REGULAR COUNCIL MEETING

A G E N D A

August 22, 2011 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 P.M.)

The "Open Forum" segment is provided to extend the opportunity to the general public to share their questions, thoughts, comments, concerns, and complaints. Discussion of any item appearing on the agenda is prohibited and citizen comments are limited to three (3) minutes. Council is prohibited from taking action since they are not in official session; however, they may schedule such items as regular agenda items and act upon them in the future.

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILWOMAN WILLIAMS

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

Those items on the Council Agenda which are considered routine and non-controversial shall be marked with an asterisk (*) and will be acted upon by a single roll call vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

* **1. Adoption of Minutes**

- **A. Regular Council Meeting of August 8, 2011**
- **B. Special Council Meeting of August 8, 2011**

2. Presentation - Dover Sun Park

* **3. Parks, Recreation, and Community Enhancement Committee Report - August 8, 2011**

- **A. Bus Tour of Community Development Block Grant (CDBG) and Neighborhood Stabilization Program (NSP) Projects**
  (Committee Action Not Required)

* **4. Utility Committee Report - August 8, 2011**

- **A. PACE/NAES Monthly Report (May)**
  (Committee Recommended Acceptance of the Report)
- **B. Update - Green Energy Funding and Programming**
  (Committee Action Not Required)
- **C. Proposed Ordinance #2011-20 - Chapter 110 - Utilities, Article III - Water Service, Division 1 - Generally, Section 110-67 - Private Wells** *(See Item #10)*
  (Committee Recommended Adoption of Ordinance #2011-20)

5. Legislative, Finance, and Administration Committee Report - August 8, 2011

* **A. Reconsideration of Review and Recommendation - Filling Critical Positions as a Standing Agenda Item and Review of Necessary Documentation for Requests for Filling Critical Positions**

(Committee Recommended Removing the Filling of Critical Positions as a Standing Agenda Item and Affirmation and Adoption of the Current and Proposed Hiring Process for Filling Vacant or New Positions, Including Submission of a Permission to Recruit Form, a Hiring Justification Outline Form, and a Wage and Benefit Information for Employee Hiring and Transfers Form)

B. Formation of Salary and Benefits Compensation Comparison Committee

(Committee Recommended the Formation of a Salary and Benefits Compensation Comparison Committee)

* **C. Proposed Ordinance #2011-21 - Appendix B - Zoning, Article 3 - District Regulations, Section 1 - One Family Residence Zones, Subsection 1.15 - Accessory Uses, Limited to and Appendix B - Zoning Article 5 - Supplementary Regulations, Section 1 - Supplementary Regulations Applying to Residence Zones** *(See Item #11)*

(Committee Recommended That Article 3 - District Regulations, Section 1 - One Family Residence Zones (Relating to Keeping of Animals in One-family Residence Zones) Be Referred Back to Staff for Additional Research and Development)

(Committee Recommended Adoption of Proposed Ordinance #2011-21, Amending Article 3 - District Regulations, Section 1 - One Family Residence Zone and Article 5 - Supplementary Regulations as it Relates to Swimming Pools, as Amended)

* **D. Amendment to Personnel Policy - Compensatory Time**

(Committee Recommended Tabling the Matter, with the Intent That Members Be Provided an Opportunity to Discuss this Issue Further over the next Two (2) Weeks and Resolve Difficulties, with the Intent of Possible Implementation Prior to the End of the August 2011)

* **E. Review of Grant Application - FY08 Mobile Field Force Development Grant Program (DEMA BearCat)**

(Committee Recommended Approval of the Purchase of One (1) Lenco BearCat Armored Vehicle by the Delaware Emergency Management Agency (DEMA) for the Use of the Dover Police Department)

* **F. Discussion**

f-1. Review of Other City of Dover Insurances

(Committee Recommended that the City Issue a Request for Proposals (RFP) for All City Insurances)

f-2. Health Insurance RFP Questions

(Committee Action Not Required)

* **G. Public Comment Period**

(Committee Action Not Required)

6. Monthly Reports - June 2011

A. Budget Report

* **B. Capital Investment Plan (CIP) Report**

7. **Appointments Recommended by the Legislative, Finance, and Administration Committee Chair - Salary and Benefits Compensation Comparison Committee**
   - **A. Richard Cook**
   - **B. Tim Horne**
   - **C. Mike Karia**
   - **D. Alan Machtinger**
   - **E. Adam Perza**

8. **Evaluation of Bids**
   - **A. SCADA Master Hardware Replacement**
   - **B. Substation PT & CT Replacement**

9. **Rezoning Request/First Reading of Proposed Ordinance #2011-23**
   Recommended for referral to the Planning Commission on September 19, 2011 and that a Public Hearing be set for October 10, 2011 at 7:30 p.m.

   A. Property located at 327 Martin Street (east side of Martin Street and southeast of the intersection of Court Street and South DuPont Highway (Route 13)), consisting of $0.277^{+/-}$ acres ($11{,}744^{+/-}$ S.F.), owned by EJB, Inc. The property is currently zoned C-4 (Highway Commercial Zone) and the requested zoning is IO (Institutional and Office Zone).
   (TAX PARCEL: ED-05-077.10-01-48.00-000, SECOND COUNCIL DISTRICT; PLANNING REFERENCE: Z-11-06)

10. **First Reading - Proposed Ordinance #2011-20**
    The First Reading is offered on the following proposed ordinance. Final action by Council will take place during the Second Reading of the ordinance on September 12, 2011. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

    A. Proposed Ordinance #2011-20 - Chapter 110 - Utilities, Article III - Water Service, Division 1 - Generally, Section 110-67 - Private Wells
    (Utility Committee)

11. **First Reading - Proposed Ordinance #2011-21**
    The First Reading is offered on the following proposed ordinance. Since it is an amendment to the Zoning Code, it is recommended for referral to the Planning Commission on September 19, 2011, and that a Public Hearing be set for October 10, 2011 at 7:30 p.m. and that the Second Reading and Final Action by Council take place at that time. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

    A. Proposed Ordinance #2011-21 - Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 1 - Supplementary Regulations Applying to Residence Zones
    (Legislative, Finance, and Administration Committee)

12. **Council Members Announcements**

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

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on August 8, 2011 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mrs. Russell, Dr. McGlumphy, Mr. Lynn, Mr. Bonar, Mr. Hare, and Mr. Hutchison. Mrs. Williams was absent.

Council staff members present were Police Chief Hosfelt, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, Fire Chief Fortney, Mr. Koenig, Deputy City Solicitor Pepper, 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, seconded by Mrs. Russell and carried by a unanimous roll call vote (Mrs. Williams absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JULY 25, 2011

The Minutes of the Regular Council Meeting of July 25, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Russell, and bore the written approval of Mayor Carey.

VIOLATION OF DANGEROUS BUILDING ORDINANCE - 70 MIFFLIN ROAD (ROBERT STONE)

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.

Mr. Scott Koenig, Interim City Manager, stated that the property located at 70 Mifflin Road is owned by Mr. Robert M. Stone and consists of a one (1) story, single-family, wood-framed dwelling that was damaged by fire in May 2011. An inspection indicated that at least 60% of the roof has burned away, leaving most of the interior fully exposed. There is an uncovered in-ground pool in the rear yard that has no water in it. Since the house is set back from the road, with limited visibility from the road and neighboring properties, Mr. Koenig stated that there are concerns that the inability to secure the building makes it conducive to entry and unsafe to the surrounding community. Based on these circumstances, the property was forwarded to City Council under the "emergency cases" provision. Mr.Koenig reviewed a presentation which included slides depicting the condition of the structure ***(Exhibit #1)***.

Mr. Koenig advised members that verbal contact was made with Mr. Stone on July 28, 2011,who indicated that he was unable to demolish the structure; however, he agreed that it cannot be salvaged. Mr. Koenig stated that notice of City Council's consideration of this matter was mailed to all lien holders.

Staff recommended that City Council: 1) declare this building, the pool, and the accessory building dangerous; 2) order the property repaired or demolished by August 18, 2011 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structures if not completed by the owner within ten (10) days of the date set by Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the buildings exists as a municipal lien, or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

Responding to Mr. Lynn, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that although homeowner's insurance was not discussed with Mr. Stone during their conversation on July 28, 2011, the Fire Marshal's Office indicated that Mr. Stone did not have homeowner's insurance on the property. She assured members that Mr. Stone was advised of the public hearing scheduled at this time.

Mr. Koenig stated that demolition notices were sent to lien holders including the Kent County Tax Office, the Division of Revenue, the Internal Revenue Service, Mrs. Helen Stone, First State Federal Credit Union, and Citizens Bank, as well as to Mr. Stone. He indicated that the City has not received responses regarding the notice from any of the lien holders. Mrs. Townshend confirmed that one (1) lien holder, Mrs. Stone, was not made aware of the public hearing scheduled at this time.

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

Mr. Hare moved to declare the property located at 70 Mifflin Road, owned by Robert M. Stone, a dangerous building and subject to demolition, as follows: 1) declare the building, the pool, and the accessory building dangerous; 2) order the property repaired or demolished by August 18, 2011 by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structures if not completed by the owner within ten (10) days of the date set by Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the buildings 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. The motion was seconded by Mr. Hutchison.

In response to Mr. Bonar, Mr. Koenig stated that, to his knowledge, all investigations by the Police Department and Fire Marshal's Office were complete; however, he was not aware of the results. Expressing concerns with evidence preservation, Mr. Bonar suggested that the demolition be delayed until Council is assured that all investigations are complete. He also requested that Mrs. Stone be contacted prior to the demolition. Responding, Mrs. Townshend advised members that the Fire Marshal's Office and Code Enforcement Division have requested the emergency demolition due to safety concerns.

Regarding the completion of investigations, Police Chief Fortney stated that there were two (2) separate fires; the first was due to electrical problems and the second was due to rekindling.

Responding to concerns of Mr. Lynn regarding potential ramifications from a lien holder, Deputy City Solicitor Pepper stated that the Post Office has attempted delivery of the notice and that the City will probably receive notification that delivery is unclaimed. He explained that the concern would be regarding any potential harm Mrs. Stone would sustain, and he did not feel that she could sustain harm due to the condition of the building. Mr. Pepper stated that Mrs. Stone's position may be compromised to some extent by the amount of the City's lien.

In response to Mr. Lynn regarding the banks that are lien holders, Mr. Pepper stated that he believed that the liens involved are judgment liens rather than mortgage liens, which would typically require homeowner's insurance.

On a call for the question by Mr. Bonar, the motion to declare the property located at 70 Mifflin Road a dangerous building and subject to demolition, as recommended by staff, was carried by a roll call vote of seven (7) yes, one (1) no (Mr. Lynn), and one (1) absent (Mrs. Williams).

PUBLIC HEARING/FINAL READING - PROPOSED ZONING TEXT AMENDMENTS

A public hearing was duly advertised for this time and place to consider approval of Proposed Ordinance #2011-14, containing zoning text amendments that would amend the procedures for conditional use permits, site development plans, architectural review certificates, and amendments to the zoning ordinance. Included in the proposed amendments were measures to clarify and streamline certain review processes and expand public notification requirements. Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a presentation and advised members that the Planning Commission recommended approval of the proposed Ordinance amendments with the addition of PC Amendment #1.

Mr. Hutchison moved that the Final Reading of Proposed Ordinance #2011-14 be acknowledged by title only, seconded by Mr. Hare and unanimously carried. *(The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of June 27, 2011.)*

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

Mr. Lynn and Mr. Anderson commended staff on their preparation of Ordinance #2011-14.

By motion of Mr. Anderson, seconded by Mr. Lynn, Council adopted Proposed Ordinance #2011-14 ***(Exhibit #2),*** **as recommended by the Planning Commission, by a unanimous roll call vote (Mrs. Williams absent).**

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JULY 25, 2011

The Legislative, Finance, and Administration Committee met on July 25, 2011 with Chairman McGlumphy presiding.

Review and Recommendation - Filling of Critical Positions

During their meeting of February 23, 2009, members recommended approval of a Hiring Freeze for Fiscal Year 2008-2009, but to allow the hiring of critical positions through the review and approval of the Legislative, Finance, and Administration Committee and City Council. It was suggested that there be a "standing" agenda item to consider the filling of critical positions and, if there were no positions to consider, the item could be removed.

Communications Dispatcher - Police Department

Police Chief James Hosfelt reviewed a request to recruit two (2) Communications Dispatchers for the Police Department 911 Center to fill vacancies that will be created by the resignation of two (2) employees. He explained that he intends for these positions to first be posted in-house, city-wide to determine if there are dispatchers currently employed in other departments who may be interested. He indicated that if there are no interested in-house candidates, he would then refer to the list of one (1) or possibly two (2) candidates from the last testing cycle. If neither of these options result in filling the positions, Chief Hosfelt stated that he would then request to advertise the positions through the paper and local media.

Mr. Hare questioned if the positions would be posted in-house for 30 days. Responding, Chief Hosfelt stated that he would follow Human Resources' guidelines.

Mr. Hare stated that he did not believe that there were established guidelines regarding the length of time required for in-house postings and suggested that 30 days would provide enough time.

In addition to the hiring justification outline provided, he noted that last year the dispatch center handled over 115,000 calls, 35,000 of which were 911 emergency calls. Chief Hosfelt stated that in the last two (2) pay cycles, 65 hours of overtime pay was expended to cover these two (2) positions.

Chief Hosfelt provided members with Payroll Information for Hiring Replacements and indicated that the top two (2) tables reflect the cost breakdown for dispatchers (noting that the other tables address other positions). He explained that the pension fund payout consists of employee contributions which do not affect the City's Budget.

Dr. McGlumphy relayed appreciation for the Payroll Information for Hiring Replacements and suggested that this be considered a model for any department submitting a request for filling critical positions.

The Committee recommended approval of the request to recruit two (2) Communications Dispatchers for the Police Department 911 Center by posting in-house for a minimum of 30 days prior to publicly advertising the positions, as recommended by staff.

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

Review of Grant Application - FY11 Edward Byrne Justice Assistance Grant Program

Police Chief James Hosfelt advised members that the Dover Police Department recently received its annual allocation from the Office of Justice Programs (OJP) for the 2011 Justice Assistance Grant (JAG). Similar to previous years, the Dover Police Department was identified as a disparate funding agency, along with the Smyrna Police Department and Kent County, because there is no law enforcement function at the county level, unlike New Castle County in northern Delaware. Chief Hosfelt explained that this disparate condition requires the submission of a joint grant application for the three (3) agencies. Since the Dover Police Department will be receiving the largest share of the grant, it will serve as the fiscal and administrative agent and all funds for the grant will be disbursed through City of Dover accounts; however, Smyrna Police Department expenses will still be controlled and approved by the City of Smyrna.

Chief Hosfelt reminded members that this is a recurring grant and there are no costs to the City associated with the grant. He reviewed the breakdown of funds and the items that the Dover Police Department plans to purchase with the funds, as follows:

Department	Amount
Dover Police Department	
– supplemental computer upgrades and enhancements	$60,051.00
Smyrna Police Department	
– police motorcycle and other equipment	11,969.00
GRAND TOTAL	$72,020.00

Staff recommended approval of the grant project as requested.

Responding to Mr. Shevock, Chief Hosfelt reiterated that the City of Smyrna will be responsible for their purchases and the payments for those purchases.

The Committee recommended approval of the FY11 Edward Byrne Justice Assistance Grant Program, as recommended by staff.

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

Review of Grant Application - FY10 Buffer Zone Protection Program Grant (DEMA)

Police Chief James Hosfelt reviewed a sub-grant award received from the Delaware Emergency Management Agency (DEMA) with funds provided by the Federal Emergency Management Agency (FEMA). He noted that all funds for the grant will be accounted for through the City's financial system (HTE) and administered by the Dover Police Department. He outlined the agencies, items, and amounts approved on this grant, as follows:

Agency	Purpose	Cost
City of Dover	Physical security enhancements	$ 20,000.00
Dover Downs	Physical security enhancements	137,500.00
Dover Police Department	License Plate Reader	32,500.00
TOTAL		$190,000.00

Staff recommended approval of the project and purchase as requested. Police Chief Hosfelt noted that there are no costs to the City associated with this grant.

Responding to Mr. Hare, Police Chief Hosfelt stated this grant will allow for the purchase of one (1) license plate reader. Responding to Mr. Shevock, Police Chief Hosfelt confirmed that information is obtained through the license plate reader instantaneously; therefore officers will have immediate access to information, such as whether a vehicle is stolen, etc.

In response to Dr. Jones, Police Chief Hosfelt explained that the physical security enhancements for Dover Downs include items such as jersey barrier walls, new fencing around propane tanks, etc. He stated that Dover Downs was approved for the grant and will make such purchases and the City of Dover will administer the grant.

The Committee recommended approval of the FY10 Buffer Zone Protection Program Grant (DEMA), as recommended by staff.

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

Public Comment Period

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

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

MONTHLY REPORTS - JUNE 2011

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

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

APPOINTMENT RECOMMENDED BY MAYOR CAREY - PROPERTY MAINTENANCE CODE BOARD OF APPEALS - HEATHER D. ENNIS (ANNUAL APPOINTMENT DEFERRED DURING THE MEETING OF MAY 9, 2011)

Mayor Carey recommended the appointment of Ms. Heather D. Ennis to serve on the Property Maintenance Code Board of Appeals, which is an annual appointment through May 2012 (deferred during the Annual Council Meeting of May 9, 2011).

By consent agenda, Mr. Bonar moved for approval of the appointment of Ms. Ennis, as recommended by Mayor Carey. The motion was seconded by Mrs. Russell and carried by a unanimous roll call vote (Mrs. Williams absent).

FINAL READING - PROPOSED ORDINANCES

The First Reading of the following Proposed Ordinances was accomplished during the Council Meeting of July 25, 2011.

Mr. Hutchison moved that the Final Reading of the Proposed Ordinances be acknowledged by title only, seconded by Mr. Bonar and unanimously carried.

Ordinance #2011-17 - Chapter 102 - Taxation, Article III - Realty Transfer Tax, Section 102-71 - Definitions and Article IV - Abatement of Real Estate Taxes, Section 102-13 - Qualifications

Mr. Hare moved for adoption of the Proposed Ordinance, seconded by Mr. Anderson and, by a unanimous roll call vote (Mrs. Williams absent), Council adopted Ordinance #2011-17, as follows:

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

That Chapter 102 - Taxation, Article III - Realty Transfer Tax, Section 102-71 - Definitions, Paragraph (a)(3) - First time homebuyer, be amended to read as follows:

(3) *First time homebuyer* means a natural person who has at no time held an interest in residential real estate, wherever located, and which has been occupied as their principal residence, and who intends to occupy the property being conveyed as his principal residence, within 90 days following recordation of the deed. The first time homebuyer must file an affidavit certifying to his qualifications before the exemption can be granted. In order to alleviate claims for rebate of the transfer tax paid, no rebate shall be made once the deed for the transaction has been recorded. First time homebuyers submitting a false affidavit in any respect, which would entitle them to the exemption, shall be subject to payment of the unpaid transfer tax, plus interest at the rate of 1½ percent per month and, upon direction by the council, referral to the attorney general of the state for criminal prosecution. This subsection shall apply to all real estate settlements held on or after January 2, 2000. First time homebuyers are exempt from the transfer tax as provided herein. The first time homebuyer exemption shall apply to the seller of property that qualifies for the first time buyer exemption but only for property situated in the area from Mary Street to Loockerman Street and Governors Avenue to West Street. Council shall have the right to deny this exemption to any property owner where the sale and purchase appears to be done fraudulently to take advantage of the realty transfer tax exemption ordinance.

BE IT FURTHER ORDAINED THAT:

Chapter 102 - Taxation, Article IV - Abatement of Real Estate Taxes, Section 102-113 - Qualifications, Paragraph (d), be amended to read as follows:

(d) Any persons purchasing residential real property in which they will reside within the area defined as Mary Street to Loockerman Street and Governors Avenue to West Street shall be given tax relief from the payment of real estate taxes in the following manner: first year of

ownership, total tax abatement; second year of ownership, 75 percent tax abatement; third year of ownership, 50 percent tax abatement; fourth year of ownership, 25 percent tax abatement; fifth year of ownership, no tax abatement. Provided however that the homeowner is required to occupy the home as their principal place of residence during the entire time that the taxes are abated and if the property ceases to be their principal place of residence at any time during the four-year period of abatement, then they shall lose their right of abatement and shall be required to pay immediately all taxes abated up to the time that the home ceases to be their principal residence. In order to obtain the tax abatement, the homeowner must make application by affidavit submitted to the city clerk showing qualification for the abatement and each year thereafter, submit a similar affidavit showing their continued right to the abatement. If qualification for the abatement ceases within the four-year period of abatement the homeowner is required to notify the city clerk of the lack of qualification for the abatement and within 90 days from the date the qualification ceases, pay all taxes abated in the past.

ADOPTED: AUGUST 8, 2011

Ordinance #2011-19 - Chapter 102 - Taxation, Article I - In General, Section 102-5 - Income and Expense Reports and Appendix F - Fees and Fines

Mr. Hare moved for adoption of the Proposed Ordinance, seconded by Mr. Hutchison, and by a unanimous roll call vote (Mrs. Williams absent), Council adopted Ordinance #2011-19, as follows:

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 102-5 - Income and expense reports, be amended to read as follows:

Sec. 102-5. - Income and expense reports.

The assessor shall request that an annual report of income and expenses be completed and filed for all commercial/industrial income-producing property within the city limits of Dover. The income and expense report forms shall be developed and provided by the assessor. This information will become mandatory if the owner of the commercial/industrial income-producing property petitions for appeal.

BE IT FURTHER ORDAINED THAT:

Appendix F - Fees and Fines, Chapter 102 - Taxation, Article I - In General, Sec. 102-5 - Failure to provide the assessor with an income and expense report - $100.00 fee, be deleted in its entirety.

ADOPTED: AUGUST 8, 2011

COUNCIL MEMBERS ANNOUNCEMENTS

Mrs. Russell thanked everyone for their participation and support during "Dover Fun Day" on July 30, 2011 and commended the Youth Advisory Committee for the successful event.

Mrs. Russell announced that on August 20, 2011, the New Street Civic Association - New Beginning will sponsor a "Back to School Bash" on the corner of Cecil and North New Streets.

By unanimous consent, the meeting adjourned into executive session to discuss legal matters at 8:00 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of August 8, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

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Exhibits Attached to Original Minutes and File Copy
Exhibit #1 - Presentation - Violation of Dangerous Building Ordinance - 70 Mifflin Road
Exhibit #2 - Ordinance #2011-14 Amending Appendix B, Article 10

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on August 8, 2011 at 8:03 p.m. with Council President Leary presiding. Members present were Mr. Anderson, Mrs. Russell, Dr. McGlumphy, Mr. Lynn, Mr. Bonar, Mr. Hare, and Mr. Hutchison. Mrs. Williams was absent. Others present were Mayor Carey, Mr. Koenig, Mrs. Mitchell, Deputy City Solicitor Pepper, and Mrs. McDowell.

AGENDA ADDITIONS/DELETIONS

Mr. Bonar moved for approval of the agenda, seconded by Dr. McGlumphy and unanimously carried.

Mr. Bonar moved to recess into executive session to discuss legal matters, seconded by Mr. Hutchison and unanimously carried.

Meeting recessed at 8:04 p.m. and reconvened at 8:13 p.m.

UPDATE - WARD TRANSFORMER SUIT

During the executive session, members were briefed on the General Notice/Demand/Consent Decree Letter for the Ward Transformer Superfund Site in Raleigh, Wake County, North Carolina.

Mr. Bonar moved to retain the services of William A. White of Moore & Van Allen PLLC to represent the City of Dover in the Ward Transformer site matter. The motion was seconded by Mr. Lynn and unanimously carried.

By unanimous consent, the meeting adjourned at 8:15 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Special Meeting of August 8, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

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PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held on August 8, 2011, at 12:00 noon with Chairwoman Russell presiding. Members present were Mr. Lewis and Mrs. Horsey. Mr. Anderson and Mr. Hare were absent.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was adopted as presented.

Bus Tour of Community Development Block Grant (CDBG) and Neighborhood Stabilization Program (NSP) Projects

Members attended a bus tour which visited sites within the City that were improved (or are in the process of being improved) utilizing funds received through the Community Development Block Grant (CDBG) Program and the Neighborhood Stabilization Program (NSP). Sites visited included the following:

1. **Dover Interfaith Mission to the Homeless (684 Forest Street)**
   The shelter received $60,000 in CDBG funding to renovate an existing building that serves up to 150 homeless men annually. Before the renovations, there were five (5) separate office buildings that were utilized as separate businesses. Since the renovations, the shelter has been converted into one (1) large facility that includes an intake office in the front of the building, living quarters for the men, a dining room, and a large kitchen.

2. **49 South Kirkwood Street**
   CDBG funds were utilized to renovate a single family home to install a heating system and fully renovate the bathroom, which included the installation of a bathtub, vanity, and toilet.

3. **Downtown Streets Project**
   CDBG funds were utilized to reconstruct the streets and curbs in the Downtown Target Area. The streets that were repaired include South New Street, North New Street, North Queen Street, and North Kirkwood Street.

4. **Habitat for Humanity (101 Jefferson Court)**
   Habitat for Humanity purchased 101 Jefferson Court to renovate for affordable housing for a low-income family. Habitat received a CDBG grant for $40,000 to assist with the cost of fully renovating this home and bringing it up to code. This home was sold on Februrary 23, 2011 to a family who had been living in a shelter.

5. **218 Ann Avenue (NSP)**
   This home was purchased by the Dover Housing Authority, the sub-grantee of the City's Neighborhood Stabilization Program (NSP), whose role is to acquire foreclosed properties, renovate them, and re-sell them to qualified families. This property was the first home sold through the NSP Program, which made homeownership possible for a former subsidized housing resident.

6. **Mitscher Road Streets Project**
In 2009, the City received American Recovery and Reinvestment Act (ARRA) funding in the amount of $73,000 to be utilized for infrastructure projects in the city. ARRA funding was used for the construction of sidewalks on Mitscher Road.

7. **Dover Parks and Recreation (White Oak Road Location)**
CDBG funds were utilized to make this facility handicapped accessible. The sidewalks from White Oak Road to the pavilion were made accessible for wheelchair entry to the park. Entrance doors to the facility were also made handicapped accessible.

8. **1415 S. Hancock Avenue (NSP)**
This home was recently purchased by Dover Housing Authority and is currently under renovation to be sold to a qualifying family.

9. **1430 S. Hancock Avenue (NSP)**
This home was purchased by Connections Community Support Program and will be utilized as a rental property that will serve persons with disabilities.

The bus tour concluded at 1:50 P.M.

Respectfully submitted,

Sophia R. Russell
Chairwoman

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UTILITY COMMITTEE

The Utility Committee Meeting was held on August 8, 2011 at 5:00 p.m. with Chairman Bonar presiding. Members present were Mr. Blakeman and Mr. Snaman. Mr. Lynn and Mrs. Williams were absent. Other members of Council present were Mr. Anderson (arrived at 5:10 p.m.), Mr. Hare (arrived at 5:06 p.m.), and Mr. Hutchison. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved as presented.

PACE/NAES Monthly Report *(May)*

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

Mr. Scott Koenig, Interim City Manager, indicated that the June report will be the last from PACE/NAES, reminding members that the agreement with The Energy Authority (TEA) has been completed and services began on July 1, 2011.

Mr. Blakeman noted that a line item budget is currently provided for the power supply and power plant. He suggested that a summary of line items be included when the monthly report is submitted. Responding, Mr. Koenig stated that TEA indicated that they plan to refashion the monthly report and that he would advise them of this request.

Mr. Snaman moved to recommend acceptance of the PACE/NAES Monthly Report for May 2011, seconded by Mr. Blakeman and unanimously carried.

Update - Green Energy Funding and Programming

Mr. Scott Koenig, Interim City Manager, noted that there is currently a $74,239.46 deficit in the Green Energy Fund. He stated that as funds are received this deficit will be eliminated, since project owners are not reimbursed until the funds become available.

Responding to Mr. Bonar, Mr. Koenig stated that he believed there was typically a six (6) month time lapse before the City received reimbursement; however, he indicated that he would need to confirm this time frame. Mr. Bonar requested that staff submit a letter to the Delaware Municipal Electric Corporation, Inc. (DEMEC) to inquire as to the average turnaround time and the reason for such a delay, and to request an itemized list of those projects that are pending reimbursement. He advised members that he was aware of several instances when projects (outside of the City) were funded and an inordinate amount of time elapsed after paperwork was submitted, and that paperwork has sometimes been lost. Mr. Bonar indicated that some citizens have been "shorted" under this program and he wanted to ensure that the City does not experience this. He stated that, according to an investigation he performed during the last six (6) months, there is a significant concern with these reimbursements. Mr. Bonar requested staff to provide members with an update on this issue.

Proposed Ordinance #2011-20 - Chapter 110 - Utilities, Article III - Water Service, Division 1 - Generally, Section 110-67 - Private Wells

Members reviewed a proposed ordinance that would prohibit new private shallow wells within the City of Dover. Mr. Scott Koenig, Interim City Manager, advised members that this prohibition will protect the water resources of the unconfined aquifer from which the City draws a portion of its water supply, as well as protect the City's Certificate of Public Convenience & Necessity (CPCN). He noted that, currently, private shallow wells, for irrigation purposes in particular, are permitted in accordance with certain criteria specified in the Code.

In addition, Mr. Koenig stated that geothermal technology for heating and cooling is an emerging technology that was not contemplated when this section of the code was implemented. Geothermal systems require well permits from the Delaware Department of Natural Resources and Environmental Control (DNREC), although they do not draw water from the ground. The proposed ordinance would clarify that wells associated with the installation of closed loop geothermal systems are permitted within the City of Dover in accordance with specified criteria.

Staff recommended adoption of Proposed Ordinance #2011-20.

Responding to Mr. Hare, Mr. Koenig stated that the City is aware of the location of the shallow wells. He indicated that there is a requirement for an annual report to be submitted to the City indicating usage and that the City will need to conduct inspections.

Mr. Hutchison questioned the alternatives available to property owners. Responding, Mr. Koenig stated that if a private well is not permitted, owners could utilize their current water service for lawn irrigation, or a second water meter could be installed to prevent paying for sewer usage on the service to the house. He noted that the private shallow wells have served as another option for owners.

In response to Mr. Anderson, Mr. Koenig explained that every time someone drills down into the aquifer, there is potential for current or future contamination. He stated the proposed ordinance has a dual purpose: to protect the City's interests and investments and to prevent possible contamination of the aquifer.

Mr. Blakeman moved to recommend adoption of Proposed Ordinance #2011-20 *(Attachment #1)*, as recommended by staff. The motion was seconded by Mr. Snaman and unanimously carried.

By unanimous consent, the meeting adjourned at 5:18 P.M.

Respectfully submitted,

David L. Bonar
Chairman

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Attachment
Attachment #1 - Proposed Ordinance #2011-20

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

That Chapter 110 - Utilities, Article III - Water Service, Division 1 - Generally, Section 110-67 - Private Wells, be amended by deleting text indicated in red strikeout (subsection (b) Shallow wells in its entirety) and inserting text indicated in bold, blue, italics as follows:

Sec. 110-67. Private wells.

(a) When authorized. It shall be unlawful and a nuisance for any person to dig, drill or otherwise excavate any well more than 150 feet below the surface of the ground within the city, or one mile thereof, without the permission of the city council given by resolution. No permission shall be given for a well on any property where a potable water supply is available.

~~(b) *Shallow wells*. Shallow wells may be drilled into and water withdrawn from the unconfined aquifers within the limits of the city, subject to the following:~~

~~(1) All wells shall require a permit from the state department of natural resources and environmental control or other regulatory agency and the approval of the city setting forth construction details, design yield, and withdrawal rates.~~

~~(2) All wells must have the approval of the state board of health or other similar regulatory agency for their intended use.~~

~~(3) A detailed plan showing the well location, well construction, piping plan and connection details shall be submitted with the application.~~

~~(4) All wells shall be metered by an approved device and daily pumping records maintained.~~

~~(5) All water derived from shallow wells shall be used only for boiler makeup, cooling water use, and underground irrigation systems.~~

~~(6) Any revisions, changes or deviations from the original permit must be in the same manner as the original permit.~~

~~(7) There shall be no interconnection with any public water supply, nor shall the shallow well be used as a potable water supply for human consumption.~~

~~(8) Private irrigation systems shall be completely underground, with no connections or outlets that could be used for human consumption. Irrigation shall be by sprinkler heads.~~

(b) *Geothermal wells*. Wells may be drilled for the purpose of the installation of a geothermal heating and cooling system within the limits of the city, subject to the following:

(1) These wells shall not be authorized for withdrawal or injection. They will function as borings, filled with a bentonite grout, with a piping system that acts as a heat exchanger to dissipate/absorb heat from the system to the ground.

(2) There shall be no interconnection with any public water supply, nor shall the geothermal well be used as a potable water supply for human consumption.

(3) No well shall be located within any city right-of-way or utility easement without written authorization from the city manager.

ADOPTED: *

SYNOPSIS

The proposed ordinance would eliminate the allowance of new private shallow wells within the City of Dover, and adds language to clarify that geothermal wells are permitted provided they meet certain criteria.

Actions History
August 8, 2011 - Scheduled for Consideration by the Utility Committee

Draft

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on August 8, 2011 at 5:30 p.m. with Chairman McGlumphy presiding. Members present were Mr. Anderson, Mr. Hare, Dr. Jones, and Mr. Shevock. Members of Council present were Mr. Bonar, Mr. Hutchison, Mr. Lynn (arrived at 6:52 p.m.), Mrs. Russell (arrived at 6:11 p.m.), and Council President Leary (arrived at 6:00 p.m.).

AGENDA ADDITIONS/DELETIONS

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

Reconsideration of Review and Recommendation - Filling of Critical Positions as a Standing Agenda Item and Review of Necessary Documentation for Requests for Filling Critical Positions

Members were reminded that during their Regular Meeting of March 9, 2009, City Council approved the Legislative, Finance, and Administration Committee's recommendation to approve a Hiring Freeze for Fiscal Year 2008-2009, but to allow the hiring of critical positions through the review and approval of the Legislative, Finance, and Administration Committee and City Council. It was suggested that, in order to avoid issues involving prior notice for agenda items, there could be a "standing" agenda item to consider the filling of critical positions and, if there were no positions to consider, the item could be removed.

In light of the current economic conditions, Dr. McGlumphy, Chair of the Legislative, Finance, and Administration Committee requested that members reconsider retaining the Filling of Critical Positions as a standing item on the agenda and instead adopt the following process with regard to vacancies:

- If a position becomes vacant that will affect public or employee safety or cause financial harm to the City, Permission to Recruit, Hiring Justification Outline, and Wage and Benefit Information for Employee Hiring and Transfers forms will be submitted to the Legislative, Finance, and Administrative Committee.

- The justification to fill a position is to include the exiting employee's salary and benefits, estimated salary and benefits for the new employee, and how the department will fund this position within the realm of their current budget for salary and benefits, with cost to include any vacation, sick leave, or compensatory time paid out to the exiting employee. If the department cannot cover the cost due to terminal leave or lump sum payouts, then the position cannot be filled until such time as the cost can be covered in the current budget.

- If Council decides to cover the cost overages, then the method of funding is to be determined by the City Manager, Council, or the Council/Mayor appointee.

- To fill the needs of a department that has vacancies, staff from other departments or staff within the department that has vacancies will be utilized while Council is working through the current and future budget constraints.

Dr. McGlumphy requested that the Filling of Critical Positions be removed as a standing agenda item and the affirmation and adoption of the current and proposed hiring process. It was his opinion that this process would provide more transparency and accountability within departments.

Mr. Hare moved to recommend removing the Filling of Critical Positions as a standing agenda item and affirmation and adoption of the current and proposed hiring process for filling vacant or new positions, including submission of a Permission to Recruit Form *(Attachment #1)*, a Hiring Justification Outline Form *(Attachment #2)*, and a Wage and Benefit Information for Employee Hiring and Transfers Form *(Attachment #3)*. The motion was seconded by Mr. Anderson and unanimously carried.

Formation of Salary and Benefits Compensation Comparison Committee

Mr. Hare proposed the formation of a Salary and Benefits Compensation Comparison Committee to compare salary and benefit information from approximately ten (10) municipalities in the State of Delaware: New Castle, Sussex, and Kent Counties and the cities/towns of Wilmington, Newark, Middletown, Smyrna, Lewes, Seaford, Milford, and Dover. He stated that, to his knowledge, such research has never been conducted and he felt that such information would be useful, particularly with union contract negotiations scheduled for the near future. Mr. Hare suggested that this Committee consist of five (5) members from varied backgrounds and advised members that individuals have already been selected to serve on the Committee and have agreed to participate.

Responding to Mr. Shevock, Dr. McGlumphy stated that a Health Benefits Committee has been formed and a meeting is scheduled for the week of August 15, 2011. Mrs. Donna Mitchell, Controller/Treasurer, explained that the Health Benefits Committee was formed specifically to review medical insurance options due to new accounting standards affecting Other Post Employment Benefits (OPEB) liability. Mr. Shevock questioned if these committees should be combined. Responding, Dr. McGlumphy stated that the committees would have separate responsibilities, explaining that the Salary and Benefits Compensation Comparison Committee would be established to review salary and benefit information similar to that provided previously through the MAG Pay-For-Performance Study; however, rather than utilizing corresponding municipalities in other states, the desire is to determine how the City compares with local municipalities. He reminded members that this recommendation was made during the recent Budget Hearings.

Mr. Anderson inquired if the Committee would be temporary in nature, how members would be selected, and to whom the Committee would report. Responding, Mr. Hare felt that the Committee would be temporary; however, if there is a need for such research in the future, another committee could be established. He stated that the Committee's findings would be reported to the Legislative, Finance, and Administration Committee and that the individuals proposed for membership have varied backgrounds in human resources, business, law, and accounting.

Mr. Anderson indicated his support for obtaining such information outside of the constraints of a timeline associated with the budget development process. However, it was his feeling that the goal for reviewing this information should not be to compete in a "race to the bottom" in establishing salary levels and that the City's pay scale should remain competitive.

Mr. Hare moved to recommend approval of the formation of a Salary and Benefits Compensation Comparison Committee, seconded by Dr. Jones.

Mr. Lester Blakeman (former City Electric Director) advised members that, in the past, no such comparison has been performed for Electric Department employees. He explained that no other municipality in Delaware has a utility the size of the City's; therefore, there is no comparable electrical function on the Delmarva Peninsula. Responding, Mr. Bonar stated that there are a few utility organizations in the State of Delaware with comparable positions and suggested obtaining information from Delmarva Power and the Delaware Electric Cooperative.

Responding to Mrs. Kim Hawkins, Human Resources Director, Mr. Hare stated that the research would be conducted on all levels within the City (to include both bargaining and non-bargaining employees). Dr. McGlumphy stated that five (5) individuals have agreed to serve on the proposed Committee; however, members would not be appointed until Council authorizes the formation of the Committee. Mrs. Hawkins questioned how the membership selection process occurred. Responding, Dr. McGlumphy stated that two (2) of the proposed members are presently serving on the City's Compensation Commission and the other three (3) members are from the community.

Mr. Scott Koenig, Interim City Manager, informed members of a website (Sperling's Best Places at www.bestplaces.net/col) that compares cost of living and salaries. He requested that this website be used as a tool to compare "apples to apples" when the Committee is reviewing the data obtained.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, noted that the City of Newark is the only municipality in Delaware that compares to the City of Dover in terms of population. In addition, she noted that the City of Milford outsources their engineering work and, although they have a Planner, some of their planning functions are also outsourced. Mrs. Townshend noted that the City of Harrington outsources all planning and has a consultant who performs all planning activities. She expressed her concern that positions in smaller towns perform very different functions from those within the City of Dover. She questioned if the size of the population served would be considered when assessing each position's level of responsibility. Responding, Mr. Hare stated that the Committee members would be provided a charge and felt confident that they would take such issues into consideration.

Mr. Anderson requested that the salaries and benefits of State of Delaware employees also be considered when conducting the comparison.

Dr. Jones suggested that if the proposed Committee is formed, their charge will be stated and all discussions, considerations, and concerns could be addressed at that time.
On a call for the question by Mr. Anderson, the recommendation to approve the formation of a Salary and Benefits Compensation Comparison Committee was unanimously carried.

Mr. Anderson requested that the minutes of this meeting be forwarded to members of the proposed Committee for their review and consideration. Dr. McGlumphy requested that staff compile minutes of all meetings of the Legislative, Finance, and Administration Committee during the past year

which included discussion of salaries and benefits and provide them to members of the proposed Salary and Benefits Compensation Comparison Committee. In addition, he requested that the Human Resources Director provide members of the proposed Committee with any additional information that would be beneficial in their consideration of this matter.

Proposed Ordinance #2011-21 - Appendix B - Zoning, Article 3 - District Regulations, Section 1 - One Family Residence Zones, Subsection 1.15 - Accessory Uses, Limited to and Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 1 - Supplementary Regulations Applying to Residence Zones

Mrs. Anne Marie Townshend, Director of Planning and Community Development, presented a proposed Ordinance amending Appendix B - Zoning, Article 3 - District Regulations, Section 1 - One Family Residence Zones, as it relates to the keeping of animals in one-family residence zones, and Article 5 - Supplementary Regulations, relating to swimming pools in residence zones.

Mrs. Townshend explained that the proposed Ordinance would prohibit the keeping of farm animals and establish a maximum number of cats (five (5)) in a one-family residence zone. She advised members that currently, the Zoning Ordinance allows for keeping up to 25 fowl, up to three (3) dogs over six (6) months old, and sets no limit on cats. Mrs. Townshend explained that, as the City has become more urbanized, the allowance for up to 25 fowl and the absence of a maximum number of cats have become outdated.

In addition, Mrs. Townshend explained that the proposed Ordinance would move the regulations regarding swimming pools from Article 3 - District Regulations, to Article 5 - Supplementary Regulations. She stated that the proposed amendment would more closely align the regulations regarding swimming pools with the provisions of the Building Code. Mrs. Townshend advised members that conflicts between the two (2) codes have been a source of confusion for residents in recent years.

Staff recommended adoption of Proposed Ordinance #2011-21.

Rather than prohibiting farm animals in one-family residence zones, Mr. Hare suggested the need to prohibit the keeping of farm animals within City limits. He stated that he was aware of a business that is adjacent to a residential zone that has chickens. Mrs. Townshend noted that the City has an agricultural zone that allows for farm animals. Mr. Hare felt that the agricultural zone should be an exception. Responding, Mrs. Townshend suggested that, in addition to the proposed amendment, there could be an amendment to the Supplementary Regulations that the "keeping of farm animals in any zone except the Agricultural Zone shall be prohibited."

Responding to Mr. Bonar, Mrs. Townshend confirmed that if a City resident currently raises chickens for organic eggs, they would be given 12 months before the ordinance goes into effect. Although he felt the intent of the proposed Ordinance was very good, Mr. Bonar suggested that staff conduct additional research.

Mr. Anderson expressed his opposition to the proposed Ordinance, explaining that the raising of chickens is a part of the culture of some City residents. He stated his concern with the current economy and felt that there may be a need to allow for individuals to raise their own food, which the proposed ordinance would prohibit. With regards to the number of cats and dogs permitted, Mr. Anderson did not feel that it was within the realm of the government to make such a determination if it does not affect others. He also questioned the City's ability to enforce the rules that would be created if the Ordinance were adopted.

In response to Mr. Shevock, Mrs. Townshend stated that adoption of the proposed Ordinance, as presented, would not affect Delaware State University (DSU); however, if members approve an amendment to the Supplementary Regulations to expand prohibiting farm animals in any zone except the Agricultural Zone, DSU would be affected. Mr. Shevock suggested that if DSU has a program involving farm animals, an exemption for the University should be included. In addition, he suggested that the number of cats and dogs should be equal and relayed concern regarding breeders of pedigreed dogs, stating that these dogs may produce puppies that may not sell within a specific time period. In addition, he suggested that individuals who currently have farm animals be "grandfathered" and not subject to the proposed Ordinance.

Concurring with Mr. Anderson, Mrs. Russell advised members that there are several residents of the Fourth District that have farm animals and, to her knowledge, this has not created any problems. She relayed her opposition, feeling that the proposed Ordinance is directed toward certain individuals and that there are instances when having farm animals or raising pets is a means of "making ends meet."

As a result of the concerns relayed, Mr. Bonar suggested that the Committee table action to allow staff to redraft the proposed Ordinance.

Mr. Anderson requested the division of the question for Ordinance #2011-21 so that Article 3 - District Regulations, Section 1 - One Family Residence Zones, relating to keeping of animals in one-family residence zones, be separated from the proposed amendments to Article 3 and Article 5 - Supplementary Regulations, regarding swimming pools in residence zones.

Mr. Anderson moved to recommend that Article 3 - District Regulations, Section 1 - One Family Residence Zones (relating to keeping of animals in one-family residence zones) be referred back to staff for additional research and development. The motion was seconded by Mr. Hare and unanimously carried.

Referring to the proposed amendment to Paragraph (b) of Article 3 - District Regulations, Section 1 - One Family Residence Zone and Article 5 - Supplementary Regulations, Mrs. Townshend explained that the amendment would move the regulations for swimming pools to the supplementary regulations for residence zones. She stated that the proposed amendment aligns the zoning requirements for pools with the building code requirements, which she felt was more logical. As an example, Mrs. Townshend explained that the Residence Zone allows for accessory structures; however, the Supplementary Regulations provide the details of such structures. She noted that the proposed amendment also includes the deletion of a portion of Paragraph (g) - Customary Home Occupations and explained that the referenced section is no longer in existence.

Responding to Mr. Anderson, Mrs. Townshend stated that the building code requires a four (4) foot safety barrier for swimming pools and the zoning ordinance requires a five (5) foot screening for swimming pools. This conflict is causing confusion for those erecting swimming pools and has become problematic during the past few years.

Mrs. Russell felt that the language in the Dover Code is confusing and suggested that staff reword the amendment to provide a better understanding.

Mr. Anderson moved to recommend adoption of Proposed Ordinance #2011-21, amending Article 3 - District Regulations, Section 1 - One Family Residence Zone and Article 5 - Supplementary Regulations as it relates to swimming pools, as amended *(Attachment #4).* The motion was seconded by Mr. Shevock and unanimously carried.

Amendment to Personnel Policy - Compensatory Time

Mr. Scott Koenig, Interim City Manager, advised members that with the implementation of ADP, it is necessary to create a simplified, City-wide policy for compensatory (comp) time. He stated that during a staff meeting on July 12, 2011, the general consensus was to eliminate the 90-day time limit and implement a maximum accumulation. Members were provided the proposed amendments to Article III - The Pay Plan, Section 9 - Overtime.

Staff recommended approval of revised Section 9 - Overtime in the City of Dover Personnel Policy as presented.

Mr. Anderson questioned why bargaining employees are provided comp time at 1½ times the number of hours worked and non-bargaining (exempt) employees accumulate comp time at a 1 to 1 rate. Responding, Mr. Koenig stated that the Fair Labor Standards Act (FLSA) determines those employees who are exempt from the provisions of the Act and those who are not. The rates for earning comp time are based on whether an employee is exempt or non-exempt from the FLSA. Only non-bargaining, non-exempt employees receive the 1½ time rate.

In response to Dr. Jones, Mr. Koenig stated that a standard work week consists of 40 hours; however, special schedules for employees such as police officers and fire and police dispatchers may require more than 40 hours per week. He stated that employees have varying schedules, depending on the department for which they work. He confirmed that there could be employees in the same job classification in different departments who work different schedules. Dr. Jones relayed concern that eliminating the time frame for requiring the use of comp time earned could have a major impact on the budget.

Responding to Mr. Hare, Mr. Koenig stated his opinion that a City Manager is a contract employee and not eligible for comp time. With regard to other department heads, he stated his opinion that if the employee works ½ hour late to finish a job or project, this would not qualify for comp time; however, if the department was required to attend an evening meeting, this would qualify for comp time.

Dr. McGlumphy relayed concern with providing comp time for management employees, including department heads.

Disagreeing, Mr. Bonar advised members that he, as a management State employee, is provided comp time; however, he is required to take the time within a certain time period and may not carry forward any more than a certain number of hours (26 hours). He suggested that City employees be required to take the time within a certain time period (perhaps during the next pay cycle) and not be permitted to "bank" the time.

Responding to concerns relayed by Mr. Bonar, Mr. Koenig stated that such requirements would create difficulties in several departments, such as the Police Department and City Clerk's Office. Such requirements would drastically change the way comp time is currently accounted for and would probably create operational concerns for several departments.

In regard to the concerns of Mr. Hare regarding "management" employees, Mr. Koenig stated that the distinction is between exempt and non-exempt employees, explaining that some management, non-bargaining employees are exempt and others non-exempt. Mr. Hare stated his opinion that comp time should be eliminated completely and that employees should be provided overtime pay. He stated he felt that department heads should manage their departments and be responsible for their budgets. Mr. Hare indicated he had never heard of upper management being provided comp time and that these employees have always been able to adjust their workday based on employee and personal needs.

Responding to concerns of Mrs. Russell, Mr. Koenig indicated that the proposal would provide for accumulation of a maximum of 80 hours for comp time, thus limiting the City's exposure to 80 hours. He noted that for exempt employees, the procedure specifies that any accumulated comp time shall be forfeited upon employment ending. Mrs. Russell stated her concern that there are different rules for different employees, feeling that all employees should be treated equally in this regard.

In response to Dr. McGlumphy, Mr. Koenig confirmed that the proposed amendments would allow for the City to begin utilizing the ADP system and that adjustments could be made subsequently.

Mr. Hare moved to recommend eliminating comp time, paying overtime, and making department heads more accountable for their budgets, thus eliminating the need for ADP to track comp time. The motion failed due to the lack of a second.

Dr. McGlumphy felt that it would benefit the City to have the comp time module of the ADP system implemented and then, once up and running, have staff conduct a cost/benefit analysis to determine whether or not comp time should be provided or if it should be transferred to overtime. He reminded members that many of the employee benefits provided by the City are based on salary and overtime.

Noting that the Committee previously recommended the formation of a Salary and Benefits Compensation Comparison Committee, Mr. Hutchison suggested that this matter be referred to that Committee for their review and recommendation.

Mr. Anderson moved to recommend that the proposed policy revision to Section 9 regarding overtime be referred to the new Salary and Benefits Compensation Comparison Committee. The motion was seconded by Mr. Hare.

Responding to Mr. Shevock, Mrs. Mitchell, Controller/Treasurer, indicated that although staff can move forward with the ADP System, they would not include information for the comp time module at this time. She noted the purpose of utilizing ADP for comp time is to eliminate manual tracking. Mrs. Mitchell explained that ADP has a schedule and must show an employee as either sick, on vacation, working, or on comp time. Since there would be no comp time in the ADP system, she stated that it will be necessary to show the employee as working when they are utilizing comp time. Mrs. Mitchell estimated that the City should be utilizing the time and attendance module by the end of August and stated that Human Resources (HR) and Payroll modules of the ADP system have been in place since January.

In response to Dr. Jones, Mrs. Hawkins, Human Resources Director, indicated that the last comprehensive review of the Employee Handbook was conducted in 2004 after a 20-year lag. She stated that such a review has been one of her goals and that it is approximately 60% complete. Responding to Mrs. Russell, Mrs. Hawkins indicated that once a comprehensive review is completed by staff, it will be forwarded to the Committee for review. She noted that the review conducted by the Committee in 2004 was quite extensive.

Mr. Anderson moved to recommend tabling the matter, with the intent that members be provided an opportunity to discuss this issue further over the next two (2) weeks and resolve difficulties, with the intent of possible implementation prior to the end of the August 2011. The motion was seconded by Dr. Jones and unanimously carried.

Dr. McGlumphy stated that the delay in the comp time module should not affect staff's ability to move forward with the implementation of the time and attendance module of the ADP system.

Review of Grant Application - FY08 Mobile Field Force Development Grant Program (DEMA BearCat)

Members reviewed a Grant Application Analysis Form for the Delaware Emergency Management Agency (DEMA) - FY08 Mobile Field Force Development Grant Program. Police Chief James Hosfelt advised members that this grant would allow for the purchase of one Lenco BearCat Armored Vehicle. He explained that this is a vehicle asset that would be purchased by the Delaware Emergency Management Agency (DEMA) for the Dover Police Department using funds received from the Federal Emergency Management Agency (FEMA). Chief Hoselt stated that the funds for this purchase were reallocated from reverted funds previously awarded to the Delaware State Police and that DEMA would complete all purchase actions for the vehicle awarded through this grant, in the amount of $235,089, and that the vehicle would be provided to the Dover Police Department for use.

Chief Hosfelt indicated that the vehicle to be supplied is a Lenco BearCat Armored 4WD vehicle which is a specialized vehicle that runs on a V10 gasoline powered engine using regular unleaded fuel. It is capable of detecting radiation and explosive gases as well as providing protection for passengers from live fire rounds.

Staff recommended approval of the project and to allow for the purchase of one Lenco BearCat Armored Vehicle by DEMA.

Mr. Hare moved to recommend approval of staff's recommendation to allow for the purchase of one (1) Lenco BearCat armored vehicle by the Delaware Emergency Management Agency (DEMA) for the use of the Dover Police Department, seconded by Mr. Anderson and unanimously carried.

Discussion - Review of Other City of Dover Insurances

Mr. Hare suggested that the City issue a Request for Proposals (RFP) to review the other City of Dover insurances (commercial, property, auto, etc.). Responding, Mrs. Kim Hawkins, Human Resources Director, stated that the commercial and power plant policies are bid each year by a broker and assured members that the broker is active in this regard.

Mr. Hare felt that all insurances should be bid at a minimum of every two (2) years and that different brokers should be utilized.

Mr. Hare moved to recommend that the City issue a Request for Proposals (RFP) for all City insurances, seconded by Dr. Jones and unanimously carried.

Discussion - Health Insurance RFP Questions

Mr. Hare questioned if the date for the Request for Proposals (RFP) will be extended for prospective bidders who sent information to the City, because they have not received information back yet. Responding, Mrs. Hawkins, Human Resources Director, stated that, as she has personally relayed to four (4) respondents who are intending to bid, August 12, 2011, was the deadline for questions. She explained that the questions will be gathered and submitted to the State of Delaware in one (1) timely submission rather than piecemeal through the RFP process. Mrs. Hawkins indicated that, once submitted to the State, the State will provide an estimated turnaround time, since some of the data will be provided by the carriers (Blue Cross and Aetna). The date for the RFP was published as August 31, 2011, and Mrs. Hawkins advised bidders that this date may be extended based on the turnaround time provided by the State. She assured members that the bidders will be provided ample time and that all those who have requested information as of the August 12, 2011 will be included in the extension.

Public Comment Period

Mr. Bob Hartman, 35 Lotus Street, stated his support for Mr. Koenig's discussion regarding compensatory time, explaining his feeling that such a policy would provide the City an opportunity to save money.

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

Meeting Adjourned at 7:08 P.M.

Respectfully submitted,

William P. McGlumphy
Chairman

WPM/DD/jg/js/ac/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2011\08-08-2011 LFA.wpd

Attachments

Attachment #1 - Permission to Recruit Form
Attachment #2 - Hiring Justification Outline
Attachment #3 - Wage and Benefit Information Form for Employee Hiring and Transfers
Attachment #4 - Proposed Ordinance #2011-21 Amending Article 3 - District Regulations, Section 1 - One Family Residence Zone and Article 5 - Supplementary Regulations as it Relates to Swimming Pools

Permission to Recruit

To: City Manager Date:_____

From:_____

Permission to recruit:_____(number)

Type of Position: PF PP TF TP (circle one)

Title of Position:_____

Start employment on:_____

Opening is due to:

Termination, Transfer, Promotion, Other_____
(circle one) (explain)

_____
(Name of previous employee)

Type of recruitment desired:

All out-of-house job postings will be advertised/announced in the Delaware State News, Dover Post, News Journal and the Air Lifter, Dover website, DoverTV, and other general recruitment sites.

Please indicate additional websites or professional organizations:

_____
_____
_____

_____
Department Head

☐ APPROVED ☐ DENIED

_____
City Manager

P: Human Resources/Recruitment/Permission to Recruit

Hiring Justification Outline

1. Explain the principal function of this job.

2. Explain why this position is critical and cannot go unfilled or postponed.

3. How would City services diminish if this position were not filled or postponed at this time?

4. Are there other employees whose ability to perform would be diminished by not filling or postponing this position?

5. Is there a person that can be promoted into this position and whose position is less critical at this time and can go unfilled permanently or temporarily?

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

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

8. Grade/Salary Information

Attachment #3
LF&A Committee Meeting of 08/08/2011

City of Dover
Wage and Benefit Information for Employee Hiring and Transfers

Department/Division Originating Request _____

Date _____

(Form has been developed to handle multiple departments/multiple funds to cover allocated departments and funding sources)

Current Positions	Current Grade/Step	Separation Date *	Wages Budgeted	Benefits Budgeted	Annual Wages & Benefits	% Year Wages Paid	# Mos. Benefits Paid	To Date Wages Paid	To Date Benefits Paid	Lump Sum Wages & Benefits Paid	Paid To Date (I, J, K)	Current Fiscal Year Balance	Remarks
Position(s)													
Dispatcher	18/13	7/20/11	48,826.57	13,393.43	62,220.00	5.2%	1	2,534.71	1,116.12	327.74	3,978.57	58,241.43	
Dispatcher	18/13	7/7/11	48,826.57	14,024.65	62,851.22	1.6%	1	800.44	1,168.72	4,073.34	6,042.50	56,808.72	
Custodian	10/13	1/31/12	34,800.00	14,100.00	48,900.00	58.5%	7	20,347.54	8,225.00	-	28,572.54	20,327.46	
H/R Coordinator	121	7/24/11	54,754.00	18,252.00	73,006.00	6.3%	1	3,440.83	1,521.00	1,176.12	6,137.95	66,868.05	
Totals					**$246,977.22**						**44,731.55**	**$202,245.67**	

Replacement/ Transfer Position	Proposed Grade/Step	Projected Hire Date	Estimated Wages	Estimated Benefits	Estimated Total Compensation	% Year Wages Needed	# Mos. Benefits Needed	Wages	Benefits	Estimated Amount Needed	Remarks
Position(s)											
Dispatcher	18/1	9/1/11	33,136.56	11,933.93	45,070.49	82.8%	10	27,432.73	9,944.94	37,377.67	
Dispatcher	18/1	9/1/11	33,136.56	20,836.73	53,973.29	82.8%	10	27,432.73	17,363.94	44,796.67	
Custodian	10/1	1/1/12	33,136.56	23,121.00	56,257.56	49.5%	6	16,387.21	11,560.50	27,947.71	
H/R Coordinator	121/Entry	10/1/11	43,973.28	24,070.53	68,043.81	74.6%	9	32,799.74	18,052.90	50,852.64	
Totals					**$223,345.15**					**$160,974.68**	
Balance					**$23,632.07**					**$41,270.98**	

Department Summary	Increase/ (Decrease)
Police - Civilian	($32,875.81)
Central Services - Facilities	7,620.25
Human Resources	(16,015.42)
Total	($41,270.98)

Funding Source: (See below Fund Budget)	
General Fund	($44,342.72)
Water/Wastewater Fund	(808.91)
Electric Fund	3,880.65
Grant Fund	0.00
Total	($41,270.98)

Description of funding source	General Ledger Account
N/A	N/A
N/A	N/A
Describe	Account
N/A	N/A

Fund Budget - Increase/(Decrease)

Fund	Increase/ (Decrease)	Department/Division Police/Civilian Allocation %	Department/Division Police/Civilian Increase/ (Decrease)	Department/Division Central Services/Facilities Allocation %	Department/Division Central Services/Facilities Increase/ (Decrease)	Department/Division Human Resources Allocation %	Department/Division Human Resources Increase/ (Decrease)
General Fund	($44,342.72)	100.0%	($32,875.81)	10.3%	784.89	76.5%	(12,251.79)
Water/Wastewater Fund	(808.91)	0.0%	$0.00	8.3%	632.48	9.0%	(1,441.39)
Electric Fund	3,880.65	0.0%	$0.00	81.4%	6,202.88	14.5%	(2,322.24)
Grant Fund	0.00	0.0%	$0.00	0.0%	-	0.0%	-
Total	($41,270.98)	Total	($32,875.81)	Total	$7,620.25	Total	($16,015.42)

Allocated Department percentages can be found in Budget Document, obtained from Finance or the City Manager's Office

City of Dover

Wage and Benefit Information for Employee Hiring and Transfers

This form is to be completed when requesting to fill vacant positions or to transfer staff between divisions or operating funds. The purpose of which is to determine how changes in personnel will affect the budget for each operating fund. If the changes increase operating expenses then the funding source to cover the increase is to be included.

Directions for Completing Wage and Benefit Information for Employee Hiring and Transfers

Column	Description	Instructions
A	Position Title	Current Position Section - Title of position vacated; Replacement/Transfer Position Section - Title of replacement position, or title change if applicable of employee transferred.
B	Current Grade/Step	Current Position Section - Current grade and step (if applicable) of current position; Replacement/Transfer Position Section - Proposed grade and step;
C	Separation Date	Current Position - Last day paid. If employee elects to take terminal leave, then separation date must be date terminal leave ends. Replacement/Transfer Position Section - Proposed hire date of this position.
D	Wages Budgeted	Current Position Section - Annual wages budgeted for the current employee in this position. If unknown, contact City Manager's Office or Finance Office; Replacement/Transfer Position - Proposed hourly rate times 2080 hours. FY12 has 366 days so use 2088 hours.
E	Benefits Budgeted	Current Position Section - Annual wages budgeted for the current employee in this position. If unknown, contact City Manager's Office or Finance Office. Replacement/Transfer Position Section - Calculate by multiplying wages time benefit rates. If this is a new position use the highest benefit rate to insure budgetary funding. See below for benefit rates. If this is an existing employee then use actual benefits;
F	Annual Wages & Benefits	Current Position Section - Column D plus Column E; Replacement/Transfer Position Section - Column D plus Column E;
G	% Year Wages Paid	Current Position Section - Number of days paid for in current fiscal year; Formula set up to automatically calculate based on 366 calendar days in FY12; Replacement/Transfer Position Section - Number of days from estimated date of hire through the end of the fiscal year.
H	# Mos. Benefits Paid	Current Position Section - Number of months benefits have been paid out for the current fiscal year; Replacement/Transfer Position Section - Number of months estimated benefits to be budgeted for in the current fiscal year;
I	To Date Wages Paid	Both Sections - Column D times Column G; If actual amounts are available for current employees use actual amounts rather than calculation;
J	To Date Benefits Paid	Both Sections - Column E divided by 12 (months) times Column H; Column H is number of months paid to date for current employees and number of months from projected date of hire through June 30 for replacement employees.
K	Lump Sum Wages & Benefits Paid	If paid, contact Finance for amount; If not paid estimate - Hourly rate X hours to be paid plus benefits; Benefit rate = Sum of percentages for FICA, Worker's Comp and Pension times wages to be paid out; (I.e. $18.00 hourly rate x 760 hours = $13,680 Wages x 13.65% (employee with 401a plan) $1,867; $13,680 plus $1,867 = $15,547 estimated lump sum wages and benefits); FY12 - no Worker's Compensation
L	Paid to Date	Current Position Section - Sum of Columns I, J, & K as calculated above
M	Current Fiscal Year Balance	Current Position Section - Current estimated balance of funds in departmental budget for this position to apply towards new hire or transfer; Replacement/Transfer Position - Amount needed to fund replacement or transferred position. Sum of Column I & Column J.
N	Remarks	Any comments you would like to add
Bottom Section	Department & Fund Summaries	Formula based calculations of financial impact on individual departments and funds. Describes funding sources for budget increases.

CITY OF DOVER
DRAFT ORDINANCE #2011-21

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 1 – One Family Residence Zones, Subsection 1.15 – Accessory Uses, be amended by deleting text shown in red bold strike-through and inserting text shown in blue bold italics, as follows:

1.15 Accessory uses, limited to the following:

(a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:
   i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and
   ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.
   iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.
   iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.

(b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain~~**, provided that pools of 30 inches deep shall be subject to the following requirements:**~~
   ~~**i. The edge of the pool shall be kept a distance of not less than ten feet from all property lines.**~~
   ~~**ii. If located within 50 feet of any property line, such pool shall be screened from the view of abutting properties. Such screen shall be at least five feet high.**~~
   ~~**iii. Such pool shall be completely surrounded by a fence or wall not less than 3½ feet in height and so constructed as not to have openings larger than four inches in at least one dimension. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.**~~
   iv. ~~**Swimming pools shall be permitted to be established in the side and rear yard, but shall be prohibited from placement within the required front yard**~~.

(c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.

(d) Keeping domestic animals (except pigs) for individual domestic purposes or as pets, provided not more than three dogs over six months old and not more than 25 fowl shall

DRAFT

be permitted, and no animals (except dogs) or fowl shall be penned or housed within 20 feet of any lot line.

(e) (Reserved.)

(f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces, Paragraph 3.1—Schedule of requirements.

(g) Customary home occupations, provided that:

i. No display of products, goods and/or signs shall be visible from the street~~, except as set forth in item [subsection] (e) of this subsection [1.15]~~.

ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.

iii. Nonresident assistants or co-workers shall be prohibited.

iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.

v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 1 – Supplementary Regulations Applying to Residence Zones be amended by adding a new subsection 1.11 Swimming Pools, as follows:

1.11 Swimming Pools

1.111 Definition – For the purposes of this section, swimming pools shall be defined as any pool, tank, depression, or excavation in or above ground, or other structure which shall cause retaining of water over a greater depth than twenty-four (24) inches.

1.112 Safety - All swimming pools as defined in this section must conform to the requirements of Dover Code, Chapter 22 – Buildings and Building Regulations.

1.113 Placement - Swimming pools shall be permitted to be established in the side and rear yard, but shall be prohibited from placement between the principal structure and the street.

1.114 Setback – The edge of the swimming pool, specifically referring to the edge of the water containment portion of the pool shall be no less than fifteen (15) feet away from all property lines. All associated structures, buildings, and pavement related to the swimming pool shall be no less than five (5) feet away from all property lines.

DRAFT

SYNOPSIS

The proposed ordinance would move the regulations for swimming pools into the supplementary regulations for residence zones and more closely align the requirements with the requirements of the building code.

ADOPTED: *

Actions History:
August 22, 2011 – Proposed First Reading
August 8, 2011 - Considered by Legislative, Finance and Administration Committee

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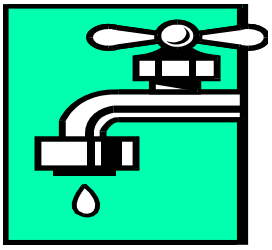
CITY OF DOVER

FINANCE DEPARTMENT

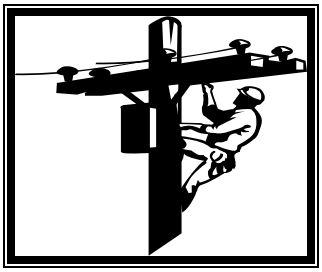
MONTHLY BUDGET REPORT

JUNE 2011 (Preliminary)









PREPARED BY: FINANCE DEPARTMENT

PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE THREE MAJOR OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

City of Dover
Finance Department
Monthly Budget Report

June 2011

Strategic Objectives for Fiscal Year 2010 – 2011

1. Develop Days Sales Outstanding (DSO) monthly report to provide timely information on receivable collections.

2. Assist with implementation of inventory system for Electric Plant inventory.

3. Implementation and transition to an external service for time keeping and payroll.

4. Implement and transition to lockbox and remote deposit services for cash receipts.

ACTIVITY LEVELS

	FY10 YTD			FY11 YTD		
BANK TRENDS						
Number of Deposits Made	1,118			3,438		
Total Amount of All Deposits	$ 132,210,917			$ 142,891,560		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**953,078**	**100.0%**	**$ 20,785,661**	**910,518**	**100.0%**	**$ 20,576,867**
Wages and Hours Worked						
Regular	775,535	81.4%	$ 16,366,759	769,285	84.5%	$ 16,573,173
All over time	38,610	4.1%	$ 1,520,800	34,181	3.8%	$ 1,421,900
Other Paid or Unpaid Wages and Hours						
Vacation	49,082	5.1%	$ 1,255,444	49,839	5.5%	$ 1,261,952
Sick	18,389	1.9%	$ 412,490	20,449	2.2%	$ 474,948
Furlough	23,110	2.4%	$ -	1,482	0.2%	$ -
Terminal Leave - Retiree Vacation/Sick Payout	22,185	2.3%	$ 681,519	3,334	0.4%	$ 93,638
Comp Time (Police)	5,776	0.6%	$ 178,190	7,080	0.8%	$ 224,511
Personal	2,061	0.2%	$ 56,183	2,117	0.2%	$ 60,171
Leave Without Pay	4,087	0.4%	$ -	3,368	0.4%	$ -
Other (description below)	14,306	1.5%	$ 314,277	19,378	2.1%	$ 468,913

Other includes: pay adjustments, military differential pay, committee meetings, worker compensation tracking/adjustments, etc.

Other Activity						
Number of Pay Periods	26			26		
Number of Payroll Checks & Direct Deposits Issued	11,170			10,538		
Number of Pension Checks Issued	2,771			2,849		
Total Pension Benefits Paid - Defined Benefit Plan	$ 4,400,347			$ 4,536,701		

Payroll Checks & Direct Deposits issued: number of payroll checks issued for FY 2010 includes separate checks for shoe allowance & clothing allowance.

ACCOUNTS PAYABLE						
Number of Check Vouchers	7,894			7,116		
Number of EFT Vouchers	2,023			2,413		
Vouchers Dollar Amount Disbursed	$ 122,465,264			$ 128,667,033		

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

General Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance	$ 2,277,575	$ 2,655,562	$ 2,655,562	$ -	100.0%
Revenues					
Court of Chancery Fees	645,000	715,000	692,180	22,820	96.8%
Fines & Police Revenues	881,502	1,012,389	1,005,882	6,507	99.4%
Franchise Fees	486,000	520,000	559,354	(39,354)	107.6%
Grants	831,850	939,061	927,484	11,577	98.8%
Intrafund Services	4,347,834	4,237,605	4,040,989	196,616	95.4%
Library & Recreation Revenues	665,689	576,500	588,569	(12,069)	102.1%
Licenses & Permits	2,457,675	2,362,000	2,417,364	(55,364)	102.3%
Property Taxes (Includes BID Revenue) (1)	11,035,326	11,035,326	10,904,909	130,417	98.8%
Sanitation Revenues	2,387,511	2,191,635	2,173,433	18,202	99.2%
Other Miscellaneous Revenues	365,250	268,750	307,800	(39,050)	114.5%
Transfers-In from Special Funds & Utilities					
Civil Traffic Penalties	930,000	1,000,000	967,020	32,980	96.7%
Municipal Street Aid Fund	526,843	526,814	527,226	(412)	100.1%
Reynolds Trust Reserve	-	-	46,335	(46,335)	0.0%
Transfer Taxes	1,000,000	1,400,000	1,461,890	(61,890)	104.4%
Electric Fund	8,856,000	8,856,000	8,856,000	-	100.0%
Total Revenues	35,416,480	35,641,080	35,476,435	164,645	99.5%
Total Beginning Balance & Revenues	**$ 37,694,055**	**$ 38,296,642**	**$ 38,131,997**	**$ 164,645**	99.6%
Expenditures					
City Clerk & Council	$ 418,172	$ 407,812	$ 383,727	$ 24,085	94.1%
Mayor, City Manager & Human Resources	1,008,803	1,001,152	991,787	9,365	99.1%
Police & Police Extra Duty	12,907,889	12,694,539	12,784,110	(89,571)	100.7%
Public Services	4,574,682	4,488,039	4,388,815	99,224	97.8%
Central Services	2,422,663	2,305,543	2,262,207	43,336	98.1%
Planning & Inspections	1,943,804	2,007,875	1,963,325	44,550	97.8%
Finance, Info Tech & Customer Services	2,444,787	2,357,929	2,321,654	36,275	98.5%
Library & Recreation	1,904,696	1,875,808	1,828,821	46,987	97.5%
Fire Department	709,862	665,732	654,036	11,696	98.2%
Assessor	197,249	269,721	270,570	(849)	100.3%
Insurance	600,000	550,000	529,037	20,963	96.2%
OPEB - Retiree's Health Care Contribution	1,297,509	1,297,509	1,297,509	-	100.0%
Police Pension Trust Contribution - State Grant	620,000	620,000	538,136	81,864	86.8%
Appropriation to Pension Fund	1,090,000	1,544,978	1,544,978	-	100.0%
Street Lights	985,000	960,000	968,562	(8,562)	100.9%
Debt Service	331,800	331,800	335,225	(3,425)	101.0%
Transfer to CDBG	6,000	6,000	-	6,000	0.0%
Provision for Uncollectible	10,000	110,000	110,000	-	100.0%
Transfers Out					
Contingency	-	172,061	172,061	-	100.0%
Capital Projects Fund (2)	1,307,839	1,307,839	1,354,194	(46,355)	103.5%
Total Expenditures	34,780,755	34,974,337	34,698,754	275,583	99.2%
Budget Balance - Working Capital (Unaudited)	2,913,300	3,322,305	3,433,243	(110,938)	103.3%
Total Budget Balance & Expenditures	**$ 37,694,055**	**$ 38,296,642**	**$ 38,131,997**	**$ 164,645**	99.6%
Reserve Balances					
Contingency	$ 417,971	$ 725,554	$ 711,747		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 6/30/11 is $317,428.20 as compared to $223,567.86 in June 2010.
(2) Reynolds Trust transferred to Library project.

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance - Water	$ 943,545	$ 1,236,546	$ 1,236,546	$ -	100.0%
Beginning Balance - Wastewater	$ 585,053	$ 902,366	$ 902,366	$ -	100.0%
Beginning Balance - Kent County Treatment	$ (1,632,876)	$ (1,872,081)	$ (1,872,081)	$ -	100.0%
Revenues					
Water Fees	4,206,700	4,800,000	4,945,385	(145,385)	103.0%
Wastewater Fees	3,308,300	3,500,000	3,694,020	(194,020)	105.5%
Kent County Treatment Fees	4,275,600	3,000,000	3,058,656	(58,656)	102.0%
Ground Water Adjustment Fees	-	1,350,000	1,171,376	178,624	86.8%
Water Tank Leases	299,400	299,400	300,137	(737)	100.2%
Miscellaneous	72,515	77,800	92,864	(15,064)	119.4%
Impact Fees - Water	323,000	323,000	354,825	(31,825)	109.9%
Impact Fees - Wastewater	357,000	357,000	393,750	(36,750)	110.3%
Total Revenues	12,842,515	13,707,200	14,011,013	(303,813)	102.2%
Total Beginning Balance & Revenues	**$ 12,738,237**	**$ 13,974,031**	**$ 14,277,844**	**$ (303,813)**	102.2%
Expenses					
Water/Wastewater Operating Divisions					
Engineering & Inspection	$ 642,878	$ 540,099	$ 488,090	$ 52,009	90.4%
Water	412,588	374,920	379,271	(4,351)	101.2%
Water Treatment Plant	1,499,857	1,475,704	1,457,505	18,199	98.8%
Wastewater	969,762	945,296	909,547	35,749	96.2%
Construction & Inspection	392,561	400,439	389,807	10,632	97.3%
Kent County Treatment Fees	4,235,403	4,235,403	3,601,194	634,209	85.0%
Intrafund Services	1,272,331	1,117,897	1,042,762	75,135	93.3%
OPEB - Retiree's Health Care Contribution	177,427	177,427	177,427	-	100.0%
Pension Trust Contribution - Unfunded liability	372,000	372,000	372,000	-	100.0%
Debt Service	562,601	460,000	613,983	(153,983)	133.5%
Transfers Out					
Contingency Reserve	-	18,000	18,000	-	100.0%
Water I & E Fund	500,000	500,000	500,000	-	100.0%
Wastewater I & E Fund	500,000	500,000	500,000	-	100.0%
Capital Asset Reserve - Water	100,000	100,000	100,000	-	100.0%
Capital Asset Reserve - Wastewater	100,000	100,000	100,000	-	100.0%
Impact Fee Reserve - Water	110,597	113,000	133,456	(20,456)	118.1%
Impact Fee Reserve - Wastewater	6,802	107,000	178,796	(71,796)	167.1%
Uncollectible Reserve	-	71,000	71,000	-	100.0%
Total Expenses	11,854,807	11,608,185	11,032,838	575,347	95.0%
Budget Balances					
Budget Balance - Working Capital - Water (Unaudited)	1,348,501	2,383,557	2,567,172	(183,615)	107.7%
Budget Balance - Working Capital - WW (Unaudited)	1,127,608	1,739,773	1,921,077	(181,304)	110.4%
Budget Balance-Working Capital - KSA (Unaudited)	(1,592,679)	(1,757,484)	(1,243,243)	(514,241)	70.7%
Total Budget Balances	883,430	2,365,846	3,245,006	(879,160)	137.2%
Total Budget Balances & Expenses	**$ 12,738,237**	**$ 13,974,031**	**$ 14,277,844**	**$ (303,813)**	102.2%
Reserve Balances					
Contingency-Water	$ 126,607	$ 125,973	$ 113,552		
Contingency-Wastewater	$ 141,575	$ 140,866	$ 167,961		
Impact Fee Reserve - Sewer	NO BUDGET	NO BUDGET	$ 4,074,439		
Impact Fee Reserve - Water	NO BUDGET	NO BUDGET	$ 380,193		
Bond Coverage Ratio (Covenant 1.20)	4.76	7.91	9.33		

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance	$ 12,086,275	$ 13,537,864	$ 13,537,864	$ -	100.0%
Revenues					
Sales to Customers	96,595,300	97,917,206	99,859,602	(1,942,396)	102.0%
Purchased Power Adjustment - Credit	(2,000,000)	(2,293,603)	(2,290,989)	(2,614)	99.9%
Utility Tax	1,864,800	1,965,000	1,944,543	20,457	99.0%
Weyandt Hall Rents	186,816	186,816	215,248	(28,432)	115.2%
Miscellaneous Revenues	1,019,800	1,019,800	891,248	128,552	87.4%
Interest Earned	65,700	965,500	823,171	142,329	85.3%
Intrafund Service Receipts Water/Wastewater	299,442	173,317	171,646	1,671	99.0%
Reimbursement of Bond Issuance Costs	-	-	-	-	0.0%
Total Revenues	98,031,858	99,934,036	101,614,469	(1,680,433)	101.7%
Total Beginning Balance & Revenues	**$ 110,118,133**	**$ 113,471,900**	**$ 115,152,333**	**$ (1,680,433)**	101.5%
Expenses					
Power Supply & Generation					
Power Supply	$ 48,059,699	$ 47,634,363	$ 47,543,983	$ 90,380	99.8%
Power Supply Management/Incentive	2,280,000	2,321,562	2,355,630	(34,068)	101.5%
Capacity Charges	11,618,223	12,302,392	12,344,169	(41,777)	100.3%
PJM Charges - Load	11,850,876	13,363,432	14,836,066	(1,472,634)	111.0%
Total Power Supply	73,808,798	75,621,749	77,079,848	(1,458,099)	101.9%
Plant Operations	5,694,315	6,155,046	6,114,037	41,009	99.3%
Generation Fuels	297,820	3,244,977	3,685,199	(440,222)	113.6%
Capacity Credits	(11,488,785)	(11,419,723)	(11,407,201)	(12,522)	99.9%
PJM Credits	(720,797)	(5,553,404)	(6,834,780)	1,281,376	123.1%
Total Generation	(6,217,447)	(7,573,104)	(8,442,745)	869,641	111.5%
Total Power Supply & Plant	67,591,351	68,048,645	68,637,103	(588,458)	100.9%
Electric Operating Divisions:					
Transmission/Distribution	3,206,515	3,035,144	2,986,828	48,316	98.4%
Electrical Engineering	1,842,903	1,745,105	1,514,558	230,547	86.8%
Administration	609,169	974,959	942,672	32,287	96.7%
Meter Reading	222,908	205,915	204,351	1,564	99.2%
Systems Operations	518,053	492,493	486,894	5,599	98.9%
Intrafund Services	3,374,945	3,293,025	3,169,873	123,152	96.3%
Utility Tax	1,864,800	1,965,000	1,944,543	20,457	99.0%
OPEB Trust Contribution	639,110	639,110	639,110	-	100.0%
OPEB - Retirees Health Care Contribution	1,200,000	1,200,000	1,200,000	-	100.0%
Pension Trust Contribution - Unfunded liability	833,000	833,000	1,110,477	(277,477)	133.3%
Interest on Deposits	54,500	54,500	25,389	29,111	46.6%
Green Energy Payment to DEMEC	128,600	128,600	136,165	(7,565)	105.9%
Accounts Receivable Write-Offs	135,000	310,000	310,000	-	100.0%
Inventory Write-Offs	175,000	175,000	175,000	-	100.0%
Debt Service	4,058,700	3,589,904	3,590,381	(477)	100.0%
Transfers Out:					
General Fund	8,856,000	8,856,000	8,856,000	-	100.0%
Electric Improvement & Extension Fund	3,500,000	3,500,000	3,500,000	-	100.0%
Depreciation Reserve	1,250,000	1,250,000	1,250,000	-	100.0%
Rate Stabilization Reserve	1,300,000	1,300,000	1,300,000	-	100.0%
Total Expenses	101,360,554	101,596,400	101,979,344	(382,944)	100.4%
Budget Balance - Working Capital (Unaudited)	8,757,579	11,875,500	13,172,989	(1,297,489)	110.9%
Total Budget Balance & Expenses	**$ 110,118,133**	**$ 113,471,900**	**$ 115,152,333**	**$ (1,680,433)**	101.5%
Reserve Balances					
Contingency Reserve	$ 1,071,054	$ 1,039,766	$ 1,058,034		
Insurance Reserve	$ 408,503	$ 408,430	$ 403,810		
Rate Stabilization Reserve	$ 6,171,027	$ 6,219,819	$ 6,167,428		
Bond Coverage Ratio (Covenant 1.25)	1.51	1.79	2.27		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Light MWh)	707,536	707,536	734,103		
Sales per MWh	$ 136.514	$ 138.109	$ 135.743		
Purchased/Generated MWh	738,215	738,215	768,254		
All In MWh Supply & Generation	$ 91.561	$ 92.180	$ 89.342		

City of Dover
Finance Department
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General Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance - Projects	$ 65,479	$ 227,592	$ 227,592	$ -	100.0%
Beginning Balance - Library	$ -	$ 34,583	$ 34,583	$ -	100.0%
Revenues					
Transfer from General Fund for Projects	1,307,839	1,307,839	1,307,839	-	100.0%
State Grant - Library	3,343,520	4,250,348	2,016,321	2,234,027	47.4%
Police Grant - Public Assembly Room	18,000	20,000	-	20,000	0.0%
Miscellaneous Receipts	-	-	5,130	(5,130)	0.0%
Library Bond Issue/Contributions	1,000,000	1,000,000	30,000	970,000	3.0%
Transfer from Library Reserve	2,343,519	2,363,732	683,187	1,680,545	28.9%
Transfer from Parkland Reserve	-	36,872	28,629	8,243	77.6%
Transfer from Community Transportation Fund	-	-	120,000	(120,000)	0.0%
Transfer from Capital Asset Reserve	140,000	-	-	-	0.0%
Transfer from Reynolds Trust	-	-	46,355	(46,355)	0.0%
Interest Earnings	10,900	10,900	2,244	8,656	20.6%
Income from Sale of Assets	-	-	26,100	(26,100)	0.0%
Total Revenues	8,163,778	8,989,691	4,265,805	4,723,886	47.5%
Total Beginning Balance & Revenue	**$ 8,229,257**	**$ 9,251,866**	**$ 4,527,980**	**$ 4,723,886**	48.9%
Expenditures					
Fire	$ 288,210	$ 223,700	$ 223,399	$ 301	99.9%
Grounds Maintenance	63,675	46,517	46,549	(32)	100.1%
Library	6,687,039	7,630,663	2,829,484	4,801,179	37.1%
Recreation	45,000	81,872	38,453	43,419	47.0%
Police	282,380	322,830	301,818	21,012	93.5%
Streets	481,055	454,476	454,599	(123)	100.0%
Sanitation	246,075	212,419	212,446	(27)	100.0%
Information Technology	12,000	7,000	6,680	320	95.4%
Mayor	31,500	52,198	52,198	-	100.0%
Transfer to Community Transportation Fund	-	25,000	25,000	-	100.0%
Total Expenditures	8,136,934	9,056,675	4,190,626	4,866,049	46.3%
Budget Balance - Projects (Unaudited)	92,323	195,191	337,354	(142,163)	172.8%
Total Budget Balance & Expenditures	**$ 8,229,257**	**$ 9,251,866**	**$ 4,527,980**	**$ 4,723,886**	48.9%
Reserve Balances					
Capital Asset Replacement Reserve	$ 116,465	$ 256,645	$ 253,420		
Library Reserve	$ 1,243,686	$ 1,217,579	$ 2,575,784		
Parkland/Recreation	$ 185,045	$ 191,522	$ 196,672		

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance - Water	$ 743,431	$ 1,590,874	$ 1,590,874	$ -	100.0%
Beginning Balance - Wastewater	$ 257,168	$ (45,575)	$ (45,665)	$ 90	100.2%
Beginning Balance - Bond Proceeds - Wastewater	$ 286,500	$ -	$ -	$ -	0.0%
Revenues					
Bond Issue Proceeds Series 2010	3,016,200	-	-	-	0.0%
Income from Sale of Assets	-	-	11,529	(11,529)	0.0%
Interest Earned	-	-	26,620	(26,620)	0.0%
State Loan-Water 2010 Issue	-	2,404,017	480,528	1,923,489	20.0%
State Loan-Wastewater 2009 Issue	-	3,797,956	3,976,684	(178,728)	104.7%
State Loan-Wastewater 2011 Issue	-	765,060	-	765,060	100.0%
Transfer from Water Operating Fund for Water	500,000	500,000	500,000	-	100.0%
Department of Energy Grant	-	28,877	28,877	-	100.0%
Transfer from Wastewater Operating Fund for Wastewater	500,000	500,000	500,000	-	0.0%
Transfer from Impact Fee Reserve - Wastewater	242,040	516,781	-	516,781	0.0%
Total Revenues	4,258,240	8,512,691	5,524,238	2,988,453	64.9%
Total Beginning Balance & Revenues	**$ 5,545,339**	**$ 10,057,990**	**$ 7,069,447**	**$ 2,988,543**	70.3%
Expenses					
Water	$ 620,000	$ 3,605,055	$ 953,783	$ 2,651,272	26.5%
Wastewater	1,560,700	5,259,623	3,694,120	1,565,503	70.2%
Total Expenses	2,180,700	8,864,678	4,647,903	4,216,775	52.4%
Budget Bal-Working Capital - WW Bond Proceeds (Unaudited)	2,153,140	-	-	-	0.0%
Budget Balance - Working Capital - Water (Unaudited)	623,431	889,836	1,636,694	(746,858)	183.9%
Budget Balance - Working Capital - WW (Unaudited)	588,068	303,476	784,850	(481,374)	258.6%
Total Budget Balances	3,364,639	1,193,312	2,421,544	(1,228,232)	202.9%
Total Budget Balances & Expenses	**$ 5,545,339**	**$ 10,057,990**	**$ 7,069,447**	**$ 2,988,543**	70.3%
Reserve Balances					
Capital Asset Replacement - Water	$ 319,003	$ 336,064	$ 315,695		

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance	$ 1,688,861	$ 3,429,624	$ 3,429,624	$ -	100.0%
Beginning Balance Bond	$ -	$ 415,585	$ 415,585	$ -	100.0%
Revenues					
Interest Earnings	40,700	40,700	7,802	32,898	19.2%
Transfer from Electric Revenue Fund	3,500,000	3,500,000	3,500,000	-	100.0%
Insurance Claim Proceeds	-	280,000	274,954	5,046	98.2%
Federal/State Grants	-	480,909	306,457	174,452	63.7%
Income from Sale of Assets	-	-	11,494	(11,494)	0.0%
State Reimbursement for Governor's Ave	-	-	260,441	(260,441)	0.0%
Total Revenues	3,540,700	4,301,609	4,361,148	(59,539)	101.4%
Total Beginning Balance & Revenues	**$ 5,229,561**	**$ 8,146,818**	**$ 8,206,357**	**$ (59,539)**	100.7%
Expenses					
Power Plant	$ 1,480,068	$ 2,106,427	$ 1,967,543	$ 138,884	93.4%
Transmission/Distribution	739,000	731,432	692,823	38,609	94.7%
Electrical Engineering	1,390,429	1,747,863	1,370,616	377,247	78.4%
Transfer to Depreciation Reserve	-	1,000,000	1,000,000	-	100.0%
Total Expenses	3,609,497	5,585,722	5,030,982	554,740	90.1%
Budget Balance - Working Capital (Unaudited)	1,620,064	2,561,096	3,175,375	(614,279)	124.0%
Total Budget Balance & Expenses	**$ 5,229,561**	**$ 8,146,818**	**$ 8,206,357**	**$ (59,539)**	100.7%
Reserve Balances					
Depreciation Reserve	$ 9,572,390	$ 10,511,755	$ 10,424,493		
Future Capacity Reserve	$ 9,294,563	$ 9,294,628	$ 9,189,589		

City of Dover
Finance Department
Preliminary Monthly Report – June 2011

Community Transportation Improvement Fund

	Budget	Revised Budget	YTD	Balance	100% of Budget
Beginning Balance	$ 100,913	$ 309,851	$ 309,851	$ -	100.0%
Revenues					
Grants Revenue	1,000,000	1,000,000	505,484	494,516	50.5%
Transfer from General Fund	300,000	300,000	325,000	(25,000)	108.3%
Transfer from CDBG & CDBG-R	-	-	134,960	(134,960)	0.0%
Interest Earned	2,800	2,800	371	2,429	13.3%
Total Revenues	1,302,800	1,302,800	965,815	336,985	74.1%
Total Beginning Balance & Revenues	**$ 1,403,713**	**$ 1,612,651**	**$ 1,275,666**	**$ 336,985**	79.1%
Expenses					
Program Expenses - Grant related	$ 1,000,000	$ 1,000,000	$ 554,002	$ 445,998	55.4%
Program Expenses - City appropriated	300,000	300,000	179,271	120,729	59.8%
Transfer to General Capital Projects Fund	-	-	120,000	(120,000)	0.0%
Total Expenses	1,300,000	1,300,000	853,273	446,727	65.6%
Budget Balance - Working Capital (Unaudited)	103,713	312,651	422,393	(109,742)	135.1%
Total Budget Balances & Expenses	**$ 1,403,713**	**$ 1,612,651**	**$ 1,275,666**	**$ 336,985**	79.1%

CITY OF DOVER
SPECIAL REVENUE FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN UNRESERVED FUND
PRELIMINARY PERIOD ENDED JUNE 30, 2011

	POLICE GRANTS	LIBRARY GRANTS	CDBG/NSP HOUSING GRANTS	GIRLS CIRCLE, GAMES & YOUTH CONNECT. GRANTS	SUBSTANCE ABUSE PREV. GRANT	TOTALS
REVENUES:						
State Grants received	$ 145,452	$ 4,000	$ -	$ -	$ 75,709	$ 225,161
Federal Grants received	378,090	246,996	-	46,616	-	671,702
Federal Grants - NSP	-	-	308,923	-	-	308,923
Federal Grants - CDBG	-	-	401,370	-	-	401,370
Recreation revenue	-	-	-	-	44,292	44,292
Miscellaneous revenue	(5,130)	-	6,314	-	-	1,184
Investment income (loss)	537	-	-	-	-	537
TOTAL REVENUES	$ 518,949	$250,996	$ 716,607	$ 46,616	$ 120,001	$1,653,169
EXPENDITURES:						
Program expenditures	$ 299,430	$239,029	$ -	$ 46,616	$ 133,719	$ 718,794
Program expenditures - NSP	-	-	290,406	-	-	290,406
Program expenditures - CDBG	-	-	271,127	-	-	271,127
TOTAL EXPENDITURES	$ 299,430	$239,029	$ 561,533	$ 46,616	$ 133,719	$1,280,327
Excess (deficiency) of revenues over expenditures	$ 219,519	$ 11,967	$ 155,074	$ -	$ (13,718)	$ 372,842
Other financing sources (uses):	-	-	-	-	-	-
Operating transfers-out	(145,984)	-	(136,557)	-	-	(282,541)
Excess (deficiency) of revenues and other financing sources over expenditures & other uses	$ 73,535	$ 11,967	$ 18,517	$ -	$ (13,718)	$ 90,301
UNRESERVED FUND BALANCE AT BEGINNING OF YEAR	$ 315,736	$ 35,505	$ 61,672	$ -	$ 10,710	$ 423,623
UNRESERVED FUND BALANCE AT END OF PERIOD	$ 389,271	$ 47,472	$ 80,189	$ -	$ (3,008)	$ 513,924

Notes:

Substance Abuse Prev. Grant: Negative Fund Balance is due to timing, the revenues are on a reimbursement basis. There is $22,453 in outstanding receipts from the Capital School District - these have not been accrued for this preliminary report.

Library Grants Library personnel were not able to expend all of the grant in this fiscal year due to staffing issues, a letter was written by the Department Head requesting permission to spend the grant out in the next fiscal year.

City of Dover
Capital Investment Plan
Project Tracking Report
June 30, 2011
***** Preliminary *****

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	$ 113,156	$ -	$ -	$ -	$ 113,156
Project Carry Forward Balances	88,083	-	953,238	850,736	1,892,057
Federal and/or State Grants	4,270,348	1,000,000	28,877	242,523	5,541,748
New Revolving Fund Loans	-	-	863,060	-	863,060
Carry Forward Construction Loan Balances	-	-	6,201,973	254,757	6,456,730
Bond Proceeds	-	-	-	415,585	415,585
Impact Fees	-	-	758,821	-	758,821
Income from Sale of Assets	-	-	-	-	-
Parkland Reserve	36,872	-	-	-	36,872
Library Reserve & Contributions	3,363,732	-	-		3,363,732
Transfer from Operating Funds	924,884	325,000	58,709	2,797,792	4,106,385
Interest Earned	10,900	-	-	40,700	51,600
Total Funding Sources (Unaudited)	$ 8,807,975	$ 1,325,000	$ 8,864,678	$ 4,602,093	$ 23,599,746

City of Dover
General Fund - Major CIP Projects
June, 2011
***** Preliminary *****

	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	$ 24,679,934	$ 3,545,763	$ 21,134,171	14.4%	$ 6,687,039	$ 7,630,663	$ 2,808,697	36.8%	Started	Bid Pack A - Done. Bid Pack B - Construction Started.
3			**Totals - FY09**	$ 18,200,000	$ 24,679,934	$ 3,545,763	$ 21,134,171	14.4%	$ 6,687,039	$ 7,630,663	$ 2,808,697	36.8%		
4														
5			**FY2010**											
6	PR1001		Pitts Center Addition	$ 50,000	$ 40,000	$ 28,629	$ 11,371	71.6%	$ -	$ 36,872	$ 25,501	69.2%	Complete	
7			**Totals - FY10**	$ 50,000	$ 40,000	$ 28,629	$ 11,371	71.6%	$ -	$ 36,872	$ 25,501	69.2%		
8														
9			**FY2011**											
10			Vehicles & Equipment	$ 63,675	$ 735,185	$ 620,179	$ 115,006	84.4%	$ 735,185	$ 640,440	$ 620,179	96.8%	Complete	
11	PD1001		Core Law Enforcement Server Replacement	-	53,500	52,488	1,012	98.1%	-	53,500	52,488	98.1%	Complete	
12	PD1101		Public Assembly Room Upgrade	-	20,000	20,000	-	100.0%	-	20,000	20,000	100.0%	Complete	
13	PR1101		Playground Improv Program	-	15,000	12,952	2,048	86.3%	15,000	15,000	12,952	86.3%	Complete	
14	PR1102		Skate Park	-	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%	Deferred	
15	ST1101		Transfer to CT Fund	300,000	300,000	300,000	-	0.0%	300,000	300,000	300,000	100.0%	Complete	
16	ST1102		Concrete Program	50,000	50,000	50,123	(123)	100.2%	50,000	50,000	50,123	100.2%	Complete	
17	MR1101		Downtown Security Cameras	31,500	31,500	31,500	-	100.0%	31,500	31,500	31,500	100.0%	Complete	
18			**Totals - FY11**	$ 445,175	$ 1,235,185	$ 1,087,242	$ 147,943	88.0%	$ 1,161,685	$ 1,140,440	$ 1,087,242	95.3%		
19														
20			**Grand Totals**	$ 18,695,175	$ 25,955,119	$ 4,661,633	$ 21,293,486	18.0%	$ 7,848,724	$ 8,807,975	$ 3,921,439	44.5%		

Legend

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

City of Dover

Community Transportation & General Fund Street Funds - Major CIP Projects

June, 2011

***** Preliminary *****

	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 2006**											
2	TE0601	M	Lincoln Park Center	$ 400,000	$ 479,148	$ 492,970	$ (13,822)	102.9%	$ 121,891	$ 121,891	$ 135,713	111.3%	Started	Ongoing.
3			**Totals**	$ 400,000	$ 479,148	$ 492,970	$ (13,822)	102.9%	$ 121,891	$ 121,891	$ 135,713	111.3%		
4														
5			**FY 2007**											
6			E. Water Street Brick	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ 65,000	$ 65,000	-	0.0%		Specialty contract needed.
7			**Totals**	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ 65,000	$ 65,000	$ -	0.0%		
8														
9			**FY 2009**											
10			Schutte Parking Lot	$ 21,950	$ 21,950	$ -	$ 21,950	0.0%	$ 21,950	$ 21,950	-	0.0%		Deferred
11		C	Turnberry Drive	40,000	74,719	74,719	-	100.0%	40,000	74,719	74,719	100.0%	Complete	
12			**Totals**	$ 61,950	$ 96,669	$ 74,719	$ 21,950	77.3%	$ 61,950	$ 96,669	$ 74,719	77.3%		
13														
14			**FY 2011**											
15	CT1051	C	Washington Street	$ 104,000	$ 154,540	$ 154,540	$ -	100.0%	$ 104,000	$ 154,540	$ 154,540	100.0%	Complete	
16	CT1108		Mitschner Road (incl. CDBG)	169,066	272,779	246,672	26,107	90.4%	272,779	304,026	246,672	81.1%	Complete	CDBG and CDBG-R covered $134,961 of expense
17	CT1086		Delaware Ave	6,250	6,250	6,250	-	100.0%	6,250	6,250	6,250	100.0%	Complete	
18	CT1118		Oak Road Signage	11,875	11,875	10,546	1,329	88.8%	11,875	11,875	10,546	88.8%	Complete	
19	CT1142		Governor's Ave. Rebuild	1,000	1,000	561	439	56.1%	1,000	1,000	561	56.1%	Complete	
20	CT1161		Towne Point	7,500	7,500	7,400	100	98.7%	7,500	7,500	7,400	98.7%	Complete	
21	CT1162		Library Access Rd.	105,000	105,000	120,000	(15,000)	114.3%	105,000	120,000	120,000	100.0%	Complete	
	CT1188		Voshell's Cove Sign Repair	-	2,859	2,859	-	100.0%	-	2,859	2,859	100.0%	Complete	
22	ST1101		Street & Alley Program	300,000	239,741	94,012	145,729		300,000	239,741	-			
			Hiawatha Lane								35,955		Complete	
			Susan Place								31,246		Complete	
			Delaware Ave Alley								3,834		Complete	
			Reed Street								22,977		Complete	
			Total Street & Alley Prog	300,000	239,741	94,012	145,729	39.2%	300,000	239,741	94,012	39.2%		Balance not used rolls to next Fiscal Year
23			State Agreements not yet applied for or received	458,968	346,468	-	346,468	0.0%	196,508	193,649	-	0.0%		Agreements have not been received.
24			**Totals**	$ 1,163,659	$ 1,148,012	$ 642,840	$ 505,172	56.0%	$ 1,004,912	$ 1,041,440	$ 642,840	64.0%		
25														
26			**Grand Totals**	$ 1,690,609	$ 1,788,829	$ 1,210,529	$ 578,300	67.7%	$ 1,253,753	$ 1,325,000	$ 853,272	68.1%		

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.

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

				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	WD0807		S. Gov. Ave. Water Main Upgrade	$ 200,000	$ 200,000	$ 2,664	$ 197,336	1.3%	$ -	$ 197,336	$ -	0.0%	Complete	Done. Awaiting Invoices from the State
3	WD0804	M	1.0 MG Elevated Water Storage	4,196,600	2,590,000	21,084	2,568,916	0.8%	-	193,377	14,461	7.5%	Started	Selecting Tank Model & Site; FY13 = Constr.
4	WD0805	M	Piney Point Well	398,800	665,000	67,682	597,318	10.2%	-	162,525	15,207	9.4%	Started	DNREC permiting; FY11 = Constr.
5	WW0809	M	S. Governors Ave. Sewer Main	300,000	291,000	13,561	277,439	4.7%	-	279,244	1,805	0.6%	Complete	Done. Awaiting Invoices from the State
6	WW0810	M/SL	US 13 East Sanitary Sewer Interceptor	2,376,800	3,409,641	2,943,812	465,829	86.3%	-	2,313,958	2,075,651	89.7%	Complete	
7			**Totals - FY08**	$ 7,472,200	$ 7,155,641	$ 3,048,803	$ 4,106,838	42.6%	$ -	$ 3,146,440	$ 2,107,124	67.0%		
8														
9			**FY2009**											
10	WQ0905	M/SL	Bayard Avenue	$ 590,910	$ 490,910	$ 286,790	$ 204,120	58.4%	$ -	$ 484,420	$ 280,300	57.9%	Started	Started construction in March.
11	WQ0906	M/SL	East side N. State Street	868,707	178,611	177,178	1,433	99.2%	-	148,715	148,175	99.6%	Complete	Phase one complete.
12	WQ0907	M/SL	Route 13 Water Main	1,058,700	2,226,783	396,732	1,830,051	17.8%	-	2,158,686	272,736	12.6%	Started	Going to bid. Start in May.
13		R	Water Quality Improve FY09	$ 2,518,317	$ 2,896,304	$ 860,701	$ 2,035,603	29.7%	$ -	$ 2,791,821	$ 701,212	170.1%	Started	
14														
15	WW0902	M/SL	DE State University Pumping Station	$ 386,400	$ 386,400	$ 321,267	$ 65,133	83.1%	-	240,324	175,552	73.0%	Complete	
16	WW0905	M/SL	Fox Hall/Retreat Force Main Rerouting	133,100	139,245	238,789	(99,544)	171.5%	-	20,351	20,351	100.0%	Complete	
17	WW0907	M/SL	Acorn Lane P/S Replace.	386,400	386,400	321,908	64,492	83.3%	-	210,528	146,397	69.5%	Complete	
18			**Totals - FY09**	$ 3,424,217	$ 3,808,349	$ 1,742,665	$ 2,065,684	45.8%	$ -	$ 3,263,024	$ 1,043,512	32.0%		
19														
20			**FY2010**											
21	WD1002	R	Remote Control & Monitor Wells	$ 55,000	$ 55,000	$ 55,000	$ (0)	100.0%	$ -	$ 31,896	$ 31,896	100.0%	Complete	
22	WW1001	M/SL	Inflow/Infiltration Removal	1,800,000	-	924,200	(924,200)	0.0%	-	-	922,979	0.0%	Started	Budget in FY 12; Started in May
23	WW1007	M/SL	Fox Hall Pump Station	427,900	392,044	50,213	341,831	12.8%	375,900	409,044	48,357	11.8%	Started	Out to bid.
24	WW1008	M/SL	Heatherfield Force Main Rerouting	220,400	324,916	48,695	276,221	15.0%	229,200	284,916	47,411	16.6%	Started	Out to bid.
25	WW1010	I	Tar Ditch Interceptor Upgrade	518,230	518,230	22,871	495,359	4.4%	-	516,781	21,422	4.1%	Started	Reviewing design.
26	WS1001		Various Pump Motor Replace	45,248	28,877	28,877	-	100.0%	-	28,877	28,877	100.0%	Complete	
27			**Totals - FY10**	$ 3,066,778	$ 1,319,067	$ 1,129,855	$ 189,212	85.7%	$ 605,100	$ 1,271,514	$ 1,100,941	86.6%		
28														
29			**FY2011**											
30	WD1101		Misc. Disb. System Upgrade	$ 60,000	$ 38,100	$ 10,045	$ 28,055	26.4%	$ 60,000	$ 38,100	$ 10,045	26.4%	Complete	
31	WD1102		Wellhead Redevelopment	60,000	60,000	59,336.00	664	98.9%	60,000	60,000	59,336	98.9%	Complete	
32	WQ1101		WQI - Loockerman Street	500,000	110,000	104,626	5,374	95.1%	500,000	110,000	104,626	95.1%	Complete	
33	WQ1102		WQI - Columbia Avenue	-	5,000	4,250.00	750	85.0%	-	5,000	4,250	85.0%	Complete	Construction in FY12.
34	WQ1103		WQI - Ross Street	-	5,000	4,250.00	750	85.0%	-	5,000	4,250	85.0%	Complete	Construction in FY12.
35	WQ1104		WQI - William Street	-	5,000	4,250.00	750	85.0%	-	5,000	4,250	85.0%	Complete	Construction in FY12.
36	WQ1105		WQI - West Street (W. Alley)	-	5,000	4,250.00	750	85.0%	-	5,000	4,250	85.0%	Complete	Construction in FY12.
37	WW1101	M/SL	Inflow/Infiltration Removal	500,000	500,000	32,366.88	467,633	6.5%	500,000	500,000	32,367	6.5%	Started	Will complete after FY10 is done.
38	WW1102	R	Scada Tech. Equip. Upgrade	82,100	82,100	76,264	5,836	92.9%	82,100	82,100	76,264	92.9%	Started	4 of 7 installed.
39	WW1103		Del State/Del Tech Force Main Rerouting	286,500	286,500	-	286,500	0.0%	286,500	286,500	-	0.0%	Done	Shifted completion to interceptor (WW0810).
40	WW1104	SL	Lepore Road P/S Replacement	52,000	52,000	55,536	(3,536)	106.8%	52,000	52,000	55,536	106.8%	Complete	
41	WW1105	R	Misc. Sewer System Improve	35,000	35,000	35,152	(152)	100.4%	35,000	35,000	35,152	100.4%	Complete	
42			**Totals - FY11**	$ 1,575,600	$ 1,183,700	$ 390,326	$ 793,374	33.0%	$ 1,575,600	$ 1,183,700	$ 390,326	33.0%		
43														
44			**Grand Totals**	$ 15,538,795	$ 13,466,757	$ 6,311,649	$ 7,155,108	46.9%	$ 2,180,700	$ 8,864,678	$ 4,641,903	52.4%		

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

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
June, 2011
***** Preliminary *****

				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 2006**											
2	EE0601	M/B	69 KV feeders 3 and 4	$ 11,060,000	$ 8,693,782	$ 8,761,762	$ (67,980)	100.8%	$ -	$ 4,242	$ 4,242	100.0%	Complete	
3	EE0603	M/S	Governor's Avenue Rebuild	1,268,450	2,068,260	552,362	1,515,898	26.7%	-	250,000	31,901	12.8%	Complete	
4			**Totals - FY06**	$ 12,328,450	$ 10,762,042	$ 9,314,123	$ 1,447,919	86.5%	$ -	$ 254,242	$ 36,143	14.2%		
5														
6			**FY 2008**											
7	EG0801		Unit 3 Turb Bearing Fire Protect D	$ 50,000	$ 50,000	$ 44,720	$ 5,280	89.4%	$ -	$ 50,000	$ 44,720	89.4%	Complete	
8			**Totals - FY08**	$ 50,000	$ 50,000	$ 44,720	$ 5,280	89.4%	$ -	$ 50,000	$ 44,720	89.4%		
9														
10			**FY2010**											
11	EG1001	B	Vansant CT Mark IV Control	$ 700,000	$ 610,000	$ 438,687	$ 171,313	71.9%	-	$ 152,050	$ 152,050	100.0%	Complete	
12	EG1002	B	McKee Run Entrance Road	240,000	240,000	156,878	83,122	65.4%	-	154,244	156,399	101.4%	Complete	
13	EG1005		Work Mgmt. System Replace	85,000	85,000	26,577	58,423	31.3%	-	-	9,859	0.0%	Complete	
14	EG1009		Photovoltaic Install @ McKee	-	65,065	65,065	-	100.0%	-	65,065	65,065	100.0%	Complete	
15	EE1005	M/B	Mid City Substation	1,488,461	993,711	975,819	17,892	98.2%	-	1,087	1,087	100.0%	Complete	
16	EE1009	S	LED Lighting Replacement	70,087	86,457	86,456	1	100.0%	-	86,457	86,456	100.0%	Complete	
17	EU1002	B	Crossgates	396,904	543,075	524,391	18,684	96.6%	-	1,441	1,440	100.0%	Complete	
18	EU1003	B	Buchanan Acres	406,000	1,094,646	1,207,967	(113,321)	110.4%	-	129,502	129,502	100.0%	Complete	
19														
20			**Totals - FY10**	$ 3,386,452	$ 3,717,954	$ 3,481,840	$ 236,114	93.6%	$ -	$ 589,846	$ 601,859	102.0%		
21														
22			**FY2011**											
23	---		Vehicles & Equipment	$ 158,200	$ 158,200	$ 113,437	$ 44,763	71.7%	$ 158,200	$ 158,200	$ 113,437	71.7%	Complete	
24	EE1101		Substation PT & CT Replace	256,218	256,218	216,932	39,286	84.7%	256,218	256,218	216,932	84.7%	Complete	
25	EE1102		Replace of 69 kV Breakers	100,000	100,000	98,292	1,708	98.3%	100,000	100,000	98,292	98.3%	Complete	
26	EE1103		Lighting Rehabilitation	100,000	107,645	107,644	1	100.0%	100,000	107,645	107,644	100.0%	complete	
27	EE1104		Walker Road OH Conversion	350,511	-	-	-	0.0%	350,511	-	-	0.0%	Deferred	
28	EE1105		Engineering Misc. Equip. Replace	40,000	40,000	31,467	8,533	78.7%	40,000	40,000	31,467	78.7%	Complete	
29	EE1106		Substation Batteries	24,500	24,500	23,489	1,011	95.9%	24,500	24,500	23,489	95.9%	Complete	
30	EE1107		Wyoming Mill Road Realignment	-	91,000	47,877	43,123	0.0%	-	91,000	47,877	52.6%	Complete	
31	EE1111		UG Transformers	120,536	120,536	109,268	11,268	90.7%	120,536	120,536	109,268	90.7%	Complete	
32	EE1111		UG Conductors	529,464	521,820	494,950	26,870	94.9%	529,464	521,820	494,950	94.9%	Complete	
33	EE1111		Meters	50,000	50,000	52,151	(2,151)	104.3%	50,000	50,000	52,151	104.3%	Complete	
34	EE1112		69kV Sub Switch Replacement	-	180,000	144,593	35,407	80.3%	-	180,000	144,593	80.3%	Complete	
35	EG1101		Unit 3 Cooling Tower Fill	353,338	383,338	371,513	11,825	96.9%	353,338	383,338	371,513	96.9%	Complete	
36	EG1102		Units 1 & 2 Cooling Tower	218,730	173,730	134,138	39,592	77.2%	218,730	173,730	134,138	77.2%	Complete	
37	EG1103		Unit 3 Turbine Inspection	348,000	-	-	-	0.0%	348,000	-	-	0.0%	Deferred	Construction in FY12.
38	EG1104		Unit 3 Aux System Components	113,000	-	-	-	0.0%	113,000	-	-	0.0%	Deferred	Deferred to FY12.
39	EG1105		Plant Misc. Equipment Replmnt	71,000	77,000	66,051	10,949	85.8%	71,000	77,000	66,051	85.8%	Complete	
40	EG1106		Unit 3 Stack Repairs	25,000	-	-	-	0.0%	25,000	-	-	0.0%	Deferred	Deferred to FY12.
41	EG1107		Units 1 & 2 Life Extension	276,000	225,000	212,669	12,331	94.5%	276,000	225,000	212,669	94.5%	Complete	
42	EG1108		Unit 1 Turbine Outage	-	412,000	424,747	(12,747)	103.1%	-	412,000	424,747	103.1%	Complete	Emergency repair
43	EG1109		Unit 3 FD & ID FAN CNRL UP	45,000	-	-	-	0.0%	45,000	-	-	0.0%	Deferred	Next fiscal year.
44	EG1110		Unit 3 DCS Com & Software	30,000	-	-	-	0.0%	30,000	-	-	0.0%	Deferred	Next fiscal year.
45	EG1111		Unit 2 Boiler Inspection & Repair	-	124,000	111,523	12,477	89.9%	-	124,000	111,523	89.9%	Started	Emergency repair.
46	EG1112		Unit 3 Heat Expansion Joint	-	65,000	67,193	(2,193)	103.4%	-	80,000	67,193	84.0%	Started	Started with spring outage.
47	EG1113		Units 1 & 2 Control Modifications	-	150,000	124,300	25,700	82.9%	-	150,000	124,300	82.9%	Started	Started with spring outage.
48	EG1114		Unit 3 Gas Line Modification	-	60,000	23,794	36,207	39.7%	-	60,000	23,794	39.7%	Started	Started with spring outage.
49	EU1101		Distribution Upgrades	400,000	373,018	368,709	4,309	98.8%	400,000	373,018	368,709	98.8%	Complete	
50				$ 3,609,497	$ 3,693,005	$ 3,344,739	$ 348,266	90.6%	$ 3,609,497	$ 3,708,005	$ 3,344,739	90.2%		
51														
52			**Grand Totals**	$ 19,374,399	$ 18,223,001	$ 16,185,422	$ 2,037,579	88.8%	$ 3,609,497	$ 4,602,093	$ 4,027,460	87.5%		

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

ACTION FORM

PROCEEDING: Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Utilities – Electric	**DATE SUBMITTED**: 7-18-11
PREPARED BY: Ron Lunt, Public Utilities Director	
SUBJECT: Bid Evaluation – SCADA Master Hardware Replacement	
REFERENCE: CIP – SCADA Master Hardware Replacement	
RELATED PROJECT: N/A	
APPROVALS: Interim City Manager, Controller/Treasurer	
EXHIBITS: Sole Vendor Information and Quote from Siemens Energy, Inc.	
EXPENDITURE REQUIRED: $71,560	**AMOUNT BUDGETED**: $75,000
FUNDING SOURCE (Dept./Page in CIP & Budget): Public Utilities – Electric Engineering, SCADA Master Hardware Replacement, Account Number 487-8300-563-80-38, Project Number EE1209. Page 120 of the Draft FY 2012 Electric Engineering budget.	
TIME TABLE: Order will be placed following Council approval.	
RECOMMENDED ACTION: Staff recommends purchasing the SCADA Master hardware from the sole vendor, Siemens Energy, Inc., for a total amount of $71,560.	

BACKGROUND AND ANALYSIS

The purpose of the System Control and Data Acquisition (SCADA) system is to monitor and control the Electric substations and the Wastewater lift stations. Staff is recommending the replacement of the Master Station hardware which is located in the Public Utilities Administration building and is the primary interface with the field facilities for the System Operators. The Master Station system is basically a proprietary, computer based, system that communicates with the Remote Terminal Unit field devices located in the substations and lift stations. The SCADA Master allows the operator to monitor and control devices in the City's facilities. It monitors the Wastewater lift stations and provides status of the pumps, generators, and electric service. It also communicates with the substations and provides load information, breaker status and control, and transformer loading and alarms. The System will alarm and notify the operator when the field devices are not performing within their designed parameters.

The existing Master Station has reached its normal expected life of six years and has experienced one major failure over the past year.

SIEMENS

Spectrum Power TG for Windows
NETWORK MANAGEMENT SYSTEM FOR:
City of Dover
SCADA Upgrade

Quote:	**S10-131r3**
Date:	**18-Jul-2011**
Valid for:	**60 days**
Delivery Schedule:	**90 days ARO**
Payment Terms:	**30 days Net**
Delivery FCA:	**Dover, DE**

LIST OF DELIVERABLES

Item	Description	Quantity	Price - USD
	Power TG for Windows SCADA Upgrade Scope, consisting of:		
1	**Power TG Upgrade Services**		**$23,600**
	Project Management	1	
	Hardware-Setup SCADA Server (including OS & Power TG baseline software installation)	1	
	Hardware-Setup TG Consoles (including OS & Power TG baseline software installation)	1	
	Revise System Configuration drawing 1016977000 to include these new changes/HW.	1	
	Database conversion for all lines and all RTUs	1	
	Receiving & Shipping Preparation	1	
	Remote Installation/Configuration Support	1	
2	**Dual Rack Mount Host Servers with 16 Serial Comm lines**		**$18,500**
	ML350R06 SFF CTO 2xNIC, P410i, 8xSFF drive bays, 6xPCIe, 6xUSB, 1xSerial port	2	
	Processor Quad Core Xeon E5640, 2.66 GHz DDR3-1066 HT	2	
	Memory 4GB 2Rx4, PC3-10600, CAS-7	2	
	Disk drive 72GB 15K SAS SFF2.5 HP DP	6	
	Disk Cache unit 256MB FIO P-series	2	
	StorageWorks DAT 320 USB Internal Tape Drive	2	
	Half-Height SATA DVD RW Optical Drive	2	
	Riser card kit 2 x PCI-X slot option	2	
	Modem 56K/V.92 USB External, supports 32 & 64 bit OS	2	
	Keyboard USB, Standard	2	
	Mouse USB 2-Button Optical Scroll	2	
	Power Supply Kit 750W CS HE	4	
	Windows 2008 Server Std Ed, FIO, Npi SW - OEM	2	
	Software SQL 2008 Workgroup Ed, 5-CAL, 2 CPU max, OS mem max, 32-bit, Unlimited DB size, 4GB mem max for Reporting Services (not used by Power TG)	1	
	Software pcAnywhere v12.5 H/R Win/Linux/Mac	2	
	Software Exceed v2008 Single, w/1 yr maint.	2	
	Monitor LCD 20.1" LP2065 TFT, 1600x1200, 75Hz, 800:1, .255mm, DVI/VGA/HD-15	2	
	Advance recovery Recycle Fee - Displays 15-34in CAL	2	
	Digiboard AccelePort C/X, PCI Controller, 16-RJ45 ports module rack mount, bus cable, internal PS.	2	

Spectrum Power TG for Windows
NETWORK MANAGEMENT SYSTEM FOR:
City of Dover
SCADA Upgrade

LIST OF DELIVERABLES

Quote:	**S10-131r3**
Date:	**18-Jul-2011**
Valid for:	**60 days**
Delivery Schedule:	**90 days ARO**
Payment Terms:	**30 days Net**
Delivery FCA:	**Dover, DE**

Item	Description	Quantity	Price - USD
3	**Operator Consoles - Dual LCD**		**$7,070**
	Workstation Z200, i3-530 2.93GHz Dual core, 2GB Mem, NVIDIA NVS 295 256MB mem, 1x160GB SATA 7200 HDD, DVD+-RW, PS/2 Kybd, 3B USB Opticl mse, 2xNIC GbE, 3xExt drive bays, 3xInt drive bays, 6xUSB2.0, 320W PS, Win7 dwngrd XP 32 Pro, Local Kit, 3-3-3 warranty	2	
	Monitor LCD 24" LP2465	4	
	Software Exceed v2008 Single, w/1 yr maint.	2	
	Options		
	Power TG for Windows Upgrade Options, consisting of:		
4	**Wireless Paging System**		**$7,740**
	Wireless Alarm Paging Setup	1	
	Alarm Paging Interface License	1	
5	**WebServer for up to 10 users**		**$10,700**
	Web Console Server License (qty 1)	1	
	Hardware-Setup Web Consoles (including OS & Power TG baseline software installation)	1	
	DL320G6 Chassis, 1xCPU skt, 9xDIMM slots, 4xLFF Drive bays, B110i SATA RAID 0/1 cntrl, 2xNIC Gigabit, 1xPCIe, 1x1/2PCIe LP, 6xUSB, 1xPS.	1	
	Backplane 4HDD G6 kit	1	
	Cable Mini SAS to Mini SAS 33in	1	
	Processor E5520 Xeon Quad core, 2.26 GHz, 8MB L3 cache, 80W, DDR3-1066, HT	1	
	Memory 4GB 2Rx4, PC3-10600, CAS-7	1	
	Smart Array controller P212/ZM onboard	1	
	DVD ROM 9.5mm SATA	1	
	Disk drive 160GB 7.2K SATA 1y Wty	2	
	Ethernet NC110T PCIe Gigabit	1	
	Power Cord IEC 320 EN 60320 C13, NEMA 5-15	1	
	Power Supply 400W Kit	1	
	Windows 2008 Server Std Ed, FIO, Npi SW - OEM	1	
	Apache Web Server Application for WEBOIS servers - Unlimited User	1	
	Software Exceed v2008 Single, w/1 yr maint.	1	
	Monitor LCD 20.1" LP2065 TFT, 1600x1200, 75Hz, 800:1, .255mm, DVI/VGA/HD-15	1	
	Advance recovery Recycle Fee - Displays 15-34in CAL	1	

Spectrum Power TG for Windows
NETWORK MANAGEMENT SYSTEM FOR:
City of Dover
SCADA Upgrade

LIST OF DELIVERABLES

Quote:	**S10-131r3**
Date:	**18-Jul-2011**
Valid for:	**60 days**
Delivery Schedule:	**90 days ARO**
Payment Terms:	**30 days Net**
Delivery FCA:	**Dover, DE**

Item	Description	Quantity	Price - USD
6	**Firewalls for DMZ - 1 towards SCADA, 1 towards 'Corporate Users'**		**$1,750**
	Router Firewall C805 8MB flash, IP/IPX/Firewall/Ipsec/3DES Plus, 1 NIC, 1 Serial for WAN up to 512kbps	2	
7	**Remote Access/Support VPN**		**$2,200**
	Router with Firewall SW, 2xFast NIC, 2 WIC slots, 256 DRAM, rack mount	1	

NOTES

A. **Current Dover SCADA system consists of Dual Host servers, 2 Operator consoles with 2 displays each.**

B. **Customer will reuse existing network cables, hubs/switches, serial communication cables, modem splitters (share modules) and modems.**

C **Current system uses fiber (L-MUX) to each substation, except to lift stations which are microwave. City of Dover will reuse the serial to network (fiber) converters/adapters.**

Terms and Payment Schedule

Payment Schedule

Milestones	**%**
Completion	100%

Terms & Conditions

per attached Siemens Energy, Inc.
Standard Terms & Conditions of Sale

The content of this document and the software described herein, is the confidential proprietary information of Siemens Energy, Inc. and may not be released in any form to any third party without the prior express written consent of Siemens Energy, Inc. All rights reserved.

SIEMENS

August 4, 2011

CITY OF DOVER, DELAWARE
Attention: Purchasing Manager
Purchasing Department
Post Office Box 1107
Dover, Delaware

Dear Purchasing Manager,

This letter responds to your request pertaining to the Spectrum Power TG SCADA product sold by Siemens Energy, Incorporated.

I confirm that Siemens Energy, Incorporated is the OEM and sole source provider of the Spectrum Power TG SCADA product. The Spectrum Power TG product is not sold through distributor channels or retail outlets.

Siemens Energy, Inc. does promote and market selected product lines, including the Spectrum Power TG, through regional manufacturers' representatives. The regional representatives are Siemens authorized local agents for the convenience of our customers and not a competitive source, that is orders placed through our regional representative are forwarded directly through to the factory and fulfilled under the identical terms and price as if the order had been placed with Siemens Energy, Inc. directly.

Should you have questions, or require additional information regarding this matter, please feel free to give me a call at (650) 694-5015, or if more convenient, please email me at harald.ilg@siemens.com

Sincerely,

Harald Ilg, PE, PMP
Project Manager

Siemens Energy, Inc.

1350 Shorebird Way
Mountain View, CA 94043-1338

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Utilities – Electric Eng.	**DATE SUBMITTED**: 8-03-2011
PREPARED BY: Ronald H. Lunt, Public Utilities Director	
SUBJECT: Evaluation of Proposals – Substation PT & CT Replacement	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Interim City Manager, Controller/Treasurer	
EXHIBITS: Evaluation Summary	
EXPENDITURE REQUIRED: **$183,906.97**	**AMOUNT BUDGETED**: $267,715
FUNDING SOURCE (Substation PT & CT Replacement): Page 112 in the Draft Budget, Public Utilities – Electric Engineering, Account 487-8300-563-70-27, Project # EE1201. This bid is for the major equipment, there will be additional fees for engineering and cables.	
TIMETABLE: Contract to be awarded upon Council approval.	
RECOMMENDED ACTION: Staff recommends awarding the proposals to HD Supply for the total amount of $183,906.97 as outlined in the table below.	

BACKGROUND AND ANALYSIS

This project will be replacing aging metering/system protection equipment in the older substations. The equipment to be replaced includes the Potential Transformers (PT's) which measures the line voltage and reduces it to a voltage level the relays can interpret and the Current Transformers (CT's) which reduces the current to a level that can safely be measured by the relays and meters; all of which provide electric system protection. Additionally, the lightning arrestors will be replaced which protects the equipment during lightning strikes. All of the existing components have exceeded their useful life and are subject to failure, which could be catastrophic.

Two years ago a Request for proposals (RFP 10-0027DPU) was sent out and advertised according to the Purchasing policy by the City's Purchasing Agent which included a requirement that the prices be firm for three years. We received proposals from three vendors; one vendor included five different options and manufactures to choose from. Since this was a Request for Proposal staff evaluated the seven submissions based on the price, reputation of the product, compliance with specifications and delivery. A point system analysis was performed by three staff members from the Engineering Division to adequately and impartially evaluate the proposals; with the goal of providing the best product and to serve the interest of the City of Dover. We have attached a summary of the evaluations for each item.

It should be noted that not all recommended purchases are to the low bidder as the bid award is based on the evaluations. The following is a summary of the staffs recommended purchases:

	Vendor	Unit $	Quantity	Total $	Eval. Score
69 KV PT	HD Supply/Ritz	$4,836.84	21	$101,573.64	117
69 KV CT 100/200:5	HD Supply/Ritz	$4,473.68	9	$40,263.12	117
69 KV CT 150/300:5	HD Supply/Ritz	$4,473.68	3	$13,421.04	117
15 KV PT Double Bushing	HD Supply/GE	$656.75	8	$5,254.00	112
15 KV CT 1200:5	HD Supply/GE	$782.65	3	$2,347.95	112
54 KV Lightning Arrestor	HD Supply/Siemens	$573.68	27	$15,489.36	103
9 KV lightning Arrestor	HD Supply/Siemens	$168.42	33	$5,557.86	110
Total Bid Award Value				$183,906.97	

Recommended Proposal	WESCO				TRENCH				HD / GE				HD / RITZ				HD / COOPER				HD / ITEC				HD / SIEMENS			
	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score	Unit $	Quantity	Total $	Eval. Score
69 KV PT	$5,027.00	21	105,567.00	97	$5,490.00	21	$115,290.00	81	$8,369.00	21	$175,749.00	85	$4,836.84	21	$101,573.64	117					$4,186.58	21	$87,918.18	90				
69 KV CT	$6,030.00	3	18,090.00	101	$5,750.00	3	$17,250.00	83	$6,549.00	3	$19,647.00	103	$4,473.68	3	$13,421.04	117					$4,691.58	3	$14,074.74	90				
69 KV PT 100/200:5	$6,030.00	9	54,270.00	101	$6,100.00	9	$54,900.00	83	$7,114.00	9	$64,026.00	85	$4,473.68	9	$40,263.12	117					$4,825.00	9	$43,425.00	90				
15 KV PT	$960.00	8	7,680.00	100					$656.75	8	$5,254.00	112	$852.63	7	$5,968.41	111												
15 KV CT	$915.00	3	2,745.00	102					$782.65	3	$2,347.95	112	$0.00	3	$0.00	111												
54 KV Lightning Arrestor	$486.00	27	$13,122.00	58					$531.00	27	$14,337.00	66					$542.98	27	$14,660.46	67					$573.68	27	$15,489.36	103
9 KV lightning Arrestor	$176.00	33	5,808.00	110					$261.00	33	$8,613.00	106					$194.18	33	$6,407.94	102					$168.42	33	$5,557.86	110

Total of all yellow highlighted cells: $183,906.97

PETITION TO AMEND AND ZONING DISTRICT
First Reading before the Dover City Council
August 22, 2011

Applicant/Owner:	EJB, Inc.
Address:	327 Martin Street, Dover
Location:	East side of Martin Street and southeast of the intersection Court Street and South DuPont Highway (Route 13)
Tax Parcel ID #:	ED05-077.10-01-48.00-000
Size:	0.277 acres ± (11,744 S.F. +/-)
Present Use:	Substance abuse treatment center destroyed by fire
Proposed Use:	Substance abuse treatment center
Comprehensive Plan Designation:	Commercial
Present Zoning:	C-4 (Highway Commercial Zone)
Proposed Zoning:	IO (Institutional/Office Zone)
Reason for Request:	To more closely align the zoning of the property with the current/proposed use on the site.
File Number:	Z-11-06

City of Dover

Department of Planning & Inspections

Application No.: Z-11-06



Plan Title: Lands of EJB, Inc.
Location: 327 Martin Street
Plan Type: Rezoning
Tax Parcel: ED05-077.10-01-48.00-000
Current Zoning: C-4
Proposed Zoning: IO
Owner: EJB, Inc.
Date: August 11, 2011

Legend

- Dover Parcels
- Zoning
- Road Centerlines

0 50 100 200 Feet

FIRST READING

CITY OF DOVER
PROPOSED ORDINANCE #2011-23

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 327 MARTIN STREET

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from C-4 (Highway Commercial Zone) to IO (Institutional and Office Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from C-4 (Highway Commercial Zone) to IO (Institutional and Office Zone) on that property located at 327 Martin Street (southeast of the intersection of Court Street and South DuPont Highway (Route 13)), consisting of $0.277^{+/-}$ acres ($11{,}744^{+/-}$ S.F.), owned by EJB, Inc. The lessee is Serenity Place, Inc.
   (Tax Parcel: ED-05-077.10-01-48.00-000; Planning Reference: Z-11-06; Council District: 2)

ADOPTED: *

S:\REZONINGS\2011\327 Martin Street - Serenity Place\Ordinance 2011-23 - Rezoning-327 Martin Street-1st Rdg.wpd

Actions History
August 22, 2011 - Scheduled for First Reading by Council

Draft

CITY OF DOVER PROPOSED ORDINANCE #2011-20

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

That Chapter 110 - Utilities, Article III - Water Service, Division 1 - Generally, Section 110-67 - Private Wells, be amended by deleting text indicated in red strikeout (subsection (b) Shallow wells in its entirety) and inserting text indicated in bold, blue, italics as follows:

Sec. 110-67. Private wells.

(a) When authorized. It shall be unlawful and a nuisance for any person to dig, drill or otherwise excavate any well more than 150 feet below the surface of the ground within the city, or one mile thereof, without the permission of the city council given by resolution. No permission shall be given for a well on any property where a potable water supply is available.

~~(b) *Shallow wells*. Shallow wells may be drilled into and water withdrawn from the unconfined aquifers within the limits of the city, subject to the following:~~

~~(1) All wells shall require a permit from the state department of natural resources and environmental control or other regulatory agency and the approval of the city setting forth construction details, design yield, and withdrawal rates.~~

~~(2) All wells must have the approval of the state board of health or other similar regulatory agency for their intended use.~~

~~(3) A detailed plan showing the well location, well construction, piping plan and connection details shall be submitted with the application.~~

~~(4) All wells shall be metered by an approved device and daily pumping records maintained.~~

~~(5) All water derived from shallow wells shall be used only for boiler makeup, cooling water use, and underground irrigation systems.~~

~~(6) Any revisions, changes or deviations from the original permit must be in the same manner as the original permit.~~

~~(7) There shall be no interconnection with any public water supply, nor shall the shallow well be used as a potable water supply for human consumption.~~

~~(8) Private irrigation systems shall be completely underground, with no connections or outlets that could be used for human consumption. Irrigation shall be by sprinkler heads.~~

(b) *Geothermal wells*. Wells may be drilled for the purpose of the installation of a geothermal heating and cooling system within the limits of the city, subject to the following:

(1) These wells shall not be authorized for withdrawal or injection. They will function as borings, filled with a bentonite grout, with a piping system that acts as a heat exchanger to dissipate/absorb heat from the system to the ground.

(2) There shall be no interconnection with any public water supply, nor shall the geothermal well be used as a potable water supply for human consumption.

(3) No well shall be located within any city right-of-way or utility easement without written authorization from the city manager.

ADOPTED: *

SYNOPSIS

The proposed ordinance would eliminate the allowance of new private shallow wells within the City of Dover, and adds language to clarify that geothermal wells are permitted provided they meet certain criteria.

Actions History

August 22, 2011 - Scheduled for First Reading by Council

August 8, 2011 - Considered by the Utility Committee

Draft

FIRST READING

CITY OF DOVER
DRAFT ORDINANCE #2011-21

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 1 – One Family Residence Zones, Subsection 1.15 – Accessory Uses, be amended by deleting text shown in red bold strike-through and inserting text shown in blue bold italics, as follows:

1.15 Accessory uses, limited to the following:

(a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:
   i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and
   ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.
   iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.
   iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.

(b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain~~**, provided that pools of 30 inches deep shall be subject to the following requirements:**~~
   ~~**i. The edge of the pool shall be kept a distance of not less than ten feet from all property lines.**~~
   ~~**ii. If located within 50 feet of any property line, such pool shall be screened from the view of abutting properties. Such screen shall be at least five feet high.**~~
   ~~**iii. Such pool shall be completely surrounded by a fence or wall not less than 3½ feet in height and so constructed as not to have openings larger than four inches in at least one dimension. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.**~~
   iv. ~~**Swimming pools shall be permitted to be established in the side and rear yard, but shall be prohibited from placement within the required front yard**~~.

(c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.

(d) Keeping domestic animals (except pigs) for individual domestic purposes or as pets, provided not more than three dogs over six months old and not more than 25 fowl shall

DRAFT

be permitted, and no animals (except dogs) or fowl shall be penned or housed within 20 feet of any lot line.

(e) (Reserved.)

(f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6—Off-Street Parking, Section 3—Required off-street parking spaces, Paragraph 3.1—Schedule of requirements.

(g) Customary home occupations, provided that:

i. No display of products, goods and/or signs shall be visible from the street~~, except as set forth in item [subsection] (e) of this subsection [1.15]~~.

ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.

iii. Nonresident assistants or co-workers shall be prohibited.

iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.

v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 5 – Supplementary Regulations, Section 1 – Supplementary Regulations Applying to Residence Zones be amended by adding a new subsection 1.11 Swimming Pools, as follows:

1.11 Swimming Pools

1.111 Definition – For the purposes of this section, swimming pools shall be defined as any pool, tank, depression, or excavation in or above ground, or other structure which shall cause retaining of water over a greater depth than twenty-four (24) inches.

1.112 Safety - All swimming pools as defined in this section must conform to the requirements of Dover Code, Chapter 22 – Buildings and Building Regulations.

1.113 Placement - Swimming pools shall be permitted to be established in the side and rear yard, but shall be prohibited from placement between the principal structure and the street.

1.114 Setback – The edge of the swimming pool, specifically referring to the edge of the water containment portion of the pool shall be no less than fifteen (15) feet away from all property lines. All associated structures, buildings, and pavement related to the swimming pool shall be no less than five (5) feet away from all property lines.

SYNOPSIS

The proposed ordinance would move the regulations for swimming pools into the supplementary regulations for residence zones and

DRAFT

more closely align the requirements with the requirements of the building code.

ADOPTED: *

Actions History:
August 22, 2011 – Proposed First Reading
August 8, 2011 - Considered by Legislative, Finance and Administration Committee

DRAFT