82.6% | In process | Constr complete; Punchlist & Insp; |
| 10 | | | **Totals - FY09** | $ 1,649,610 | $ 2,773,592 | $ 2,491,252 | $ 282,340 | 89.8% | $ - | $ 2,108,993 | $ 1,791,652 | 85.0% | | |
| 11 | | | | | | | | | | | | | | |
| 12 | | | **FY2010** | | | | | | | | | | | |
| 13 | WW1001 | M/SL | Inflow/Infiltration Removal | $ 1,800,000 | $ 2,122,536 | $ 1,761,684 | $ 360,852 | 83.0% | $ 1,800,000 | $ 766,201 | $ 404,128 | 52.7% | In process | Work is complete; close out documents/final invoice in progress |
| 14 | WW1007 | M/SL | Fox Hall Pump Station | 427,900 | 392,044 | 54,622 | 337,422 | 13.9% | - | 360,687 | 4,409 | 1.2% | Started | Will start after Heatherfield; |
| 15 | WW1008 | M/SL | Heatherfield F/M Rerouting | 220,400 | 324,916 | 207,402 | 117,514 | 63.8% | - | 237,506 | 158,707 | 66.8% | Started | Project 75% complete; Not paid yet; |
| 16 | WW1010 | I | Tar Ditch Interceptor Upgrade | 518,230 | 518,230 | 28,014 | 490,216 | 5.4% | - | 495,359 | 5,143 | 1.0% | Started | Resolution of easement issue pending; |
| 17 | | | **Totals - FY10** | $ 2,966,530 | $ 3,357,726 | $ 2,051,722 | $ 1,306,004 | 61.1% | $ 1,800,000 | $ 1,859,753 | $ 572,388 | 30.8% | | |
| 18 | | | | | | | | | | | | | | |
| 19 | | | **FY2011** | | | | | | | | | | | |
| 20 | WQ1103 | | WQI - Ross Street | - | 71,840 | - | 71,840 | 0.0% | 71,840 | 36,840 | - | 0.0% | | Preliminary design complete |
| 21 | WW1101 | M/SL | Inflow/Infiltration Removal | 500,000 | 500,000 | 367,619 | 132,381 | 73.5% | - | 457,601 | 325,219 | 71.1% | Started | Project 97% complete; |
| 22 | WW1104 | SL | Lepore Road P/S Replacement | 52,000 | 402,000 | 71,661 | 330,339 | 17.8% | 350,000 | 350,000 | 16,125 | 4.6% | Started | Final design revisions pending; |
| 23 | | | **Totals - FY11** | $ 552,000 | $ 973,840 | $ 439,280 | $ 534,560 | 45.1% | $ 421,840 | $ 844,441 | $ 341,344 | 40.4% | | |
| 24 | | | | | | | | | | | | | | |
| 25 | | | **FY2012** | | | | | | | | | | | |
| 26 | --- | | Vehicles & Equipment | $ 115,000 | $ 115,000 | $ 110,514 | $ 4,486 | 96.1% | $ 115,000 | $ 115,000 | $ 110,514 | 96.1% | In process | Vehicles received; |
| 27 | WD1201 | | Pay-As-You-Go Water Station | 30,240 | 30,240 | - | 30,240 | 0.0% | 30,240 | 30,240 | - | 0.0% | | Specs being developed |
| 28 | WD1202 | R | Misc. Distribution Upgrades | 60,000 | 60,000 | 5,706 | 54,294 | 9.5% | 60,000 | 60,000 | 5,706 | 9.5% | | Misc. repairs or emergencies |
| 29 | WD1203 | R | Wellhead Redevelopment Program | 65,000 | 65,000 | 44,371 | 20,629 | 68.3% | 65,000 | 65,000 | 44,371 | 68.3% | In process | Well #1 complete; Well #9 rehab |
| 30 | WD1204 | R | Emergency Generators | 80,000 | 80,000 | - | 80,000 | 0.0% | 80,000 | - | - | 0.0% | | Grant dependent |
| 31 | WQ1201 | | WQI - Wesley Campus | 51,200 | 51,200 | - | 51,200 | 0.0% | 51,200 | 51,200 | - | 0.0% | | Installation to begin late February |
| 32 | WQ1202 | | WQI - New Street | 97,120 | 97,120 | 9,600.00 | 87,520 | 9.9% | 97,120 | 97,120 | 9,600 | 9.9% | Started | Design started; |
| 33 | WQ1203 | | WQI - Silver Lake | 279,840 | 279,840 | 106,040.28 | 173,800 | 37.9% | 279,840 | 279,840 | 106,040 | 37.9% | In process | Construction started |
| 34 | WW1201 | M/SL | Inflow/Infiltration Removal | 1,000,000 | 1,000,000 | 22,829 | 977,171 | 2.3% | 1,000,000 | 1,000,000 | 22,829 | 2.3% | Started | Design started, early spring const. |
| 35 | WW1202 | R | SCADA Equipment Replacement | 84,900 | 84,900 | 73,004 | 11,896 | 86.0% | 84,900 | 84,900 | 73,004 | 86.0% | In process | Project 50% complete |
| 36 | WW1203 | R | Misc. Sewer System Improve | 37,000 | 37,000 | 9,935 | 27,065 | 26.9% | 37,000 | 37,000 | 9,935 | 26.9% | | Misc. repairs or emergencies |
| 37 | WW1204 | M | Wilmington College Pump Station | 25,000 | 25,000 | 8,760 | 16,240 | 35.0% | 25,000 | 25,000 | 8,760 | 35.0% | Started | Design started - actually Baltray PS |
| 38 | WW1205 | M | Dover Brook Gardens P/S Replace | 15,000 | 15,000 | 3,678.61 | 11,321 | 24.5% | 15,000 | 15,000 | 3,679 | 24.5% | Started | Design started |
| 39 | WW1206 | M | Brandywine Pump Station Replace | 52,000 | 52,000 | 12,778.84 | 39,221 | 24.6% | 52,000 | 52,000 | 12,779 | 24.6% | Started | Design started |
| 40 | WW1207 | M | McKee Rd Pump Station Communator Replacement | 10,000 | 10,000 | 2,050.62 | 7,949 | 20.5% | 10,000 | 10,000 | 2,051 | 20.5% | | Design started |
| 41 | | | | $ 2,002,300 | $ 2,002,300 | $ 409,267.66 | $ 1,593,032 | 0.0% | $ 2,002,300 | $ 1,922,300 | $ 409,268 | 21.3% | | |
| 42 | | | | | | | | | | | | | | |
| 43 | | | **Grand Totals** | $ 14,142,640 | $ 15,385,020 | $ 8,725,622 | $ 6,659,398 | 56.7% | $ 4,224,140 | $ 7,357,444 | $ 3,414,386 | 46.4% | | |

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
SL = State Loan Project - construction phase is financed
I = Impact Fee (partially) financed project

**City of Dover**
**Electric Improvement & Extension Fund - Major CIP Projects**
**February, 2012**

| | | | | TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS | | | | | CURRENT FISCAL YEAR | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Project Code | Type | Description | Original Project Budget | Latest Project Budget | Project To Date Expenses | Project Budget Balance | % Budget Spent | Current Fiscal Yr. Budget | Revised Fiscal Yr. Budget | Fiscal YTD Expenses | % Budget Spent | Status | Comments |
| 1 | | | **FY2011** | | | | | | | | | | | |
| 2 | EG1102 | M | Units 1 & 2 Cooling Tower | 372,400 | 199,140 | 134,538 | 64,602 | 67.6% | 25,410 | 25,410 | 400 | 1.6% | | Work deferred to 2012 |
| 3 | EG1107 | M | Units 1 & 2 Life Extension | 802,000 | 409,000 | 308,968 | 100,032 | 75.5% | 184,000 | 196,331 | 96,299 | 49.0% | | Motor work this spring |
| 4 | EG1112 | M | Unit 3 Heat Expansion Joint | - | 150,000 | 143,508 | 6,492 | 95.7% | 70,000 | 82,807 | 76,315 | 92.2% | Complete | |
| 5 | EG1113 | | Units 1 & 2 Control Modifications | - | 150,000 | 138,733 | 11,267 | 92.5% | - | 25,700 | 14,432 | 56.2% | Started | Complete w/Spring outage |
| 6 | EG1114 | | Unit 3 Gas Line Modification | - | 60,000 | 39,516 | 20,484 | 65.9% | - | 36,207 | 15,723 | 43.4% | Complete | |
| 7 | | | | $ 1,174,400 | $ 968,140 | $ 765,263 | $ 202,877 | 79.0% | $ 279,410 | $ 366,455 | $ 203,170 | 55.4% | | |
| 8 | | | | | | | | | | | | | | |
| 9 | | | **FY2012** | | | | | | | | | | | |
| 10 | --- | | Vehicles & Equipment | $ 168,828 | $ 168,828 | $ 71,241 | $ 97,587 | 42.2% | $ 168,828 | $ 144,328 | $ 71,241 | 49.4% | | All vehicles received |
| 11 | EE1201 | | Substation PT & CT Replacement | 267,715 | 267,715 | 210,819 | 56,896 | 78.7% | 267,715 | 267,715 | 210,819 | 78.7% | In process | 75% materials received |
| 12 | EE1202 | R | Lighting Project & Rehabilitation | 50,000 | 50,000 | 49,832 | 168 | 99.7% | 50,000 | 50,000 | 49,832 | 99.7% | Complete | |
| 13 | EE1203 | R | Equipment Replacement | 40,000 | 40,000 | 10,525 | 29,475 | 26.3% | 40,000 | 40,000 | 10,525 | 26.3% | In process | Equipment ordered |
| 14 | EE1204 | | Generator Replacement | 50,000 | 50,000 | 30,961 | 19,039 | 61.9% | 50,000 | 50,000 | 30,961 | 61.9% | Complete | |
| 15 | EE1205 | M | Frazier Substation Upgrade | 765,247 | 155,000 | 114,289 | 40,711 | 73.7% | 155,000 | 155,000 | 114,289 | 73.7% | In process | Materials ordered |
| 16 | EE1206 | R | Disb. Feeder Replacement | 377,510 | 377,510 | 254,533 | 122,977 | 67.4% | 377,510 | 377,510 | 254,533 | 67.4% | In process | On-going |
| 17 | EE1207 | R | Disb. Capacitors & Controls | 100,000 | 100,000 | 27,064 | 72,936 | 27.1% | 100,000 | 100,000 | 27,064 | 27.1% | In process | Materials ordered |
| 18 | EE1208 | R | Transmission Line Maintenance | 75,000 | 75,000 | 75,002 | (2) | 100.0% | 75,000 | 75,000 | 75,002 | 100.0% | Started | Materials ordered |
| 19 | EE1209 | | Scada Master Hardware Replacement | 75,000 | 75,000 | 73,845 | 1,155 | 98.5% | 75,000 | 75,000 | 73,845 | 98.5% | Started | Materials ordered |
| 20 | EE1210 | | Substation Battery | - | 24,500 | 15,251 | 9,249 | 62.2% | 24,500 | 24,500 | 15,251 | 62.2% | In process | 60% materials received |
| 21 | EE1212 | R | UG Transformers | 70,536 | 70,536 | 49,651 | 20,885 | 70.4% | 70,536 | 70,536 | 49,651 | 70.4% | In process | On-going |
| 22 | EE1212 | R | UG Conductors | 479,464 | 479,464 | 211,691 | 267,773 | 44.2% | 479,464 | 479,464 | 211,691 | 44.2% | In process | On-going |
| 23 | EE1212 | R | Meters | 50,000 | 50,000 | 17,652 | 32,348 | 35.3% | 50,000 | 50,000 | 17,652 | 35.3% | In process | On-going |
| 24 | EG1201 | | Unit 3 Boiler Air Heater | 440,000 | 440,000 | 76,759 | 363,241 | 17.4% | 440,000 | 440,000 | 76,759 | 17.4% | Started | Bid rec'd; CAF to Council 2/12 |
| 25 | EG1202 | M | Unit 3 Boiler Systems | 390,000 | 130,000 | - | 130,000 | 0.0% | 130,000 | 130,000 | | 0.0% | | Will complete Spring outage; |
| 26 | EG1203 | | Unit 3 FD & ID Fan Control Damper Upgrade | 92,000 | 92,000 | 3,835 | 88,165 | 4.2% | 92,000 | 92,000 | 3,835 | 4.2% | Started | Developing contract scope/bid |
| 27 | EG1204 | | Unit 3 DCS Computers & Software Upgrades | 85,000 | 85,000 | - | 85,000 | 0.0% | 85,000 | 85,000 | - | 0.0% | | To be completed by 6/3012; |
| 28 | EG1205 | R | Misc. Equipment Replacement | 70,000 | 70,000 | 21,280 | 48,720 | 30.4% | 70,000 | 70,000 | 21,280 | 30.4% | In process | On-going; 50% complete |
| 29 | EG1206 | | Demineralizer Control Replace @ McKee Run | 65,000 | 65,000 | 76 | 64,924 | 0.1% | 65,000 | 65,000 | 76 | 0.1% | | Bids in Feb; Complete by June |
| 30 | EG1207 | M | Unit 11 Component Replacement @ Van Sant | 50,000 | 50,000 | 44,915 | 5,085 | 89.8% | 50,000 | 50,000 | 44,915 | 89.8% | In process | Remaining scoped in development |
| 31 | EG1208 | | Switchyard Blast Walls @ McKee Run | 50,000 | 50,000 | 5,404 | 44,596 | 10.8% | 50,000 | 50,000 | 5,404 | 10.8% | In process | Developing work scope; To be completed June 2012 |
| 32 | EG1209 | M | Building Preservation @ McKee Run | 38,000 | 38,000 | 5,650 | 32,350 | 14.9% | 38,000 | 38,000 | 5,650 | 14.9% | In process | Sent out bids; Completion 6/12 |
| 33 | EG1210 | M | Unit 3 Cooling Water Line Life Extension | 25,000 | 25,000 | - | 25,000 | 0.0% | 25,000 | 25,000 | - | 0.0% | | Defer to FY13 |
| 34 | EG1211 | M | Unit 3 Stack Repairs | 25,000 | 25,000 | - | 25,000 | 0.0% | 25,000 | 25,000 | - | 0.0% | | On track for spring outage; Bid |
| 35 | EG1212 | M | Unit 3 Turbine Inspection | 1,021,000 | 348,000 | 61,686 | 286,314 | 17.7% | 348,000 | 348,000 | 61,686 | 17.7% | In process | High bid; Council amendment; |
| 36 | EG1213 | M | Unit 3 Aux System Components | 542,000 | 113,000 | 47,682 | 65,318 | 42.2% | 113,000 | 113,000 | 47,682 | 42.2% | In process | Partial completion; scope to finish being developed |
| 37 | EU1201 | R | Distribution Upgrades | 500,000 | 500,000 | 251,527 | 248,473 | 50.3% | 500,000 | 500,000 | 251,527 | 50.3% | In process | On-going |
| 38 | | | | $ 5,962,300 | $ 4,014,553 | $ 1,731,167 | $ 2,283,386 | 0.0% | $ 4,014,553 | $ 3,990,053 | $ 1,731,167 | 43.4% | | |
| 39 | | | | | | | | | | | | | | |
| 40 | | | **Grand Totals** | $ 7,136,700 | $ 4,982,693 | $ 2,496,430 | $ 2,486,263 | 22.5% | $ 4,293,963 | $ 4,356,508 | $ 1,934,337 | 44.4% | | |

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is re-budgeted to start over each fiscal year.
B = Bonded Project
S = State fully or partially reimbursed project

CITY OF DOVER ORDINANCE # 2012-09
2011-2012 BUDGET ORDINANCES

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**
The amount hereinafter named in various City funds are changed from the currently approved revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

**GENERAL FUND**
**REVENUES AND BUDGET FOR 2011-2012**

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE | $ 3,322,305 | $ - | $ 239,532 | $ 3,561,837 |
| REVENUES | | | | |
| FINES AND POLICE REVENUE | 579,000 | - | - | 579,000 |
| 911 FEE | 60,000 | - | - | 60,000 |
| INVESTMENT INCOME | 215,900 | - | - | 215,900 |
| LIBRARY REVENUES | 44,100 | - | - | 44,100 |
| KENT COUNTY BOOK REIMBURSEMENT | 390,900 | - | 15,000 | 405,900 |
| BUSINESS LICENSES | 1,523,675 | - | - | 1,523,675 |
| PERMITS AND OTHER LICENSES | 934,000 | - | - | 934,000 |
| MISCELLANEOUS CHARGES | 165,750 | - | - | 165,750 |
| POLICE EXTRA DUTY | 300,000 | - | - | 300,000 |
| PROPERTY TAXES | 11,133,367 | - | - | 11,133,367 |
| BID REVENUE | 51,821 | - | - | 51,821 |
| RECREATION REVENUE | 152,000 | - | - | 152,000 |
| FRANCHISE FEE | 520,000 | - | - | 520,000 |
| TRASH FEES | 2,050,000 | - | - | 2,050,000 |
| RENT REVENUE - GARRISON FARM | 87,000 | - | - | 87,000 |
| COURT OF CHANCERY FEES | 690,000 | - | - | 690,000 |
| REVENUES SUBTOTAL | 18,897,513 | - | 15,000 | 18,912,513 |
| INTERFUND SERVICE RECEIPTS | | | | |
| INTERFUND SERVICE RECEIPTS WATER/WASTEWATER | 988,393 | - | - | 988,393 |
| INTRAFUND SERVICE RECEIPTS ELECTRIC | 3,370,778 | - | - | 3,370,778 |
| INTERFUND SERVICE RECEIPTS SUBTOTAL | 4,359,171 | - | - | 4,359,171 |
| GRANTS | | | | |
| POLICE RELATED | 60,000 | - | - | 60,000 |
| CAPITAL SCHOOL DISTRICT REVENUE | 73,500 | - | - | 73,500 |
| DEMA HOMELAND SECURITY GRANT | - | - | 104,676 | 104,676 |
| POLICE PENSION GRANT | 620,000 | - | - | 620,000 |
| RECREATION GRANT | - | - | 35,383 | 35,383 |
| UNIVERSAL RECYCLING GRANT | - | 79,873 | - | 79,873 |
| GRANTS SUBTOTAL | 753,500 | 79,873 | 140,059 | 973,432 |
| TRANSFERS FROM | | | | |
| TRANSFER TAX | 900,000 | - | - | 900,000 |
| MUNICIPAL STREET AID | 526,814 | - | 131,760 | 658,574 |
| CIVIL TRAFFIC PENALTIES | 1,000,000 | - | - | 1,000,000 |
| WATER/WASTEWATER | 424,508 | - | - | 424,508 |
| ELECTRIC | 7,876,288 | - | - | 7,876,288 |
| TRANSFERS FROM SUBTOTAL | 10,727,610 | - | 131,760 | 10,859,370 |
| TOTAL REVENUES | $ 34,737,794 | $ 79,873 | $ 286,819 | $ 35,104,486 |
| TOTAL BEGINNING BALANCE AND REVENUES | $ 38,060,099 | $ 79,873 | $ 526,351 | $ 38,666,323 |

**2011-2012 BUDGET ORDINANCES - CONTINUED**
**GENERAL FUND - REVENUES AND BUDGET FOR 2011-2012**

| | | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|---|
| | DEPARTMENT EXPENSES | | | | |
| | CITY CLERK | $ 296,393 | $ - | $ - | $ 296,393 |
| | COUNCIL | 120,699 | - | - | 120,699 |
| | TAX ASSESSOR | 213,175 | - | - | 213,175 |
| | FIRE | 684,725 | - | - | 684,725 |
| | GROUNDS MAINTENANCE | 979,922 | - | - | 979,922 |
| | LIBRARY | 1,159,087 | - | - | 1,159,087 |
| | RECREATION | 789,701 | - | 33,443 | 823,144 |
| | LIFE SAFETY | 449,226 | - | 23,870 | 473,096 |
| | CODE INFORCEMENT | 284,489 | - | - | 284,489 |
| | PLANNING | 422,781 | - | - | 422,781 |
| | INSPECTIONS | 553,907 | - | - | 553,907 |
| | ECONOMIC DEVELOPMENT | 223,717 | - | - | 223,717 |
| | POLICE | 12,955,807 | - | - | 12,955,807 |
| | POLICE EXTRA DUTY | 430,600 | - | - | 430,600 |
| | STREETS | 782,810 | - | 131,245 | 914,055 |
| | SANITATION | 2,330,976 | 79,873 | - | 2,410,849 |
| | CITY MANAGER | 622,127 | - | - | 622,127 |
| | INFORMATION TECHNOLOGY | 685,871 | - | - | 685,871 |
| | FINANCE | 852,283 | - | - | 852,283 |
| | PUBLIC SERVICES - ADMINISTRATION | 472,692 | - | - | 472,692 |
| | FACILITIES MANAGEMENT | 952,693 | - | - | 952,693 |
| | CENTRAL SERVICES | 693,339 | - | - | 693,339 |
| | FLEET MAINTENANCE | 695,422 | - | - | 695,422 |
| | CUSTOMER SERVICES | 928,112 | - | - | 928,112 |
| | HUMAN RESOURCES | 384,758 | - | - | 384,758 |
| | MAYOR | 81,154 | - | - | 81,154 |
| | DEPARTMENT SUBTOTALS | 29,046,466 | 79,873 | 188,558 | 29,314,897 |
| | OTHER EXPENSES | | | | |
| | DEBT SERVICE | 327,270 | - | - | 327,270 |
| | INSURANCE | 550,000 | - | - | 550,000 |
| | RETIREES HEALTH CARE | 1,374,709 | - | - | 1,374,709 |
| | OPEB UNFUNDED LIABILITY | - | - | 239,532 | 239,532 |
| | PENSION UNFUNDED LIABILITY | 1,450,000 | - | - | 1,450,000 |
| | POLICE PENSION FUND | 620,000 | - | - | 620,000 |
| | POLICE PENSION UNFUNDED LIABILITY | 95,000 | - | - | 95,000 |
| | UNCOLLECTIBLES - TRASH AND OTHER | 10,000 | - | - | 10,000 |
| | STREET LIGHTS | 960,000 | - | - | 960,000 |
| | OTHER EXPENSE SUBTOTAL | 5,386,979 | - | 239,532 | 5,626,511 |
| | TRANSFERS | | | | |
| | TRANSFER TO CAPITAL FUND - PROJECTS | 623,847 | - | 146,760 | 770,607 |
| | TRANSFER TO CAPITAL FUND - RESERVE | 200,000 | - | | 200,000 |
| | TRANSFERS SUBTOTAL | 823,847 | - | 146,760 | 970,607 |
| | CURRENT YEAR BALANCE | $ 2,802,807 | $ - | $ (48,499) | $ 2,754,308 |
| | TOTAL CURRENT YEAR BALANCE AND EXPENDITURES | $ 38,060,099 | $ 79,873 | $ 526,351 | $ 38,666,323 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**GOVERNMENTAL CAPITAL PROJECTS FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE - PROJECTS | $ 195,191 | $ - | $ 61,201 | $ 256,392 |
| BEGINNING BALANCE - LIBRARY | - | 100,962 | - | 100,962 |
| REVENUES | | | | |
| STATE GRANTS | 5,597,505 | 1,519,678 | - | 7,117,183 |
| DEMEC GRANT | - | 215,000 | - | 215,000 |
| BTOP & GREENHOUSE GAS REDUCTION GRANTS | - | 90,000 | - | 90,000 |
| KENT COUNTY LIBRARY CONTRIBUTION | - | 1,000,000 | - | 1,000,000 |
| LIBRARY GREEN ENERGY/BRIDGE LOAN | 2,334,889 | 365,111 | - | 2,700,000 |
| CONSTRUCTION LOAN FOR LIBRARY | - | 274,961 | - | 274,961 |
| TRANSFER FROM LIBRARY RESERVE | 3,262,615 | (671,831) | - | 2,590,784 |
| FRIENDS OF THE LIBRARY DONATION | - | 210,000 | - | 210,000 |
| LOAN PROCEEDS - STREETS, CITY HALL | 2,000,000 | - | - | 2,000,000 |
| TRANSFER FROM GENERAL FUND FOR PROJECTS | 623,847 | - | - | 623,847 |
| INTEREST EARNINGS | 10,900 | - | - | 10,900 |
| TOTAL REVENUES | $ 13,829,756 | $ 3,002,919 | $ - | $ 16,832,675 |
| TOTAL BEGINNING BALANCE AND REVENUES | $ 14,024,947 | $ 3,103,881 | $ 61,201 | $ 17,190,029 |

EXPENSE SUMMARY

| DEPARTMENT EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| FIRE | $ 244,820 | $ - | $ - | $ 244,820 |
| LIBRARY | 11,195,009 | 3,103,881 | - | 14,298,890 |
| RECREATION | 30,000 | - | - | 30,000 |
| POLICE | 65,000 | - | - | 65,000 |
| STREETS | 1,230,027 | 750,000 | - | 1,980,027 |
| SANITATION | 136,500 | - | - | 136,500 |
| FACILITIES MAINTENANCE | - | 220,000 | - | 220,000 |
| INFORMATION TECHNOLOGY | 6,400 | - | - | 6,400 |
| LOAN ISSUANCE COSTS | - | 30,000 | - | 30,000 |
| EXPENSES SUBTOTAL | 12,907,756 | 4,103,881 | - | 17,011,637 |
| CURRENT YEAR BALANCE - LOAN PROCEEDS | 1,000,000 | (1,000,000) | - | - |
| CURRENT YEAR BALANCE | 117,191 | - | 61,201 | 178,392 |
| TOTAL CURRENT YEAR BALANCES AND EXPENSES | $ 14,024,947 | $ 3,103,881 | $ 61,201 | $ 17,190,029 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**WATER/WASTEWATER FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE - WATER | $ 2,385,027 | $ - | $ 182,145 | $ 2,567,172 |
| BEGINNING BALANCE - WASTEWATER | 1,741,242 | - | 190,272 | 1,931,514 |
| BEGINNING BALANCE - KCSA | (1,757,484) | - | 514,241 | (1,243,243) |
| TOTAL BEGINNING BALANCES | 2,368,785 | - | 886,658 | 3,255,443 |
| BASE REVENUE | | | | |
| WATER FEES | 4,603,400 | - | - | 4,603,400 |
| WASTEWATER FEES | 3,756,700 | - | - | 3,756,700 |
| WASTEWATER ADJUSTMENT FEES | 3,090,900 | - | - | 3,090,900 |
| GROUNDWATER INFLOW ADJUSTMENT | 1,386,900 | - | - | 1,386,900 |
| WATER TANK SPACE LEASING | 307,600 | - | - | 307,600 |
| SEWER IMPACT FEES | 323,000 | - | - | 323,000 |
| WATER IMPACT FEES | 357,000 | - | - | 357,000 |
| INTEREST - WATER | 10,600 | - | - | 10,600 |
| INTEREST - WASTEWATER | 17,200 | - | - | 17,200 |
| MISCELLANEOUS SERVICE FEE | 58,000 | - | - | 58,000 |
| TOTAL REVENUES | 13,911,300 | - | - | 13,911,300 |
| TOTAL BEGINNING BALANCE AND REVENUES | $ 16,280,085 | $ - | $ 886,658 | $ 17,166,743 |

EXPENSE SUMMARY

| DEPARTMENT EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| ENGINEERING AND INSPECTION | $ 622,230 | $ - | $ - | $ 622,230 |
| WATER CONSTRUCTION | 440,088 | - | - | 440,088 |
| WATER DEPARTMENT | 382,655 | - | - | 382,655 |
| WATER TREATMENT PLANT | 1,543,114 | - | - | 1,543,114 |
| WASTEWATER DEPARTMENT | 959,735 | - | - | 959,735 |
| KENT COUNTY TREATMENT CHARGE | 4,235,400 | - | - | 4,235,400 |
| TOTAL DEPARTMENT EXPENSES | 8,183,222 | - | - | 8,183,222 |
| OTHER EXPENSES | | | | |
| DEBT SERVICE - WATER | 320,853 | - | - | 320,853 |
| DEBT SERVICE - WASTEWATER | 416,083 | - | - | 416,083 |
| RETIREES HEALTH CARE | 190,830 | - | - | 190,830 |
| UNCOLLECTIBLES | 5,000 | - | - | 5,000 |
| OPEB UNFUNDED LIABILITY | - | - | 372,417 | 372,417 |
| PENSION UNFUNDED LIABILITY | 228,400 | - | - | 228,400 |
| INTRAFUND SERVICE FEES | 1,228,596 | - | - | 1,228,596 |
| INVENTORY/FIXED ASSET WRITEOFFS | 10,000 | - | - | 10,000 |
| TOTAL OTHER EXPENSES | 2,399,762 | - | 372,417 | 2,772,179 |
| TRANSFER TO | | | | |
| GENERAL FUND FROM WATER | 238,842 | - | - | 238,842 |
| GENERAL FUND FROM WASTEWATER | 185,666 | - | - | 185,666 |
| WATER IMP AND EXT | 750,000 | - | - | 750,000 |
| WASTEWATER IMP AND EXT | 1,000,000 | - | - | 1,000,000 |
| SEWER IMPACT FEE RESERVE | - | - | - | - |
| WATER IMPACT FEE RESERVE | 36,147 | - | - | 36,147 |
| TRANSFER TO CONTINGENCY WASTEWATER | 8,000 | - | - | 8,000 |
| CAPITAL ASSET RESERVE WATER | 100,000 | - | - | 100,000 |
| CAPITAL ASSET RESERVE WASTEWATER | 300,000 | - | - | 300,000 |
| TRANSFER TO SUBTOTAL | 2,618,655 | - | - | 2,618,655 |
| CURRENT YEAR BALANCE - WATER | 2,738,400 | - | - | 2,738,400 |
| CURRENT YEAR BALANCE - WASTEWATER | 1,855,130 | - | - | 1,855,130 |
| CURRENT YEAR BALANCE - KCSA | (1,515,084) | - | 514,241 | (1,000,843) |
| CURRENT YEAR BALANCE SUBTOTALS | 3,078,446 | - | 514,241 | 3,592,687 |
| TOTAL CURRENT YEAR BALANCES AND EXPENSES | $ 16,280,085 | $ - | $ 886,658 | $ 17,166,743 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE - WATER | $ 1,139,872 | $ - | $ 397,902 | $ 1,537,774 |
| BEGINNING BALANCE - WASTEWATER | 303,476 | - | 36,197 | 339,673 |
| TOTAL BEGINNING BALANCES | 1,443,348 | - | 434,099 | 1,877,447 |
| REVENUES | | | | |
| STATE LOAN-WATER 2010 ISSUE | - | 1,923,489 | - | 1,923,489 |
| STATE LOAN-WASTEWATER 2009 ISSUE | 1,800,000 | (178,728) | (361,422) | 1,259,850 |
| STATE LOAN-WASTEWATER 2011 ISSUE | - | 765,060 | - | 765,060 |
| TRANS FR WATER/WASTEWATER FOR WATER | 750,000 | - | - | 750,000 |
| TRANS FR WATER/WASTEWATER FOR WASTEWATER | 1,000,000 | - | - | 1,000,000 |
| TRANSFER FROM IMPACT FEE RESERVE | 262,840 | 604,192 | - | 867,032 |
| FEDERAL/STATE GRANTS | - | | | - |
| TOTAL REVENUES | 3,812,840 | 3,114,013 | (361,422) | 6,565,431 |
| TOTAL BEGINNING BALANCE AND REVENUES | $ 5,256,188 | $ 3,114,013 | $ 72,677 | $ 8,442,878 |

EXPENSE SUMMARY

| DEPARTMENT EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| WATER | $ 766,240 | $ 2,320,228 | $ - | $ 3,086,468 |
| WASTEWATER | 3,404,900 | 813,076 | - | 4,217,976 |
| WATER TREATMENT PLANT | 22,900 | - | - | 22,900 |
| WATER CONSTRUCTION | 30,100 | - | - | 30,100 |
| TOTAL DEPARTMENT EXPENSES | 4,224,140 | 3,133,304 | - | 7,357,444 |
| CURRENT YEAR BALANCE - WATER | 1,070,632 | (396,739) | 397,902 | 1,071,795 |
| CURRENT YEAR BALANCE - WASTEWATER | (38,584) | 377,448 | (325,225) | 13,639 |
| TOTAL CURRENT YEAR BALANCES | 1,032,048 | (19,291) | 72,677 | 1,085,434 |
| TOTAL CURRENT YEAR BALANCES AND EXPENSES | $ 5,256,188 | $ 3,114,013 | $ 72,677 | $ 8,442,878 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**ELECTRIC UTILITY FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE | $ 11,867,003 | $ - | $ 573,547 | $ 12,440,550 |
| BASE REVENUES | | | | |
| DIRECT SALES TO CUSTOMERS | 95,675,500 | - | - | 95,675,500 |
| PURCHASE POWER ADJUSTMENT | (6,012,000) | - | - | (6,012,000) |
| UTILITY TAX | 1,966,100 | - | - | 1,966,100 |
| GREEN ENERGY | 129,000 | - | - | 129,000 |
| MISCELLANEOUS REVENUE | 919,000 | - | - | 919,000 |
| RENT REVENUE | 225,000 | - | - | 225,000 |
| TRANSFER FROM RATE STABILIZATION | 1,000,000 | - | - | 1,000,000 |
| INTRAFUND SERVICE RECEIPTS WATER/WASTEWATER | 240,203 | - | - | 240,203 |
| INTEREST EARNINGS | 264,900 | - | - | 264,900 |
| TOTAL REVENUES | 94,407,703 | - | - | 94,407,703 |
| TOTALS | $106,274,706 | $ - | $ 573,547 | $106,848,253 |

EXPENSE SUMMARY

| EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| POWER SUPPLY | $ 42,047,430 | $ - | $ - | $ 42,047,430 |
| POWER SUPPLY MANAGEMENT | 1,170,000 | - | - | 1,170,000 |
| PJM CHARGES - LOAD | 15,043,396 | - | - | 15,043,396 |
| CAPACITY CHARGES | 8,506,512 | - | - | 8,506,512 |
| CONTRACTUAL SERVICES | 115,000 | - | 150,000 | 265,000 |
| SUB-TOTAL POWER SUPPLY | 66,882,338 | - | 150,000 | 67,032,338 |
| PLANT OPERATIONS | 5,964,817 | - | - | 5,964,817 |
| GENERATIONS FUELS | 664,641 | - | - | 664,641 |
| PJM CREDITS | (1,285,675) | - | - | (1,285,675) |
| CAPACITY CREDITS | (7,388,283) | - | - | (7,388,283) |
| GENERATION SUBTOTAL | (2,044,500) | - | - | (2,044,500) |
| TOTAL EXPENSES | 64,837,838 | - | 150,000 | 64,987,838 |
| DIRECT EXPENDITURES | | | | |
| TRANSMISSION/DISTRIBUTION | 3,162,026 | - | - | 3,162,026 |
| ELECTRICAL ENGINEERING | 1,177,060 | - | - | 1,177,060 |
| ADMINISTRATION | 602,715 | - | - | 602,715 |
| METER READING | 215,208 | - | - | 215,208 |
| SYSTEMS OPERATIONS | 473,895 | - | - | 473,895 |
| UTILITY TAX | 1,966,100 | - | - | 1,966,100 |
| DIRECT EXPENDITURES SUBTOTAL | 7,597,004 | - | - | 7,597,004 |
| OTHER EXPENSES | | | | |
| ALLOW FOR UNCOLLECTIBLES | 150,000 | - | - | 150,000 |
| RETIREES HEALTH CARE | 646,510 | - | - | 646,510 |
| TRANSFER TO PENSION UNFUNDED LIABILITY | 1,110,500 | - | - | 1,110,500 |
| OPEB UNFUNDED LIABILITY | 1,115,300 | - | 573,547 | 1,688,847 |
| GREEN ENERGY PAYMENT TO DEMEC | 129,000 | - | - | 129,000 |
| INTRAFUND SERVICE FEES | 3,370,778 | - | - | 3,370,778 |
| INTEREST ON DEPOSITS | 54,500 | - | - | 54,500 |
| INVENTORY WRITE OFFS | 175,000 | - | - | 175,000 |
| DEBT SERVICE | 3,336,800 | - | - | 3,336,800 |
| OTHER EXPENSES SUBTOTAL | 10,088,388 | - | 573,547 | 10,661,935 |
| TRANSFER TO | | | | |
| IMPROVEMENT AND EXTENSION | 3,500,000 | - | - | 3,500,000 |
| GENERAL FUND | 7,876,288 | - | - | 7,876,288 |
| DEPRECIATION RESERVE | - | - | - | - |
| RATE STABILIZATION RESERVE | - | - | - | - |
| TRANSFER TO SUBTOTAL | 11,376,288 | - | - | 11,376,288 |
| CURRENT YEAR BALANCE | 12,375,188 | - | (150,000) | 12,225,188 |
| TOTALS | $106,274,706 | $ - | $ 573,547 | $106,848,253 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE | $ 2,561,096 | $ 87,045 | $ 527,234 | $ 3,175,375 |
| REVENUES | | | | |
| INTEREST EARNINGS | 38,400 | - | - | 38,400 |
| RECEIPT FROM DEPRECIATION RESERVE | 300,000 | - | - | 300,000 |
| TRANSFER FROM INSURANCE STABILIZATION | 70,730 | - | - | 70,730 |
| TRANSFER FROM ELECTRIC | 3,500,000 | - | - | 3,500,000 |
| TOTAL REVENUES | 3,909,130 | - | - | 3,909,130 |
| TOTALS | $ 6,470,226 | $ 87,045 | $ 527,234 | $ 7,084,505 |

EXPENSE SUMMARY

| EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| ELECTRIC GENERATION | $ 1,810,410 | $ 87,045 | $ - | $ 1,897,455 |
| TRANSMISSION AND DISTRIBUTION | 648,337 | - | - | 648,337 |
| ELECTRICAL ENGINEERING | 1,790,716 | - | - | 1,790,716 |
| METER READING | 20,000 | - | - | 20,000 |
| TOTAL EXPENSES | 4,269,463 | 87,045 | - | 4,356,508 |
| CURRENT YEAR BALANCE | 2,200,763 | - | 527,234 | 2,727,997 |
| TOTAL CURRENT YEAR BALANCE AND EXPENSES | $ 6,470,226 | $ 87,045 | $ 527,234 | $ 7,084,505 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2011-2012 BUDGET ORDINANCES - CONTINUED

**COMMUNITY TRANSPORTATION IMPROVEMENT FUND**
**REVENUES AND BUDGET FOR 2011-2012**

REVENUES

| | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | Proposed Budget Adj. | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| BEGINNING BALANCE | $ 312,651 | $ - | $ 122,509 | $ 435,160 |
| REVENUES | | | | |
| GRANTS REVENUE - Streets & Lincoln Park | 1,900,000 | - | - | 1,900,000 |
| TRANSFER FROM GENERAL FUND | 350,000 | (350,000) | 131,760 | 131,760 |
| LOAN PROCEEDS - STREETS | - | 1,750,000 | - | 1,750,000 |
| INTEREST INCOME | 2,800 | - | - | 2,800 |
| TOTAL REVENUES | 2,252,800 | 1,400,000 | 131,760 | 3,784,560 |
| TOTAL BEGINNING BALANCE AND REVENUES | $ 2,565,451 | $ 1,400,000 | $ 254,269 | $ 4,219,720 |

EXPENSE SUMMARY

| EXPENSES | ORIGINAL 2011/12 BUDGET | 1st Budget Adjustment | | REVISED 2011/12 BUDGET |
|---|---|---|---|---|
| PROGRAM EXPENSES - STREETS | $ 1,300,000 | $ 875,000 | $ 131,760 | $ 2,306,760 |
| LINCOLN PARK/CLARENCE STREET PROJECT | 900,000 | - | - | 900,000 |
| TOTAL EXPENSES | 2,200,000 | 875,000 | 131,760 | 3,206,760 |
| CURRENT YEAR BALANCE - BOND PROCEEDS | - | 875,000 | - | 875,000 |
| CURRENT YEAR BALANCE | 365,451 | (350,000) | 122,509 | 137,960 |
| TOTAL CURRENT YEAR BALANCES AND EXPENSES | $ 2,565,451 | $ 1,400,000 | $ 254,269 | $ 4,219,720 |

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

**FIRST READING**

**CITY OF DOVER PROPOSED ORDINANCE #2012-11**

**AN ORDINANCE AMENDING THE ZONING MAP, SOURCE WATER PROTECTION OVERLAY ZONE - TIER 3 EXCELLENT RECHARGE AREA IN THE VICINITY OF NORTH DUPONT HIGHWAY AND LEIPSIC ROAD**

**WHEREAS**, the Delaware Code, Title 7- Conservation, Chapter 60 - Environmental Control, Subchapter VI - Source Water Protection requires that municipalities adopt regulations to protect areas around public wells and areas identified as "excellent recharge areas"; and

**WHEREAS**, on November 26, 2007, City Council adopted the Source Water Protection Overlay Zone (SWPOZ) and on March 24, 2008, City Council amended this zone by adding protections for "excellent recharge areas"; and

**WHEREAS**, Appendix B - Zoning, Article 3 - District Regulations, Section 29 - Source Water Protection Overlay Zone (SWPOZ) includes a procedure for contesting the delineation of the source water protection overlay zone; and

**WHEREAS**, the Dover Planning Office received a geotechnical evaluation for the site known as Dover Crossroads at the southeast corner of North DuPont Highway (U.S. 13) and Leipsic Road; and

**WHEREAS**, the Department of Natural Resources and Environmental Control has reviewed the evaluation and provided an updated contour of the "excellent recharge area" in this vicinity.

**NOW, THEREFORE, BE IT ORDAINED THAT** the Mayor and Council of the City of Dover hereby amend the Zoning Map as it relates to the SWPOZ - Tier 3 Excellent Recharge Areas in the area including and adjacent to the Dover Crossroads site in accordance with the exhibit entitled "Amendment to the SWPOZ - Tier 3 Excellent Recharge Area", dated June 11, 2012.

**Ssynopsis**

The proposed ordinance would adopt an amendment to the Source Water Protection Overlay Zone (SWPOZ) - Tier 3 Excellent Recharge Areas in the vicinity of North DuPont Highway and Leipsic Road.

(SPONSORS: STAFF)

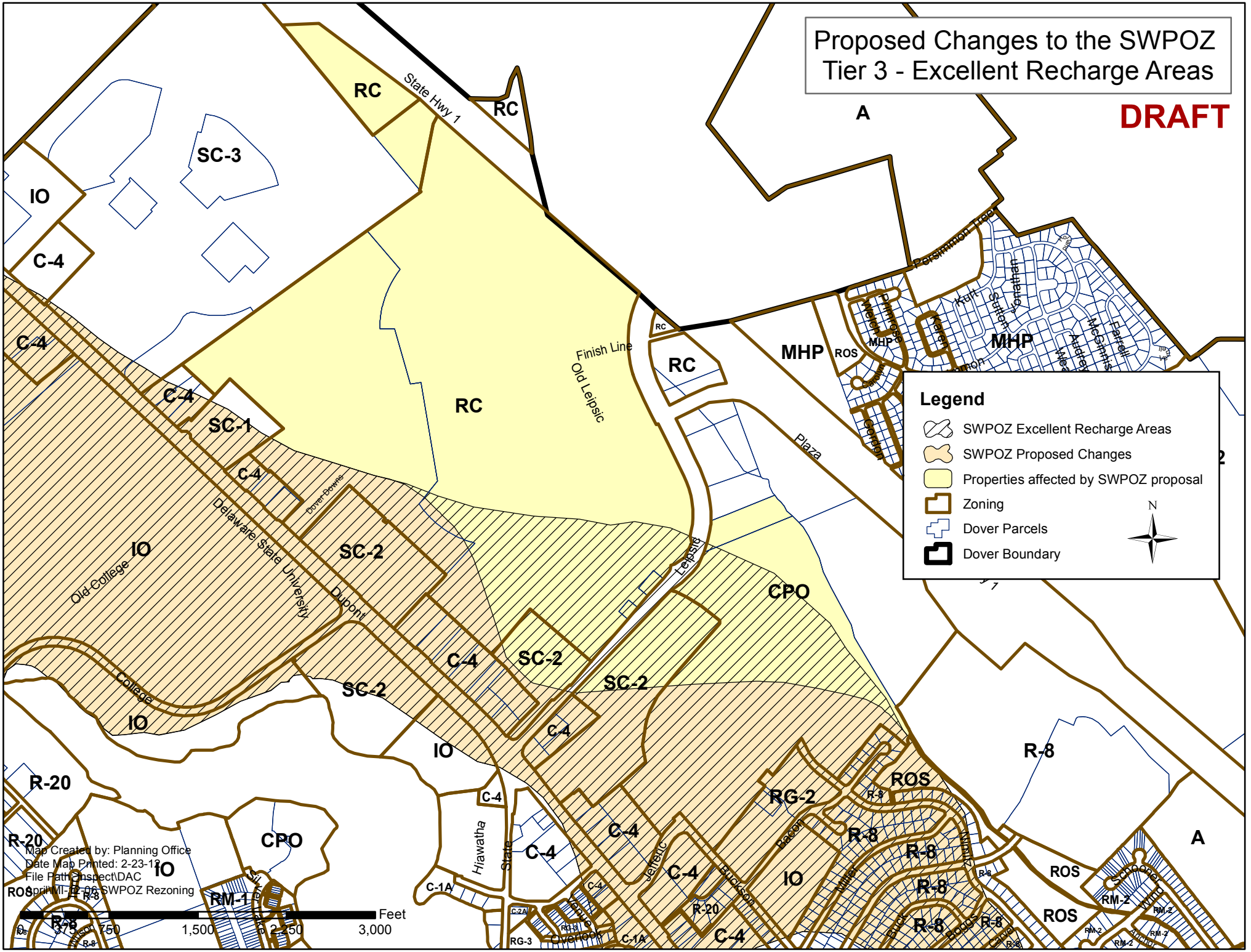
**ADOPTED: ***

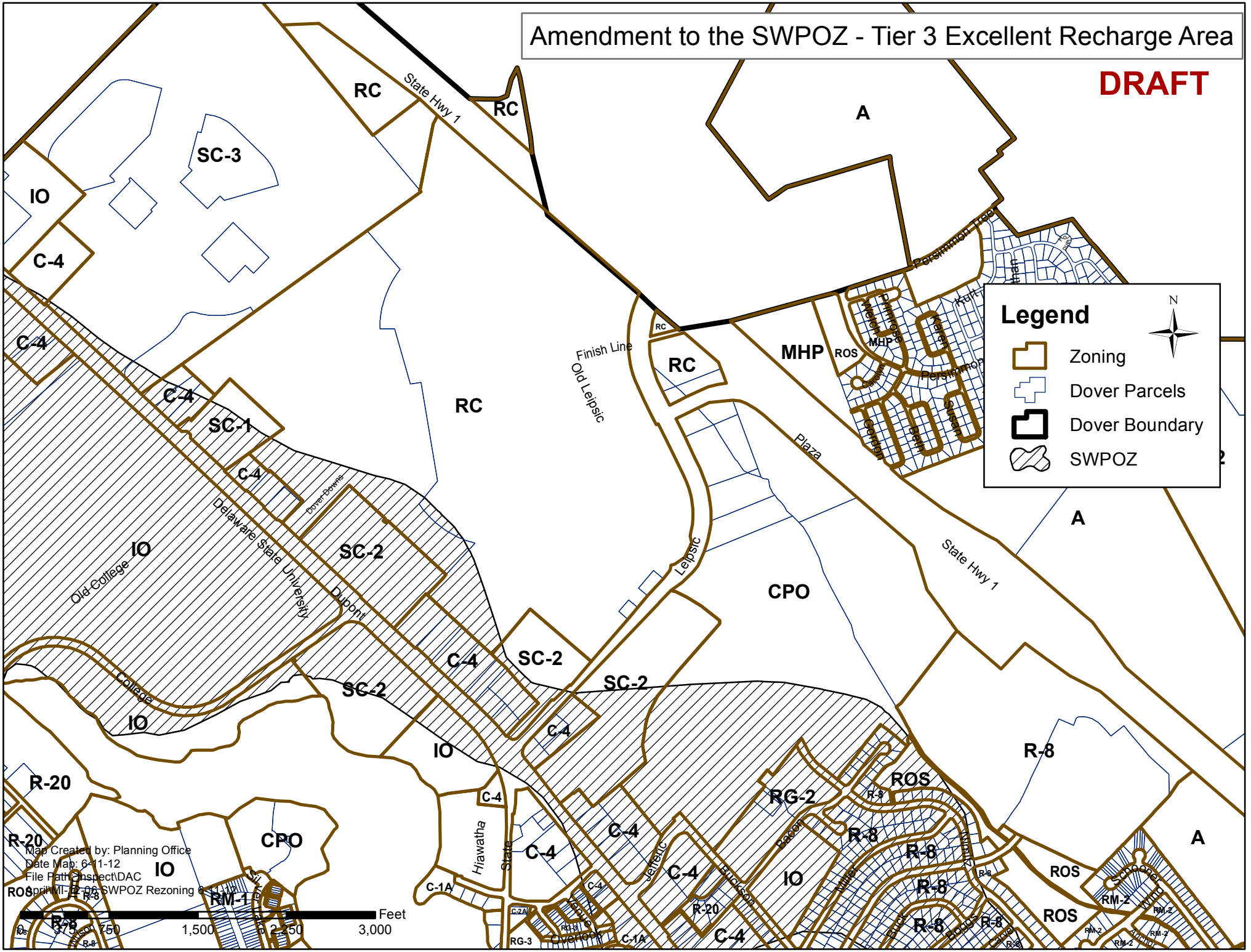
S:\ORDINANCES\2012\Draft\2012-11 - SWPOZ Tier 3 - N DuPont Hwy and Leipsic Rd.wpd

Actions History

April 9, 2012 - Scheduled for First Reading by City Council/Referral to Planning Commission

Draft


Proposed Changes to the SWPOZ
Tier 3 - Excellent Recharge Areas
DRAFT
Legend
SWPOZ Excellent Recharge Areas
SWPOZ Proposed Changes
Properties affected by SWPOZ proposal
Zoning
Dover Parcels
Dover Boundary
N
Map Created by: Planning Office
Date Map Printed: 2-23-12
File Path:\Inspect\DAC
April\MI-12-06 SWPOZ Rezoning
Feet
0
750
1,500
2,250
3,000
State Hwy 1
Old Leipsic
Finish Line
Persimmon Trail
Plaza
Leipsic
Delaware State University
Old College
College
Dupont
Dover Downs
Hiawatha
State
Jefferic
Bacon
Buckson
Wilmington
Schoolcraft
Overbrook
Sylvan
Watson
Kent
Sutton
Jonathan
Parrell
McGinnis
Andrew
Primrose
Wagon Wheel
Kenton
Lenape
RC
A
SC-3
IO
C-4
SC-1
SC-2
CPO
MHP
ROS
R-20
R-8
RG-2
RG-3
RM-1
RM-2
C-1A
C-2A


Amendment to the SWPOZ - Tier 3 Excellent Recharge Area
DRAFT
Legend
Zoning
Dover Parcels
Dover Boundary
SWPOZ
N
RC
A
SC-3
IO
C-4
SC-1
SC-2
MHP
ROS
CPO
R-20
R-8
RG-2
RM-1
RM-2
RG-3
C-1A
State Hwy 1
Finish Line
Old Leipsic
Leipsic
Plaza
Persimmon Tree
Delaware State University
Old College
College
Dupont
Dover Downs
Hiawatha
State
Jefferic
Bacon
Buck Run
Overlook
Map Created by: Planning Office
Date Map: 6-11-12
File Path:\Inspect\DAC
Feet
0
750
1,500
2,250
3,000

**CITY OF DOVER PROPOSED ORDINANCE #2011-31 WITH LF&A AND SENATE AMENDMENT NO. 1 TO SB NO. 166**
**(LF&A AMENDMENTS INDICATED IN BOLD, BLUE, DOUBLE UNDERLINE)**
***(SENATE AMENDMENT TO SB 166 CHANGES INDICATED IN BOLD GREEN, ITALICS)***

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

That Chapter 102 Taxation, Article I - In General, Section 102-1 - Valuation and assessment, be amended by inserting the text indicated in bold, blue, underlined italics; bold, blue, double underline; and bold green, italics and deleting the text indicated in bold, red strikeout as follows:

Sec. 102-1. - Valuation and assessment.

Section 47 of the Charter provides that an impartial valuation and assessment of all real property within the city ~~**shall**~~ ***may*** be conducted by the city assessor ***or assessors*** ~~**every third year**~~. The council may also direct that in lieu of the ~~**re**~~assessment and valuation by the city assessor, ~~**such**~~ **a** reassessment and ***re***valuation may be done by ***the assessor or assessors or*** an outside ~~**appraiser**~~ ***mass appraisal company*** ***or a consortium of appraisers*** chosen by the council.

~~**Pursuant to section 47 of the Charter, c**~~ ***C***ommencing with the year 2010 and every ~~**ninth**~~ ***fifth*** year thereafter, ***unless otherwise directed,*** the ***re***valuation and ***re***assessment of all real property ~~**shall**~~ ***may*** be conducted***, under the supervision of the assessor or in conjunction with the assessor,*** by an outside ~~**appraiser**~~ ***mass appraisal company*** ***or a consortium of appraisers*** chosen by the council. **The mass appraisal company** ***or consortium of appraisers*** **shall be licensed to conduct business in the State of Delaware and the City of Dover and shall employ appraisers who are** ~~***recognized***~~ ***licensed*** **by the Delaware Division of Professional Regulations**. All property shall be valued as to its status; as of its ownership; ~~**and**~~ as of its current market value as of the January 1 assessment date~~.~~ ***and shall reflect fair market value.***

ADOPTED: *

S:\ORDINANCES\2011\Draft\Ordinance 2011-31 - Ch 102 - Taxation, Art IV - Valuation and Assessment with LF&A & GA Amend FINAL READING.wpd

**SYNOPSIS**

This amendment changes the revaluations from every three (3) years to every five (5) years; allows the reassessment to be done by a consortium of appraisers; and clarifies that the appraisers employed to do the reassessment must be licensed by the Delaware Division of Professional Regulation.

Actions History

April 9, 2012 - Scheduled for Final Reading by Council
March 29, 2012 - Associated Charter Amendment Signed by Governor Markell
November 28, 2011 - First Reading by Council
November 14, 2011 - Considered by the Legislative, Finance, and Administration Committee

Draft

**CITY OF DOVER PROPOSED ORDINANCE #2012-07 WITH LF&A #1**
(LF&A Amendment Indicated in Red Strikeout)

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

That the City of Dover Code of Ordinances be amended by inserting a new Appendix E - Commercial Building Redevelopment, as follows:

APPENDIX E - COMMERCIAL BUILDING REDEVELOPMENT

ARTICLE I. - INTENT.

The city council has deemed it to be in the best interests of the residents of the city and in furtherance of their health, safety, and welfare to promote the renovation and utilization of commercial buildings on the city's principal commercial corridors. In order to promote the business growth and reutilization of vacant commercial buildings along these corridors, city council has determined that incentives in the forms of tax abatements, impact fee waivers, and building permit waivers should be offered.

ARTICLE II. - ELIGIBILITY.

Section 1. - Eligible project.

*Eligible project* shall mean the renovation and establishment of a business in an existing commercial building or tenant space which:

~~(a) Is located or addressed on U.S. Route 13, Bay Road, Court Street between U.S. Route 13 and Bay Road, and Delaware Route 8 west of the railroad tracks;~~

(a) Is a minimum of 5,000 square feet of floor area;
(b) The fair market value of the materials to be used in and the labor to be performed on the project exceeds the sum of $15,000.00;
(c) Is for commercial or office use;
(d) The establishment of a new business is proposed; and
(e) Conforms to the intent of this ordinance.

Construction or renovation of accessory buildings as defined in Appendix B - Zoning, Article 12 - Definitions, of the Dover code of ordinances shall not be eligible for redevelopment incentives. Construction or renovation which constitutes ordinary replacement or routine maintenance shall not qualify as an eligible project. Construction of new buildings shall not qualify as an eligible project.

Draft

Section 2. - Redevelopment incentive ineligibility.

An otherwise eligible project shall be ineligible for redevelopment incentives if:

(a) An application for a building permit for the project was filed prior to the effective date of this ordinance; or
(b) Construction or renovation commenced prior to the effective date of this ordinance;
(c) Issuance of the certificate of occupancy and/or the completion and finalization of the building permit occurs before the application for redevelopment incentives is received;
(d) Construction or renovation commenced prior to the issuance of a building permit by the city of Dover;
(e) Applications for incentives provided in this ordinance shall be subject to the provisions of Chapter 1 - General Provisions, Section 1-13 - Denial of permits or approvals for failure to comply with requirements for payment, actions, or filings.

ARTICLE III - INCENTIVES.

Section 1. - Waiver of fees.

Renovations meeting the eligibility requirements shall be eligible for the following incentives:

(a) Partial waiver of permit fees. Fifty percent of the fees for building, plumbing, mechanical, and fire protection permits shall be waived for eligible projects. Sign permit fees shall not be waived.
(b) Partial waiver of impact fees. For projects where renovation will constitute an increase in equivalent dwelling units (EDU's) and require payment of impact fees, fifty percent of the City's portion of the water and sewer impact fees shall be waived. The Kent County impact fees and administrative charges shall not be waived.

Section 2. - Tax abatement.

Eligible projects shall receive property tax waivers for a period not to exceed ten years so that improvements to the properties made in accordance with the intent of this ordinance will not be taxed for a period of time not to exceed ten years from the date of the making of the improvements. The said ten-year period will commence with the date of issuance of a building permit. The property tax waiver shall apply only to the improvements and not to the property value assessed prior to the improvements.

ARTICLE IV. - ADMINISTRATION.

The city manager and his staff shall develop the administrative procedures necessary to implement this ordinance. The city manager and his staff shall promulgate reasonable standards to be used in determining whether an eligible project shall receive redevelopment incentives and, if so, which incentives shall be granted. Administrative staff shall review applications for redevelopment incentives and grant incentives to eligible projects. Applicants shall be notified in writing of the action taken on their applications.

Draft

ARTICLE V. - APPEALS.

Applicants denied redevelopment incentives shall have the right to appeal the decision to the city council within 30 days from the date of mailing of the formal notification. Such appeal shall be in writing, signed by the owner of the property in question, and filed with the city clerk.

ARTICLE VI. - SEVERABILITY AND EFFECTIVE DATES.

Section 1. - Severability.

Should any section or provision of this ordinance be declared to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the parts so declared to be unconstitutional or invalid.

Section 2. - Effective dates.

This ordinance shall be effective as of April 15, 2012. The provisions of this ordinance shall no longer apply after December 31, 2015.

ADOPTED: *

S:\ORDINANCES\2012\Draft\2012-07 - New Appendix E - Commercial Building Redevelopment-w LF&A Amd No 1 - Final Rdg.wpd

SYNOPSIS

The proposed ordinance would allow a partial waiver of building permit fees and city impact fees, as well as tax abatement on improvements, for redevelopment of vacant commercial buildings ~~on Route 13, Bay Road, Court Street between Bay Road and Route 13, and Route 8 west of the railroad tracks.~~

(SPONSORS: STAFF)

Actions History:

Apr. 9, 2012 - Scheduled for Final Reading Before City Council
Mar. 12, 2012 - First Reading Before City Council
Feb. 27, 2012 - Considered by the Legislative, Finance, and Administration Committee

Draft

**FINAL READING**

## CITY OF DOVER PROPOSED ORDINANCE #2012-06

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

That the Dover Code of Ordinances be amended by inserting a new Chapter 59 - Juvenile Curfew, to read as follows:

Chapter 59 - JUVENILE CURFEW

Sec. 59-1. - Definitions.

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory. 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:

*City* means the City of Dover, Delaware, with administrative offices at 15 Loockerman Plaza, Dover, Delaware.

*Emergency* means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

*Establishment* means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

*Juvenile* or *Minor* means any unemancipated person under the age of 17 or, in equivalent phrasing often herein employed, any person 16 or fewer years of age.

*Operator* means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

*Parent* means any person having legal custody of a juvenile:

(1) As a natural or adoptive parent.

(2) As a legal guardian.

(3) As a person who stands in loco parentis.

(4) As a person to whom legal custody has been given by court order.

Draft

*Public Place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, common areas of schools, shopping centers, parking lots, parks, playgrounds, transportation facilities, theaters, restaurants, shops, bowling alleys, taverns, cafes, arcades, and similar areas that are open to the use of the public. As a type of public place, a street is a way or place, of whatever nature, open to the use of the public as a matter of right for purposes of vehicular travel or, in the case of a sidewalk thereof, for pedestrian travel. "Street" includes that legal right-of-way, including, but not limited to, the cartway of traffic lanes, the curb, the sidewalks, whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street.

*Remain* means to stay behind, to tarry, and to stay unnecessarily in a public place, including the congregating of groups (or of interacting minors) totaling four or more persons in which any juvenile involved would not be using the streets for ordinary or serious purposes such as mere passage or going home, or to fail to leave the premises of an establishment when requested to do so by a police officer or the operator of an establishment. To implement this provision with additional precision and precaution, numerous exceptions are expressly defined in this chapter. More exceptions become available with a juvenile's increasing years and advancing maturity as appropriate in the interest of reasonable regulation.

*Time of Night* means based upon the prevailing standard of time, whether Eastern standard time or Eastern daylight savings time, generally observed at that hour by the public in the city, prima facie the time then observed in the city administrative offices and police station.

*Years of Age* means continues from one birthday, such as the 16th, to (but not including the day of) the next, such as the 17th birthday, making it clear that 16 or fewer years of age is herein treated as equivalent to the phrase "under 17 years of age." Similarly, for example, 11 or fewer years of age means "under 12 years of age."

Sec. 59-2. - Curfew established.

(a) *School year curfew*. It shall be unlawful for any person 16 years or fewer of age (under 17) to be or remain in or upon a public place within the City of Dover during the Caesar Rodney/Capital School District designated school year for the period ending at 6:00 a.m. and beginning:

(1) At 12:00 midnight on Friday and Saturday nights; and

(2) At 11:00 p.m. on all other nights.

(b) *Summer curfew*. It shall be unlawful for any person 16 years or fewer of age (under 17) to be or remain in or upon a public place within the City of Dover during the Caesar Rodney/Capital School District designated summer break for the period ending at 6:00 a.m. and beginning:

(1) At 1:00 a.m. on Friday and Saturday nights; and

(2) At 12:00 midnight on all other nights.

Draft

Sec. 59-3. - Exceptions.

(a) The following shall constitute valid exceptions to the operation of this chapter:

(1) *Accompanied by parent*. When a juvenile is accompanied by a parent of such juvenile.

(2) *Accompanied by authorized adult*. When a juvenile is accompanied by an adult authorized by a parent of such juvenile to take said parent's place in accompanying said juvenile for a designated period of time and purpose within a specified area.

(3) *Errand directed, in writing, by parent*. When the juvenile is on an errand as directed by his/her parent, provided that such juvenile shall have on his/her person a written note, signed by the juvenile's parent, stating:

a. The date and time that the note was written (which shall not be more than 24 hours before the time of the errand);

b. The name of the juvenile;

c. The name, address, and telephone number of the parent; and

d. The specific errand directed by the parent.

(4) *Emergency*. When a juvenile is assisting in an emergency, including, by way of example and not in limitation, responding as a member of a volunteer fire company to a fire company or paramedic call.

(5) *First amendment rights*. When a juvenile is exercising first amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, by first delivering, to the person designated by the city's chief of police to receive such information, a written communication, signed by the juvenile and countersigned, if practicable, by a parent of the juvenile, with his/her home address and telephone number, specifying when, where, and in what manner the juvenile will be in a public place during hours when this chapter is applicable to said minor in the exercise of a first amendment right specified in such communication.

(6) *Reasonable necessity*. In case of reasonable necessity for the juvenile remaining in a public place, but only after the juvenile's parent has communicated to the chief of police or the person designated by the chief of police to receive such notifications the facts establishing the reasonable necessity relating to a specified public place at a designated time for a described purpose, including points of origin and destination. A copy of the communication, or of the police record thereof, duly certified by the chief of police to be correct, with an appropriate notation of the time it was received and of the names and addresses of the parent and juvenile, shall be admissible evidence.

(7) *On own or neighbor's property*. When a juvenile is on the sidewalk or property where the juvenile resides, or on either side of or across the street from the place where the juvenile resides, and the adult owner or resident of that property has given permission for the juvenile to be there.

Draft

(8) *Returning home within one hour of official activity*. When a juvenile is returning home from, and within one hour of, the termination or closing of an official school, religious, or other recreational activity supervised by adults, sponsored by the City of Dover, a recognized charitable, benevolent, or civic association, or a similar entity that takes responsibility for the minor.

(9) *Special permit (individual)*. When authorized by special permit from the chief of police carried on the person of the juvenile thus authorized, as follows:

a. When necessary nighttime activities of a juvenile may be inadequately provided for by other provisions of this chapter, then recourse may be had to the chief of police, either for a regulation as provided in subsection (a)(10) or for a special permit as the circumstances warrant.

b. Upon a finding of undue hardship and reasonable necessity for the use of a public place to the extent warranted by a written application signed by a juvenile and by a parent of the juvenile, if feasible, stating: the name, age, and address of the juvenile; the name, address, and telephone number of a parent thereof; the height, weight, sex, color of eyes and hair, and other physical characteristics of the juvenile; the necessity that requires the juvenile to remain upon a public place during the curfew hours otherwise applicable and the undue hardship that will result if such permit is not granted; the public place; and the beginning and ending of the period of time involved, by date and hour, the chief of police may grant a permit, in writing, for the juvenile's use of a public place at such hours as in the opinion of the chief of police may reasonably be necessary and consistent with the purposes of this chapter. In an emergency, this may be handled by prior telephone or other effective communication, with a corresponding record being made contemporaneously by the chief of police or by the person designated by the chief of police to act on his/her behalf in an emergency at the police station.

(10) *Special regulation (group)*. When authorized by regulation issued by the chief of police in other similar cases of reasonable necessity, similarly handled but adapted to reasonably necessary nighttime activities of more juveniles than can readily be dealt with on an individual special permit basis, but only where such juveniles will be under the active supervision of adults responsible for such juveniles. Normally such regulation by the chief of police permitting use of public places should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies, such as the schools, and shall define the activity, the scope of the use of the public places permitted, the period of time involved, not to extend more than one hour beyond the time for termination of the activity, and the reason for finding that the regulation is reasonably necessary and is consistent with the purposes of this chapter.

(11) *Employment necessity*. When the juvenile is legally employed, going to or returning home from employment, and carries a certified card of employment, renewable each calendar month when the current facts so warrant, dated or reissued not more than 45 days previously, signed by the parent and employer and briefly identifying the juvenile, the addresses and telephone numbers of the juvenile's home and place of employment, and the juvenile's hours of employment. The city shall prepare a form to be used by employers for purposes of this subsection.

Draft

(12) *Interstate or intrastate travel*. When the juvenile is, with parental consent, engaged in normal interstate or intrastate travel through the city or originating or terminating in the city.

(13) *Married*. When the juvenile is married or has been married pursuant to state law.

(14) *Operator of establishment*. In the case of an operator of an establishment, when the operator has notified the police that a juvenile was present on the premises of the establishment during curfew hours and refused to leave.

(b) *Continuing consideration of exceptions*. Each of the foregoing exceptions and their several limitations, such as provisions for notification, are severable, as hereinafter provided but here reemphasized, and will be considered by Council when warranted by future experience.

Sec. 59-4. - Parental responsibility.

(a) The foregoing exceptions to the operation of this chapter shall act only to create a waiver of enforcement and affirmative defense(s) to such enforcement. By authorizing such exceptions, neither the city nor any member of the police department shall assume any affirmative obligation or duty to supervise the well-being of any juvenile acting pursuant to such authorized exception.

(b) It shall be unlawful for a parent having legal custody of a juvenile knowingly to permit or by inefficient control to allow the juvenile to remain in any city public place under circumstances not constituting an exception to, or otherwise beyond the scope of, this chapter. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a juvenile in that parent's legal custody. This requirement is intended to hold a neglectful or careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile.

(c) It shall be unlawful for any parent to knowingly (as defined above) provide any false authorization, information or certification, written or verbal, to the Dover police department in order to obtain an exception to the operation of this chapter under Sec. 59-3 hereof.

Sec. 59-5. - Operator responsibility.

It shall be unlawful for any operator of an establishment to knowingly permit a juvenile to remain at the establishment under circumstances not constituting an exception to, or otherwise beyond the scope of, this chapter. The term "knowingly" includes knowledge that an operator should reasonably be expected to have concerning the patrons of the establishment. The standard for "knowingly" shall be applied through an objective test: whether a reasonable person in the operator's position should have known that the patron was a juvenile in violation of this chapter.

Sec. 59-6. - Enforcement.

(a) If a police officer reasonably believes that a juvenile is in a public place in violation of this chapter, the officer shall notify the juvenile that he/she is in violation of this chapter and shall require the juvenile to provide his/her name, address, and telephone number and how to contact his/her parent or guardian. In determining the age of the juvenile and in the absence of convincing evidence, such as

Draft

a birth certificate, a police officer shall, in the first instance of violation of the chapter, use his/her best judgment in determining age.

(b) The police officer shall issue the juvenile a written warning that the juvenile is in violation of this chapter and order the juvenile to go promptly home. The chief of police shall send the parent or guardian of the juvenile written notice of the violation pursuant to subsection (f) hereof.

(c) Police procedures shall constantly be refined in the light of experience and may provide that the police officer may deliver to a parent or guardian thereof a juvenile under appropriate circumstances; for example, a juvenile of tender age, near home, whose identity and address may readily be ascertained or are known.

(d) Notwithstanding subsection (b) of this section, when a juvenile has received one previous written warning for violation of this chapter or a police officer has reasonable grounds to believe that the juvenile has engaged in delinquent conduct, the procedure shall then be to take the juvenile to the police station where a parent or guardian shall immediately be notified to come for the juvenile, whereupon the parent or guardian and the juvenile shall be questioned. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts and to centralize responsibility in the person designated there and then on duty for accurate, effective, fair, impartial, and uniform enforcement and recording, thus making available experienced personnel and access to information and records.

(e) When a parent or guardian, immediately called, has come to take charge of the juvenile and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to the juvenile authorities, except to the extent that, in accordance with police regulations approved in advance by juvenile authorities, the juvenile may temporarily be entrusted to an adult, neighbor, or other person who will on behalf of a parent or guardian assume the responsibility of caring for the juvenile pending the availability or arrival of a parent or guardian.

(f) In the case of a first violation of this chapter by a juvenile, the chief of police shall, by certified mail, send to a parent or guardian written notice of the violation, with a warning that any subsequent violation will result in full enforcement of this chapter, including enforcement of parental responsibility and of applicable penalties.

(g) For the first violation of this chapter by an operator of an establishment who permits a juvenile to remain on the premises, a police officer shall issue a written notice of the violation with a warning that any subsequent violation will result in full enforcement of the chapter, including enforcement of operator responsibility and of applicable penalties.

(h) In any event the police officer shall, within 24 hours, file a written report with the chief of police or shall participate, to the extent of the information for which he/she is responsible, in the preparation of a report on the curfew violation. It is not the intention of this section to require extensive reports that will prevent police officers from performing their primary police duties. The reports shall be as simple as is reasonably possible and may be completed by police department personnel other than sworn police officers.

Draft

Sec. 59-7. - Violations and penalties.

(a) *Parents*.

(1) *Offenses by the parent*. If, after the warning notice pursuant to Sec. 59-6 of a first violation by a juvenile, a parent violates Sec. 59-4 (in connection with a second violation by the juvenile), this shall be treated as a first offense by the parent. For offenses by a parent, the fines shall be as provided for in Appendix F - Fees and Fines. [First offense by a parent - $50, and for each subsequent offense by a parent the fine shall be increased by an additional $20: e.g., $70 for the second offense and $90 for the third offense.[Locate in Appendix F] Any court of competent jurisdiction, upon finding a parent guilty, shall sentence the parent to pay this fine and the cost of prosecution.

(2) *Personnel costs.* The parent or legal guardian having custody of a juvenile subject to this section shall be liable for all costs incurred by the City of Dover for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation. The amount to be paid by the parent or guardian shall be as provided for in Appendix F - Fees and Fines. [Locate in Appendix F] [based on the hourly wage of the city employee who is assigned to remain with the juvenile plus the cost of benefits for that employee.]

(3) The parent or legal guardian having custody of a juvenile subject to this section shall be liable for any fine or condition of restitution or reparation imposed by a court upon a curfew violator, provided that the curfew violator has not paid the fine or made restitution or reparation within the time ordered by the court and further provided that the parent or legal guardian has been made a party defendant in all enforcement proceedings against the curfew violator and shall be served with all citations, summons, complaints, notices, and other documents required to be served on the curfew violator defendant.

(b) *Juveniles*. Any juvenile who shall violate any of the provisions of this chapter more than three times shall be reported by the chief of police to the juvenile authorities as a juvenile in need of supervision, and the chief of police may proceed to file such charges with the courts as he/she may deem appropriate.

(c) *Operators*. If, after the warning notice pursuant to Sec. 59-6 of a violation of this chapter, an operator of an establishment violates Sec. 59-5 a second time, this shall be treated as a first offense by the operator. For offenses by an operator, the fines shall be as provided for in Appendix F - Fees and Fines. [Locate in Appendix F] [$50, and for each subsequent offense by an operator the fine shall be increased by an additional $20: e.g., $70 for the second offense and $90 for the third offense.]

(d) *False certification*. Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Dover police department in violation of Sec. 59-4(c) shall pay a fine as provided for in Appendix F - Fees and Fines. [Locate in Appendix F] [$50 for the first offense, and for each subsequent offense the fine shall be increased by an additional $20, plus costs.]

Draft

Sec. 59-8. - Advisory opinions.

The city manager, after consultation with the city solicitor, is hereby authorized to give advisory opinions, in writing, which shall be binding and shall be adhered to by the police until the chapter is amended in such respect, interpreting terms, phrases, parts, or any provisions. Normally such advisory opinions shall be in response to good faith, signed letters addressed to the city manager or to a member of the city council questioning this chapter as ambiguous, having a potentially chilling effect on constitutional rights specifically invoked or otherwise invalid, in all three categories with respect to proposed conduct definitely described. This administrative remedy must be exhausted prior to presenting to any court a question in any of the three categories. The city council does not intend a result through the enforcement of this chapter that is absurd, impossible of execution, or unreasonable. Council intends that the chapter be held inapplicable in such cases if anywhere its application would be unconstitutional under the Constitution of the State of Delaware or the Constitution of the United States of America.

Sec. 59-9. - Continuing evaluation.

The city council shall continue its evaluation and updating of this chapter through methods including but not limited to the following:

(a) Within six months after the implementation of this chapter, the chief of police shall provide the city council with a report concerning the effect of this chapter on crimes committed by and against minors and of the number of warnings issued and arrests of minors, parents, and operators hereunder and such other information as council may request.

(b) On a regular basis, the city council shall receive informal reports of all exceptional cases hereunder of reasonable necessity, the notices of school and other activities, the special permits and the regulations authorized above, and the advisory opinions for consideration by the council in further updating and continuing evaluation of this chapter.

Sec. 59-10. - Notice.

Notice of the existence of this chapter and of the curfew regulations established by it shall be posted in, on, or about such public or quasi-public places as may be determined by the city manager or the police department in order that the public may be constantly informed of the existence of this chapter and its regulations.

City of Dover
Juvenile Curfew Ordinance
Employment Certificate

Pursuant to Sec. 59-3(a) - 11 of the City of Dover Juvenile Curfew Ordinance, this shall certify that:

_____
Juvenile's name

_____
Address

Draft

_____
Address

is currently employed by:

_____
Employer's name

_____
Employer's address

_____
Employer's address

_____
Employer's telephone no.

and that he/she is scheduled to work during the following hours:

Sun. _____ Mon. _____ Tue. _____ Wed. _____

Thur. _____ Fri. _____ Sat. _____

_____
Parent's name (print)

_____ _____
Parent's signature Employer's signature

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

| | | | |
|---|---|---|---|
| ***Chapter 59 - Juvenile Curfew*** | | | |
| | | | |
| ***Sec. 59-7*** | ***Violations and penalties.*** | | |
| | ***Subsec. (a)(1)*** | ***Offenses by the parent*** | ***First offense by a parent - $50; each subsequent offense by a parent shall be increased by an additional $20: e.g., $70 for the second offense and $90 for*** |

Draft

| | | | |
|---|---|---|---|
| | | | ***the third offense.*** |
| | ***Subsec. (a)(2)*** | ***Personnel costs incurred by the City of Dover for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation.*** | ***The hourly wage and cost of benefits of the city employee assigned to remain with the juvenile*** |
| | ***Subsec. (c)*** | ***Operators - Any operator who knowingly permits a juvenile to remain at the establishment under circumstances not constituting an exception*** | ***$50 for first offense by an operator; for each subsequent offense the fine shall be increased by an additional $20: e.g., $70 for the second offense and $90 for the third offense.*** |
| | ***Subsec. (d)*** | ***False certification - Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Dover police department in violation of Sec. 59-4(c)*** | ***$50 for the first offense; for each subsequent offense the fine shall be increased by an additional $20, plus costs.*** |

ADOPTED: *

S:\ORDINANCES\2012\Draft\2012-06 - New Chapter 59 - Juvenile Curfew-Final Rdg.wpd

**Ssynopsis**

The proposed ordinance would establish a juvenile curfew.

(Sponsors: Hare, Anderson, and Bonar)

Actions History

April 9, 2012 - Scheduled for Final Reading

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

Draft

**FINAL READING**

CITY OF DOVER
PROPOSED ORDINANCE #2012-08 WITH SA-1
(STAFF AMENDMENT INDICATED IN RED STRIKEOUT)

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

That Dover Code, Chapter 70 - Offenses and Miscellaneous Provisions be amended to insert a new Section 70-7 - Registered Sexual Offenders:

**70-7. - Registered Sexual Offenders**

(a) *Registration Required*. Sex offenders, as defined under the provisions of 11 Del. C., c. 41, §4120A, shall register their places of residence and employment as required under the provisions of 11 Del. C., c. 41, §4120.

(b) *Prohibition on Residency and Employments*.

(1) Sex offenders assigned as Risk Assessment Tier II or Tier III under the provisions of 11 Del. C., c. 41, §4120, shall be prohibited from residence or employment within 500 feet of a day care center as defined in Appendix B - Zoning, Article 12 - Definitions, of the Dover Code.

(2) Any sex offender assigned as Risk Assessment Tier II or Tier III who maintains residence or employment within 500 feet of a day care center on the date of adoption of this ordinance shall comply with the provisions of the ordinance within 12 months.

(3) Any sex offender who is under 18 years of age and resides with a parent or legal guardian shall be exempt from the provision of subsection (b)(2) of this section.

(c) *Prohibition on rentals and leaseholds*.

(1) It is unlawful for a property owner to knowingly and intentionally with actual knowledge and after being made aware the person is a sexual offender let or rent any place, structure, or part thereof, to a sexual offender, with the knowledge that it will be used as a permanent or temporary residence, if such place, structure or part thereof, is located within 500 feet of any day care center. In any prosecution for a violation of this section it must be shown:

a. That the property owner knowingly and intentionally with actual knowledge and after being made aware the person is a sexual offender let or rented the premises to a person who was a registered sexual offender; and

b. The property owner had actual knowledge that the place, structure, or part thereof would be used by the registered sexual offender as a permanent or temporary residence of property located within the residential zoning classification.

Nothing herein shall be deemed to require the property owner to make any independent determination whether the person is a sexual offender.

(2) *Exclusions*. A sexual offender abiding, lodging, or residing in a permanent or temporary residence within 500 feet of any day care center does not commit a violation of this section provided the sexual offender is in full compliance with probation, parole, or conditional release, and does not commit another sexual offense, and is in compliance with the residency restrictions, if any of the following:

a. The sexual offender was a minor when committing the offense causing the designation as a sexual offender and was not sentenced as an adult for that offense.

b. The sexual offender is under the age of 18.

~~**c. The day care center was opened or established after the sexual offender established the permanent residence; and the residence was reported and registered.**~~

It is not the intent of this article to impair valid, existing and bona fide contract rights, provided however that the provisions of this article shall apply upon final termination. Extensions or renewals of any leasehold relationship is prohibited. When a person who is the subject of this article changes residences, this article shall fully apply to such persons.

(d) *Measurement of distance*.

For purposes of measuring separation of a residence from a day care center, all distances shall be measured from the entrances and exits of the residence or place of employment running in a direct line to the outermost entrances and exits of the day care center.

(e) *Prohibited Activities for Sexual Offenders.*

(1) It is unlawful for any Sexual Offender to participate in a holiday event or practice involving children under 18 years of age, such as distributing candy or other items to children on Valentine's Day, Halloween, Christmas, or any other holiday or event. Participation is to be defined as attendance at, or taking part of, or cooperation with an event.

(2) It is unlawful for any Sexual Offender to wear costumes for the primary purpose of entertaining, attracting, or encouraging interaction with children.

(3) Any person designated a sexual offender shall be required on October thirty-first of each year or any other day upon which Halloween is celebrated to:

a. Avoid all Halloween related contact with children;

b. Post a sign at his/her residence stating, "No candy or treats at this residence." Such signs shall be in letters at least two inches high and shall be legible from the street or road adjacent to the residence;

c. Except for lighting provided on a year round basis by a sexual offender or the owner or manager of a multi-family residential unit for the purpose of security or walkway or hallway illumination, all outside residential lighting shall be off during the evening hours after 5:00 p.m., and no exterior holiday decorations shall be exhibited on the sexual offender's residence or on the property upon which the residence is located.

(4) Holiday events or practices in which the sexual offender is the parent or guardian of the child or children involved, and where no non-familial children are present, are exempt from this section.

(f) *Penalties*. Any person who violates this ordinance shall be fined in accordance with Appendix F - Fees and Fines, Section 70-7. Every day that a violation occurs shall constitute a separate offense.

BE IT FURTHER ORDAINED That Appendix F- Fees and Fines be amended by adding a new Section 70-7 under Chapter 70 - Offences and Miscellaneous Provisions as follows:

| | | | |
|---|---|---|---|
| Sec. 70-7 | Registered Sexual Offenders | | |
| | Subsec. (d) | Penalties | $500.00 for any offense; each day shall constitute a separate offense. |

ADOPTED: *

S:\ORDINANCES\2012\Draft\2012-08 - Chpt 70 - Offenses and Misc Provisions - Registered Sexual Offenders w SA-1 Final Rdg.wpd

SYNOPSIS

The proposed ordinance would prohibit registered Tier II and Tier III sex offenders from living or working within 500 feet of a daycare center and from participating in certain events involving children.

(Sponsors: Lynn, Anderson, Bonar)

Actions History:

March 9, 2012 - Scheduled for First Reading by City Council

February 29, 2012 - Considered by Safety Advisory and Transportation Committee