REGULAR COUNCIL MEETING

A G E N D A

November 28, 2011 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

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 is prohibited and 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 COUNCILWOMAN RUSSELL

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 November 14, 2011**

2. Certificates of Congratulations
- **A. Dover Air Force Base**
- **B. George C. Wright, Jr.**

3. Utility Committee Report - November 14, 2011
- **A. Request for Street Name Change - Slaughter Street (Between Loockerman Street and North Street)**
  (Committee Recommended Approval of the Requested Street Name Change from Slaughter Street to Jerusalem Way (For the Segment of Slaughter Street Running Between West North Street and West Loockerman Street), as Recommended by the Planning Commission. It is Recommended that a Public Hearing Be Set for December 12, 2011 at 7:30 P.M.)
- * **B. TEA/NAES Monthly Report (August)**
  (Committee Took No Action)
- * **C. Updates**
  - **c-1. Green Energy Funding and Programming**
    (Committee Took No Action)
  - **c-2. National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit**
    (Committee Took No Action)

* **4. <u>Legislative, Finance, and Administration Committee Report - November 14, 2011</u>**

A. Discussion - Senior Citizen Property Tax Abatement - Military Pension Exclusion

(Committee Recommended that this Matter Be Referred Back to Staff for Their Review and Recommendation Within 90 Days)

B. <u>Proposed Ordinances</u>

b-1. #2011-28 - Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits (Civil Unions) (Staff Sponsored) ***(See Item #9-A)***

(Committee Recommended Adoption of Ordinance #2011-28)

b-2. #2011-29 - Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses (New Subsection (d)) and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements (Sponsors: Bonar, Russell, and Lynn) ***(See Item #10)***

(Committee Recommended Adoption of Ordinance #2011-29)

b-3. #2011-30 - FY12 Budget Revisions (Staff Sponsored) ***(See Item #9-B)***

(Committee Recommended Adoption of Ordinance #2011-30)

C. Proposed Resolution No. 2011-12 Requesting the General Assembly to Amend Article IV - Financial Affairs, Section 47 - General Assessment; Levy on Utility Property of the City of Dover Charter and Proposed Ordinance #2011-31 Amending Chapter 102 - Taxation, Article I - In General, Section 102-1. - Valuation and Assessment of the Dover Code (Staff Sponsored) ***(See Item #9-C)***

(Committee Recommended Approval of Staff's Recommendation for Adoption of Resolution No. 2011-12, with an Amendment to Line 21 to Include a Notation to Require the Company to Be Licensed to Conduct Business in the City of Dover and State of Delaware and to Employ Appraisers Who Are Recognized by the Delaware Division of Professional Regulations under Their Appraiser Requirements, and Adoption of Ordinance #2011-31, with an Amendment to Lines 8, 9, and 13 to Replace the Word "Shall" with "May" and Line 15 to Include a Notation to Require the Company to Be Licensed to Conduct Business in the City of Dover and State of Delaware and to Employ Appraisers Who Are Recognized by the Delaware Division of Professional Regulations under Their Appraiser Requirements)

D. Evaluation of Proposals - Financing of Library and Street Program

(Committee Recommended Acceptance of the PNC Bank Proposal and Preparation of an Authorizing Resolution for Council Approval)

E. Public Comment Period

(None)

5. 2011 Annual Report for the Downtown Dover Partnership

* **6. Letter of Support for the Low Income Home Energy Assistance Program (LIHEAP)**

7. Review and Recommendation - Filling Critical Positions - Police Officers (3)

* **8. Election of Officers - Robbins Hose Company - Year 2012 Fire Line Officers**

A. Acceptance of Results

a-1. Fire Chief	**-**	**Jack I. Fortney** *(Uncontested)*
a-2. Deputy Fire Chief	**-**	**Patrick A. West** *(Uncontested)*
a-3. First Assistant Fire Chief	**-**	**David C. Carey** *(Uncontested)*
a-4. Second Assistant Fire Chief	**-**	**Michael J. O'Connor, Jr.** *(Uncontested)*
a-5. Fourth Assistant Fire Chief	**-**	**Carl Troubetaris, Sr.** *(Uncontested)*
a-6. First Line Captain	**-**	**Matthew E. Carey** *(Uncontested)*
a-7. Second Line Captain	**-**	**Mark Hall** *(Uncontested)*

B. Setting of Special Robbins Hose Company Election - December 6, 2011

C. Appointment of Judges - Robbins Hose Company Special Election - December 6, 2011

c-1. James Hurley
c-2. Kline Kemp
c-3. James Howlett (Alternate)

9. First Reading - Proposed Ordinances

The First Reading is offered on the following proposed ordinances. Final action by Council will take place during the Second Reading of the ordinances on December 12, 2011. 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. #2011-28 - Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits (Civil Unions) (Staff Sponsored)
B. #2011-30 - FY12 Budget Revisions (Staff Sponsored)
C. #2011-31 - Chapter 102 - Taxation, Article I - In General, Section 102-1. - Valuation and Assessment of the Dover Code (Staff Sponsored)

10. First Reading - Proposed Ordinance #2011-29

The First Reading is offered on the following proposed ordinance. Since it is an amendment to the Zoning Code, it is recommended for referral to the Planning Commission on December 19, 2011, and that a Public Hearing be set for January 9, 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. Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements
(Legislative, Finance, and Administration Committee)

11. Council Members Announcements

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

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on November 14, 2011 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mrs. Russell, Dr. McGlumphy, Mr. Lynn, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison.

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 also present.

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Leary declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

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

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

AGENDA ADDITIONS/DELETIONS

Council President Leary noted that he was advised that Item #3 - Certificate of Congratulations - Dover Air Force Base - Winner of the AMC-Level Commander-in-Chief's Installation Excellence Award, would not take place this evening.

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

Mr. Bonar moved for approval of the consent agenda as presented, seconded by Mrs. Russell and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 24, 2011

The Minutes of the Regular Council Meeting of October 24, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Russell and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF NOVEMBER 3, 2011

The Minutes of the Special Council Meeting of November 3, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Russell and bore the written approval of Mayor Carey.

CERTIFICATE OF RECOGNITION - CHALLENGER FOOTBALL

The City Clerk read the following Certificate of Recognition into the record:

Certificate of Recognition

presented to

Steve Pickering

for fostering the idea of holding "Challenger Day" in the City of Dover.

The mission of the Challenger Football Game was to bring the football experience to those special needs individuals who would normally not be given such an opportunity. The Challenger Football game was non-competitive, no-contact and no score was kept. The games, however, were modeled after a regular game with warm-ups, a coin toss, and singing of the National Anthem.

The students of Dover High School, including the football team, the cheerleaders, and the band, participated in making this a special day for the students.

In cooperation with Capital School District and other generous sponsors, we recognize you for bringing this wonderful opportunity to the special needs population in the City of Dover.

Presented on November 14, 2011

Mayor Carey presented the Certificate to Mr. Steve Pickering, Sports Coordinator, and relayed appreciation for this initiative.

PROCLAMATION - GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHIC AWARENESS WEEK

The City Clerk read the following Proclamation into the record:

WHEREAS, this year's theme; "The Adventure in Your Community," promotes the idea that the geographic perspective is an important way to understand every community—no matter what size, or how long or briefly one has been a part of it; and

WHEREAS, technology plays a vital role in the continued growth of the City of Dover and the use, management, and exchange of geographic information is necessary for effective decision making by local, state, and federal governmental agencies; and

WHEREAS, Geographic Information Systems (GIS) provide data that allows for the identification of patterns and relationships of real-world conditions that ultimately lead to better decisions and improved delivery of services for the citizens of Dover, as well as our surrounding communities; and

WHEREAS, geographic information has many useful applications and is a valuable resource used in the analysis of infrastructure, emergency services, homeland security, economic development, and long-range planning; and

WHEREAS, the City of Dover's GIS Department has been nationally recognized for their outstanding efforts in the advancement of GIS and the foresight to create programs that can be used to better manage services in the city, as well as tracking services for the thousands of NASCAR race fans visiting our City.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 16, 2011 as GIS Day, and November 13 – 19, 2011 as Geography Awareness Week in the City of Dover and urge all residents to explore the community through geographic eyes by using geographic skills such as photography, storytelling, and mapping.

Mayor Carey presented the Proclamation to Mr. Mark Nowak, GIS Manager, and relayed congratulations for the success of the City's Geographic Information Systems.

PROCLAMATION - NATIONAL DIABETES AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, diabetes is a serious disease which has no cure and is a major cause of heart disease and stroke; it is the seventh leading cause of death in the Unites States; and

WHEREAS, nearly twenty-six million American children and adults have diabetes, with someone diagnosed with type 1 diabetes every 35 seconds; and

WHEREAS, type 1 diabetes is an autoimmune disease that strikes children and adults suddenly and lasts a lifetime, requiring them to take multiple injections of insulin daily or continually infuse insulin through a pump; and

WHEREAS, diabetes is the leading cause of kidney failure, non-traumatic lower limb amputations and new cases of blindness among adults in the Unites States; and

WHEREAS, an increase in community awareness of risk factors and symptoms related to diabetes can improve the likelihood that people with diabetes will get the attention they need before developing the disease with its devastating complications, and with more than 1.5 billion dollars allocated to research since 1970, the Juvenile Diabetes Research Foundation is the worldwide leader in funding research to cure type 1 diabetes today and in the future.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of November 2011 as National Diabetes Awareness Month in the City of Dover to help raise awareness of this serious, expensive and rapidly increasing disease.

Mayor Carey presented the Proclamation to Mrs. Ann Marie Townshend, Director of Planning and Community Development, and her son, Kevin Townshend, noting that diabetes does not discriminate and can affect young children.

PROCLAMATION - PANCREATIC CANCER AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, pancreatic cancer is the fourth leading cause of cancer death in the United States; and

WHEREAS, in 2011 an estimated 44,000 people will be diagnosed with pancreatic cancer in the United States and approximately 37,500 people will die from the disease, with at least 120 pancreatic cancer related deaths occurring in Delaware; and

WHEREAS, there is no cure for pancreatic cancer and there have been no significant improvements in survival rates in the last 40 years; and

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in the City of Dover and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, the good health and well-being of the residents of the City of Dover are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 2011 as Pancreatic Cancer Awareness Month in the City of Dover and encourage all citizens to help increase public awareness and support for the individuals and families who are affected by cancer.

Mayor Carey presented the Proclamation to Mr. Bob Lougheed, Ms. Melissa Pertschil, Ms. Elisa Vassas, and Mr. Joe Wescott in recognition of Pancreatic Cancer Awareness Month.

MONTHLY REPORTS - SEPTEMBER 2011

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

Chief of Police Report
City Assessor's Report
City Manager's Report
City Planner's Report
Dover Fire Department Report

APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT LEARY - DOVER HUMAN RELATIONS COMMISSION

Council President Leary requested the following appointments to the Dover Human Relations Commission:

Kim Warfield (to fill the expired term of Katrina Brumble - Term to Expire 2/2013)
Faye D. White (to fill the expired term of Catherine M. Gregory - Term to Expire 2/2013)
Aaron Yatskevich (to fill the unexpired term of Nauleen A. Perry - Term to Expire 2/2012)

By consent agenda, Mr. Bonar moved for approval of the appointments to the Dover Human Relations Commission, as recommended by Council President Leary, seconded by Mrs. Russell and carried by a unanimous roll call vote.

APPOINTMENT OF CITY MANAGER - SCOTT D. KOENIG

Council President Leary announced that the City Manager Search Committee conducted interviews of potential candidates for the position of City Manager for the City of Dover. After careful consideration, he stated that City Council has selected Mr. Scott D. Koenig to be appointed to serve as City Manager.

Mrs. Williams moved to confirm the appointment of Mr. Scott D. Koenig to serve as City Manager for the City of Dover. The motion was seconded by Mr. Bonar.

Mr. Bonar noted that there were many very well qualified individuals who applied for the position from all over the United States, and he felt this was an indication of the respect that the City of Dover has earned. Moreover, he congratulated Mr. Hare, the Chair of the City Manager Search Committee, for his organizational abilities and keeping members "on track" during the selection process.

Mr. Hare stated that 63 candidates applied for the position. He congratulated Mr. Koenig on his selection and indicated his utmost support.

Council President Leary announced that, in addition to Mr. Hare, the Search Committee consisted of Mr. Bonar, Mrs. Williams, Mr. Hutchison, and Mayor Carey.

Mr. Anderson relayed his support for the selection of Mr. Koenig and expressed confidence that he would prove to be the right choice for the City of Dover over the next few years.

Mr. Hutchison stated his pleasure regarding the selection, indicating that, as a former employee, he has had the pleasure of working with Mr. Koenig over the past several years and looked forward to the continuation of this relationship.

On a call for the question, the motion to confirm the appointment of Mr. Scott D. Koenig to serve as City Manager for the City of Dover was unanimously carried.

Mr. Koenig thanked members of Council for providing him the opportunity to serve as the City Manager. He advised members that during his tenure with the City of Dover over the past 21 years, he has had the privilege of working with a very talented work force of dedicated employees. Mr. Koenig also felt that the City of Dover has served as an outstanding employer. He expressed his interest in and commitment to the City's infrastructure, as well as the City's Budget. In addition, Mr. Koenig noted that the City of Dover has a very unique role in the State of Delaware. As the State capital, he felt that Dover has an obligation to lead and exemplify leadership in the First State and he stated his commitment to that ideal. Mr. Koenig relayed his enthusiasm about Dover's future and noted that, although there will be challenges, the City has a staff, citizens, and political body that

have expressed the will to solve such challenges. He stated that he looked forward to the future and that he was excited to "get started."

FINAL READING - PROPOSED ORDINANCE #2011-15

The First Reading of Proposed Ordinance #2011-15 was accomplished during the Council Meeting of September 26, 2011.

Appendix A - Subdivision, Article VII - Special Provisions

Mr. Hare moved that the Final Reading of Proposed Ordinance #2011-15 be acknowledged by title only, seconded by Mrs. Williams.

Mr. Lynn advised members that he was contacted by Mr. Fred Neil, of the Wild Meadows Homeowners' Association, and was made aware that the residents of Wild Meadows have several concerns regarding the Proposed Ordinance. He requested that action be deferred to allow these concerns to be addressed through the City Planner's Office.

Mr. Lynn moved to table the Final Reading and adoption of Proposed Ordinance #2011-15, seconded by Mr. Anderson and carried by a roll call vote of six (6) yes, and three (3) no (Dr. McGlumphy, Mrs. Williams, and Mr. Hare).

COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

Council President Leary stated that, due to the holiday season, it was recommended that the Council and committee meetings scheduled for the final week in December be canceled, as Council has done in the past. He stated that the Utility and Legislative, Finance, and Administration Committee Meetings and the Council Meeting scheduled for December 26th, as well as the Safety Advisory and Transportation Committee Meeting scheduled for December 28th, would be cancelled. He assured members that if the need arises, Special Meetings would be called.

Mr. Bonar moved for approval of the Holiday Schedule for the Council and Committee Meetings, as presented by Council President Leary, seconded by Dr. McGlumphy and unanimously carried.

COUNCIL MEMBERS ANNOUNCEMENTS

Council President Leary wished Mrs. Russell a Happy Birthday (November 22nd).

Mrs. Russell relayed appreciation for all those who assisted during her recent illness and expressed special thanks to Ms. Kay Sass, Public Affairs Coordinator.

Mrs. Russell announced that a Youth Community Christmas Party would be held on December 17, 2011, from 1:00 to 4:00 p.m. at Whatcoat United Methodist Church, 341 Saulsbury Road, for children ranging in age from two (2) months to 12 years.

Mr. Anderson recognized Dr. Kim Warfield, who was recently appointed as a member of the Dover Human Relations Commission, and thanked her for allowing her office to be a "drop-off point" for the Stockings for Soldiers Program on Tuesdays and Thursdays. Mr. Anderson explained that this

is a Delaware-based program and encouraged everyone to visit www.stockingsforsoldiers.org or their Facebook pages for ideas of inexpensive gifts that could be purchased for donation to this effort.

Noting that the costs of heating oil and other heating material have increased significantly, Mr. Bonar reminded everyone of the low-income heating assistance program. He advised members that the State of Delaware has not taken action to provide a sufficient amount of low-income heating assistance for those residents with limited means. Mr. Bonar stated that the federal government budgeted over $5B for this program during the last several years; however, the last proposal submitted was for $2.5B. He stated that the City of Dover receives approximately $60,000 to assist residents with heating costs. Mr. Bonar explained that approximately 10% of Delaware residents cannot afford to heat their homes, which equates to 70,000 households. He encouraged members of Council to go on record in support of funding the federal low-income heating assistance program at the same level as previous years. He advised members that he has drafted a letter and forwarded it to the City Clerk's Office for circulation to members of Council and requested support in sending the letter to U.S. Senators and Congressmen. Responding, Council President Leary suggested that this matter be placed on an agenda for consideration as soon as possible.

Mayor Carey advised members that he, along with Mr. Anderson, recently attended a National League of Cities Conference and that the highlight of the conference was the election of George Wright (former Mayor of Smyrna, and Executive Director of the Delaware League of Local Governments) to serve on the National League of Cities Board of Directors. He noted that there have only been two (2) Board of Directors nominated to the National League of Cities from the State of Delaware in the history of the National League of Cities: Crawford Carroll and George Wright. He stated that this designation deserved a great deal of honor.

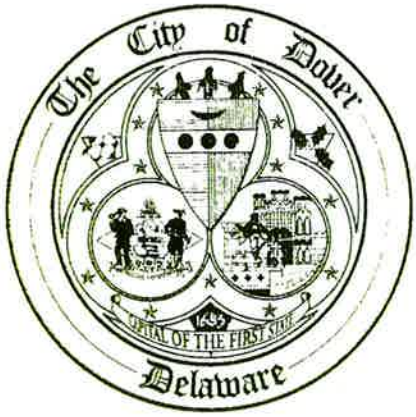
By unanimous consent, the meeting adjourned at 7:59 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of November 14, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

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CERTIFICATE OF CONGRATULATIONS

Presented to

Colonel Mark Camerer - 436th Wing Commander

in honor of the dedicated men and women at the Dover Air Force Base for recently achieving the following awards

The Air Mobility Command-Level Commander-in-Chief's Installation Excellence Award

and

The Air Force Level Innkeeper Award for their Guest Quarters

The City of Dover extends its congratulations!

Presented on November 28, 2011

Carleton E. Carey Sr.

CARLETON E. CAREY, SR.
Mayor

CERTIFICATE OF CONGRATULATIONS

WHEREAS, George C. Wright, Jr., has dedicated a significant portion of his life to public service, having served as a member of the Smyrna Town Council for 12 years; and

WHEREAS, Mr. Wright was the first African American to hold the office of Mayor within the State of Delaware, following his election as Mayor of the Town of Smyrna in 1981, and served with distinction in that office for 14 years; and

WHEREAS, Mr. Wright began his association with the Delaware League of Local Governments in 1970, serving as President of that organization from 1988-90 and as Executive Director from 1991 to the present, and tirelessly dedicating himself to furthering the interests of Mayors, Councils, and Clerks throughout the State, to the benefit of all Delawareans; and

WHEREAS, in November 2011, Mr. Wright was elected to serve on the Board of Directors of the National League of Cities, being only the second delegate from the State of Delaware to achieve this distinction, and through this appointment firmly secured his role in Delaware history;

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DOVER, DELAWARE, are privileged to present this

Certificate of Congratulations to

The Honorable George C. Wright, Jr.

on this 28th of November, 2011

In recognition of his achievement of this high honor.

CARLETON E. CAREY, SR.
MAYOR

THOMAS J. LEARY
COUNCIL PRESIDENT

UTILITY COMMITTEE

The Utility Committee Meeting was held on November 14, 2011 at 5:01 p.m. with Chairman Bonar presiding. Members present were Mr. Lynn (arrived at 5:08 p.m.), Mr. Blakeman, and Mr. Snaman. Mrs. Williams was absent. Other members of Council present were Council President Leary, Mrs. Russell, Mr. Hutchison, Mr. Anderson (arrived at 5:11 p.m.), and Mr. Hare (departed at 5:14 p.m.). Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

Request for Street Name Change - Slaughter Street (Between Loockerman and North Streets)

In accordance with Chapter 98, Article II, Section 98-45 Street Name Change Procedure, of the Dover Code, members considered a petition, submitted by Reverend Clifton Holmes on behalf of New Jerusalem Baptist Church, to change the street name of a segment of Slaughter Street to Jerusalem Way. The petition requests that the one (1) block segment of Slaughter Street, which runs in a north-south direction between West North Street and West Loockerman Street, just east of the railroad corridor, be changed to Jerusalem Way.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, noted that the only property located on the segment of Slaughter Street which is proposed for the name change is the New Jerusalem Baptist Church. The Planning Commission recommended approval of the requested street name change from Slaughter Street to Jerusalem Way (for the segment of Slaughter Street running between West North Street and West Loockerman Street).

Reverend Clifton Holmes, representative of New Jerusalem Baptist Church, urged members to support the street name change and explained that the purpose is to eliminate two (2) Slaughter Streets within the City and also due to concerns regarding the church's address, noting the negative connotations of the word "slaughter."

Mr. Blakeman moved to recommend approval of the requested street name change from Slaughter Street to Jerusalem Way (for the segment of Slaughter Street running between West North Street and West Loockerman Street), as recommended by the Planning Commission. The motion was seconded by Mr. Snaman and unanimously carried.

TEA/NAES Monthly Report *(August)*

The TEA/NAES Monthly Report for August 2011 was provided to members to enable them to monitor electric sales and revenues received, which will provide a better understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Noting that Mr. Blakeman had numerous questions related to the report, Mr. Bonar suggested that a meeting be scheduled with Mr. Ron Lunt, Director of Public Utilities, to allow for a more thorough review of the Report.

Referring to a presentation that was provided at a power management meeting held at the McKee Run Plant on November 10, 2011, Mr. Bonar noted that extensive maintenance and repairs to the electric generators will be necessary. Concurring, Mr. Scott Koenig, Interim City Manager, indicated that The Energy Authority (TEA), power plant operators, the Finance Department, and other

department heads realize the need to maintain the capital plan as a high priority. He further explained that, as a part of the City's risk management and in order to maintain insurance levels on the power plant, the City must keep the plant up to a reasonable standard. He stated that a progressive approach with the Capital Improvement Plan (CIP) is necessary if the City is to remain in the power business. Therefore, as the City develops next year's CIP, Mr. Koenig stated that members will see certain projects placed in the forefront when funding priorities are assigned.

Mr. Hare requested that staff summarize the reports and provide basic (bottom line) details, including profits realized from the power plant and capacity charges over the past five (5) years. For clarification, Mr. Koenig stated that staff would provide members monthly totals in the future and a history for the past five (5) years.

In response to Mr. Hare, Mr. Bonar stated that the cost of service/operation survey and study will provide specifics and assist in the determination of whether or not it is beneficial for the City to maintain the power plant.

Update - Green Energy Funding and Programming

Mr. Scott Koenig, Interim City Manager, reviewed the Fund Summary for Green Energy Funding and Programming. He noted that there is currently an $84,057.85 deficit in the Green Energy Fund, explaining that the City has approved more projects than the amount of funding received. He stated that funds are received on a "rolling" basis as projects are approved, and that project owners understand that they may not receive reimbursement for up to 18 months. Mr. Koenig noted that, although fewer requests are being received than previously, they are received on a regular basis.

In response to Mr. Blakeman, Mr. Bonar suggested that Mr. Ron Lunt, Director of Public Utilities, provide members an explanation of the details regarding the report at a future meeting. He also encouraged staff to send a letter to the Delaware Energy Office encouraging them to issue funds due in order for the City to pay its obligations to its citizenry.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit

Members were reminded of the City's permit through the National Pollution Discharge Elimination System (NPDES) for its Municipal Separate Storm Sewer System (MS4). This permit was issued by the Department of Natural Resources and Environmental Control (DNREC) in 2003 for a five (5) year period. The permit was administratively extended by DNREC until all requirements of the permit are met and a new permit is in place. Under the permit, the City is required to take action to improve the quality of stormwater runoff within the City.

Since the initiation of the permit, the City has struggled with compliance. In June 2010, the City received a Notice of Violation (NOV) relating to a number of permit requirements that had not been met. This NOV was closed out in November 2010, when the terms of that NOV were met; however, DNREC subsequently performed an audit of the City's MS4 permit in early 2011, and in June 2011, DNREC reported the results of that audit and issued another NOV. This NOV related to outstanding permit requirements that were not addressed in the NOV issued in June 2010. The NOV issued in June 2011 includes a number of required corrective actions that must be complete by December 31, 2011.

Staff reported that, with the leadership of Mr. Michael Albert (former Planner II), and assistance from the Watershed Assessment Section at DNREC and the Wesley College Environmental Science Program, the City is making great strides in moving toward compliance with the permit requirements. This fall, the Wesley College Environmental Science Program provided an intern to help with the outstanding tasks associated with the NOV, including development of a Stormwater Management Plan for 2012-2015. The Environmental Science students are also working to develop a number of public outreach materials that will be implemented under the Stormwater Management Plan that will begin in January 2012.

Mr. Scott Koenig, Interim City Manager, reviewed the tasks that have been completed in recent months, as follows:

1) Marking of storm drains in the downtown area and throughout the State Complex;

2) Development of a brochure for the general public about non-point source pollution;

3) Completion of a survey regarding attitudes about water quality;

4) Development of a poster regarding proper automotive care that was distributed to all automotive businesses in the City of Dover;

5) Insertion of an auto maintenance fact sheet into utility bills; and

6) Continued progress on storm sewer system mapping.

In addition, Mr. Koenig noted that training has been provided to all City road staff and their supervisors on best management practices to protect water quality and that the City's new website also includes information on the Stormwater Program, as required by the permit.

Mr. Koenig explained that this is not a "static" permit and that there will be a constant need for additional tasks and operational improvements in order for the City to maintain the permit.

Noting that the new legislative session will begin in a few months, Mr. Bonar suggested that the City put the legislative delegation on notice that the City will be requesting bond bill monies for significant funding for stormwater and water infrastructure. Concurring, Mr. Koenig noted that the City would benefit from completion of one (1) or two (2) major stormwater projects and expressed the need for the City to work with their delegation to reserve funds, since these are multi-million dollar projects.

By unanimous consent, the meeting adjourned at 5:24 P.M.

David L. Bonar
Chairman

DLB/TM/jg/js/dd
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LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on November 14, 2011 at 5:30 p.m. with Chairman McGlumphy presiding. Members present were Mr. Anderson, Mr. Hare (arrived at 5:35 p.m.), Dr. Jones, and Mr. Shevock. Members of Council present were Mrs. Russell, Mr. Bonar, Mr. Hutchison, and Council President Leary. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

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

Discussion - Senior Citizen Property Tax Abatement - Military Pension Exclusion

Ms. Cheryl Russell, City Assessor, stated that she was contacted by Mr. Michael Smith, a City resident, who requested that military pension be added as an exclusion to income as it relates to Senior Citizen Property Tax Abatement. Ms. Russell reminded members that an Ad Hoc Committee was formed in October 2007 to discuss amendments to this program. The changes made consisted of adding Federal Civil Service Retirement and increasing the income levels yearly based on Cost of Living Adjustments (COLA). A cap on the Federal Civil Service Retirement was added at a later date. The addition of the Federal Civil Service was based on the fact that this retirement plan was similar to Social Security. The retirees who benefit from this program did not pay into Social Security and do not receive this benefit from that employment. The three (3) exclusions from the income limits were all based on Social Security and "like" programs.

Ms. Russell advised members that the idea of adding military pension as an exclusion to income was briefly discussed during the Ad Hoc Committee meetings and that no action was taken. Military pension was not considered similar to Social Security or "Social Security-like" programs that were excluded from the income limits. Also mentioned was the fact that military personnel receive Social Security benefits.

Ms. Russell noted that, to date, the City has a mailing list of approximately 40 senior citizens who are receiving Federal Civil Service retirement benefits. These individuals receive applications each year to be returned to the Assessor's Office. Of these 40 senior citizens, 28 receive the tax exemption. This exclusion was added to the program because of its similarity to Social Security. Ms. Russell stated that Mr. Smith explained that the Federal Civil Service system changed 24 years ago. She stated her understanding that the "old" Civil Service Retirement System (CSRS) did not involve contributions to Social Security. The "new" retirement plan is the Federal Employee Retirement System (FERS), which does include contributions to Social Security.

Ms. Russell indicated that Mr. Smith had a valid point regarding the existence of another Federal Civil Service Retirement Plan, which would not fall into the intent of the income exclusion and is not identified in the City's ordinance. Staff requested that this item be placed on a future Legislative, Finance, and Administration Committee meeting agenda for consideration of an amendment which would define that the Federal Civil Service Retirement exclusion should apply only to the Civil Service Retirement System (CSRS). She assured members that staff has verified that the senior citizens who are currently receiving this benefit are Federal Civil Service retirees who retired under the CSRS system.

Staff recommended not adding military pension to the exclusion of income and that the language of the ordinance be amended to define CSRS as the type of Federal Service retirement that qualifies for income exclusions.

Responding to Dr. Jones, Ms. Russell stated that the only current inclusions in the low income, senior citizen exemption are Social Security, railroad pension, and Civil Service pension because these are "Social Security-type" programs.

Mr. Anderson questioned if military disability pensions have been considered, since recipients do not receive Social Security from this income. Responding, Ms. Russell stated that military disability pension is not included as an exclusion, nor did the Ad Hoc Committee consider it as a possible exclusion. She noted that there is a disability exemption offered by the City and that there is no income limit; however, the individual must be 100% disabled and approved by the Social Security Administration. Mr. Anderson noted that an individual who is 100% disabled and receiving military disability may not apply for such under Social Security. It was his feeling that these individuals should also qualify for disability exemption.

In response to Mr. Anderson's request for a revenue impact assessment that would be associated with a military pension exclusion, Ms. Russell stated that it would be difficult to provide an estimate, explaining that in order to make this determination, it would be necessary for staff to know how many property owners are retired, 60 years of age, and who receive military pensions, as well as the amount of income from spouses. Ms. Russell stated that an average of approximately $165 per year is deducted from the taxes paid by the 415 senior citizens who are currently participating in this program, which results in a total approximate tax abatement of $20,373,600 in assessed value in the City. *(Clerk's Office: This program provides a $50,000 tax abatement in assessed value per qualifying property.)*

Responding to Mr. Shevock, Ms. Russell stated that the current income limits to qualify for the abatement are $17,396 for a single person and $24,355 for a couple.

Mr. Bonar felt that staff should make the process simpler and limits should be instituted for all residents, regardless of where their income is obtained.

Mr. Michael Smith, 208 Saxondale Lane, inquired about the form provided to him by the City Assessor's Office for applying for the Senior Citizen Property Tax Abatement. He stated that the form indicated exclusions for income, which included Federal Civil Service Retirement. However, he advised members that there are two (2) types of retirement for Federal Government employees, one being the FERS and the other being the CSRS. He stated that the CSRS expired 24 years ago (1986) and that the new retirement system (FERS), which contributes to Social Security, began in 1986. This is the same system as the military pension; therefore, he requested that both the military pension and FERS be included as exclusions, since the CSRS no longer exists.

Mr. Bonar recommended that another ad-hoc committee be created to review this matter for a recommendation to Council for a complete revision of property tax exemptions within 90 days. He

suggested the possibility of eliminating exclusions and establishing an income limit, regardless of its provider.

Concurring, Dr. McGlumphy suggested that the program be simplified and requested that financial data since 2007 also be reported regarding the effects the abatement may have had on the City.

Mr. Anderson stated that he felt the issue was not excessively complicated and concurred with staff's recommendation; however, he suggested, if the matter is examined more closely, that staff obtain available census data regarding income sources in the area so that the estimated cost of revisions to the policy could be determined.

Mr. Hare recommended that this matter be referred back to staff for their review and recommendation within 90 days. The motion was seconded by Mr. Anderson and unanimously carried.

Proposed Ordinance #2011-28 - Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits (Civil Union) ***(Staff Sponsored)***

Mrs. Kim Hawkins, Human Resources Director, advised members that Governor Jack Markell signed the Civil Union and Equality Act of 2011 on May 11, 2011. This landmark legislation made Delaware one of only a handful of states to allow same-sex civil unions and to fully recognize same-sex relationships. Couples who enter into a civil union will enjoy the same rights, protections and obligations that exist for married spouses. The Act will become effective on January 1, 2012 at 10:00 a.m.

As a result, staff submitted Proposed Ordinance #2011-28, which would amend Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits (Civil Union) of the Dover Code to recognize the same rights, benefits, protections and responsibilities as married persons under Delaware law to partners in legal civil unions, as eligible survivors of pension plan participants.

Noting that the law was signed on May 11, 2011, Mr. Bonar expressed frustration at the length of time it has taken to bring this ordinance forward.

Mr. Anderson moved to recommend adoption of Proposed Ordinance #2011-28 ***(Attachment #1)*****, seconded by Dr. Jones and unanimously carried.**

Proposed Ordinance #2011-29 - Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses (New Subsection (d) and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements ***(Sponsors: Bonar, Russell, and Lynn)***

Mrs. Ann Marie Townshend, Director of Planning and Community Enhancement, reviewed Proposed Ordinance #2011-29, amending Appendix B - Zoning, Article 3 - District Regulations,

Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses (New Subsection (d) and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements of the Dover Code. She advised members that the Proposed Ordinance was developed as a result of a homeowner on North State Street wanting to open a "tea house" as an accessory use at her residence. While this may be a compatible use in the downtown historic area, she stated that the Zoning Ordinance does not permit such uses; therefore, staff drafted the Proposed Ordinance which would make treatment of these uses similar to their treatment in the RGO (General Residence and Office) District.

Mrs. Townshend explained that the Proposed Ordinance would amend General Residence Zones (RG-1 and RG-2) to allow antique shops, art galleries, gift and card shops, book stores, specialty hobby stores, and restaurants with no alcoholic beverages as accessory uses to the principal residential use for properties located within the City's Historic District Zone and/or any Historic District or property listed on the National Register of Historic Places. These uses would be subject to Conditional Use approval by the Planning Commission. She stated that it would also amend the Off-Street Parking requirements of Article 6 to indicate that off-street parking requirements specified within the District Regulations would prevail when different from those specified in Article 6.

Staff recommended that Proposed Ordinance #2011-29 be forwarded to City Council with a favorable recommendation.

In response to Mr. Anderson, Mrs. Townshend stated that when requests relate to residential neighborhoods, specifically outside of the downtown, historic core, they are more "single function" in nature. She assured members that Conditional Use approval requires a public process and provides for the Planning Commission to consider requests on a case-by-case basis.

Mr. Hare moved to recommend adoption of Proposed Ordinance #2011-29 *(Attachment #2)*, seconded by Mr. Anderson and unanimously carried.

Proposed Ordinance #2011-30 - FY12 Budget Revisions

Mrs. Donna Mitchell, Controller/Treasurer, reviewed Proposed Ordinance #2011-30 - FY12 Budget Revisions. She advised members that revisions were noted in red font and would incorporate the following changes into the FY12 Budget:

- Changes for operating grants and individual grant funds, i.e. General Fund – Recycling Grant.

- Capital project balances for those projects with multi-year construction periods, along with the balance of the funding sources that carry over into the current year.

- All reserve accounts updated to reflect Beginning Budget Balances for FY12 now that all activities are posted and reconciliations have been completed for FY11. The Beginning Balances are lower than projected due to lower investment

returns. (The Operating Funds will be submitted at a later date once the audit has been completed.)

- Incorporates the Police Grant Funds that were missed in the original budget ordinance.

    - The budget ordinance represents the fund summary; the individual revenue and expenditure line items will be entered into the City's financial accounting system for each grant.

- Adjusts the bank qualified loan financing and budget for projects being financed.

- Some administrative clean up – i.e., the $350,000 budgeted for the Street Program in the General Fund budget is transferred to the Community Transportation Fund. When this was removed from the final General Fund budget the revenue was not removed from the Community Transportation Fund.

In response to Mr. Anderson, Mrs. Mitchell stated that the Audit Presentation is typically held in January. She noted that the City's audit is typically completed in December each year; however, this year, staff requested an extension until January 31, 2012. As a result, she indicated that the Audit Presentation would not be conducted until February 2012.

As a reminder, Dr. McGlumphy stressed the importance of all departments to manage within their budgets.

Mrs. Mitchell noted that, during the recent Financial Retreat (on November 9, 2011), there was discussion regarding the City Manager's ability to transfer funds between departments and she advised members that the policy states that *"The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental transfers of up to 5% of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure F-306."* [Budget Administration - Guidelines for Operating Departments]."

Mr. Anderson moved to recommend approval of staff's recommendation for adoption of Proposed Ordinance #2011-30 *(Attachment #3)*, seconded by Mr. Hare and unanimously carried.

Proposed Resolution No. 2011-12 - Requesting the General Assembly to Amend Article IV - Financial Affairs, Section 47 - General Assessment; Levy on Utility Property of the City of Dover Charter and Proposed Ordinance #2011-31 Amending Chapter 102 - Taxation, Article I - In General, Section 102-1 - Valuation and Assessment of the Dover Code *(Staff Sponsored)*

Ms. Cheryl Russsell, City Assessor, reviewed Proposed Resolution No. 2011-12 - Requesting the General Assembly to Amend Article IV - Financial Affairs, Section 47 - General Assessment; Levy on Utility Property of the City of Dover Charter. In addition, members were provided Proposed

Ordinance #2011-31 - Amending Chapter 102 - Taxation, Article I - In General, Section 102-1 - Valuation and Assessment of the Dover Code. She advised members that Section 47 of the Charter refers to the Assessor as being elected. Mrs. Russell explained that the proposed amendment to the first paragraph of Section 47 more accurately describes the Assessor as being appointed. She explained that the purpose of the amendments to the second paragraph of Section 47 were to remove the language that dictates that the reassessments shall be conducted every three (3) years. She explained that this would allow for a general statement that City Council may direct that a reassessment be conducted at the pleasure of Council. It would also allow City Council the opportunity to make amendments to Chapter 102, Section 102-1 of the Dover Code without future Charter amendments. Because revaluations are generally conducted by mass appraisal companies, rather than appraisers, she explained that this amendment would update the language and also allow for the assessor or assessors to conduct the reassessments, if they are sufficiently staffed to do so.

Ms. Russell stated that the purpose of the amendments to the Dover Code were to change the length of time between revaluations from three (3) years to five (5) years and to add the statement "unless otherwise directed." This would mandate that the Assessor should budget for a revaluation every five (5) years. It also would enable the Council to direct the Assessor to conduct or plan that the City conduct a revaluation of the properties within the City of Dover at their discretion. She noted that this language does not mandate that a revaluation be allowed only every five (5) years but requires that the City budget for it every five (5) years unless otherwise directed. This amendment would update the language in the ordinance as well as allow for the assessor or assessors, at full staff, to conduct reassessments.

Referring to Lines 8, 9, and 13 of Proposed Ordinance #2011-31, Mr. Hare suggested that the word "shall" be replaced with "may."

Mr. Anderson relayed his support for the proposed amendments submitted by staff; however, he stated concerns with the Mr. Hare's suggestion that would eliminate the requirement for a reassessment every five (5) years. He explained that a delay in a revaluation for more than five (5) years could create gross inequities among property owners. Although he felt that a revaluation would not be necessary every three (3) years, he agreed with the mandate that a revaluation be conducted every five (5) years.

With reference to the "mass appraisal company," Mr. Bonar requested that a notation be included to require the company to be licensed to conduct business in the City of Dover and State of Delaware and to employ appraisers who are recognized by the Delaware Division of Professional Regulations under their appraiser requirements.

Responding, Ms. Russell advised members that new regulations will be considered in January 2012 that will require the assessor to have a certification or license. The specifics regarding this requirement were not known at the time; however, she stated that appraiser courses will be required and this mandate will take effect for the entire State of Delaware. Ms. Russell noted that some counties have relayed their opposition to the new regulations.

Mr. Hare reiterated his request for the word "shall" to be replaced with "may," explaining that there may be difficult economic times for the City when the approximately $880,000 required for a revaluation would not be available for a "revenue neutral" appraisal. It was his opinion that City Council should have the option to delay the revaluation and that replacing the word "shall" with "may" would allow this option.

Ms. Russell reminded members that a comprehensive revaluation was conducted in 2010, which cost approximately $880,000. She indicated that, in speaking with the company that conducted the last revaluation and reviewing International Association of Assessing Officers (IAAO) regulations, it was determined that the City would be required to review properties every four (4) to six (6) years, and this could be conducted by staff. Such a review of every property within the cycle would eliminate the need for a comprehensive revaluation.

Mr. Hare moved to recommend approval of staff's recommendation for adoption of Resolution No. 2011-12 *(Attachment #4)*, with an amendment to Line 21 to include a notation to require the company to be licensed to conduct business in the City of Dover and State of Delaware and to employ appraisers who are recognized by the Delaware Division of Professional Regulations under their appraiser requirements, and adoption of Ordinance #2011-31 *(Attachment #5)*, with an amendment to Lines 8, 9, and 13 to replace the word "shall" with "may" and Line 15 to include a notation to require the company to be licensed to conduct business in the City of Dover and State of Delaware and to employ appraisers who are recognized by the Delaware Division of Professional Regulations under their appraiser requirements. The motion was seconded by Mr. Shevock and unanimously carried.

Evaluation of Proposals - Financing of Library and Street Program

Mrs. Donna Mitchell, Controller/Treasurer, stated that in accordance with the June 6, 2011 Budget Presentation, the Finance Department solicited proposals from six (6) local banks to finance the following projects:

Dover Library	-	$2,700,000
Street Repaving Projects	-	1,750,000
Sprinkler System - City Hall	-	220,000
Issuance Cost & Legal Fees	-	30,000
Total	-	$4,700,000

Mrs. Mitchell advised members that the sprinkler system for City Hall was originally budgeted in the Capital Investment Plan for completion over two (2) years in FY14 and FY15. Staff has moved this project forward so that the sprinkler system can be installed in City Hall in conjunction with the new Library project so as to have the proper fire protection required by Code. She stated that the two (2) year Street Program has been reduced to keep the amount of proposed financing in line with the original plan.

Mrs. Mitchell explained that during the construction phase of the Library project, interest only is to be paid on the draws made during construction. Once the project is completed, the City has the option of continuing the variable rate loan or converting the loan to a term loan. The initial term will be seven (7) years, which is preferred by staff, with a twenty-year amortization payment. At the end of the seven (7) years, the loan will be refinanced for the remaining term or a term that would enable to City to keep the debt service payments budget neutral. The current General Fund debt service will be fully paid in FY17.

Mrs. Mitchell reviewed the Analysis of Proposals for Bank Qualified Loan. Staff recommended acceptance of the PNC Bank proposal and preparation of an Authorizing Resolution for Council approval.

Responding to concerns of Mr. Hare regarding the sprinkler system for City Hall, Mr. Scott Koenig, Interim City Manager, explained that with the placement of the new Library building, the fire lane that was previously located on the east side of City Hall has been removed. As a result, City Hall is now in a different fire code status which requires the building to have a sprinkler system. Although a fire lane could have been installed between City Hall and the new Library, it would have required the removal of the transformer and several trees. Mr. Koenig estimated that the cost to install such a fire lane during construction would have been $75,000 to $100,000 and explained the advantage of a sprinkler system, which would provide immediate fire protection for the building, versus a fire lane.

In response to Mr. Shevock, Mr. Koenig confirmed that insurance savings will be realized by the City with the installation of a sprinkler system in City Hall.

Responding to Mr. Hare, Mr. Koenig stated that currently $2.7M is expected to cover all remaining costs for the new Library. He explained that the project is approximately 40% complete and at the last project meeting, change orders were running at 2.5% and that amount of money, plus some contingency, is already included in the project cost; therefore, no additional monies are expected to be needed for the Library, with the exception of the funds included in this request.

Mr. Hutchison questioned the status of the sale of the old Library building. Responding, Mr. Koenig stated that the State authorized an appraisal for the purchase of the building which has not yet been received. He indicated that he hoped to have an idea of the purchase price by the end of the calendar year and the State could then include these funds in their budget request for next fiscal year. The transfer should occur after July 1, 2012. Mrs. Mitchell stated that the monies received for the sale of the old Library would go toward paying the loan.

Mr. Anderson moved to recommend acceptance of PNC Bank proposal and preparation of an Authorizing Resolution for Council approval, as recommended by staff. The motion was seconded by Mr. Shevock and unanimously carried. *(Clerk's Office Note: This Resolution is being prepared by PNC Bank in consultation with the Controller/Treasurer and will be presented for Council's approval at a subsequent meeting.)*

Public Comment Period

There was no one present wishing to speak during the public comment period.

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

Meeting Adjourned at 6:48 P.M.

William P. McGlumphy
Chairman

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Attachments to Original and File Copy

Attachment #1 - Proposed Ordinance #2011-28 - Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits

Attachment #2 - Proposed Ordinance #2011-29 - Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses (New Subsection (d) and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements

Attachment #3 - Proposed Ordinance #2011-30 - FY12 Budget Revisions

Attachment #4 - Resolution No. 2011-12 - Requesting the General Assembly to Amend Article IV - Financial Affairs, Section 47 - General Assessment; Levy on Utility Property of the City of Dover Charter, as amended

Attachment #5 - Proposed Ordinance #2011-31 - Amending Chapter 102 - Taxation, Article I - In General, Section 102-1 - Valuation and Assessment, as amended

DOWNTOWN DOVER PARTNERSHIP

2011 Annual Report













Historically Happening Dover

Dover DELAWARE

101 W. Loockerman Street,
Suite 1A
Dover, DE 19904
(302) 678-2940
Fax (302) 678-2132

Our Mission:

The purpose of the Downtown Dover Partnership is to develop the economic, cultural and historic resources of downtown Dover, to increase business/job opportunities, and to develop the commercial and residential potential of the Central Dover area. The DDP strives to protect and enhance the historic architectural and community qualities of the downtown consistent with the guiding principles of the National Main Street Program.

www.DowntownDoverPartnership.com

A note from Director, Bill Neaton:



The Downtown Dover Partnership had an exciting year. In the fall of 2010 we partnered with the Dover/Kent MPO to hold a Charrette that led to the creation of the Dover Transit Center Neighborhood Plan and Design Book. Projects identified by the Charrette are in the early stages of development. We have an approved site plan for the former Acme site. This plan includes a four story mixed use building with retail on the first floor and apartments on the upper floors facing Governors Avenue. A second project would provide apartments in a three story building facing New Street.

We conducted a branding and marketing study to create a uniform, cohesive package of signage and imagery for the promotion of Dover as a "historically happening" place to live, work and shop. These images will appear in several publications throughout the fall and winter.

DDP was awarded $3 million through the state legislature's bond bill for improvements to North Street. Improvements include: surface parking consolidation to combine seven separate parking lots; Streetscape improvements to create a pedestrian friendly corridor to the capital complex; and Partnership Plaza –to improve a vacant site in the heart of downtown.

In our fourth year of operation we will continue our revitalization efforts including completion of the major renovation of 22-24 W Loockerman. We're counting on your continued support and participation as we work to meet our ambitious goals during the next year. Downtown Dover is on the move!

Economic Impact

(Fiscal Year 2011)

Highlights

$3,067,790 Dollars Invested in FY 2011

Awarded $3,000,000 through State of Delaware Bond Bill for North Street Area Improvements

Facade Grants Awarded (3)
$5,150

Total value of Facade Improvements
$30,290

Asbestos Removal at
22-24 W. Loockerman St.
$32,350

1500+ Volunteer Hours
1651 hours valued at
$20.25/hr = $33,433

BOARD MEMBERS
Gregory V. Moore, President
Dr. William Johnston, Vice President
Gerald I.H. Street, Esq., Secretary
Cynthia Small, Treasurer
Councilman David Bonar
Anthony DePrima
Michael Harrington
Paul E. Lakeman
Joseph McDaniel
Gary Patterson
Councilwoman Sophia R. Russell
Councilman Reuben Salters
Ami Sebastian-Hauer
Laura Simmons
Stanford Smith
Erin Tinsley
Ann Marie Townshend
Mayor Carleton Carey, Ex Officio

PARTNERSHIP STAFF
William G. Neaton
C. Edwin Perez
Beverly Latimer Jackson

Downtown Business

Highlights

SIX NEW BUSINESSES OPENED:
XANADAVE, Floridella
Juliano's Italian Market
Hunter House Food Extravaganza
Caribbean Cuisine, Beehive Beauty Shop

ONE BUSINESS RELOCATED TO DOWNTOWN:
Phoenix Comics & Games

BUSINESS ASSISTANCE PROVIDED:
Four businesses received loans through the US SBA Community Express Loan Program. These loans totaled $100,000 and created 8 FTE's and sustained 3 FTE's.

INCREASING COMPETITIVENESS OF DOWNTOWN BUSINESSES:
The Downtown Dover Partnership held thirteen (13) Business Development Workshops that provided information on marketing techniques, green business, developing a business plan, loan workshops, social media, and e-commerce to more than 150 people, both current and prospective business owners.

2011 Committee *Accomplishments*

DESIGN COMMITTEE

Awarded Three (3) Façade Improvement Grants
Coordinated Holiday Window Decorating Project
Developed Design Demonstration Grant Project

ECONOMIC DEVELOPMENT & RESTRUCTURING COMMITTEE

Asbestos Removal 22-24 W. Loockerman St.
Developed site plan for redevelopment of the former Acme Site

ORGANIZATION COMMITTEE

Monitored Work Plan Development
Developed Fundraising Strategy
Coordinated Volunteer Recognition & Annual Report
Assisted DEDO with creation of Volunteer Manuals

PARKING & SAFETY COMMITTEE

Conducted Security Survey of Merchants
Provided Funding for Security Camera Project
Offered Free Parking in the Bradford St. metered lot during December
Parking Information Inserted into 22,000 City customers electric bills

PROMOTIONS COMMITTEE

2nd Annual Safe, Spooky Halloween
3rd Annual Home for the Holidays
3rd Annual Spring Splendor Fashion Show
Supported First Fridays
Supported First Night
Dover Days May Basket
Generated 25+ media releases and significant positive press for Downtown Dover
Coordinated development of new marketing & branding campaign



The US SBA Business Administration Recognizes Ed Perez (center) , of the Downtown Dover Partnership, as the Financial Champion for FY' 10. Pictured with Mayor Carelton E. Carey, Sr. and William Neaton.

Committees

DESIGN
Laura Simmons, Chairperson
Arden Bardol, John R. Ennis, Carrie Hart, Ann Baker Horsey, Susan Johnston, Kristin Pleasanton, Dawn Melson-Williams, Elena Stewart, Cynthia Small

ECONOMIC DEVELOPMENT & RESTRUCTURING
Gerald I. H. Street, Esq., Chairperson
Robert Berglund, Councilman David Bonar, Anthony DePrima, Michael Harrington, Sr., Paul E. Lakeman, Joseph McDaniel, Gregg Moore, Ted Nutter, Gary Patterson, Charlie Rodriguez, Councilwoman Sophia Russell, Councilman Reuben Salters Ami Sebastian-Hauer, Laura Simmons, Erin Tinsley, Ann Marie Townshend, Mayor Carleton E. Carey

ORGANIZATION
Stanford Smith, Chairperson
Marjorie Cyr, Jocelyn McBride, Georgeanna Windley, Chris Wood

PARKING
Anita Evans, Chairperson
David Affolder, Michael Ambruso, Jed Hatfield, Christopher Hayes, Ted Nutter, Michael Riemann, Ron Poliquin, Esq.

PROMOTIONS
Tonda Parks, Chairperson
Jennifer Allen, Jennifer Bailey, Elaine M. Brenchley, Shani Bublitz Dave Hill, Mary Alice Ozechoski, Christy Rawlins, Kathy Jo Robbins, Ami Sebastian-Hauer, Nephetina Serrano, Cynthia Small, Heather Standish, Erin Tinsley Lauren Tinsley

Special Thanks... to the following Individuals and Organizations

who contributed time, talent and resources to make our third year a great success:

First Friday
Jean Francis, Susan Johnston,
Jeremy Gibb, Friends of Folk,
First State Strings,
Dover Fire Department,
Downtown Dover Merchants,
Wesley College Student Leaders

Festival of Lights
City of Dover Parks & Recreation
Bayhealth Medical Center
Heritage at Dover
Dover Kiwanis
Wesley Pre-School
The Little School
Dover High Select Ensemble

Support for Multiple Activities
Bayhealth Medical Center
City of Dover
DE Economic Development Office
DE Technical & Community College
Dover City Council
Dover Community Partnership
Dover Fire Department
Dover Housing Authority
Dover Parks & Recreation
Dover Police Department
Downtown Dover Businesses
First State Community Loan Fund
First State Heritage Park
First State Strings
Friends of Folk
Friends of Old Dover
Greater Dover Committee
Greater Dover Foundation
Kent County Tourism
Small Business Development Ctr.
U.S. Small Business Administration
USDA Rural Development
Wesley College

Home for the Holidays
Gary Chaffee, Parade Coordinator
Shani Bublitz, Dave Hill
Dover Housing Authority
Mary Alice Ozechoski, Theo Page
Ami Sebastian-Hauer, Nephetina Serrano
Cynthia Small, Erin Tinsley
Lauren Tinsley, Santa and Mrs. Claus
Wesley College Student Leaders
Georgeanna Windley

Spring Splendor Fashion Show
Nephetina Serrano, Chairperson
Tina Bradbury, Co-Chairperson
Rae Short, Co-Chairperson
Terry Barnes, Gary Chaffee,
Kelly Daniels, Erlene George,
Catherine Hall, Karen Pappas,
Tonda Parks, C. Edwin Perez,
Dave Skocik, Melissa Tooles,
33 West, Amillion the Poet,
Amore Bridal, Ancient Way Massage
Bel Boutique
Benita's World of Beauty/Rico Shae
Caribbean Cuisine
Celebrations Event Planning,
Boscov's Travel
Children's Theatre of Dover
& Kent County, Inc.
Citizens Bank, Classic Cakes,
CNU Fit. Cook & Smith Florists,
Delaware Made, DNDTek,
Dover Art League, Dover Newsstand,
El Nopal, Emmanuel's Religious Gifts
Events by Design & Thyme Catering,
Expressions Photography, Forney's.
Frankfurt Bakery, HerbaLife,
Hunter House Food Extravaganza,
Lois Huston w/ Miche Bag,
Jaycees, K10 Toes n Tans,
Leone's Loockerman Exchange,
Maple Dale Country Club,
Mary Kay, Maxine's New York Fashions,
NAPA Auto Parts,
New Beginnings, Next Level Clothing
Partners in Design,
Phoenix Comics & Games
Rori & Company, Big City Productions
Sankofa Drummers & African Dancers
See Glass & See Glass Studio
Skocik Chiropractic, Star Nails
The Center for Mental Wellness
The Fourth Sister
The Golden Fleece Tavern
T.G.I. Friday's, Traci Lynn Fashions
Unique Bags & Bling, Unity Fashionware
Where Pigs Fly, William Boyd & Company
WSFS Bank, Yoli, Zuha Trend
The Duncan Center
The Wedding Boutique
Young's Studio of Photography
Zuha Tren

DELAWARE
ECONOMIC DEVELOPMENT OFFICE
Right Place. Right Size.

Downtown Delaware is a program of the Delaware Economic Development Office (DEDO). It provides Delaware's historic downtowns, communities, and small businesses with tools to revitalize their commercial districts, increase entrepreneurial opportunity, and enhance quality of place.



DOWNTOWN DOVER PARTNERSHIP

About the Downtown Dover Partnership:

Downtown Dover Partnership is a non-profit organization dedicated to revitalizing the Downtown District. DDP works hand in hand with the National Trust for Historic Preservation's National Main Street Center and the Downtown Delaware initiative to create a variety of programs that serve to improve our downtown district.

101 W. LOOCKERMAN STREET, SUITE 1A, DOVER, DE 19904
(302) 678-2940
FAX (302) 678-2132

USDA Rural Development
Committed to the future of rural communities.

USDA Rural Development has provided funding for DDP marketing and training initiatives which benefit businesses in "Historic Downtown Dover"

www.DowntownDoverPartnership.com

City of Dover

MAYOR AND COUNCIL

November 29, 2011

Dear *:

President Obama's proposed budget authorizes a 50% reduction in the Low Income Home Energy Assistance Program. The Budget Office has recommended a cut in spending for this program that would reduce it from $5.1 billion last year to $2.5 billion next year. With winter weeks away, we still have no firm idea of what allocation will be given, much less how Delaware and Dover will fare with these drastic reductions.

Delaware ranks 46th out of 50 states in terms of assistance provided to residents of our state to heat their homes. There are nearly 70,000 families in Delaware who live below the Federal Poverty Level and who depend on heating assistance to keep warm during the winter.

Delaware's Energy Affordability Gap, according to a study done by the research firm of Fischer, Sheehan and Colton, shows the average gap per family in 2010 was $2,016. In 2002, that gap was half that much, $1,009. This means that Delawareans are falling further and further behind in terms of being able to pay their heating bills.

Dover residents in need received $149,000 last year. Under the proposed Federal Budget, that would be reduced to just over $71,000, meaning fewer households in need would be able to get the assistance required to heat their homes. This issue should and must be addressed. In today's economy, many more families are likely to apply for assistance. It would be unconscionable to turn them away because our government is more concerned with budget cutting than with helping those who can't help themselves.

Please work to restore funding for the Low Income Home Energy Assistance Program before the budget is passed.

Draft

THOMAS J. LEARY
COUNCIL PRESIDENT

CARLETON E. CAREY, SR.
MAYOR

TJL/CEC/tam
S:\Correspondence\Council Meeting\2011\11-28-2011 LIHEAP Letter.wpd

Permission to Recruit

To: Carleton E. Carey
Mayor

Date: November 23, 2011

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: December 12, 2011

Opening is due to:

Termination, Transfer, Promotion, (Other:) Resignation of: Patrolman Christopher Boyce

Christopher Boyce
(Name of previous employees)

Type of recruitment desired:

Currently None. Current officer eligibility list, if none, advertised in News Journal, Delaware State News, Dover Post.
(name of publication)

Note: All out-of-house job postings will be advertised in the Delaware State News

Other: City and Departmental Website

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 this position is to ensure security for the citizens of Dover. The person 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 93 officers. It is essential for the department to maintain personnel to provide all levels of safety for the citizens of Dover. However due to two recent retirements and the resignation of a third officer the authorized strength has dropped to 90 officers. Therefore the department is currently recruiting to hire certified officers. When hired, a certified officer will be able to fill a position with immediate impact to the City of Dover. There would be no training costs, no police academy and the department as well as the City of Dover would benefit.

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 this position and whose position is less critical at this time and can go unfilled permanently or temporarily?**

   No. This position is for a new police officer.

6. **Can one or more existing employees absorb the duties of this position?**

Over time the quality of service the department current provides would diminish. The current authorized strength for the police department is 93 officers, which had been approved by City Council. Without this position the department would once again be working under the authorized number of officers. For that reason the department is seeking to hire certified officers to fill the vacant positions. Hiring a certified officer expedites the overall hiring process.

7. **Could a temporary person be hired to fill this position for 60 days?**

No, there are too many complexities in this position. The person will be a trained law enforcement officer and would have to pass a background check.

8. **Grade / Salary Information**

Patrolman / POL-01 $45,094.40

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	CPL	Retirement	69,954.86	26,728.06	96,682.92	16.4%	1	11,468.01	2,227.34	31,071.60	44,766.95	51,915.97	health care = employee
Police Officer	Ptlm	Separation	49,912.23	34,721.21	84,633.44	3.8%	1	1,909.21	2,893.43	2,519.64	7,322.29	77,311.15	health care = family
Police Officer	PFC	Separation	60,168.46	32,563.19	92,731.65	25.1%	1	15,124.31	2,713.60	618.42	18,456.33	74,275.32	health care = family
													# vac hrs bal ao 9/17/11
Totals					**274,048.01**						**70,545.56**	**$203,502.45**	

** esitmate based on # hours sold back

Position	Position	Reason	FY12	FY12	Total	% Year Wages	# Mos.	Wages	Benefits	Total Pay	Remarks
New Positions											health care = family for all
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Totals					**228,992.88**					**$151,101.73**	
Balance										**$52,400.72**	

Permission to Recruit

To: Carleton E. Carey
Mayor

Date: November 23, 2011

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: December 12, 2011

Opening is due to:

Termination, Transfer, Promotion, (Other:) Retirement of: Corporal Daniel Ranger

Daniel Ranger
(Name of previous employees)

Type of recruitment desired:

Local Newspaper: Three newspapers – News Journal, Delaware State News, and Dover Post
(Name of publication)

Note: All out-of-house job postings will be advertised in the Delaware State News

Other: City and Departmental Website

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 this position is to ensure security for the citizens of Dover. The person 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 93 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 two recent retirements and the resignation of a third officer the authorized strength has dropped to 90 officers. Therefore the department is currently recruiting to hire certified officers. When hired, a certified officer will be able to fill a position with immediate impact to the City of Dover. There would be no training costs, no police academy and the department as well as the City of Dover would benefit.

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 this position and whose position is less critical at this time and can go unfilled permanently or temporarily?**

   No. This position is for a new police officer.

6. **Can one or more existing employees absorb the duties of this position?**

Over time the quality of service the department current provides would diminish. The current authorized strength for the police department is 93 officers, which had been approved by City Council. Without this position the department would once again be working under the authorized number of officers. For that reason the department is seeking to hire certified officers to fill the vacant positions. Hiring a certified officer expedites the overall hiring process.

7. **Could a temporary person be hired to fill this position for 60 days?**

No, there are too many complexities in this position. The person will be a trained law enforcement officer and would have to pass a background check.

8. **Grade / Salary Information**

Patrolman / POL-01 $45,094.40

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	CPL	Retirement	69,954.86	26,728.06	96,682.92	16.4%	1	11,468.01	2,227.34	31,071.60	44,766.95	51,915.97	health care = employee
Police Officer	Ptlm	Separation	49,912.23	34,721.21	84,633.44	3.8%	1	1,909.21	2,893.43	2,519.64	7,322.29	77,311.15	health care = family
Police Officer	PFC	Separation	60,168.46	32,563.19	92,731.65	25.1%	1	15,124.31	2,713.60	618.42	18,456.33	74,275.32	health care = family
													# vac hrs bal ao 9/17/11
Totals					**274,048.01**						**70,545.56**	**$203,502.45**	

** esitmate based on # hours sold back

Position	Position	Reason	FY12	FY12	Total	% Year Wages	# Mos.	Wages	Benefits	Total Pay	Remarks
New Positions											health care = family for all
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
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Totals					**228,992.88**					**$151,101.73**	
Balance										**$52,400.72**	

Permission to Recruit

To: Carleton E. Carey
Mayor

Date: November 23, 2011

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: December 12, 2011

Opening is due to:

Termination, Transfer, Promotion, (Other:) Medical Retirement of: Pfc. Matthew Harmon

Matthew Harmon
(Name of previous employees)

Type of recruitment desired:

Local Newspaper: Three newspapers – News Journal, Delaware State News, and Dover Post
(Name of publication)

Note: All out-of-house job postings will be advertised in the Delaware State News

Other: City and Departmental Website

Chief James E Hosfelt Jr.

☐ APPROVED ☐ DENIED

Mayor of the City of Dover

Hiring Justification Outline

1. **Explain the principal function of this job.**

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7. **Could a temporary person be hired to fill this position for 60 days?**

No, there are too many complexities in this position. The person will be a trained law enforcement officer and would have to pass a background check.

8. **Grade / Salary Information**

Patrolman / POL-01	Current Base	$45,094.40

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
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Totals					**274,048.01**						**70,545.56**	**$203,502.45**	

** esitmate based on # hours sold back

Position	Position	Reason	FY12	FY12	Total	% Year Wages	# Mos.	Wages	Benefits	Total Pay	Remarks
New Positions											health care = family for all
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Police Officer	Ptlm	New Hire	47,053.71	29,277.25	76,330.96	55.2%	10	25,969.53	24,397.71	50,367.24	Certified Officer
Totals					**228,992.88**					**$151,101.73**	
Balance										**$52,400.72**	

DOVER FIRE DEPARTMENT

Established 1882

November 23, 2011

City of Dover
Traci A. McDowell, City Clerk
PO Box 475
Dover, DE 19903

RE: 2012 Fire Line Officer Election Results

Dear Mrs. McDowell:

The following are the results of the November 21, 2011 Dover Fire Department Fire Line Officer Election as certified by the election judges:

Chief	Jack I. Fortney (Uncontested)
Deputy Chief	Patrick A. West (Uncontested)
1st Assistant Chief	David C. Carey (Uncontested)
2nd Assistant Chief	Michael J. O'Connor, Jr. (Uncontested)
3rd Assistant Chief	**
4th Assistant Chief	Carl Troubetaris, Sr. (Uncontested)
1st Fire Line Captain	Matthew E. Carey (Uncontested)
2nd Fire Line Captain	Mark Hall (Uncontested)

**
Election results for the position of 3rd Assistant Chief (Joe Simmons & Glenn Whitt) was a tie and a special election will have to be scheduled.

Please forward the above uncontested names to City Council for their review and approval.

Respectfully,

Brian Bashista, President

Raymond Osika, Secretary

cc: Jack I. Fortney
File

103 South Governors Avenue • Dover, Delaware 19904
Headquarters: (302)736-7168 • Fire Chief's Office: (302)736-7167 • FAX: (302)7

CITY OF DOVER PROPOSED ORDINANCE #2011-28

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

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision I - In General, Section 2-331 - Form of Benefits, be amended by inserting the text indicated in bold, blue, italics as follows:

Section 2-331. Form of benefits.

(a) *Normal form*. A monthly benefit shall be payable on the first day of the second month preceding the date on which application for such benefit is filed. Payment will be retroactive to the retirement date. Payments of benefits shall be payable monthly thereafter during his lifetime, and terminating with the last payment on the first day of the month of the death of the participant.

(b) *Death of participant, etc.* Upon the death of a participant who has retired, or who is eligible to be retired under any of the provisions of this division, payment shall be made to his eligible survivors in the amount of 50 percent of the monthly payments to which the participant was or would have been entitled. Upon the death of a participant who has completed a minimum of 20 years of service but is not yet eligible to retire because of age, payment shall be made to his eligible survivors in the amount of 50 percent of the monthly payment that would have resulted by using his service time; however, the benefit is to be computed at a reduced rate of one-half percent for each month the participant was under the correct age for normal retirement. In no instance shall actual monthly payments be less than $200.00, to be effective July 1, 2000. Upon the death of both the participant and eligible survivor, if the benefit payments received in aggregate are less than the member's contributions, the balance of the member's contributions, plus 5 percent interest, will be paid to the surviving beneficiary designated or his estate if no designation has been made and submitted to the pension board. The amount of benefit payments received and the amount of the member's contributions shall be determined from the record of the pension board of trustees

(c) *Eligible survivor.* An eligible survivor shall be one of the following in the order of preference listed:

(1) *Spouse/**Partner**.* The participant's spouse who was married to the participant for at least one year. Surviving spouse shall be required to provide supporting documents of marriage. ***The participant's partner in a civil union, who entered into a lawful civil union in Delaware, or whose legal union is recognized as a civil union under Delaware law, will have all of the same rights, benefits, protections and responsibilities as married persons under Delaware law. (13 Del. C. c. 2). Surviving partner shall be required to provide supporting documents of legal civil union.***

Draft

(2) *Children, unmarried.*

a. The surviving children, biological or legally adopted, of the participant, who have not attained their 18th birthday.

b. If said child is attending school on a full-time basis and provides proof of attendance each year of eligibility, with the payment due for the month in which he ceases to attend school on a full-time basis or with the payment due for the month in which his 22nd birthday shall occur, whichever shall occur first.

(d) *Commencement of payment*. Benefits payable to eligible survivors shall commence on the first day of the month following the date of the participant's death.

(e) *Benefits payable*. Benefits payable to eligible survivors shall cease:

(1) *Spouse/**Partner***. With respect to an eligible survivor who is a spouse ***or partner of a civil union***, with the payment due for the month in which their remarriage or death shall occur, whichever occurs first.

(2) *Children*. With respect to an eligible survivor who is a child(ren), with the payment due for the month in which his 18th birthday or death shall occur, whichever shall occur first. Payments shall be made in accordance with subsections (2)a. and b.

(f) *Eligibility for benefits*. The eligibility of any person or persons to receive payment of benefits as an eligible survivor shall be determined conclusively by the pension board based on application of such person or persons and any other information which the pension board deems to be appropriate.

(g) This ordinance shall be effective at 10:00 a.m. on January 1, 2012.

ADOPTED: *

SYNOPSIS

This amendment provides the same rights, benefits, protections and responsibilities as married persons under Delaware law to partners in legal civil unions.

Actions History

November 28, 2011 - Scheduled for First Reading at Council

November 14, 2011 - Considered by Legislative, Finance, and Administration Committee

Draft

CITY OF DOVER ORDINANCE # 2011-30
2011-2012 BUDGET ORDINANCES
GENERAL FUND - REVENUES AND BUDGET FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Thirty-Eight Million, One Hundred Thirty-Nine Thousand, Nine Hundred Seventy-Two dollars ($38,139,972) or so much thereof as may be necessary are hereby appropriated from current 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:

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 3,322,305	$ 3,322,305
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	390,900
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	18,897,513
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
POLICE PENSION GRANT	620,000	620,000
UNIVERSAL RECYCLING GRANT	-	79,873
GRANTS SUBTOTAL	753,500	833,373
TRANSFERS FROM		
TRANSFER TAX	900,000	900,000
MUNICIPAL STREET AID	526,814	526,814
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	10,727,610
TOTAL REVENUES	$ 34,737,794	$ 34,817,667
TOTAL BEGINNING BALANCE AND REVENUES	$ 38,060,099	$ 38,139,972

2011-2012 BUDGET ORDINANCES - CONTINUED
GENERAL FUND - REVENUES AND BUDGET FOR 2011-2012

		ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
50	DEPARTMENT EXPENSES		
51	CITY CLERK	$ 296,393	$ 296,393
52	COUNCIL	120,699	120,699
53	TAX ASSESSOR	213,175	213,175
54	FIRE	684,725	684,725
55	GROUNDS MAINTENANCE	979,922	979,922
56	LIBRARY	1,159,087	1,159,087
57	RECREATION	789,701	789,701
58	LIFE SAFETY	449,226	449,226
59	CODE INFORCEMENT	284,489	284,489
60	PLANNING	422,781	422,781
61	INSPECTIONS	553,907	553,907
62	ECONOMIC DEVELOPMENT	223,717	223,717
63	POLICE	12,955,807	12,955,807
64	POLICE EXTRA DUTY	430,600	430,600
65	STREETS	782,810	782,810
66	SANITATION	2,330,976	2,410,849
67	CITY MANAGER	622,127	622,127
68	INFORMATION TECHNOLOGY	685,871	685,871
69	FINANCE	852,283	852,283
70	PUBLIC SERVICES - ADMINISTRATION	472,692	472,692
71	FACILITIES MANAGEMENT	952,693	952,693
72	CENTRAL SERVICES	693,339	693,339
73	FLEET MAINTENANCE	695,422	695,422
74	CUSTOMER SERVICES	928,112	928,112
75	HUMAN RESOURCES	384,758	384,758
76	MAYOR	81,154	81,154
77	DEPARTMENT SUBTOTALS	29,046,466	29,126,339
78	OTHER EXPENSES		
79	DEBT SERVICE	327,270	327,270
80	INSURANCE	550,000	550,000
81	RETIREES HEALTH CARE	1,374,709	1,374,709
82	PENSION UNFUNDED LIABILITY	1,450,000	1,450,000
83	POLICE PENSION FUND	620,000	620,000
84	POLICE PENSION UNFUNDED LIABILITY	95,000	95,000
85	UNCOLLECTIBLES - TRASH AND OTHER	10,000	10,000
86	STREET LIGHTS	960,000	960,000
87	OTHER EXPENSE SUBTOTAL	5,386,979	5,386,979
88	TRANSFERS		
89	TRANSFER TO CAPITAL FUND - PROJECTS	623,847	623,847
90	TRANSFER TO CAPITAL FUND - RESERVE	200,000	200,000
91	TRANSFERS SUBTOTAL	823,847	823,847
92	CURRENT YEAR BALANCE	2,802,807	2,802,807
93	TOTAL CURRENT YEAR BALANCE AND EXPENDITURES	$ 38,060,099	$ 38,139,972

94 The City Manager is hereby authorized, without further approval of the City Council, to make inter-
95 departmental transfers of up to five percent of the amount hereinafter appropriated to any department
96 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

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Fifteen Million, Three Hundred Seventy-Eight Thousand, Eight Hundred Twenty-Eight dollars ($15,378,828) or so much thereof as may be necessary are hereby appropriated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET		REVISED 2011/12 BUDGET
BEGINNING BALANCE - PROJECTS	$ 195,191	$ -	$ 195,191
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		16,832,675
TOTAL BEGINNING BALANCE AND REVENUES	$ 14,024,947		$ 17,128,828

2011-2012 BUDGET ORDINANCES - CONTINUED

GOVERNMENTAL CAPITAL PROJECTS FUND - CONTINUED
REVENUES AND BUDGET FOR 2011-2012

EXPENSE SUMMARY

DEPARTMENT EXPENSES	ORIGINAL 2011/12 BUDGET		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		17,011,637
CURRENT YEAR BALANCE - LOAN PROCEEDS	1,000,000	(1,000,000)	-
CURRENT YEAR BALANCE	117,191		117,191
TOTAL CURRENT YEAR BALANCES AND EXPENSES	$ 14,024,947		$ 17,128,828

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

GENERAL FUND CONTINGENCY
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Seven Hundred Eleven Thousand, Seven Hundred Forty-Seven dollars ($711,747) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 725,554	$ 711,747
TOTALS	$ 725,554	$ 711,747

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE	$ 725,554	$ 711,747
TOTALS	$ 725,554	$ 711,747

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

GENERAL CAPITAL ASSET REPLACEMENT FUND
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Four Hundred Sixty Thousand, Nine Hundred Twenty dollars ($460,920) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 256,645	$ 253,420
INTEREST EARNINGS	7,500	7,500
TRANSFER FROM GENERAL FUND	200,000	200,000
TOTALS	464,145	460,920

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE	$ 464,145	$ 460,920
TOTALS	$ 464,145	$ 460,920

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

MUNICIPAL STREET AID FUND
REVENUES AND BUDGET FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Five Hundred Twenty-Six Thousand, Nine Hundred Sixteen dollars ($526,916) or so much thereof as may be necessary are hereby appropriated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 100	$ 102
STATE GRANT	526,814	526,814
INTEREST EARNED	100	-
TOTALS	$ 527,014	$ 526,916

EXPENSE SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO GENERAL FUND	$ 526,814	$ 526,816
CURRENT YEAR BALANCE	200	100
TOTALS	$ 527,014	$ 526,916

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Eight Million, Four Hundred Sixty-Nine Thousand, Four Hundred Ninty-Two dollars ($8,469,492) or so much thereof as may be necessary are hereby approprated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE - WATER	$ 1,139,872	$ 1,139,872
BEGINNING BALANCE - WASTEWATER	303,476	303,476
REVENUES		
STATE LOAN-WATER 2010 ISSUE	-	1,923,489
STATE LOAN-WASTEWATER 2009 ISSUE	1,800,000	1,621,272
STATE LOAN-WASTEWATER 2011 ISSUE	-	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	867,032
FEDERAL/STATE GRANTS	-	-
TOTAL REVENUES	3,812,840	6,926,853
TOTAL BEGINNING BALANCE AND REVENUES	$ 5,256,188	$ 8,370,201

EXPENSE SUMMARY

DEPARTMENT EXPENSES	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
WATER	$ 766,240	$ 3,086,468
WASTEWATER	3,404,900	4,217,976
WATER TREATMENT PLANT	22,900	22,900
WATER CONSTRUCTION	30,100	30,100
TOTAL DEPARTMENT EXPENSES	4,224,140	7,357,444
CURRENT YEAR BALANCE - WATER	1,070,632	673,893
CURRENT YEAR BALANCE - WASTEWATER	(38,584)	338,864
TOTAL CURRENT YEAR BALANCES AND EXPENSES	$ 5,256,188	$ 8,370,201

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 CAPITAL ASSET RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Nine Hundred Four Thousand, Seven Hundred Ninety-Seven dollars ($904,797) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE - WATER	$ 336,064	$ 315,695
BEGINNING BALANCE - WASTEWATER	168,470	167,966
REVENUES		
INTEREST EARNINGS - WATER	10,082	10,082
INTEREST EARNINGS - WASTEWATER	5,054	5,054
TRANSFER FROM WATER	100,000	100,000
TRANSFER FROM WASTEWATER	300,000	300,000
TRANSFER FROM WATER/WASTEWATER CONTINGENCY	6,000	6,000
TOTAL REVENUES	$ 421,136	$ 421,136
TOTAL BEGINNING BALANCES AND REVENUES	$ 925,670	$ 904,797

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE - WATER	$ 452,146	$ 431,777
CURRENT YEAR BALANCE - WASTEWATER	473,524	473,020
TOTAL CURRENT YEAR BALANCES	$ 925,670	$ 904,797

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 CONTINGENCY RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Two Hundred Eighty-Nine Thousand, Five Hundred Nineteen dollars ($289,519) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 266,839	$ 281,513
INTEREST EARNINGS	8,006	8,006
TRANSFER FROM WATER/WASTEWATER	8,000	-
TOTALS	$ 282,845	$ 289,519

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO CAPITAL ASSET RESERVE	$ 6,000	$ -
CURRENT YEAR BALANCE	276,845	289,519
TOTALS	$ 282,845	$ 289,519

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Six Million, Five Hundred Fifty-Seven Thousand, Two Hundred Seventy-One dollars ($6,557,271) or so much thereof as may be necessary are hereby appropriated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 2,561,096	$ 2,648,141
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	$ 6,557,271

EXPENSE SUMMARY

EXPENSES	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
ELECTRIC GENERATION	$ 1,810,410	$ 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	4,356,508
CURRENT YEAR BALANCE	2,200,763	2,200,763
TOTAL CURRENT YEAR BALANCE AND EXPENSES	$ 6,470,226	$ 6,557,271

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 CONTINGENCY RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating One Million, Fifty-Six Thousand, Seven Hundred Eighty-Nine dollars ($1,056,789) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 1,039,766	$ 1,056,789
TRANSFER FROM INSURANCE STABILIZATION	70,730	-
TOTALS	$ 1,110,496	$ 1,056,789

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE	$ 1,110,496	$ 1,056,789
TOTALS	$ 1,110,496	$ 1,056,789

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Ten Million, Seven Hundred Eighteen Thousand, Six Hundred Twenty-One dollars ($10,718,621) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 10,511,755	$ 10,412,221
INTEREST EARNINGS	306,400	306,400
TOTALS	$ 10,818,155	$ 10,718,621

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO IMPROVEMENT AND EXTENSION	$ 300,000	$ 300,000
TRANSFER TO FUTURE CAPACITY	500,000	500,000
CURRENT YEAR BALANCE	10,018,155	9,918,621
TOTALS	$ 10,818,155	$ 10,718,621

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Nine Million, Nine Hundred Fifty-Seven Thousand, Five Hundred Seventy-One dollars ($9,957,571) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 9,294,628	$ 9,178,771
RECEIPT FROM DEPRECIATION RESERVE	500,000	500,000
INTEREST EARNINGS	278,800	278,800
TOTALS	$ 10,073,428	$ 9,957,571

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE	$ 10,073,428	$ 9,957,571
TOTALS	$ 10,073,428	$ 9,957,571

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Four Hundred Fifteen Thousand, Six Hundred Thirty-Five dollars ($415,635) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 408,430	$ 403,335
INTEREST EARNINGS	12,300	12,300
TOTALS	$ 420,730	$ 415,635

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO ELECTRIC IMPROVEMENT & EXTENSION	$ 70,730	$ 70,730
CURRENT YEAR BALANCE	350,000	344,905
TOTALS	$ 420,730	$ 415,635

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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 RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Six Million, Three Hundred Forty-Six Thousand, Seven Hundred Sixty-Eight dollars ($6,346,768) or so much thereof as may be necessary are hereby appropriated from urrent 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 6,219,819	$ 6,160,168
INTEREST EARNINGS	186,600	186,600
TOTALS	$ 6,406,419	$ 6,346,768

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO ELECTRIC FUND	$ 1,000,000	$ 1,000,000
CURRENT YEAR BALANCE	5,406,419	5,346,768
TOTALS	$ 6,406,419	$ 6,346,768

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Three Million, Nine Hundred Sixty-Five Thousand, Four Hundred Fifty-One dollars ($3,965,451) or so much thereof as may be necessary are hereby appropriated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 312,651	$ 312,651
REVENUES		
GRANTS REVENUE	1,900,000	1,900,000
TRANSFER FROM GENERAL FUND	350,000	-
LOAN PROCEEDS - STREETS	-	1,750,000
INTEREST INCOME	2,800	2,800
TOTAL REVENUES	2,252,800	3,652,800
TOTAL BEGINNING BALANCE AND REVENUES	$ 2,565,451	$ 3,965,451

EXPENSE SUMMARY

EXPENSES	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
PROGRAM EXPENSES	$ 1,300,000	$ 2,175,000
LINCOLN PARK/CLARENCE STREET GRANT EXP.	900,000	900,000
TOTAL EXPENSES	2,200,000	3,075,000
CURRENT YEAR BALANCE	-	875,000
CURRENT YEAR BALANCE - STATE FUNDS	365,451	15,451
TOTAL CURRENT YEAR BALANCES AND EXPENSES	$ 2,565,451	$ 3,965,451

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

PARKLAND/RECREATION RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Two Hundred One Thousand, Four Hundred Twenty-Two dollars ($201,422) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 191,522	$ 195,672
INTEREST INCOME	5,750	5,750
TOTALS	$ 197,272	$ 201,422

BUDGET SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
CURRENT YEAR BALANCE	197,272	201,422
TOTALS	$ 197,272	$ 201,422

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

LIBRARY RESERVE
SOURCES AND USE OF FUNDS FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Two Million, Five Hundred Ninety Thousand, Seven Hundred Eighty-Four dollars ($2,590,784) or so much thereof as may be necessary are hereby appropriated from current 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:

CASH RECEIPTS

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 1,217,579	$ 2,575,784
INTEREST INCOME	109,900	15,000
TOTALS	$ 1,327,479	$ 2,590,784

EXPENSE SUMMARY

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
TRANSFER TO CAPITAL PROJECT FUND	$ 1,200,938	$ 2,590,784
CURRENT YEAR BALANCE	126,541	-
TOTALS	$ 1,327,479	$ 2,590,784

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Three Hundred Ten Thousand, Six Hundred Thirty-Five dollars ($310,635) or so much thereof as may be necessary are hereby appropriated from current 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:

REVENUES

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
BEGINNING BALANCE	$ 16,336	$ 30,168
REVENUES		
STATE GRANT	259,801	280,467
FEDERAL GRANT	2,750	-
TOTAL REVENUES	262,551	280,467
TOTAL BEGINNING BALANCE AND REVENUE	$ 278,887	$ 310,635

EXPENSE SUMMARY

EXPENSES	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
PROGRAM EXPENSES	$ 41,935	$ 22,482
OFFICE SUPPLIES	-	8,899
PRINTING/DUPLICATING	-	5,933
POSTAGE	-	500
BOOKS	119,216	112,053
FURNITURE	-	4,907
AUDIO VISUAL SUPPLIES	55,000	70,000
TRAINING/CONF/FOOD/TRAV	5,000	2,915
CONTRACTUAL SERVICES	18,650	4,150
COMPUTER HARDWARE	20,000	78,796
SUBTOTAL EXPENSES STATE GRANTS	259,801	310,635
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	2,750	-
SUBTOTAL EXPENSES FEDERAL GRANTS	2,750	-
CURRENT YEAR BALANCE	16,336	-
TOTAL CURRENT YEAR BALANCE AND EXPENSES	$ 278,887	$ 310,635

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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

POLICE GRANTS
REVENUES AND BUDGET FOR 2011-2012

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Seven Hundred Forty Three Thousand Six Hundred Ninety Six dollars ($743,696) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by the City of Dover Economic Development for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

REVENUES

	POLICE GRANTS	BYRNE/JAG GRANTS	FEDERAL FORFEITURE	TOTAL
BEGINNING BALANCE	$ 152,223	$ -	$ 263,181	$ 415,404
REVENUES				
CJC GRANT	35,876	-	-	35,876
EIDE GRANT	-	-	-	-
SALLE GRANT	-	-	-	-
SLEAF GRANT	-	-	-	-
BYRNE/JAG GRANTS	-	136,931	-	136,931
FEDERAL FORFEITURE GRANTS	-	-	-	-
COPS HIRING RECOVERY PROG	-	-	155,485	155,485
TOTAL REVENUES	35,876	136,931	155,485	328,292
TOTAL BEGINNING BALANCE AND REVENUES	188,099	136,931	418,666	743,696

EXPENSE SUMMARY

EXPENSES	POLICE GRANTS	BYRNE/JAG GRANTS	FEDERAL FORFEITURE	TOTAL
CJC GRANT EXPENSE	$ 35,876	$ -	$ -	$ 35,876
EIDE GRANT EXPENSE	30,032	-	-	30,032
SALLE GRANT EXPENSE	72,537	-	-	72,537
SLEAF GRANT EXPENSE	49,654	-	-	49,654
BYRNE/JAG GRANT EXPENSE	-	136,931	-	136,931
FEDERAL FORFEITURE GRANT EXPENSE	-	-	263,181	263,181
COPS HIRING RECOVERY PROG	-	-	155,485	155,485
TOTAL GRANT EXPENSES	188,099	136,931	418,666	743,696
CURRENT YEAR BALANCES	(0)	-	(0)	(0)

The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental 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.

CITY OF DOVER PROPOSED ORDINANCE #2011-31 WITH LF&A AMENDMENTS
(LF&A AMENDMENTS INDICATED IN BOLD, BLUE, DOUBLE UNDERLINE)

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 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*** 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*** chosen by the council. **The mass appraisal company shall be licensed to conduct business in the State of Delaware and the City of Dover and shall employ appraisers who are recognized 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: *

SYNOPSIS

This amendment changes the revaluations from every three (3) years to every five (5) years.

Actions History
November 28, 2011 - Scheduled for First Reading by Council
November 14, 2011 - Considered by the Legislative, Finance, and Administration Committee

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FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2011-29

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

That Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General Residence Zones (RG-1 and RG-2), Subsection 2.4 - Conditional Uses be amended by inserting a new subsection (d) as follows:

(d) In order to stimulate limited commercial activity in the RG-1 and RG-2 zones within the city's historic district zone and/or where a historic district property or a property listed on the National Register of Historic Places exists, and to make this area of historic Dover more attractive to tourists and residents, antique shops, art galleries, gift and card shops, book stores, specialty hobby stores, and restaurants with no alcoholic beverages may be permitted as accessory uses incidental to the principal residence, subject to the conditional use approval of the planning commission in accordance with Article 10 - Planning Commission, Section 1 - Approval of conditional uses and subject to the following :

i. Total floor area of any non-residential accessory use shall not exceed 2,000 square feet.

ii. A minimum of two (2) off-street parking spaces shall be required to serve the residence and the accessory use.

iii. Signage for the accessory use is limited to one (1) sign not to exceed six (6) square feet in area. Signs may be illuminated, provided that internally illuminated signs shall be prohibited.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces, Subsection 3.1 - Schedule of Requirements be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in bold, red, strikeout, as follows:

3.1 *Schedule of requirements.* Accessory off-street parking spaces, open or enclosed, shall be provided for any lot as specified in article 4, zoning bulk and parking regulations or as specified below for each use in any zone, whichever is greater***. ~~, except for existing buildings within the C-2 zoning district, where article 4, section 4.14, zoning bulk and parking regulations governing the C-2 zoning district shall prevail.~~***

(a) Exceptions.

i. Where Article 3 - District Regulations, specifies a minimum parking requirement, this parking requirement shall prevail.

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ii. For existing buildings within the C-2 zoning district, the requirements of article 4, section 4.14 - [C-1, C-1A, C-2, C-2A zoned], bulk and parking regulations governing the C-2 zoning district shall prevail.

ADOPTED: *

SYNOPSIS

The proposed ordinance would permit limited commercial uses accessory to the principal residential use on properties within the General Residence Zone (RG-1 and RG-2) that are located within the City's Historic District Zone and/or listed on the National Register of Historic Places as part of a historic district or as an individual property. It would also require that such accessory uses be subject to Conditional Use approval by the Planning Commission set standards for such accessory uses.

(SPONSORS: BONAR, RUSSELL, AND LYNN)

Actions History

November 28, 2011 - Scheduled for First Reading by Council
November 14, 2011 - Considered by Legislative, Finance, and Administration Committee

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