REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 24, 2011 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Dr. McGlumphy, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison. Mrs. Russell and Mr. Lynn were absent.

Council staff members present were Maj. Bernat, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, First Assistant Chief Carey, 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

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

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

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF SEPTEMBER 29, 2011

The Minutes of the Special Council Meeting of September 29, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hare and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 10, 2011

The Minutes of the Regular Council Meeting of October 10, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Hare and bore the written approval of Mayor Carey.

EMERGENCY PUBLIC HEARING - VIOLATION OF DANGEROUS BUILDING ORDINANCE - 29 N. KIRKWOOD STREET (CATHERINE STEVENSON BOWEN, LTR (LIFETIME RIGHTS) AND OTHERS)

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

Mrs. Ann Marie Townshend, Director of Planning and Community Enhancement, provided a chronological history and presentation ***(Exhibit #1)*** on the conditions of the property located at 29 North Kirkwood Street, owned by Catherine Stevenson Bowen, LTR (Lifetime Rights) and others. She advised members that the two (2) story, single-family, wood-framed dwelling has been the subject of various code violations since 2000, including cases of exterior and interior violations, tall grass and weeds, overgrowth, and vehicles on the grass. The house was registered by staff as a vacant building in June 2009 and was administratively condemned in February 2010. No vacant building fees have been paid by the property owner. The structure was the subject of an arson on September 21, 2011. Since this structure has been vacant, and as a result of the fire damage, she stated that the property cannot be fully secured; therefore, staff recommended that this be considered an emergency case and that the City proceed with demolition if such action has not been taken by the owner or equity owner within ten (10) days of Council action. Pictures of the property were provided to members depicting the property prior to and after the fire.

Mrs. Townshend indicated that there are numerous outstanding payments due to the City that are related to this property such as delinquent taxes, code enforcement fines, grass cutting charges, vacant building registration, and water charges.

Staff recommended that City Council: 1) declare this building dangerous on the property dangerous, and remove all overgrowth and junk and debris from the property; 2) order the property immediately repaired or demolished by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structures if not completed by the owner by November 2, 2011; and 4) order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Mrs. Townshend advised members that notice was sent to the property owner and lien holders by certified mail and that the return receipt cards were received signed on all three (3) mailings.

Responding to Mr. Bonar, Mrs. Townshend stated that there has been no response from the property owner regarding this issue.

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

Mrs. Williams moved to declare the property located at 29 N. Kirkwood Street a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mr. Bonar and carried by a unanimous roll call vote (Mrs. Russell and Mr. Lynn absent).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - OCTOBER 10, 2011

The Parks, Recreation, and Community Enhancement Committee met on October 10, 2011, with Mr. Hare presiding in the absence of Mrs. Russell.

Presentation - Foster Care Treatment Services Provided by Pressley Ridge

Ms. Cha-Tanya Lankford, Pressley Ridge Program Director, provided a presentation, "An Introduction to Pressley Ridge," and stated that her intent was to give members a brief overview of the background, purpose, and function of the organization, which provides treatment foster care (TFC) services. She explained that Pressley Ridge has two (2) foundational beliefs: 1) children matter, and 2) we can make a difference, and noted that every service provided by the organization is based on these beliefs. She provided historical information regarding the founding of the organization and explained that it has evolved throughout the years to meet the needs of children and families served.

Mrs. Lankford explained that Pressley Ridge originally provided residential and educational services; however, programs today include residential treatment services, treatment foster care services, community-based services, education services, international programs and services, and the Pressley Ridge Institute, which is the organization's research arm. Pressley Ridge's principal purpose is to place children with trained foster care families in homes that provide stability and structure, with permanency and reunification as the primary goal for each child. She noted that many children that are referred to Pressley Ridge have had 12-14 placements before they come to the organization.

Mrs. Lankford reviewed information regarding intermediate and long-term goals established and achieved by children served by the organization and their families. She stated that Pressley Ridge provides services in the Dover community, has foster homes in City neighborhoods, and has clients who are presently attending local schools.

In response to Mr. Lewis, Ms. Lankford stated that Pressley Ridge does not have a local residential facility but places children in family settings that meet their needs. She explained that the caseload for staff members is between eight (8) and ten (10) children and that each child is treated by a treatment coordinator, supervisor, licensed social worker, therapist, psychiatrist, and trained foster parents. All foster parents receive 40 hours of initial training and 30 additional hours of training each year for dealing with children with behavioral problems.

Responding to Mr. Lewis, Ms Lankford stated that Pressley Ridge is constantly recruiting foster care homes and has homes set aside and waiting for children.

In response to Mrs. Horsey, Ms. Lankford noted that there are six (6) other foster care organizations in the State and that Pressley Ridge accepts referrals from these organizations.

Ms. Lankford encouraged members to consult Pressley Ridge's newly updated website for further information and to contact her if they have any additional questions.

Neighborhood Stabilization Program (NSP) Partnership with Habitat for Humanity

Mrs. Tracy Harvey, Community Development Manager, advised members that the Community Development Office was requesting to establish a Neighborhood Stabilization Program (NSP) Partnership with Central Delaware Habitat for Humanity (CDHFH). She explained that this request was due to the Dover Housing Authority (DHA) Board of Commissioners' decision to decrease their participation in the NSP program as part of DHA's plan to restore financial viability to their

organization. Mrs. Harvey felt that CDHFH would be an asset to the city's NSP program due to their successful record in providing homeownership to the low-income population. She stated that CDHFH provides affordable homes with monthly mortgage payments that are lower than the rents typically charged for two (2) or three (3) bedroom apartments.

Mrs. Havey indicated that, as part of the NSP, the DHA purchased four (4) properties and sold two (2). Of the remaining properties, one (1) is occupied under a lease-purchase arrangement, and the other, located on Hancock Avenue, has been renovated and is for sale. Once these properties are sold, DHA's partnership with the City under the NSP will be dissolved.

Mrs. Harvey noted that CDHFH has an excellent track record in providing homeownership in Dover, with 14 houses built within City limits, all of which are occupied. The organization recently purchased and renovated the property at 101 Jefferson Court and sold it to a low-income family that was previously living in a shelter. She noted that approximately $205,000 remains in the NSP line of credit, which would be used for CDHFH to purchase and renovate a property to sell to a qualifying family. Mrs. Harvey explained that the organization's qualifying criteria and selection process for families is very structured, and they have provided permanent homeownership solutions to over 100 adults and children throughout Kent County since they have been in existence. She explained that CDHFH holds the mortgages for all houses that they renovate or construct.

In response to Mr. Lewis, Mrs. Ann Marie Townshend, Director of Planning and Community Development, indicated that the City has partnered with CDHFH on a number of previous projects, including the renovation of 101 Jefferson Court under the Community Development Block Grant (CDBG) Program. Mr. Neaton, Economic Development Director, indicated that CDHFH worked with the City on the ABC = 123 Program, which involved performing minor renovations and clean-up in the Downtown Dover area. Mrs. Harvey indicated that CDHFH has an NSP relationship in Sussex County that has been very successful.

Responding to Mr. Hare, Mrs. Harvey explained that the $205,000 that remains in the City's NSP fund consists of the City's allocation from the NSP as well as proceeds from homes already sold. The initial grant received from NSP was in the amount of $1.5M, and all but $205,000 has been expended. She stated that when the three (3) remaining homes are sold, the proceeds will go into the line of credit and will be used to purchase additional homes.

Mrs. Townshend explained that when the City went forward with the NSP, it was determined that the City did not want to own/manage properties or hold mortgages in connection with the program. For this reason, the City partnered with other agencies to perform this function, and the City received grant funds and distributed them to these agencies, who purchase, maintain, repair, and sell properties. She indicated that, as houses sell, the City receives program income from these sales, which is returned to the fund. All funds generated by the sale of these properties will be dedicated to the NSP until 2013. After 2013, remaining funds will be allocated to Community Development Block Grant (CDBG) projects. Mrs. Townshend explained that the NSP was established as foreclosure rates began to rise in an effort to prevent foreclosures from becoming a blight on the community and to turn them into affordable homeownership opportunities.

In response to Mr. Hare, Mrs. Harvey confirmed that all housing projects undertaken as a result of the partnership with CDHFH would be within the City of Dover.

The committee recommended that Council approve the Neighborhood Stabilization Program (NSP) partnership between the City and the Central Delaware Habitat for Humanity.

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

Proposed Ordinance #2011-25 - Amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 17 - Shopping Center Development [(SC-1, SC-2 and SC-3)], Subsection 17.3 - Permitted Uses (Relating to Neighborhood Shopping Center Zone)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed Proposed Ordinance #2011-25, which would amend the SC-1 (Neighborhood Shopping Center) zone to permit retail and service establishments and specify that gas pumps would be permitted in this zone as an accessory use subject to conditional use approval. The proposed ordinance would prohibit wholesaling; warehousing; storage; and motor vehicle service, sales, and/or fueling stations in this zoning classification. Mrs. Townshend stated that, in order to determine the impact of this change, staff reviewed the properties within the City that are currently zoned SC-1, which include the former Playtex Plant at the northwest corner of Route 8 and Route 13, the Hamlet Shopping Center at the corner of Walker and Saulsbury Roads, the Dover Downs Shopping Center (location of Best Buy), and Route 8 Plaza (location of Talbots). She indicated that this type of use was not deemed to be out of character for these properties.

In response to Mr. Hare, Mrs. Townshend explained that the need for the proposed ordinance became apparent when an initial land use plan was being considered for the property at the location of the former Playtex Plant at the corner of Route 8 and Route 13, noting that the plan involved consideration of gas pumps as an accessory use at that location. Because this was not a permitted use under the current zoning, staff concluded that it was more appropriate to amend the zoning text to add this as an accessory use than to approach it through the rezoning process, since it was determined that this type of use was not incongruous with the areas surrounding all City properties with this zoning designation.

Mrs. Townshend explained that, before development, a site plan would be reviewed by the Planning Commission and a conditional use application for the gas pumps would be required. Conditions could be attached to such an application, including buffering or other protections. She noted that notifications would be sent to property owners within 200 feet and physical posting on the property would also be required.

Mrs. Horsey stated that she agreed with the inclusion of the terms "accessory use" and "conditional use," which she stated added two (2) protections in the ordinance. She felt that the amendment appeared to be a correction to the Code and it was logical to implement the change by ordinance rather than rezoning the individual properties affected to "get around" the existing ordinance.

Responding to Mr. Hare, Mrs. Townshend stated that the Playtex property was formerly zoned Industrial Park Manufacturing; however, its current designation is Neighborhood Shopping Center. She noted that the property was rezoned in 2009 as result of the City's comprehensive rezoning. She recalled that the current designation was the result of a specific request from a realtor who was working with Playtex to market the property at the time.

Mr. Lewis expressed concerns regarding the "carbon footprint" left by designating such an accessory use and the potential need to clean up the property if the type of use were to change in the future.

In response to Mr. Hare concerning notification of the residents of Bayard Avenue, Mrs. Townshend reiterated that all property owners within 200 feet of the property would be notified and notice of the proposed change would also be posted on the property.

Staff recommended that members recommend adoption of Proposed Ordinance #2011-25.

The Committee recommended adoption of Proposed Ordinance #2011-25 amending Appendix B - Zoning, Article 3 - District Regulations, Section 17 - Shopping Center Development [(SC-1, SC-2, and SC-3)], Subsection 17.3 - Permitted Uses (Relating to Neighborhood Shopping Center Zone), as recommended by staff.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hare and carried by a unanimous roll call vote (Mrs. Russell and Mr. Lynn absent). *(The First Reading of Proposed Ordinance #2011-25 will take place during the latter part of the meeting.)*

Proposed Ordinance #2011-26 - Amendment to Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 1 - Supplementary Regulations Applying to Residence Zones and Section 7 - Supplementary Regulations Applying to All Non-Residential Zones (Relating to Corner Lots)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed Proposed Ordinance #2011-26. She advised members that, based on the definition of a "front yard" in the Zoning Ordinance, corner lots have two (2) front yards, one (1) along each street frontage. The Zoning Ordinance limits the height of a fence in a front yard to four (4) feet. This means that property owners of corner lots are restricted in their ability to install a privacy fence to fence in what many residents would consider a back yard.

Mrs. Townshend stated that the proposed ordinance would clarify that corner lots have two (2) front yards; permit such lots in residential zones to have a fence of up to 6½ feet in height in the front yard that is along the side of the principal structure; permit such lots in non-residential zones to have a fence of up to eight (8) feet in height in the front yard that is along the side of the principal structure; and designate which yard on corner lots shall function as the side and rear yards. Additionally, the proposed ordinance would clarify that residential lots with dual frontages would be permitted to have fences of up to 6½ feet in height situated in the yard to the rear of the principal structure and non-residential lots with dual frontages would be permitted to have fences of up to eight (8) feet in height situated in the yard to the rear of the principal structure.

Mrs. Townshend reviewed a series of diagrams depicting the provisions of the proposed ordinance as they would apply to the designation of front yards and rear yards and fence height restrictions for dual frontage residential and non-residential lots. She noted that the intent of the proposed Code amendment was to correct language in the zoning ordinance that frequently leaves the City at odds with residents who apply for permits for privacy fencing.

In response to Mr. Hare, Mrs. Townshend stated that, currently, property addresses are determined by the street on which the principal structure fronts; however, there is a "legacy" of side yards being used for that purpose and residents are resistant to changing these addresses.

Staff recommended that members recommend adoption of Proposed Ordinance #2011-26.

The Committee recommended approval of Ordinance #2011-26 - amending Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 1 - Supplementary Regulations Applying to Residence Zones and Section 7 - Supplementary Regulations Applying to All Non-Residential Zones (Relating to Corner Lots).

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hare and carried by a unanimous roll call vote (Mrs. Russell and Mr. Lynn absent). *(The First Reading of Proposed Ordinance #2011-26 will take place during the latter part of the meeting.)*

Benchmarks Established for the Economic Development Office

Mr. Bill Neaton, Economic Development Director, reviewed a semi-annual update regarding the progress of the Economic Development Office (EDO) toward meeting its established benchmarks. He advised members that the EDO has two primary objectives: 1) to support the efforts of the Downtown Dover Partnership (DDP) (Mr. Neaton serves as the Executive Director of the DDP) and promote downtown business growth; and 2) to promote City-wide economic development. Mr. Neaton reviewed the FY 2010-2011 Strategic Accomplishments of the EDO, as follows:

Downtown Dover Partnership and Downtown Dover Business Growth

In regard to the DDP and Downtown Business Growth, Mr. Neaton noted that the DDP participated in 19 events in Downtown Dover during FY 2010-2011. A new chairperson of the Organization Committee was elected and fundraising letters were distributed. The goal of completing a merchant satisfaction survey in the downtown area was accomplished with nearly 100% participation and an above average rating was achieved.

In reviewing the goals relating to downtown business growth, Mr. Neaton noted that the DDP recently established a $50,000 loan fund to assist downtown businesses in purchasing inventory, remodeling, etc. He indicated that a committee of bankers has been established to review applications for this program and make recommendations to the DDP. Mr. Neaton anticipated that the awarding of these loans would assist area businesses to stay in operation and prosper. He indicated that the goal of working with potential property owners to fill vacant commercial buildings

on Loockerman Street was an ongoing process, as many of these properties are not in conformance with Code. Mr. Neaton stated that the EDO is working with owners to improve properties as part of the aforementioned loan program.

In regard to Fiscal Year 2010-2011 strategic accomplishments related to the DDP, Mr. Neaton explained that one of the initiatives of the DDP was to develop a recruitment strategy to attract new businesses to the downtown area. He noted that a Recruitment Subcommittee, chaired by Mr. Anthony DePrima, former City Manager, has been established for this purpose and Mr. DePrima has developed a group of realtors and developers to collaborate on this effort and has put a work plan in place. In regard to the property at 22-24 W. Loockerman Street ("the C. Moore building"), Mr. Neaton stated that the DDP is currently in the process of accepting bids for the renovation of this property and conducting meetings with bidders and Becker Morgan Group to develop cost-saving strategies for retrofitting the building. A Request for Proposals (RFP) has been issued for legal, architecture and engineering (A&E), and landscaping aspects of the project and the DDP approved Becker Morgan Group as the landscape and A&E firm and Street & Ellis as the law firm. Mr. Neaton noted that preliminary plans for the project would be submitted to the City on October 14, 2011.

City-Wide Economic Development

Mr. Neaton noted that the City's unemployment rate has remained at or below the State's unemployment rate and has decreased over the past year. He stated that the EDO continues to follow up with 12 small businesses and ten (10) out-of-town companies that were contacted to encourage locating in the City.

In regard to Fiscal Year 2010-2011 Strategic Accomplishments Related to City-Wide Economic Development, Mr. Neaton advised members that completion of a site development master plan for the Garrison Tract and development of an overall marketing plan for the site were major tasks performed by the EDO and that Calpine Corporation has a current lease on Lot #7 at the site. He explained that the original tenant, Macquarie Energy, sold their interest to Calpine, and Calpine is currently awaiting an impact study from Pennsylvania, Jersey, Maryland Interconnection (PJM) before proceeding. He noted that the State of Delaware set aside $3M for infrastructure improvements at the Garrison Tract, and these improvements are also pending receipt of the impact study. Mr. Neaton stated that he spoke with Secretary Alan Levin, Delaware Economic Development Office, who indicated that there was no requirement for matching funds to be committed for this project, although Mr. Neaton indicated that Calpine has committed to matching funds to assist with infrastructure improvements. Mr. Neaton stated that he met with Secretary Collin O'Mara, Department of Natural Resources and Environmental Control, and Secretary Levin regarding the promotion of the Garrison Tract to renewable energy manufacturers outside the State.

Mr. Neaton stated that, approximately one (1) week ago, Delaware State University was awarded a $500,000 grant to enhance economic development strategies in central Delaware and that Dr. Michael Casson, Assistant Professor of Economics, plans to work in partnership with the City's EDO to use these funds to promote development in Dover. Mr. Neaton planned to attend a follow-up meeting with Dr. Casson and Dr. Harry Williams, President, Delaware State University, to determine how to proceed. Mr. Neaton noted that he works with the presidents of all higher educational institutions in the City on a regular basis.

In response to Mr. Lewis, Mr. Neaton stated that two (2) businesses closed in the Downtown Dover area last year. He stated that a new tenant would soon occupy the former Hunter House restaurant and that a restaurant specializing in salads will be opened at the location of the former downtown shoe store.

Responding to Mr. Lewis, Mr. Neaton stated that the projection of less than 10% unemployment in 2011-12 was based on the struggling national economy and a desire to set a realistic goal for the City.

At the request of Mr. Hare, Mr. Neaton stated that a list of all vacant commercial buildings in the City could be developed. He noted that information is currently maintained for all vacant buildings over 20,000 S.F. and vacant buildings in the Rt. 13 corridor. He also agreed to develop a list of businesses that have been contacted to encourage locating in Dover, including the types of businesses and their responses.

The Committee recommended acceptance of the Economic Development Office (EDO) report.

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

UPDATES

Planning and Funding for the New Library

Mr. Zachary Carter, Director of Parks and Recreation, advised members that a "Topping Off of the Steel" Ceremony has been scheduled for October 20, 2011 at 5:00 p.m. Library donors will be invited to sign a steel beam located inside the building. He stated that M & T Bank will sponsor this event and provide refreshments.

Mr. Carter noted that, on October 19, 2011 at 5:00 p.m., the Fordham Brewing Company will hold a Fall Festival in conjunction with the release of a new product and a portion of the funds received will be donated to the Dover Library Foundation. Tickets for this event are currently on sale at the Dover Library, the Fordham Brewing Company, and the Dover Newsstand at a cost of $10 for adults and $5 for children.

Mr. Carter stated that a grant has been prepared for submission to ING Direct, who provided funding for the new library during the previous year and subsequently encouraged the City to reapply. Artisans' Bank also suggested that a grant request be submitted for the project. Mr. Carter stated that a new committee, the "Next Generation Committee" has been formed as part of the library's Capital Campaign Committee. The Next Generation Committee has set a goal of raising $100,000 for the privilege of naming the storytime room in the new library facility.

Mr. Carter noted that an official ribbon cutting will be held for the new Job Center at the existing Dover Public Library on October 14, 2011 at 12:00 noon. Governor Jack Markell and Senator Chris Coons were planning to attend and a tour of the new library construction site will be offered to a limited number of attendees.

Mr. Carter stated that construction of the new library was proceeding; the concrete for the first, second, and third floors had been poured; and more than 90% of the structural steel was in place. Within the next two (2) weeks, brickwork will begin and, within the next month, drilling will begin for geothermal wells.

CDBG Program

Mrs. Tracey Harvey, Community Development Manager, stated that the funding approval agreement for the release of FY 2011 Community Development Block Grant (CDBG) funds was approved by the Mayor on July 21, 2011. All sub-recipient contracts were signed by mid-August and all projects were underway.

In response to Mr. Hare, Mrs. Harvey explained that the City serves as a "pass-through" for the majority of program funds, but the Street Repair Project and Housing Rehabilitation Programs were City projects.

The Committee recommended acceptance of the report.

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

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

This information was provided during the discussion of Agenda Item #2, Neighborhood Stabilization Program (NSP) Partnership with Habitat for Humanity.

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

UTILITY COMMITTEE REPORT - OCTOBER 10, 2011

The Utility Committee met on October 10, 2011 with Chairman Bonar presiding.

Proposed Ordinance #2011-27 - Amendment to Appendix B - Zoning, Article 5 - Supplementary Regulations, (New) Section 21 - Public Utility Infrastructure (Regarding Exemption of Public Utilities Infrastructure from Zoning Bulk Standards)

Mrs. Dawn Melson-Williams, Principal Planner, reviewed Proposed Ordinance #2011-27. She explained that public utility infrastructure, such as sewer pump stations, water towers, wells, and electric transformers, is vital to support the residences and businesses throughout the City of Dover. Mrs. Melson-Williams advised members that, currently, the Zoning Ordinance does not consistently address public utilities infrastructure as a permitted use throughout the different zoning districts in the City. She stated that it is briefly referenced in regard to the production of electricity in the Industrial Park Manufacturing Zone - Technology Center (IPM2) and that there are some references to public utility right-of-ways and structures in one of the residential zoning district sections.

Additionally, Mrs. Melson-Williams stated that staff has found that there are potential conflicts with the various bulk standards within the Zoning Ordinance, such as requirements for setbacks from property lines, heights for structures being constructed, and the process for reviewing projects affected by these standards. She explained that the bulk standards specified in the Zoning Ordinance are typically based on the uses and building structures in the various zoning districts. For example, while a specific residential zone may have a maximum building height of 35 feet for structures, it is unrealistic to apply this height standard to a water tower that might be necessary to support the surrounding residential area. Additionally, while a fence within a front yard (an area of a property closest to a street) may be limited to four (4) feet in height, such a fence surrounding an electric substation may need to be taller to properly protect the equipment.

Mrs. Melson-Williams explained that, in order to address these numerous issues throughout the code, staff has proposed an addition to Article V, the supplementary regulations of the code, in the form of a new Section 21. She stated that the proposed ordinance sets forth that public utility infrastructure would be permitted in all zones throughout the city and includes provisions for addressing the bulk standards of note, specifically, setback (the distance of the structure from a property line); the maximum height for fencing erected for a public utility infrastructure item; and the type of review process necessary for site development plan approval. Mrs. Melson-Williams explained that, depending on the type of project, a site development plan could involve just an administrative site plan by planning staff and affected agencies or may require consideration by the Planning Commission.

Mrs. Melson-Williams also noted that the proposed ordinance also includes exceptions.

Staff recommended that members recommend adoption of Proposed Ordinance #2011-27.

Responding to Mr. Blakeman, Mrs. Sharon Duca, Water/Wastewater Manager, confirmed that she and Mr. Ron Lunt, Public Utilities Director, reviewed Proposed Ordinance #2011-27 on behalf of the Electric Department.

In response to Mr. Bonar, Mrs. Duca stated that she was satisfied with the proposed ordinance.

The Committee recommended approval of Proposed Ordinance #2011-27, amending Appendix B - Zoning, Article 5 - Supplementary Regulations, by inserting a new Section 21 - Public Utility Infrastructure (Regarding Exemption of Public Utilities Infrastructure from Zoning Bulk Standards), as recommended by staff.

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

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

Members were provided a Project Tracking Report, as of August 31, 2011, for the Utility Related (Electric and Water/Wastewater) Capital Investment Plan (CIP).

Referring to the Capital Improvement Projects on Page 4 of the report, Mr. Scott Koenig, Interim City Manager, informed members that, if adopted by City Council, Proposed Ordinance #2011-27 may have an impact on the 1.0 MG Elevated Water Storage Tank. He stated that staff was currently looking for a site for the tower and then would come forward with proper zoning and land use applications for the siting of the tower and eventual construction.

In regard to the US 13 East Sanitary Sewer Interceptor Project, Mr. Koenig explained that this very large interceptor project covers the US 13 corridor and provides sanitary sewage to the entire northern end of Dover, from Dover Downs north. He stated that this project was operational and staff was working to complete the administrative paperwork, which is typically not completed until months after a project is finished. He reminded members that a request for the disposal of excess property, directly related to this project, was scheduled for consideration by the Legislative, Finance, and Administration Committee later in the evening.

Referring to the Bayard Avenue Project, Mr. Koenig reported that, earlier in the day, crews were beginning to hot mix the trench section of the north side of Loockerman Street and clean up that area in preparation for winter. He stated that, next year, it was likely that the street program would redo the curbs and Americans with Disabilities (ADA) ramps and then repave the area; however, at this time, the roads must be closed up for the winter. In regard to the south side of Bayard Avenue, Mr. Koenig informed members that crews have been continuing the construction in the tower area on United Way, and it was hoped that this would be completed in the next month or two (2).

Mr. Koenig explained that the Route 13 Water Main Project has been a very detailed project in which the middle of the southbound lanes of US 13 were dug up in order to replace the "water backbone" of US 13 and the business community in that area. He explained that this was a major project which would have a long-term effect on the water pressure and supply in that part of the City. He informed members that, after completion of the project, the State of Delaware will repave all of US 13 in that area. It was his hope that the City will then have a very solid pavement section and upgraded water system.

In response to Mr. Bonar's question, (in reference to a constituent concern) regarding whether the Route 13 Water Main Project would address problems with runoff in the East Lake Gardens area, Mr. Koenig stated that he met with one (1) constituent in East Lake Gardens and discussed the possibility of installing sump basins that do not have exit pipes but would allow water to drain below the top layer of soil. He explained that there was not a great deal of pipe in the area to connect to, and a major storm sewer upgrade in that area would probably cost between $1M and $3M. He stated that the lack of curbs or gutters in East Lake Gardens would make it difficult to install a storm drain system and direct water to catch basins. Mr. Koenig informed members that the City has had success in other parts of East Lake Gardens with the installation of a bottomless manhole or bottomless catch basin, which allows the water to seep in over a 24 to 48 hour time period and prevents damage to the road. He felt that this was a relatively effective and low-cost project.

Responding to Mr. Bonar, Mr. Koenig stated his belief that they had spoken to the same constituent, and that this individual was in favor of the proposed solution.

Mr. Koenig stated that the Inflow/Infiltration (I&I) Removal Project was moving forward. He reminded members that the City would not realize immediate savings but would save money over the long term from this project, which would benefit all residents by refurbishing and extending the life of the pipes. He stated that controlling the cost of the I&I is a systemic issue for Dover and will need to be addressed over the next 5-15 years.

In regard to the pump station projects, Mr. Koenig informed members that these efforts are moving forward and that bids have been awarded for several of these projects.

Referring to the Tar Ditch Interceptor Project, Mr. Koenig stated that staff has met with residents regarding this project, and these residents have expressed concerns with the proposed location of the pipe. He explained that there would be an impact on the residents because the pipe must be replaced in the existing location due to insufficient latitude to move north or south. This will require maintenance and repairs on a pipe that has been in the ground for approximately 50-60 years, during which time trees have grown around the area and properties have grown toward the pipe. Although staff plans to continue to work with these residents, Mr. Koenig explained that they may voice their concerns to members of the Committee and Council.

In response to Mr. Hare regarding Bayard Avenue, Mr. Koenig explained that blacktopping began in this area earlier in the day and stated his belief that the crews boxed out a portion of Bayard Avenue to Division Street and a portion of Greenhill Road. It was his hope that by week's end the crews would have a majority of the hot mixing finished in the trench area.

Mr. Koenig stated that the projects discussed thus far are backlogged projects and that current year projects, including the Wellhead Redevelopment Programs and the design of various water quality improvements and sewer system improvements, are underway. He explained that the City has a large backlog of projects associated with project financing; however, spending on those projects has accelerated and the projects have begun to move through the system very quickly. Mr. Koenig stated that, as staff moves forward with the redevelopment of the sanitary infrastructure, constituents will see the results of the funds used for capital improvements. Additionally, some reduction in I&I will be noticed as a result of the I&I projects, and water quality will begin to improve as a result of the water quality projects. It was his opinion that staff has done a good job in trying to catch up on the backlogged projects.

In reference to Page 5, Mr. Koenig stated that the Electric Department has been working diligently to bring contracts before Council related to equipment replacement. He explained that there are typically long lead times for these items; therefore, the items that being installed may not necessarily be items that were recently approved. He expressed the importance of continuing to make investments in these projects because they are critical to the reliability of the system.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - OCTOBER 10, 2011

The Legislative, Finance, and Administration Committee met on October 10, 2011 with Chairman McGlumphy presiding.

Review of Cell Phone Use *(Deferred by Committee on 9/29/2011 Due to Time Constraints)*

Members were provided the City's Procedure #F320 - City or Employee Owned Cellular Phone Assignment and Usage. Mrs. Donna Mitchell, Controller/Treasurer, reminded members that during the process of reviewing cost-saving ideas, the Committee had requested the opportunity to review this procedure for possible savings.

In response to Dr. McGlumphy, Mr. Scott Koenig, Interim City Manager, indicated that approximately 90% of the City's vehicles have "in vehicle" radio transmission; however, he explained that some conversations are not appropriate for transmission over the radio system. In addition, he noted that the use of cell phones provides convenience in some circumstances, such as when contractors need to contact inspectors directly.

Noting that there were different forms of communication available, Dr. McGlumphy questioned if there was duplication of services and if it would be possible to eliminate radios in some instances. Mr. Koenig stated that, although services appear to be duplicated, the "in vehicle" radio systems are important in emergency situations. He noted that, during the recent earthquake, cell phone service was lost; however, the radios worked. It was his opinion that radios play a vital role in providing services. Mr. Koenig reminded members that the purpose of utilizing cell phones was to improve the efficiency of the workforce, which has been accomplished; however, they do not take the place of the service provided by the "in vehicle" radios.

Responding to Mr. Hare, Mr. Koenig indicated that, in reviewing the list of cell phones utilized in the Planning Department, some of the usage reflected was for air card services for in-car computer systems (listed as either air card or broadband). He noted that three (3) inspectors have cell phones. Mr. Koenig explained that all of the equipment is used to promote operational efficiency.

At the request of Mr. Bonar, Mr. Koenig assured members that staff will confirm that the City is utilizing the State's contract for cell phone services provided by Verizon. Mr. Bonar suggested that staff consider negotiating with Verizon for improved rates.

Mr. Hare requested that department heads be required to resubmit justifications for the need for employees' use of cell phones for the Committee's review.

Dr. McGlumphy suggested that staff review the usage and plans for cell phones to determine any possible savings.

Review of Take-Home Vehicle Use *(Deferred by Committee on 9/29/2011 Due to Time Constraints)*

Members were provided the City's Procedure #F-362 - Municipal Vehicle Use. Mrs. Donna Mitchell, Controller/Treasurer, reminded members that, during the review of cost-saving ideas, the Committee had requested the opportunity to review this procedure for possible savings.

Mr. Hare suggested that department heads be required to resubmit justification for take-home vehicles for the Committee's review. Referring to "non-emergency" use of vehicles for supervisors, he suggested that supervisors utilize their own vehicles and, if called in, they could then use a City vehicle to go to a particular job site.

Dr. McGlumphy suggested that staff review the usage of take-home vehicles to determine any possible savings.

Mr. Scott Koenig, Interim City Manager, reminded members that the original intent of the procedure was to provide operational efficiency and prevent "excuses" for non-responses.

Disposal of Excess Property - US 13 Sewer Main Extension - Schwartz Pumping Station

Mr. Scott Koenig, Interim City Manager, advised members that, as a part of the planned design and construction of the Route 13 Sanitary Sewer Interceptor Project, the City of Dover entered into a public utility easement agreement with the C.F. Schwartz Motor Co., Inc. Currently, the City owns a small parcel of land at 1536 North DuPont Highway (Tax Parcel #ED05-57.00-01-07.00). He noted that this is the location of the former Schwartz Sanitary Sewer Pumping Station. The construction of the Route 13 Interceptor Project has allowed the City to abandon and remove the old pumping station. As a result of the abandonment, the City does not need to retain ownership of this small parcel of land. The land is surrounded on three (3) sides by land owned by the C.F. Schwartz Motor Co., Inc., and the fourth side abuts the right-of-way of U.S. 13. The signed easement agreement anticipated the abandonment of the pump station as well as the transfer of this parcel back to the C.F. Schwartz Motor Co., Inc.

Based upon the above facts, Mr. Koenig stated that the City Manager's Office determined that this parcel of land is excess in nature and the disposal of such land would be beneficial to the City.

Staff recommended that the City Manager be authorized to sell the property located at 1536 North DuPont Highway to the C.F. Schwartz Motor Co., Inc., for $1.00 under Exception C of the Land Disposal Policy.

The Committee recommended that the City Manager be authorized to sell the property located at 1536 North DuPont Highway to the C.F. Schwartz Motor Co., Inc., for $1.00 under Exception C of the Land Disposal Policy.

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

Mr. Bonar questioned the value of the property. Responding, Mr. Koenig stated that the property is approximately 25' x 25', the size of a parking space. He estimated the man hour costs involved in disposing of the property at approximately $500. Mr. Bonar suggested the possibility of handling such disposals administratively, with the concurrence of the Council President, for properties with little to no value.

Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards - Historic District Commission

With increasing staff vacancies, and in consideration of current hiring limitations, Council President Leary requested members of Council and City Staff to explore possible inefficiencies within City of Dover committees, commissions, and boards. Some boards appear to serve like purposes and others have become obsolete; therefore, the Committee will consider whether any groups can be consolidated or eliminated. Several recommendations have been received and will be considered by the Committee in the following weeks and months.

Members were provided details regarding the Historic District Commission (HDC) for their review and consideration.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, explained the history and role of the Historic District and the HDC. She noted that members received a more detailed history and summary of the HDC's role, including application volume, code references, current membership, and a map of the Historic District Zone. She advised members that, if there was a desire to eliminate the HDC, several amendments to the City of Dover Code of Ordinances would be required. Staff recommended that, if this were the decision of City Council, an amendment be made to the Dover Code, Chapter 82 - Planning Commission, to ensure that the Planning Commission would include members with the background necessary to ensure that the City's valuable historic resources are protected.

Dr. McGlumphy requested that staff provide members with a list of all committees, commissions, boards, etc., the number of members in each, their compensation, cost factors, etc. He also suggested that staff review each of these groups for possible improvements to efficiency.

Mr. Anderson questioned why Forrest and Loockerman Streets, beyond Governors Avenue, are included in the Historic District. Responding, Mrs. Townshend stated that, in 1997, this area was added, since the Victorian Dover Historic District is on the National Register of Historical Places. She explained that there are three (3) National Register Districts in the City that are beyond what the City has defined as the Historic District Zone.

Elaborating, Mrs. Dawn Melson-Williams, Principal Planner, explained that the City of Dover Historic District is designated by the local governmental body. The Zoning Ordinance outlines the criteria for establishing this boundary, taking into consideration such items as architecture, association of key events or individuals in history, etc. She indicated that the National Register of Historic Places is a Federal designation and that the nomination process for this classification is very different. Mrs. Melson-Williams noted that the City of Dover has several National Register listed Historic Districts and that these boundaries do not match the City's local Historic District, although some places may overlap. The City's HDC has jurisdiction only over the local Historic District area. Mrs. Melson-Williams stated that National Register Districts typically focus on a specific period of time (e.g., the Victorian Dover Historic District encompasses buildings constructed from the mid-1800s to the early 1900s). She indicated that, in the case of Loockerman Street, the railroad played a key role in the local economy during that time frame, as it was the means by which people came to the City to conduct business, and residents in the area made use of the railroad connection

for both personal travel and to transport agricultural products. Mrs. Melson-Williams explained that each National Register Historic District has a "theme," for example, The Green is focused on Colonial development, government buildings, and historic residential properties.

In response to Mr. Anderson, Mrs. Melson-Williams stated that the process for changing the boundaries of the Historic District is specified in the Dover Code and is similar to the procedure for submission of a rezoning request. The process involves review by the HDC, Planning Commission, and City Council.

Responding to Mr. Bonar, Mrs. Melson-Williams indicated that if it was Council's desire to have the City's Historic District match the National Register Districts, an expansion of the City's Historic District would be necessary. She also noted that there are individual properties throughout the City that are listed on the National Register, such as the farm house at Eden Hill. These properties could become a local district, which would allow the City to have jurisdiction and authority to review them.

Public Comment Period

Mr. Charles Salkin, 15 Maple Lane, stated that he serves as a member of the City's HDC. In addition to participating in the development process, he stated that the purpose of the Dover HDC is to preserve and protect the character of the community and to consider historical and architectural integrity, architectural heritage, economic development, tourism, and the quality of life for Dover residents.

Having served as a member for four (4) years, Mr. Salkin stated that there have been times when the architectural heritage of the community was under siege. He noted that some proposals that were submitted by developers would have destroyed the architectural integrity of buildings, and historic buildings have been demolished by neglect. As a result, he felt that Dover is losing its historic fabric. Mr. Salkin stated that the Commission has been very creative in attempting to promote historic preservation, while at the same time accommodating and willing to develop compromises. He stated that since there are owners and developers of properties in Dover who have no concern for the historic and architectural values of buildings, the City government should have such responsibility, and that the Dover HDC serves in this capacity by conducting a first review.

Mr. Salkin stated that there are several challenges in this regard and suggested the need for an expansion of the Dover HDC, noting that there are properties that provide historical value and an architectural heritage in the community that go beyond the Colonial and Victorian periods. He explained that as housing and commercial properties become older, their historical value becomes increasingly threatened; therefore, the Dover Historic District Commission will become more important to the City.

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

QUARTERLY REVENUE REPORT

Mrs. Donna Mitchell, Controller/Treasurer, reviewed the Revenue Report as of September 30, 2011. Referring to the transfer tax, she noted that there were some large value transfers, which resulted in a higher percentage for the first quarter year. She advised members that the number of transfers during this time period was at a historic low compared to previous years.

Dr. McGlumphy moved for acceptance of the Quarterly Revenue Report as of September 30, 2011, seconded by Mr. Bonar and unanimously carried.

Semi-Annual Inspection by City Manager - Robbins Hose Company

In accordance with Section 46-43 of the City Code, Mr. Scott Koenig, Interim City Manager, met with the Fire Chief to discuss fire company issues. He discovered that the equipment and facilities are being maintained in excellent condition and that the Robbins Hose Company continues to provide an outstanding level of service to the City of Dover.

By consent agenda, Mr. Bonar moved for acceptance of the report of the Semi-Annual Robbins Hose Company Inspection, as submitted by the Interim City Manager, seconded by Mr. Hare and carried by a unanimous roll call vote (Mrs. Russell and Mr. Lynn absent).

APPOINTMENT OF JUDGES - ROBBINS HOSE COMPANY ELECTION - NOVEMBER 21, 2011

The Robbins Hose Company election is scheduled for November 21, 2011. The following persons have been recommended to serve as judges for the election:

1. James Hurley 2. Kline Kemp 3. James Howlett *(alternate)*

By consent agenda, Mr. Bonar moved for approval of the appointment of judges for the Robbins Hose Company election, seconded by Mr. Hare and carried by a unanimous roll call vote (Mrs. Russell and Mr. Lynn absent).

FIRST READING - PROPOSED ORDINANCES

Council President Leary reminded the public that copies of the proposed ordinances were available at the entrance of Council Chambers or could be obtained from the City Clerk's Office. Since the ordinances are amendments to the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on November 21, 2011; and that a public hearing take place during the Council Meeting of December 12, 2011, at 7:30 p.m., at which time, final action by Council will take place.

Mr. Bonar moved to refer the amendments and set a public hearing before City Council for December 12, 2011 at 7:30 p.m., as recommended by staff. The motion was seconded by Mr. Hutchison and unanimously carried.

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

> ORDINANCE #2011-25 - AMENDMENT TO APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 17 - SHOPPING CENTER DEVELOPMENT [(SC-1, SC-2 AND SC-3)], SUBSECTION 17.3 - PERMITTED USES (RELATING TO NEIGHBORHOOD SHOPPING CENTER ZONE) *(Parks, Recreation, and Community Enhancement Committee)*

> ORDINANCE #2011-26 - AMENDMENT TO APPENDIX B - ZONING, ARTICLE 5 - SUPPLEMENTARY REGULATIONS, SECTION 1 - SUPPLEMENTARY REGULATIONS APPLYING TO RESIDENCE ZONES AND SECTION 7 - SUPPLEMENTARY REGULATIONS APPLYING TO ALL NON-RESIDENTIAL ZONES (RELATING TO CORNER LOTS) *(Parks, Recreation, and Community Enhancement Committee)*

> ORDINANCE #2011-27 - AMENDMENT TO APPENDIX B - ZONING, ARTICLE 5 - SUPPLEMENTARY REGULATIONS, (NEW) SECTION 21 - PUBLIC UTILITY INFRASTRUCTURE (REGARDING EXEMPTION OF PUBLIC UTILITIES INFRASTRUCTURE FROM ZONING BULK STANDARDS *(Utility Committee)*

COUNCIL MEMBERS ANNOUNCEMENTS

Council President Leary wished Mayor Carey and Dr. McGlumphy a happy birthday.

Mayor Carey reminded everyone that Halloween Trick-or-Treat will be held on Monday, October 31, 2011 from 6:00 p.m. to 8:00 p.m.

Mr. Bonar noted that daylight savings will end in a few weeks (clocks to be set one (1) hour back on November 6, 2011) and suggested that everyone take the opportunity to check the batteries in their smoke alarms, noting that the Fire Department would provide batteries.

Mr. Anderson stated that if there was anyone wishing to dispose of a computer that is still in working condition, he was aware of an afterschool program that could make use of it.

Mr. Bonar moved for adjournment, seconded by Dr. McGlumphy and unanimously carried.

Meeting Adjourned at 7:44 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of October 24, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibit Attached to Original Minutes and File Copy
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 29 N. Kirkwood Street

Violation of Dangerous Building Ordinance 29 North Kirkwood Street

Public Services Department

Dover, Delaware

October 24, 2011

EXHIBIT #1
Regular Council Meeting of 10/24/2011

29 North Kirkwood Street Case History

- Numerous violation cases since 2000
  - Vehicles parked on the grass
  - Tall grass & weeds/overgrowth
  - Exterior and interior violations
- Registered as vacant in June 2009
- Administratively condemned in February 2010
- Subject of arson on September 21, 2011
- Outstanding Payments
  - Delinquent Taxes
  - Code Enforcement Fines
  - Grass Cutting Charges
  - Vacant Building Registration
  - Water Charges

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

- (4) *Fire Damage, etc.*
- (5) *Unfit for habitation*
- (9) *General welfare.*
- (10) *Code violations.*
- (12) *Unoccupied buildings.*

Code Citation
Chapter 22, Article XI

Sec. 22-388. Emergency cases.

In cases where it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished, the building inspector shall report such facts to the council, which may cause the immediate repair, vacation, or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in section 22-385(5).


05/05/2011


05/05/2011





July 5, 2011





















Recommended Council Action

- Declare this building dangerous and remove all overgrowth and junk and debris from the property.
- Order the property **immediately** repaired or demolished.
- Order the Building Inspector to cause the repair or demolition of the structure if not completed by the owner **by November 2, 2011**.
- Order the City Manager with the assistance of the City Solicitor to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.