REGULAR COUNCIL MEETING

The Regular Council Meeting was held on May 23, 2011 at 7:30 p.m. with Council President Leary presiding. Council members present were Mr. Anderson, Mrs. Russell, Dr. McGlumphy, Mr. Lynn, Mr. Bonar, Mrs. Williams, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Hosfelt, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, Mr. DePrima, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Carey was also present.

OPEN FORUM

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

Dr. McGlumphy requested the addition of an executive session to discuss personnel matters.

Mr. Hutchison moved for approval of the agenda, as amended. The motion was seconded by Mr. Bonar and unanimously carried.

Mr. Bonar moved for approval of the Consent Agenda, seconded by Mrs. Williams and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - ANNUAL COUNCIL MEETING OF MAY 9, 2011

The Minutes of the Annual Council Meeting of May 9, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mrs. Williams and bore the written approval of Mayor Carey.

PRESENTATION - DELAWARE LIBRARY ASSOCIATION'S DISTINGUISHED SERVICE CITATIONS - ZACHERY CARTER

Mrs. Margery Cyr, Dover Public Library Director and immediate past president of the Delaware Library Association, advised members that, during the Annual Library Association Conference and Meeting, the Delaware Library Association gives awards to recognize those whose work in and for libraries is deserving of special recognition. While there are several categories of awards, the highest level of recognition is given to those community members who do not work in libraries but whose work is in the trenches as civilians working to promote understanding and awareness of the importance of libraries to all citizens, young and old.

The following Distinguished Service Citation was read into the record by Mrs. Cyr:

Whereas, Zachery Carter is a strong advocate for Delaware libraries, ensuring the support of strong, professional, quality library services in the City of Dover;

Whereas, Zachery Carter has served as the City of Dover's Director of Parks, Recreation and Library since 1988 and has served on the Council of Libraries since 2008;

Whereas, Zachery Carter is a Charter member of the Board of Directors of the Dover Library Foundation;

Whereas, Zachery Carter began the process to build a new public library facility for the City of Dover in 1999 and spear-headed a building referendum in 2000 which served as groundwork for future success;

Whereas, Zachery Carter renewed the process to build a new public library facility to serve as the Anchor Library for Kent County in 2005 by developing a joint city-county Site Selection Committee;

Whereas, Zachery Carter has led the planning process of the new Dover Public Library with energy, zeal, integrity, and vision which has resulted in the successful groundbreaking of the new Dover Public Library which will serve as the anchor library facility for central Delaware.

Therefore, be it resolved, that the Delaware Library Association hereby awards to Zachery Carter the Distinguished Service Citation.

Mr. Carter stated that it was a great honor to be recognized by the State library professionals. He noted that the building will be a benefit to the residents of the Dover area and he looks forward to the day that the library opens.

PRESENTATION - DELAWARE LIBRARY ASSOCIATION'S DISTINGUISHED SERVICE CITATIONS - ANTHONY J. DEPRIMA

The following Distinguished Service Citation was read into the record by Mrs. Margery Cyr, Dover Library Director:

Whereas, Anthony DePrima has worked for the City of Dover since 1991 as the Inspections and Planning Director;

Whereas, Anthony DePrima has worked for the City of Dover as City Manager since 2001;

Whereas, Anthony DePrima is a charter member of the Board of Directors of the Dover Library Foundation;

Whereas, under Anthony DePrima's leadership, the City of Dover established a City goal to expand the role of the existing Dover Public Library in 2005 and in 2006 changed the goal to "establish a regional library in Dover;"

Whereas, under Anthony DePrima's leadership this goal has been renewed annually as the #1 goal of the City of Dover;

Whereas, under Anthony DePrima's leadership the City of Dover has successfully broken ground on a new 46,000 square foot public library facility to serve as the Anchor Library for Kent County and the people of Dover and central Delaware.

Therefore, be it resolved, that the Delaware Library Association hereby awards to Anthony DePrima the Distinguished Service Citation.

Mr. DePrima stated that the award really goes to all of the many employees who have been a part of the project and to City Council who established and validated the library project goal. He noted that the real pleasure was working with the dozens and dozens of citizen volunteers that made the project happen.

PRESENTATIONS - DELAWARE LIBRARY ASSOCIATION'S DISTINGUISHED SERVICE CITATIONS - EUGENE B. RUANE

The following Distinguished Service Citation for Eugene B. Ruane was read into the record by Mrs. Margery Cyr, Dover Library Director:

Whereas, Eugene Ruane has been an active advocate on behalf of library services for central Delaware and the Dover Public Library since 2001;

Whereas, Eugene Ruane has provided leadership as the Dover City Council liaison to the Dover Library Advisory Commission;

Whereas, Eugene Ruane has served as a member of the New Dover Public Library Steering Committee and a charter member of Board of Directors of the Dover Library Foundation;

Whereas, Eugene Ruane's outspoken support of building a new state-of-the-art public library facility for the people of central Delaware;

Whereas, Eugene Ruane's articulate and passionate demand for the provision of adequate library services for the people of Dover;

has resulted in the successful groundbreaking of a new 46,000 square foot library building to serve as the Anchor Library facility for Kent County and the people of Dover.

Therefore, be it resolved, that the Delaware Library Association hereby awards to Eugene Ruane the Distinguished Service Citation.

Mr. Ruane made the following statement:

> In keeping with the theme of this year's DLA Conference: "Library Heaven"---I am honored to be included among the "saints" who are receiving this award tonight.
>
> Of course, we all know that this award is meant more as a recognition of what "many" others have done, rather than just "the three of us".

The foundation of the new Dover library, which is happily now under construction next door, would not be a reality if it were not for the work and leadership of a much larger "litany of the saints", including:

the Mayor and members of the Dover City Council; the Governor and State Legislature; the State Division of Libraries; present and past Dover Library Directors; Dover's Finance Director; the Dover Library Commission; the Library Steering Committee and Foundation; the Friends of the Dover Library; the original Dover Recreational Facilities Committee that was established by the Mayor and Council in 1996; and, many other Dover residents, citizen volunteers and financial donors who are still actively promoting its completion.

While there are many images which come to mind when we hear the word "heaven", I can think of no better one than "heaven" being a place like a public library-a joyful place-- where persons of all ages, ethnic background, religion, economic condition, education; and, intellectual interest can come together as one community; and, by using the materials and services of the library, grow in understanding of themselves and one another and the wonderful world we are called to co-create.

Some suggest that "heaven" is not a place off somewhere in the future but that we are all called to make the place where we find ourselves a "heavenly" place---and, certainly building and servicing the public spaces we call "libraries" is part of that mission, part of our "ministry", if you will.

Thank you for reminding me tonight of that calling which we all share; and, for listing me among those many citizen volunteers, public servants and professional librarians who are making libraries places where we all can get an early "taste of heaven"---a sense of place and belonging---of service and of community.

Ms. Anne Norman, Director, Delaware Division of Libraries, thanked the recipients for their steadfast leadership and persistence in making sure the library project came to fruition. She has been so struck by the leadership in Dover for having professional library services that truly support the residents in lifelong learning, economic development, and education. She commended them for their acknowledgment of the importance of libraries to residents.

PUBLIC HEARING - PROPOSED RESOLUTION NO. 2011-10 - APPROVING ISSUANCE OF CERTAIN BONDS OR NOTES BY THE ROBBINS HOSE COMPANY NO. 1 OF DOVER, DELAWARE

Members were provided Proposed Resolution No. 2011-10, approving the issuance of certain bonds or notes by the Robbins Hose Company No. 1 of Dover, Delaware. Mrs. Mitchell, Controller/Treasurer, advised members that the City was recently advised by the Robbins Hose Company No. 1 that they propose to issue up to $920,000 of bonds or notes of the Company for the purpose of financing a portion of the costs of a new Pierce Quantum 100 foot ladder truck for the Company.

Mrs. Mitchell explained that in accordance with Sections 103 and 147 of the Internal Revenue Code of 1986, interest on the Bonds will not qualify for exclusion from gross income of the owners for federal income tax purposes unless the issuance of the Bonds is approved by the applicable elected representative of a governmental unit with which the Company has entered into an agreement, and only after a public hearing to consider the issuance of the Bonds has been conducted, following reasonable public notice.

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

Dr. McGlumphy moved for adoption of the Resolution approving the issuance of certain bonds or notes by the Robbins Hose Company No. 1 of Dover, seconded by Mrs. Williams and by a unanimous roll call vote, Council adopted Council Resolution No. 2011-10, as follows:

A RESOLUTION APPROVING ISSUANCE OF CERTAIN BONDS OR NOTES BY THE ROBBINS HOSE COMPANY NO. 1 OF DOVER, DELAWARE

WHEREAS, the Robbins Hose Company No. 1 of Dover, Delaware (the "Company") is a fire company organized and existing under the laws of the State of Delaware; and

WHEREAS, the Company has provided and continues to provide firefighting services to an area within the City of Dover, Delaware (the "City"); and

WHEREAS, the Company has advised the City that the Company proposes to issue up to $920,000 of bonds or notes of the Company (the "Bonds") for the purpose of financing a portion of the costs of a new Pierce Quantum 100 ft. Ladder Truck, and related equipment thereon for the Company (the "Project"); and

WHEREAS, it is the intent of the Company that the interest on the Bonds qualify for exclusion from gross income of the owners thereof for federal income tax purposes pursuant to Sections 103 and 150 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Sections 103 and 147 of the Code, interest on the Bonds will not qualify for exclusion from gross income of the owners thereof for federal income tax purposes unless the issuance of the Bonds is approved by the applicable elected representative of a governmental unit with which the Company has entered into an agreement, after a public hearing to consider the issuance of the Bonds has been conducted, following reasonable public notice; and

WHEREAS, the City and the Company previously entered into an Agreement (the "Agreement") pursuant to which the Company agreed, among other things, to provide exclusive firefighting services to the City; and

WHEREAS, notice of the requisite public hearing was published in the Delaware State News, a newspaper of general circulation in the City; and

WHEREAS, on May 23, 2011 the City Council of the City of Dover conducted a public hearing on behalf of the Company for the purpose of considering the issuance of the Bonds;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the City of Dover, Delaware, for the sole purpose of qualifying the interest payable on the Bonds of the Company for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to Section 103 of the Code, does hereby approve the issuance of bonds or notes by the Company in a maximum aggregate principal amount of up to $920,000 for the purpose of financing a portion of the costs of the Project, provided, that such bonds or notes shall be an obligation of the Company and shall never be a debt of the City and the City shall not be liable for any payment on such bonds or notes.

ADOPTED: MAY 23, 2011

SETTING OF ELECTRIC FUND BUDGET PUBLIC HEARING (RECOMMENDED THAT A PUBLIC HEARING BE SET FOR JUNE 13, 2011 AT 7:30 P.M.)

A public hearing on the Electric Revenue Fund Budget is required for compliance with the 1985 Electric Revenue (Refunding) Bonds Resolution - Annual Budget Section (as amended by 1990 Bond Resolution) prior to adoption of the budget. Staff recommended that the public hearing be set for June 13, 2011 at 7:30 p.m.

Mr. Hare moved to set a public hearing for June 13, 2011 at 7:30 p.m. for the 2011/2012 City of Dover Electric Fund Budget, seconded by Mr. Bonar and unanimously carried.

APPOINTMENT - RECOMMENDED BY COUNCIL PRESIDENT LEARY - CHAPLAIN WALLACE DIXON - CITY CHAPLAIN (ANNUAL APPOINTMENT EXPIRES JUNE 2012)

By consent agenda, Mr. Bonar moved for approval of the reappointment of Chaplain Wallace Dixon to serve as the City Chaplain for a term to expire June 2012, as recommended by Council President Leary. The motion was seconded by Mrs. Williams and carried by a unanimous roll call vote.

COUNCIL PRESIDENT APPOINTMENTS - 2011/2012 COMMITTEES (ANNUAL APPOINTMENTS DEFERRED DURING THE MEETING OF MAY 9, 2011)

By consent agenda, Mr. Bonar moved for approval of the Committee Appointments for 2011/2012, as recommended by Council President Leary. The motion was seconded by Mrs. Williams and by a unanimous roll call vote, the following appointments were made:

Legislative, Finance, and Administration Committee
William P. McGlumphy, Chair
David L. Anderson
William F. Hare
Daniel Shevock (Civilian Member)
Bobby Jones (Civilian Member Appointed by Committee Chair)

Parks, Recreation, and Community Enhancement Committee
Sophia R. Russell, Chair
David L. Anderson
William F. Hare
Ann Baker Horsey (Civilian Member)
David A. Lewis, Jr. (Civilian Member Appointed by Committee Chair)

Safety Advisory and Transportation Committee
James L. Hutchison, Sr., Chair
Sean M. Lynn
Sophia R. Russell
John J. Davis (Civilian Member)
Wayne Hutchison (Civilian Member Appointed by Committee Chair)

Utility Committee
David L. Bonar, Chair
Sean M. Lynn
Beverly C. Williams
Richard Snaman (Civilian Member)
Lester L. Blakeman, Sr. (Civilian Member Appointed by Committee Chair)

Compensation Commission
Kenneth L. Hogan

Construction Code Board of Appeals
David L. Anderson, Chair
Sean M. Lynn

Other Post-Employment Benefits (OPEB) Trust Fund Board
William F. Hare
Beverly C. Williams

Retirement Committee - General Employee Pension Plan
David L. Bonar
William P. McGlumphy

Retirement Committee - Police Pension Plan
David L. Bonar
William P. McGlumphy

COUNCIL PRESIDENT APPOINTMENTS - 2011/2012 MISCELLANEOUS (ANNUAL APPOINTMENTS DEFERRED DURING THE MEETING OF MAY 9, 2011)

By consent agenda, Mr. Bonar moved for approval of the Miscellaneous Committee Appointments for 2011/2012, as recommended by Council President Leary. The motion was seconded by Mrs. Williams and, by a unanimous roll call vote, the following appointments were made:

Kent County Tourism
Sophia R. Russell

Kent Economic Partnership
James L. Hutchison, Sr.

Liaison to Chamber of Commerce and Greater Dover Committee
Carleton E. Carey, Sr., Mayor
James L. Hutchison, Sr.

Liaison to Kent County (City/County Committee)
David L. Bonar
Carleton E. Carey, Sr., Mayor
Anthony J. DePrima, City Manager
William F. Hare
Thomas J. Leary, Council President
Beverly C. Williams

APPOINTMENTS RECOMMENDED BY MAYOR CARLETON E. CAREY, SR.

Mr. Bonar moved for approval of the appointments for 2011/2012, as recommended by Mayor Carey. The motion was seconded by Mrs. Williams and, by consent agenda, the following appointments were made:

Dover Housing Authority - Enrico LePore (To Fill Expired Term of Courtesty M. Little, Jr. - Term to Expire August 15, 2012)

Dover Public Library Advisory Commission - Edward J. Hynes (To Fill Unexpired Term of David Lewis - Term to Expire June 16, 2012)

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. Anderson stated that he has heard a concern from the business community regarding the lack of parking downtown due to the library project. Mr. DePrima stated that he has been able to resolve these issues when they were brought to his attention and requested Mr. Anderson to have those concerned contact him directly.

Mrs. Williams moved to adjourn into executive session to discuss personnel matters, seconded by Mr. Bonar and unanimously carried.

Meeting Adjourned at 7:48 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of May 23, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

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