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

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.***

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(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.* 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 14, 2011 - Scheduled for Consideration by Legislative, Finance, and Administration Committee

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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 residential, 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 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 sign not to exceed six 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.

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: *

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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 14, 2011 - Scheduled for Introduction at LF&A Committee

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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

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

	ORIGINAL 2011/12 BUDGET	REVISED 2011/12 BUDGET
DEPARTMENT EXPENSES		
CITY CLERK	$ 296,393	$ 296,393
COUNCIL	120,699	120,699
TAX ASSESSOR	213,175	213,175
FIRE	684,725	684,725
GROUNDS MAINTENANCE	979,922	979,922
LIBRARY	1,159,087	1,159,087
RECREATION	789,701	789,701
LIFE SAFETY	449,226	449,226
CODE INFORCEMENT	284,489	284,489
PLANNING	422,781	422,781
INSPECTIONS	553,907	553,907
ECONOMIC DEVELOPMENT	223,717	223,717
POLICE	12,955,807	12,955,807
POLICE EXTRA DUTY	430,600	430,600
STREETS	782,810	782,810
SANITATION	2,330,976	2,410,849
CITY MANAGER	622,127	622,127
INFORMATION TECHNOLOGY	685,871	685,871
FINANCE	852,283	852,283
PUBLIC SERVICES - ADMINISTRATION	472,692	472,692
FACILITIES MANAGEMENT	952,693	952,693
CENTRAL SERVICES	693,339	693,339
FLEET MAINTENANCE	695,422	695,422
CUSTOMER SERVICES	928,112	928,112
HUMAN RESOURCES	384,758	384,758
MAYOR	81,154	81,154
DEPARTMENT SUBTOTALS	29,046,466	29,126,339
OTHER EXPENSES		
DEBT SERVICE	327,270	327,270
INSURANCE	550,000	550,000
RETIREES HEALTH CARE	1,374,709	1,374,709
PENSION UNFUNDED LIABILITY	1,450,000	1,450,000
POLICE PENSION FUND	620,000	620,000
POLICE PENSION UNFUNDED LIABILITY	95,000	95,000
UNCOLLECTIBLES - TRASH AND OTHER	10,000	10,000
STREET LIGHTS	960,000	960,000
OTHER EXPENSE SUBTOTAL	5,386,979	5,386,979
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	623,847	623,847
TRANSFER TO CAPITAL FUND - RESERVE	200,000	200,000
TRANSFERS SUBTOTAL	823,847	823,847
CURRENT YEAR BALANCE	2,802,807	2,802,807
TOTAL CURRENT YEAR BALANCE AND EXPENDITURES	$ 38,060,099	$ 38,139,972

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

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

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2011-2012 BUDGET ORDINANCES - CONTINUED

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

EXPENSE SUMMARY

	ORIGINAL 2011/12 BUDGET		REVISED 2011/12 BUDGET
DEPARTMENT EXPENSES			
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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

MAYOR AND COUNCIL

PROPOSED COUNCIL RESOLUTION NO. 2011-12 WITH LF&A AMENDMENTS
(LF&A AMENDMENTS INDICATED IN BOLD, BLUE, DOUBLE UNDERLINE)

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

That the Mayor and Council have determined that the Charter of the City of Dover should be amended by increasing the length of time between valuation and assessment of real property from every three years to every five years. Therefore, the Mayor and Council of the City of Dover respectfully request the General Assembly of the State of Delaware to amend Article IV - Financial Affairs, Section 47 - General assessment; levy on utility property, of its Charter, which amendments, if adopted by the General Assembly, would be as follows:

CITY OF DOVER CHARTER - ARTICLE IV - FINANCIAL AFFAIRS

Section 47 - General assessment; levy on utility property

Sec. 47. - General assessment; levy on utility property.

The city shall cause to be made a true, just, and impartial valuation and assessment of all real property within the city, locating each parcel of real property by street and number or other description. ~~**The valuation and assessment shall be made every three years by an**~~ ***The*** assessor or assessors ~~**who**~~ shall be ~~**elected**~~ ***appointed*** by the council at its annual meeting by majority vote thereof. Before entering upon the duties of office, an assessor shall be sworn or affirmed by the mayor to perform the duties of the assessor's office with fidelity and without favor or partiality.

Whenever council shall direct, as set forth in chapter 102 ***- taxation, article I - in general,*** section 102-1 ***- valuation and assessment,*** of the Dover Code of Ordinances, all real property in the City of Dover shall be ***re***assessed by an outside ~~***appraiser***~~ ***mass appraisal company*** chosen by Council ~~**every three years**~~. **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.** This assessment shall be in lieu of the valuation and assessment made by ~~**an**~~ ***the*** assessor ***or assessors*** ~~**elected**~~ ***appointed*** by council as described hereinabove and in lieu of the assessor's duties described hereinabove.

~~**In addition to the annual assessment, t**~~ ***T***he assessor or assessors shall include supplemental assessments made annually for the purposes of (1) adding property not included in the last assessment or (2) increasing or decreasing the assessment value of property which was included in the last annual assessment.

The annual assessment date for all real property shall be January 1st of each year. The assessment of all property shall be at its true value in money as of the assessment date. True value in money shall be the fair market value.

The general assessment shall be set down by the assessor or assessors in two (2) or more copies, as the council shall direct, and shall be delivered to the council as soon as made. The council shall, on the first day of April of each year, cause a copy of the general assessment to be posted in two public places in the city for ten days. The assessor shall notify the public of an appeal deadline of 30 days from the date of general assessment posting.

The council may direct that appeals from any assessment be heard by a committee, known as the board of assessment appeals, of not less than three members appointed by the council. The board of assessment appeals shall sit at a stated place and time to hear the appeals of all taxpayers dissatisfied with the assessment of their properties, shall collect such information as they consider proper and necessary, and shall report their findings.

Notice of the place and time that the board of assessment appeals will sit to hear appeals shall be posted with the general assessment in two public places for a period of ten days. Notice of the posting of the copies of the general assessment and of the place and time of the meetings of the board of assessment appeals shall be published in at least one issue of a newspaper published in the city.

The assessment as revised and adjusted by the board of assessment appeals or superior court shall be the basis for the levy and collection of taxes for the city.

The council shall have the right to levy and collect taxes on gas mains, telephone, telegraph, communications systems, or trolley poles or other erection of like character within the limits of the city, together with the wires thereon strung; and to this end the council may at any time direct the same to be included in or added to the general assessment.

Nothing contained in this section shall be deemed or held to invalidate or otherwise effect any assessment made prior to the approval of this section or any tax levied thereunder.

ADOPTED: *

FIRST READING

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

Draft