UTILITY COMMITTEE

A G E N D A

October 10, 2011 - 5:00 P.M. - Council Chambers - City Hall - City of Dover

Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

AGENDA ADDITIONS/DELETIONS

1. Proposed Ordinance
   A. 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)

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

3. Adjournment by 5:55 P.M.

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

ACTION FORM

PROCEEDING: Utility Committee
DEPARTMENT OF ORIGIN: Planning & Community Development **DATE SUBMITTED**: 10/3/11
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning & Community Development
SUBJECT: Draft Ordinance to Amend the Zoning Ordinance Regarding Public Utility Infrastructure
REFERENCE: Appendix B – Zoning, Article 5 – Supplementary Regulations
RELATED PROJECT
REVIEWED BY:
EXHIBITS: Draft Ordinance
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: N/A
TIMETABLE: First Reading on October 24, 2011, Referral to Planning Commission on November 21, 2011, Final Action by City Council on December 12, 2011
RECOMMENDED ACTION: Staff recommends that the proposed ordinance be forwarded to City Council with the above timeline for action.

BACKGROUND AND ANALYSIS

Public utility infrastructure such as sewer pump stations, water towers, wells, and electric transformers are vital infrastructure necessary to support the residences and businesses throughout the City of Dover. These facilities frequently conflict with the various bulk standards within the *Zoning Ordinance*. 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. While a fence within a front yard may be limited for four feet in height, such a fence surrounding an electric substation may need to be taller to properly protect the equipment.

The proposed ordinance would permit public utility infrastructure, except for electrical power generation facilities, in all zoning districts and exempt such infrastructure from bulk requirements.

CITY OF DOVER ORDINANCE #2011-27

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

That Appendix B – Zoning, Article 5 – Supplementary Regulations, be amended by inserting a new Section 21 – Public utility infrastructure, as follows:

Section 21 – Public utility infrastructure.

Public utility infrastructure shall be permitted in all zones and generally exempt from the requirements of Article 4 – Zoning Bulk and Parking Regulations, except as provided in this section.

21.1 *Setback.* The minimum setback for public utility structures shall be equal to the setback of the zone in which the structure is located.

21.2 *Fences.* Fences shall be limited to a maximum height of eight feet above ground.

21.3 *Site development plan required.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and related accessory structures.

21.4 *Exceptions.*

21.41 Electric power generation facilities shall be subject to all zoning requirements.

21.42 Private communications antennas and towers shall not be considered public utility infrastructure under the provisions of this subsection, and shall be subject to all zoning requirements.

ADOPTED: *

SYNOPSIS

The proposed ordinance would permit public utility infrastructure, except for electric power generation facilities, in all zoning districts and exempt such infrastructure from bulk requirements.

Action History

October 10, 2011 - Scheduled for Consideration by the Utility Committee

DRAFT

City of Dover

Capital Investment Plan

Project Tracking Report

August 31, 2011

Points to Remember -

* Original Project Budget = Original Total Project Budget initially included in approved annual budget.
* Latest Project Budget = Revised Total Project Budget included in most recent approved annual budget or one of the following: bond resolution, revolving fund loan agreement, Council approved budget amendment, or City Manager approved amendment as per the Budget Amendment Procedure.
* Current Fiscal Year - Revised Fiscal Year Budget = Current Year approved project budgets plus carry forward balances of unspent budgets in the prior fiscal year. Project Carry Forward balances will be submitted to City Council for amendment in January 2010. Can also be amended with City Manager approval per the Budget Amendment Procedure.
* Water Quality, Inflow/Infiltration, Distribution Upgrades and New Development projects are budgeted as a blanket project and once individual projects are identified and estimated they are created using an allocation of the overall budgeted amount.
* Status and Comments provided by City Manager.
* For Finance purposes projects are considered completed when placed in service and **all** charges have been processed.

Current Year Budget Funding Sources	General	Community Transportation	Water & Wastewater	Electric	Total CIP
Budget Balance	$ 78,000	$ -	$ 404,682	$ 360,333	$ 843,015
Project Carry Forward Balances	-	-	2,695,509	87,045	2,782,554
Federal and/or State Grants	9,223,130	2,286,950	-	-	11,510,080
Revolving Fund Loans	-	-	1,826,983	-	1,826,983
Transfer from Capital Reserves	-	-	-	370,730	370,730
Proposed Bond Issue	1,000,000	-	-	-	1,000,000
Impact Fees	-	-	760,270	-	760,270
Library Donations/Contributions	2,334,889	-	-	-	2,334,889
Library Reserve	3,262,615	-	-	-	3,262,615
Transfer from Operating Funds	623,847	-	1,750,000	3,500,000	5,873,847
Interest Earned	10,900	-	-	38,400	49,300
Total Funding Sources (Unaudited)	$ 16,533,381	$ 2,286,950	$ 7,437,444	$ 4,356,508	$ 30,614,283

City of Dover
General Fund - Major CIP Projects
August, 2011

	Hide			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY2009**											
2	LB0901	M/G	New Library Project	$ 18,200,000	$ 20,469,080	$ 1,837,215	$ 18,631,865	9.0%	$ 11,195,009	$ 14,820,634	$ 35,169	0.2%	Started	Bid Pack A - Done. Bid Pack B - Construction Started.
3			**Totals - FY09**	$ 18,200,000	$ 20,469,080	$ 1,837,215	$ 18,631,865	9.0%	$ 11,195,009	$ 14,820,634	$ 35,169	0.2%		
4														
5			**FY2012**											
6	---		Ann FD Truck Payment	$ 244,820	$ 244,820	$ 1,631	$ 243,189	0.7%	$ 244,820	$ 244,820	$ 1,631	0.7%		
7	---		Vehicles & Equipment	377,927	377,927	-	377,927	0.0%	377,927	377,927	-	0.0%		
8	PR1201		Roof Replacement @ Dover Park	30,000	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%		
9	ST1201	B/L	Streets & Alleys Program	1,000,000	1,000,000	-	1,000,000	0.0%	1,000,000	1,000,000	-	0.0%		
10	ST1202		Concrete Program	30,000	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%		
11	ST1203		Streets Dump Truck Refurbishment	30,000	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%		
12			**Totals - FY12**	$ 1,682,747	$ 1,682,747	$ 1,631	$ 1,681,116	0.1%	$ 1,712,747	$ 1,712,747	$ 1,631	0.1%		
13														
14			**Grand Totals**	$ 19,882,747	$ 22,151,827	$ 1,838,847	$ 20,312,980	8.3%	$ 12,907,756	$ 16,533,381	$ 36,801	0.2%		

Legend

M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is rebudgeted to start over each fiscal year.
G = Grant funded project

City of Dover
Community Transportation & General Fund Street Funds - Major CIP Projects
August, 2011

	Hide			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY 2007**											
2	CT0708		E. Water Street Brick	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ -	$ 65,000	$ -	0.0%		Specialty contract needed.
3			**Totals**	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ -	$ 65,000	$ -	0.0%		
4														
5			**FY 2009**											
6	CT0977		Schutte Parking Lot	$ 21,950	$ 21,950	$ -	$ 21,950	0.0%	$ -	$ 21,950	$ -	0.0%		Deferred
7	CT1165		Rt 13,N. State -Kings Hwy	591,662	591,662	-	591,662	0.0%	-	591,662	-	0.0%		
8			**Totals**	$ 613,612	$ 613,612	$ -	$ 21,950	0.0%	$ -	$ 613,612	$ -	0.0%		
9														
10			**FY2012**											
11			Misc. Street Projects	$ 1,300,000	$ 800,000	$ -	$ 800,000	0.0%	$ 1,300,000	$ 208,338	$ -	0.0%		
12	CT1201		North Street Roundabout	-	500,000	-	500,000	0.0%	-	500,000	-	0.0%		
13	TE1201		Lincoln Park Center	900,000	900,000	351	899,649	0.0%	900,000	900,000	351	0.0%		
14			**Totals**	$ 2,200,000	$ 2,200,000	$ 351	$ 2,199,649	0.0%	$ 2,200,000	$ 1,608,338	$ 351	0.0%		
15														
16			**Grand Totals**	$ 2,878,612	$ 2,878,612	$ 351	$ 2,286,599	0.0%	$ 2,200,000	$ 2,286,950	$ 351	0.0%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is rebudgeted to start over each fiscal year.
C = Project funded by combination of CT Funds and General Fund

City of Dover
Water/Wastewater Improvement & Extension Fund - Major CIP Projects
August, 2011

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Approved Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY 2008**											
2	WD0804	M	1.0 MG Elevated Water Storage	$ 4,196,600	$ 2,590,000	$ 21,084	$ 2,568,916	0.8%	$ -	$ 178,916	$ -	0.0%	Started	Land site selected, starting negotiations
3	WD0805	M	Piney Point Well	398,800	665,000	67,682	597,318	10.2%	-	147,319	-	0.0%	Started	DNREC permitting ongoing
4	WW0810	M/SL	US 13 East Sanitary Sewer Interceptor	2,376,800	3,022,562	3,225,866	(203,304)	106.7%	-	295,722	280,267	94.8%	Complete	Complete
5			**Totals - FY08**	$ 6,972,200	$ 6,277,562	$ 3,314,632	$ 2,962,930	52.8%	$ -	$ 621,957	$ 280,267	45.1%		
6														
7			**FY2009**											
8	WQ0905	M/SL	Bayard Avenue	$ 590,910	$ 490,910	$ 297,311	$ 193,599	60.6%	$ -	$ 204,121	$ 10,521	5.2%	Started	Installation is 85% complete
9	WQ0907	M/SL	Route 13 Water Main	1,058,700	2,282,682	418,042	1,864,640	18.3%	-	1,869,872	5,231	0.3%	Started	Installation is 60% complete
10			**Totals - FY09**	$ 1,649,610	$ 2,773,592	$ 715,353	$ 2,058,239	25.8%	$ -	$ 2,073,993	$ 15,752	0.8%		
11														
12			**FY2010**											
13	WW1001	M/SL	Inflow/Infiltration Removal	$ 1,800,000	$ 2,122,536	$ 1,585,638	$ 536,898	74.7%	$ 1,800,000	$ 766,201	$ 228,082	29.8%	Started	Work is complete for phase 1, close-out documents in progress
14	WW1007	M/SL	Fox Hall Pump Station	427,900	392,044	50,491	341,553	12.9%	-	360,687	278	0.1%	Started	Bid Awarded
15	WW1008	M/SL	Heatherfield F/M Rerouting	220,400	324,916	48,973	275,943	15.1%	-	237,506	278	0.1%	Started	Bid Awarded
16	WW1010	I	Tar Ditch Interceptor Upgrade	518,230	518,230	27,592	490,638	5.3%	-	495,359	4,721	1.0%	Started	Reviewing design and easement issue.
17			**Totals - FY10**	$ 2,966,530	$ 3,357,726	$ 1,712,693	$ 1,645,033	51.0%	$ 1,800,000	$ 1,859,753	$ 233,359	12.5%		
18														
19			**FY2011**											
20	WQ1103		WQI - Ross Street	-	71,840	-	71,840	0.0%	71,840	71,840	-	0.0%		Preliminary design complete
21	WW1101	M/SL	Inflow/Infiltration Removal	500,000	500,000	42,400	457,600	8.5%	-	457,601	-	0.0%	Started	30% complete
22	WW1104	SL	Lepore Road P/S Replacement	52,000	402,000	55,536	346,464	13.8%	350,000	350,000	-	0.0%	Complete	Bidding in November
23			**Totals - FY11**	$ 552,000	$ 973,840	$ 97,936	$ 875,904	10.1%	$ 421,840	$ 879,441	$ -	0.0%		
24														
25			**FY2012**											
26	---		Vehicles & Equipment	$ 115,000	$ 115,000	$ -	$ 115,000	0.0%	$ 115,000	$ 115,000	$ -	0.0%		Ordered through State Contract
27	WD1201		Pay-As-You-Go Water Station	30,240	30,240	-	30,240	0.0%	30,240	30,240	-	0.0%		
28	WD1202	R	Misc. Distribution Upgrades	60,000	60,000	-	60,000	0.0%	60,000	60,000	-	0.0%		Ongoing
29	WD1203	R	Wellhead Redevelopment Program	65,000	65,000	-	65,000	0.0%	65,000	65,000	-	0.0%		Well #1 under rehabilitation
30	WD1204	R	Emergency Generators	80,000	80,000	-	80,000	0.0%	80,000	80,000	-	0.0%		Grant dependent
31	WQ1201		WQI - Wesley Campus	51,200	51,200	-	51,200	0.0%	51,200	51,200	-	0.0%		Design complete, late spring const.
32	WQ1202		WQI - New Street	97,120	97,120	-	97,120	0.0%	97,120	97,120	-	0.0%		Design started, early spring const.
33	WQ1203		WQI - Silver Lake	279,840	279,840	-	279,840	0.0%	279,840	279,840	-	0.0%		Design complete, November const.
34	WW1201	M/SL	Inflow/Infiltration Removal	1,000,000	1,000,000	-	1,000,000	0.0%	1,000,000	1,000,000	-	0.0%		Design started, early spring const.
35	WW1202	R	SCADA Equipment Replacement	84,900	84,900	-	84,900	0.0%	84,900	84,900	-	0.0%		Materials ordered, spring const.
36	WW1203	R	Misc. Sewer System Improve	37,000	37,000	-	37,000	0.0%	37,000	37,000	-	0.0%		Ongoing
37	WW1204	M	Wilmington College Pump Station	25,000	25,000	-	25,000	0.0%	25,000	25,000	-	0.0%		Design started - actually Baltray PS
38	WW1205	M	Dover Brook Gardens P/S Replace	15,000	15,000	-	15,000	0.0%	15,000	15,000	-	0.0%		Design started
39	WW1206	M	Brandywine Pump Station Replace	52,000	52,000	-	52,000	0.0%	52,000	52,000	-	0.0%		Design started
40	WW1207	M	McKee Rd Pump Station Communator Replacement	10,000	10,000	-	10,000	0.0%	10,000	10,000	-	0.0%		Design started
41				$ 2,002,300	$ 2,002,300	$ -	$ 2,002,300	0.0%	$ 2,002,300	$ 2,002,300	$ -	0.0%		
42														
43			**Grand Totals**	$ 14,142,640	$ 15,385,020	$ 5,840,614	$ 9,544,406	38.0%	$ 4,224,140	$ 7,437,444	$ 529,378	7.1%		

Legend

M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is rebudgeted to start over each fiscal year.
SL = State Loan Project - construction phase is financed
I = Impact Fee (partially) financed project

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
August, 2011

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY2011**											
2	EG1102	M	Units 1 & 2 Cooling Tower	372,400	199,140	134,138	65,002	67.4%	25,410	25,410	-	0.0%		Work will be completed during the fall outage
3	EG1107	M	Units 1 & 2 Life Extension	802,000	409,000	212,669	196,331	52.0%	184,000	196,331	-	0.0%		work will be completed during the fall outage
4	EG1112	M	Unit 3 Heat Expansion Joint	-	150,000	67,893	82,107	45.3%	70,000	82,807	700	0.8%	Started	Will be competed by Feb. 2012
5	EG1113		Units 1 & 2 Control Modifications	-	150,000	128,014	21,986	85.3%	-	25,700	3,714	14.4%	Started	Work will be completed during the fall outage
6	EG1114		Unit 3 Gas Line Modification	-	60,000	23,794	36,207	39.7%	-	36,207	-	0.0%	Started	Work will be completed during the fall outage
7				$ 1,174,400	$ 968,140	$ 566,507	$ 401,633	58.5%	$ 279,410	$ 366,455	$ 4,414	1.2%		
8														
9			**FY2012**											
10	---		Vehicles & Equipment	$ 168,828	$ 168,828	$ 5,500	$ 163,328	3.3%	$ 168,828	$ 168,828	$ 5,500	3.3%		All vehicles on order from State Contract
11	EE1201		Substation PT & CT Replacement	267,715	267,715	4,782	262,933	1.8%	267,715	267,715	4,782	1.8%		Materials ordered
12	EE1202	R	Lighting Project & Rehabilitation	50,000	50,000	10,638	39,362	21.3%	50,000	50,000	10,638	21.3%		Materials ordered
13	EE1203	R	Equipment Replacement	40,000	40,000	-	40,000	0.0%	40,000	40,000	-	0.0%		Equipment ordered
14	EE1204		Generator Replacement	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	0.0%		75% complete
15	EE1205	M	Frazier Substation Upgrade	765,247	155,000	39,096	115,904	25.2%	155,000	155,000	39,096	25.2%		Materials ordered
16	EE1206	R	Disb. Feeder Replacement	377,510	377,510	138,080	239,430	36.6%	377,510	377,510	138,080	36.6%		On-going
17	EE1207	R	Disb. Capacitors & Controls	100,000	100,000	-	100,000	0.0%	100,000	100,000	-	0.0%		Materials ordered
18	EE1208	R	Transmission Line Maintenance	75,000	75,000	-	75,000	0.0%	75,000	75,000	-	0.0%		Materials ordered
19	EE1209		Scada Master Hardware Replacement	75,000	75,000	-	75,000	0.0%	75,000	75,000	-	0.0%		Materials ordered
20	EE1212	R	UG Transformers	70,536	70,536	15,174	55,362	21.5%	70,536	70,536	15,174	21.5%		On-going
21	EE1212	R	UG Conductors	479,464	479,464	138,752	340,712	28.9%	479,464	479,464	138,752	28.9%		On-going
22	EE1212	R	Meters	50,000	50,000	10,374	39,626	20.7%	50,000	50,000	10,374	20.7%		On-going
23	EG1201		Unit 3 Boiler Air Heater	440,000	440,000	-	440,000	0.0%	440,000	440,000	-	0.0%		Developing contract documents
24	EG1202	M	Unit 3 Boiler Systems	390,000	130,000	-	130,000	0.0%	130,000	130,000	-	0.0%		Developing contract documents
25	EG1203		Unit 3 FD & ID Fan Control Damper Upgrade	92,000	92,000	-	92,000	0.0%	92,000	92,000	-	0.0%		Developing contract documents
26	EG1204		Unit 3 DCS Computers & Software Upgrades	85,000	85,000	-	85,000	0.0%	85,000	85,000	-	0.0%		Developing contract documents
27	EG1205	R	Misc. Equipment Replacement	70,000	70,000	-	70,000	0.0%	70,000	70,000	-	0.0%		On-going
28	EG1206		Demineralizer Control Replace @ McKee Run	65,000	65,000	-	65,000	0.0%	65,000	65,000	-	0.0%		Developing contract documents
29	EG1207	M	Unit 11 Component Replacement @ Van Sant	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	0.0%		Developing contract documents
30	EG1208		Switchyard Blast Walls @ McKee Run	50,000	50,000	-	50,000	0.0%	50,000	50,000	-	0.0%		Developing contract documents
31	EG1209	M	Building Preservation @ McKee Run	38,000	38,000	-	38,000	0.0%	38,000	38,000	-	0.0%		Developing contract documents
32	EG1210	M	Unit 3 Cooling Water Line Life Extension	25,000	25,000	-	25,000	0.0%	25,000	25,000	-	0.0%		Developing contract documents
33	EG1211	M	Unit 3 Stack Repairs	25,000	25,000	-	25,000	0.0%	25,000	25,000	-	0.0%		Developing contract documents
34	EG1212	M	Unit 3 Turbine Inspection	1,021,000	348,000	-	348,000	0.0%	348,000	348,000	-	0.0%	Deferred	Construction in FY12.
35	EG1213	M	Unit 3 Aux System Components	542,000	113,000	-	113,000	0.0%	113,000	113,000	-	0.0%	Deferred	Deferred to FY12.
36	EU1201	R	Distribution Upgrades	500,000	500,000	51,581	448,419	10.3%	500,000	500,000	51,581	10.3%		On-going
37				$ 5,962,300	$ 3,990,053	$ 413,976	$ 3,576,077	0.0%	$ 3,990,053	$ 3,990,053	$ 413,976	10.4%		
38														
39			**Grand Totals**	$ 7,136,700	$ 4,958,193	$ 980,483	$ 3,977,710	57.3%	$ 4,269,463	$ 4,356,508	$ 418,390	9.6%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is rebudgeted to start over each fiscal year.
B = Bonded Project
S = State fully or partially reimbursed project