ANNUAL COUNCIL MEETING

The Annual Council Meeting was held on May 9, 2011 at 7:30 p.m. with Mayor Carey presiding. Council members present were Council President Hogan, Mr. Bonar, Mr. Leary, Mr. McGiffin, Dr. McGlumphy, Mr. Ruane, Mrs. Russell, Mr. Salters, and Mrs. Williams.

Council staff members present were Police Chief Hosfelt, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, Fire Chief Fortney, Mr. DePrima, City Solicitor Rodriguez, and Mrs. McDowell.

The invocation was given by Pastor Steve LaMotte of Hope United Methodist Church, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

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

The Minutes of the Regular Council Meeting of April 25, 2011 were unanimously approved by motion of Mr. Leary, seconded by Mr. McGiffin and bore the written approval of Mayor Carey.

PROPOSED RESOLUTION NO. 2011-05 - KENNETH L. HOGAN

The City Clerk read the following Resolution into the record:

WHEREAS, Kenneth L. Hogan was sworn into office as Councilman of the First District on May 10, 2004 and served with distinction until May 9, 2011; and

WHEREAS, during his seven years of service to the citizens of Dover, Kenneth L. Hogan served as Council President and Vice Mayor; as Chair of the Safety Advisory and Transportation Committee, the Civilian Pension Board, the Assessment Appeals Committee, the Special Recreational Vehicle Sub-Committee of the Safety Advisory and Transportation Committee, and the Ad-Hoc Haggerty and Haggerty Review Committee; as a Member of the Legislative, Finance, and Administration Committee, the Parks, Recreation, and Community Enhancement Committee, the Utility Committee, the Police Pension Board, the Other Post-Employment Benefits Trust Fund Board, the Dover 2030 Energy Committee, and Kent County Tourism; and as a Liaison to Kent County, the Central Delaware Chamber of Commerce, and the Greater Dover Committee; and

WHEREAS, throughout his tenure, Kenneth L. Hogan demonstrated the ability to consider diverse points of view and to develop innovative and pragmatic solutions to the complex problems encountered by the municipality; exhibited a keen eye for detail and an analytical mind that served the City well in considering matters brought before Council; and

WHEREAS, Kenneth L. Hogan displayed a quality of leadership that streamlined the conduct of City business, fostered the respect of his colleagues, and greatly contributed to the ability of Council to reach consensus and accomplish its goals.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council recognize that Kenneth L. Hogan will be sorely missed and express their sincere appreciation to him and his family for the dedicated years of service and personal sacrifices made on behalf of the City of Dover.

BE IT FURTHER RESOLVED that the Mayor and Council wish Council President Hogan and his family success in all future endeavors and direct the City Clerk to make this resolution a part of the permanent records of the City of Dover as a lasting symbol of appreciation and gratitude to Kenneth L. Hogan.

ADOPTED: MAY 9, 2011

Mr. Bonar moved for adoption of Resolution No. 2011-05, seconded by Mr. Leary and unanimously carried.

Mayor Carey and members of Council presented Council President Hogan with the Resolution, a gavel, a Dover Cup, a Friends of the Dover Public Library cookbook, and a key to the City.

Council President Hogan stated that it was a pleasure to serve as a member of City Council over the past seven (7) years and noted that his tenure encompassed both great and challenging times. He noted he had the pleasure of working with 13 other members of Council, including Mr. Salters, Mr. Leary, Mr. Ruane, Mr. McGiffin, and Mr. Slavin and expressed his pride in the City staff. Mr. Hogan commended Mr. Anthony DePrima, City Manager, for his knowledge and job performance; Mrs. Traci McDowell, City Clerk, for the professionalism and quality of work performed by the Clerk's Office (noting that this office is the "most fun" and the "place to go"); Mrs. Ann Marie Townshend, Director of Planning and Community Development; Mrs. Donna Mitchell, Treasurer/Controller; Ms. Cheryl Russell, Tax Assessor; and Chief of Police James Hosfelt. He also expressed appreciation for one of his favorite people, Chaplain Wallace Dixon. Mr. Hogan noted that a great deal of hard work was performed over the past seven (7) years and expressed pride in projects undertaken, such as construction of the John W. Pitts Recreation Center and the new Dover Public Library currently in progress. He recalled time spent preparing City budgets, noting that, once, members met for over 21 hours to review the budget. He commended the City on being ranked as the second best place to live in Delaware, as noted in a recent issue of *Delaware Today* magazine.

Mr. Hogan noted that on the evening Council voted to approve construction of the new Dover Public Library, he committed to making a contribution to the Teen Loft and stated that he would present a personal donation, in the amount of $1,000, this evening, along with other donations he was provided. He advised members that he would now actually be retiring and enjoying his retirement. He wished City Council members good luck and requested that they continue to make this City great.

PROPOSED RESOLUTION NO. 2011-06 - JAMES G. MCGIFFIN, JR.

The City Clerk read the following Resolution into the record:

WHEREAS, James G. McGiffin, Jr. was sworn into office as Councilman of the Third District on August 14, 2006 and served with distinction until May 9, 2011; and

WHEREAS, during his four and one-half years of service to the citizens of Dover, James G. McGiffin, Jr. served as Chair of the Construction Code Board of Appeals and the Tax Exemption Review Ad-Hoc Committee; as a Member of the Legislative, Finance, and Administration Committee, the Safety Advisory and Transportation Committee, the Utility Committee, the Civilian and Police Pension Boards, the Assessment Appeals Committee, the Other Post-Employment Benefits Trust Fund Board, and the Education Liaison Committee; and as a Liaison to Kent County; and

WHEREAS, throughout his tenure, James G. McGiffin, Jr. cultivated a climate of cooperation and civility in the conduct of City business; inspired and encouraged all those who sought the betterment of the City by recognizing and affirming their efforts; and displayed his ability to bring about compromise among diverse individuals through his insight and empathy, as well as through the strategic use of his unique sense of humor; and

WHEREAS, James G. McGiffin, Jr. was instrumental in instituting traffic solutions in the City which enhanced pedestrian safety; demonstrated sensitivity to the needs of the underprivileged; and served as a spokesperson for those groups and individuals whose concerns are sometimes overlooked.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council recognize that James G. McGiffin, Jr. will be sorely missed and express their sincere appreciation to him and his family for the dedicated years of service and personal sacrifices made on behalf of the City of Dover.

BE IT FURTHER RESOLVED that the Mayor and Council wish Councilman McGiffin and his family success in all future endeavors and direct the City Clerk to make this resolution a part of the permanent records of the City of Dover as a lasting symbol of appreciation and gratitude to James G. McGiffin, Jr.

ADOPTED: MAY 9, 2011

Mr. Leary moved for adoption of Resolution No. 2011-06, seconded by Mr. Salters and carried with Mr. McGiffin abstaining.

Mayor Carey and members of Council presented Councilman McGiffin with the Resolution, a commemorative piece depicting the new Dover Public Library *(provided to Mr. Hogan and Mr. Ruane during the groundbreaking ceremony for the library)*, a Dover Cup, a Friends of the Dover Public Library cookbook, and a key to the City.

Mr. McGiffin stated that Dover is a great place because of the people who live in the City, the business and professional pursuits that take place in Dover, and the City staff who serve all interests. He thanked those individuals who were very helpful to him when he was elected to serve as a member of Council. He relayed special appreciation to Mr. DePrima and concurred with Mr. Hogan's comments regarding the City Manager; Mrs. Theresa Tieman, Senior City Administrator, for her exhaustive knowledge of the Budget; Mrs. Mitchell; Mrs. Townshend, who he stated remains positive, although her position requires her to interface with the public in

challenging situations; Mr. Scott Koenig, Public Services Manager/Director of Public Works; Mr. Ron Lunt, Director of Public Utilities; Ms. Russell, who Mr. McGiffin stated brought customer-friendly services to the office; Mr. William Neaton, Economic Development Manager, who he stated is a wonderful addition to the City Staff; and Police Chief Hosfelt for maintaining the great Department that he inherited. Mr. McGiffin gave special mention to Mr. Andrew Siegel, IT Director for his assistance and to the volunteers of the Dover Fire Department for their service. He thanked the City Clerk's Office staff, including Mrs. Traci McDowell, City Clerk; Ms. Denise Devine, Assistant City Clerk; and Mrs. Amber Clendaniel and Mrs. Jody Stein, Administrative Assistants, and stated he was amazed at the manner in which they provide support to the City Council. To those members of Council who will no longer serve and to those who will continue, Mr. McGiffin indicated that it was an honor and privilege to serve with them.

Mr. McGiffin stated that he had heard speculation that the May 2011 election would have a profound impact on the City and that the election results were a mandate for the way the City should conduct business. He noted that the number of votes cast in the most contested race in the election amounted to 5.7% of the total votes, which amounted to one-half of 1% of the electorate and .3% of the number of people who live in Dover; therefore, he did not consider this to represent a mandate for change. Mr. McGiffin indicated he felt that the election results should dictate that the new Council should govern today and tomorrow as the previous Council did in the past. He advised members that, in order to be effective in the long term, City Council must foster a culture of mutual respect and stated that this is crucial if Council is to accomplish any work. Mr. McGiffin stated this mutual respect should flow between constituents and Council, employer and employees, and among the nine (9) members who have the honor and responsibility of serving on Council. He noted that members may not always agree on matters being considered; however, he stated the importance of maintaining respect for each other. He indicated that without respect, nothing gets accomplished and accomplishments are what have made Dover great. Mr. McGiffin wished everyone much luck and Godspeed.

PROPOSED RESOLUTION NO. 2011-07 - EUGENE B. RUANE

The City Clerk read the following Resolution into the record:

WHEREAS, Eugene B. Ruane was sworn into office as Councilman of the Second District on May 14, 2001 and served with distinction until May 9, 2011; and

WHEREAS, during his ten years of service to the citizens of Dover, Eugene B. Ruane served as Chair of the Utility Committee, the Parks, Recreation, and Community Enhancement Committee, the Transportation Review Committee, the Civilian Pension Board, the Assessment Appeals Committee, and the Construction Code Board of Appeals; as a Member of the Legislative, Finance, and Administration Committee, the Dover Public Library Advisory Commission, the Dover Library Foundation, the Police Pension Board, the Dover 2030 Energy Committee, the Financial Oversight Committee, the Consolidated Plan Advisory Group; and as a Liaison to Kent County and the Central Delaware Economic Development Council; and

WHEREAS, throughout his tenure, Eugene B. Ruane performed painstaking research and paid great attention to detail in considering the concerns of the City; displayed a remarkable ability to analyze and retain information and provide insight regarding the implications of Council's decisions; and consistently demonstrated persistence in resolving the concerns of his constituents; and

WHEREAS, Eugene B. Ruane's vision and determination were instrumental in realizing the goal of establishing a new Dover Public Library in Downtown Dover; and his refusal to accept the status quo and his passionate pursuit of excellence greatly benefitted the citizens of Dover.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council recognize that Eugene B. Ruane will be sorely missed and express their sincere appreciation to him and his family for the dedicated years of service and personal sacrifices made on behalf of the City of Dover.

BE IT FURTHER RESOLVED that the Mayor and Council wish Councilman Ruane and his family success in all future endeavors and direct the City Clerk to make this resolution a part of the permanent records of the City of Dover as a lasting symbol of appreciation and gratitude to Eugene B. Ruane.

ADOPTED: MAY 9, 2011

Mr. Bonar moved for adoption of Resolution No. 2011-07, seconded by Mr. Salters and unanimously carried.

Mayor Carey and members of Council presented Councilman Ruane with the Resolution, a Dover Cup, a Friends of the Dover Public Library cookbook, and a key to the City.

Mr. Ruane advised members that he had an opportunity previously to personally thank staff and reminded members of the important, long-term service provided by City Solicitor Rodriguez. He echoed the comments made by Mr. Hogan and Mr. McGiffin, stating that many individuals tell their stories every day by their dedication and love for the City. He noted that he has learned what makes a great city and how the future of a city is shaped by the Council, Mayor, employees, and citizens. Mr. Ruane requested a friendly amendment to Resolution No. 2011-07, as follows:

> "WHEREAS, Eugene Ruane would never have been elected to the Dover City Council nor have served five (5) two-year terms without the support of voters in the Second District; and
>
> WHEREAS, Eugene Ruane would never have been able to help provide citizens with access to their City government and provide assistance to any constituent without the responsiveness of the City Clerk's Office, the City Manager, the Heads of City Departments and the City's loyal employees; and
>
> WHEREAS, Eugene Ruane would never have been able to pass a single resolution, budget, ordinance, or policy without the support of at least four (4) other Council members; and
>
> WHEREAS, Eugene Ruane would never have been able to chair any Council committee nor serve effectively as a member of any Council committee without the dedicated and professional assistance provided by the City Clerk's Office, the City Manager, Department Heads, and the participation of other Council members and the citizen members of those Committees; and

WHEREAS, Eugene Ruane would never have been able to successfully promote an indoor recreational facility, already in daily use, nor the new Dover library, which is happily now under construction, without the work and leadership provided by other members of the City Council, the City Manager, the Director of the Department of Parks and Recreation, the Dover Library Director, the original Dover Recreational Facilities Committee that was established by the Mayor and Council in 1996, the existing Library Commission, the Library Steering Committee, the Library Foundation, the Friends of the Dover Library, and the many other citizen volunteers and financial donors who are still actively promoting its completion.

Now, therefore, I thank all of the above named voters, elected and appointed officials, City of Dover employees, and other individuals and organizations for their encouragement, support, assistance, kindness, and friendship during the years I was honored to serve as a member of the Dover City Council."

PROPOSED RESOLUTION NO. 2011-08 - REUBEN SALTERS

The City Clerk read the following Resolution into the record:

WHEREAS, Reuben Salters was sworn into office as Councilman of the Fourth District on May 8, 1989 and served with distinction until May 9, 2011; and

WHEREAS, during his twenty-two years of service to the citizens of Dover, Reuben Salters served as Council President and Vice Mayor; Chair of the Legislative, Finance, and Administration Committee, the Safety Advisory Committee, the Civilian and Police Pension Boards, and the Property Assessment Appeals Committee; as a Member of the Parks and Recreation Committee, the Utility Committee, the Downtown Dover Development Corporation, the Downtown Dover Partnership, the Community Development Block Grant Review Committee, the Greater Dover Arts Council, the Dover Substance Abuse Advisory Board, and the Sunset Ad-Hoc Committee; and as a Liaison to Kent County, the Central Delaware Chamber of Commerce, and the Greater Dover Committee.

WHEREAS, throughout his tenure, Reuben Salters demonstrated his love for the City of Dover through countless hours of service; was an outspoken advocate of programs for youth in the community, particularly those promoting music and the arts; and served as an invaluable resource to members of City Council by providing a historical perspective to matters brought forth for consideration; and

WHEREAS, Reuben Salters displayed a sense of dignity and a spirit of civility while conducting the affairs of the City that commanded the respect of all those who worked with him.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council recognize that Reuben Salters will be sorely missed and express their sincere appreciation to him and his family for the dedicated years of service and personal sacrifices made on behalf of the City of Dover.

BE IT FURTHER RESOLVED that the Mayor and Council wish Councilman Salters and his family success in all future endeavors and direct the City Clerk to make this resolution a part of the permanent records of the City of Dover as a lasting symbol of appreciation and gratitude to Reuben Salters.

ADOPTED: MAY 9, 2011

Mrs. Russell moved for adoption of Resolution No. 2011-08, seconded by Mr. Leary and unanimously carried.

Mayor Carey and members of Council presented Councilman Salters with the Resolution, a gavel, a Dover Cup, a Friends of the Dover Public Library Cookbook, a commemorative piece depicting the new Dover Public Library *(provided to Mr. Hogan and Mr. Ruane during the groundbreaking ceremony for the library)* and a key to the City.

Mr. Salters gave honor to God for permitting him 22 years to serve on City Council. He thanked his wife, Jo Anna, and his children and grandchildren for releasing him to duty to serve the City, following 20 years of service in the military and 20 years at Delaware Technical and Community College. Mr. Salters expressed appreciation for former members of Council who have passed on, including Mr. Fred VanSant and Mr. Francis Weyandt, noting that these members took him under their wings during his early tenure and provided sage advice. He stated that, over the years, he tried to conduct himself so as to be a credit to the City and the citizens of Dover. Mr. Salters thanked Mr. Cecil Wilson (NAACP), who he stated was instrumental in the action that made Mr. Salters' election in the Fourth District possible. He thanked Mr. DePrima, who Mr. Salters stated may be the best City Manager the City has had. He also thanked Mrs. Mitchell; Mr. Mike Karia, previous Finance Director; the City Clerk's Office; all other City department heads and staff; Council members; and the Mayor's Office. Most of all, he thanked the citizens of the City for permitting him the opportunity to serve. Mr. Salters stated he has enjoyed serving as a member of Council and offered his availability to assist the City and its constituents in the future.

OATHS OF OFFICE - CITY COUNCIL

The Honorable Henry duPont Ridgely, Justice of the Delaware Supreme Court, administered the Oath of Office to members of City Council, as follows:

Council - At-Large	-	Thomas J. Leary
Council - First District	-	James L. Hutchison, Sr.
Council - Third District	-	Sean M. Lynn
Council - Fourth District	-	David L. Anderson

The Honorable William L. Whitham, Jr., Resident Judge of Superior Court, administered the following Oath of Office:

Council - Second District	-	William F. Hare

ELECTION OF COUNCIL PRESIDENT/VICE-MAYOR

Mayor Carey requested that members consider the preferred method for making nominations and voting for the Council President/Vice-Mayor.

Mrs. Russell moved for nominations and voting for the Council President/Vice-Mayor to be conducted by Australian (secret) ballot, seconded by Mr. Leary and carried with Dr. McGlumphy voting no.

Mayor Carey noted that each member of Council was provided a paper nominating ballot. He requested that members write the name of their nominee for Council President/Vice-Mayor on the ballot to be placed in an envelope to be submitted to the City Solicitor for determination of the nominations.

Mayor Carey announced that the following members were nominated to serve as Council President/Vice-Mayor: 1) Thomas J. Leary; and 2) Beverly C. Williams.

Mr. Bonar moved to accept the nominations for Council President/Vice-Mayor as submitted, seconded by Mr. Leary and unanimously carried.

Mr. Leary moved to close nominations for Council President/Vice-Mayor, seconded by Mr. Bonar and unanimously carried.

Mayor Carey noted that each member of Council was provided a paper election ballot. He requested that members cast their votes for Council President/Vice-Mayor and place their ballots in the envelope to be submitted to the City Solicitor for the tallying of results.

Mayor Carey announced that Mr. Thomas J. Leary had been elected to serve as Council President/Vice-Mayor for the next year.

Mayor Carey reminded members that the envelopes containing the nominating and election ballots were sealed by the City Solicitor and will be retained until after the next Annual Council Meeting, after which time the unopened envelopes will be destroyed.

RECESS

Mr. Bonar moved to recess to take photographs of the Mayor and members of City Council, seconded by Mr. Hutchison and unanimously carried.

Meeting recessed at 8:35 p.m.

The meeting reconvened at 8:49 p.m., with Mayor Carey presiding. Council members present were Mr. Anderson, Mr. Bonar, Mr. Hare, Mr. Hutchison, Council President Leary, Mr. Lynn, Dr. McGlumphy, Mrs. Russell, and Mrs. Williams.

STATE OF THE CITY MESSAGE - MAYOR CARLETON E. CAREY, SR.

Mayor Carleton E. Carey, Sr. presented the State of the City Message ***(Exhibit #1)***.

CONSENT AGENDA

Mr. Bonar moved for approval of the consent agenda, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

UTILITY COMMITTEE REPORT - APRIL 25, 2011

The Utility Committee met on April 25, 2011 with Chairman Ruane presiding.

East Dover Hills Water Line Replacement Project

Mr. Ronald Lunt, Director of Public Utilities, introduced Mr. Jason Lyon, Civil Engineer, who is serving as the Project Engineer. Mr. Lyon stated that the Bayard Avenue area is known as East Dover Hills and that the Water Line Replacement Project began on April 4, 2011 with preparation of the area. Installation of the water line began on April 25, 2011 at the intersection of Division Street and Bayard Avenue. Mr. Lyon stated that this phase of the project includes Bayard Avenue in its entirety, from Division Street south to the Bayard Tower Tank. Once completed, staff will test the line to assure there are no chemical concerns and the project will then continue with Greenhill Road, from Park Drive to Route 13. After this section is complete, the next phase will include the alley between Bayard Avenue and Park Drive. Once all water lines are complete and positive test results achieved, each individual lot will be provided new water service.

Mr. Lyon advised members that he is in the process of going "door-to-door" to explain the project to each resident, determine if they have any questions or concerns, and provide his contact information. The anticipated project completion date is September 2011.

Responding to Mr. Ruane regarding the purpose of the replacement, Mr. Lyon reminded members that this project was identified in 2006 by the water model study as one of the main projects needing completion. He advised members that this area serves as a thoroughfare from Division Street to the Bayard Tower tank and that 16-inch pipe is used to provide the maximum pressure possible in the transmission of water. In addition, Mr. Lyon stated that there have been numerous complaints of brown water, explaining that there are undersized (two (2) inch) mains in the area; therefore, all mains are being upgraded to eight (8) inches. The cost of this project is approximately $450,000.

In response to Mr. Bonar, Mr. Lyon stated that, in addition to contacting the residents personally, correspondence has been sent to residents who are not home during the day.

Division Street Inflow & Infiltration Project

Mr. Jason Lyon, Civil Engineer, advised members that the Division Street Inflow and Infiltration (I & I) Project is part of a larger I & I project that encompasses the northwest interceptor, which includes William Street and Washington Street behind the Capital School District property. The project was put out for bid and was anticipated to begin during the week of April 25, 2011; however, since this is a heavily traveled area, staff determined that it would be better to delay the project until July 9, 2011, after upcoming festivities (Old Dover Days, Race Weekend, the African American Festival, the Fourth of July, etc.) have concluded.

Mr. Lyon stated that the contractor will work 24 hours per day until the project is complete and that the project will require closure of Division Street, from King's Highway to West Street, for approximately 5-7 days. He assured members that all required permits will be obtained and there will be customer "outreach" to businesses and residents. Mr. Lyon advised members that the overall project cost will be approximately $1.8M.

Responding to Mr. Bonar, Mr. Lyon stated that there have been no difficulties in obtaining necessary approvals from the Delaware Department of Transportation (DelDOT), including the road closure.

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

Members were provided Project Tracking Reports, as of January 31, 2011 and February 28, 2011, for the Utility (Electric and Water/Wastewater) Related Capital Investment Plan (CIP). Noting that there will be new Committee members, Mr. Ruane suggested that staff provide members a summary of each project to allow them full understanding.

Referring to the Route 13 Water Main Project, Mr. Ronald Lunt, Public Utilities Director, stated that there have been many challenges related to the Delaware Department of Transportation's (DelDOT) involvement with this project. He indicating that DelDOT has delayed approval of the project for over one (1) year and has required a traffic maintenance plan, which added substantial cost to the project. It was Mr. Lunt's feeling that, although this project exemplifies some of the problems with the relationship between the City and DelDOT, the Division Street Project reflects some of the successes. He explained that the City has routine meetings with DelDOT to discuss upcoming projects, which help the City to better understand the needs of DelDOT and vice versa.

PACE/NAES REPORT

The PACE/NAES Monthly Report for February 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. Ronald Lunt, Director of Public Utilities, noted that sales were greater than projections by approximately 4,000 hours due to cold weather. He noted that Units 3 and 11 successfully achieved capacity rating, which is approximately102 megawatts for Unit 3 and 43 megawatts for Unit 11.

In response to Mr. Bonar, Mr. Lunt indicated that there were no environmental impact concerns at this time; however, this could change depending on potential actions of the Environmental Protection Agency (EPA).

Responding to Mr. Ruane, Mr. Lunt stated that the agreement for the contract with the The Energy Authority (TEA) will soon be complete and services will begin July 1, 2011. He stated that PACE has been very cooperative with this transition and has provided assistance.

The Committee recommended acceptance of the PACE/NAES Monthly Report for February 2011.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

Update - Green Energy Funding and Programming

Mr. Ronald Lunt, Director of Public Utilities, stated that there have been no changes in Green Energy Funding and Programming since the previous report. He advised members that he approved an additional application submitted by a psychiatric center. He noted that the application was for delayed grant program funds, which are estimated to be received in approximately two (2) years.

State Sustainable Energy Utility (SEU) Programs and Legislation

Mr. Ronald Lunt, Director of Public Utilities, advised members that the City has sent a letter of support for a proposed legislative change that was spearheaded by the Delaware Electric Co-op, requesting that demand response programs would also apply toward the Renewable Energy Portfolio Standards (RPS). He stated that a hearing was recently held and that the Department of Natural Resources and Environmental Control (DNREC) views this as "double dipping" since there is legislation that requires the City to lower usage. Mr. Lunt indicated that there is a usage reduction bill that impacts the City and DNREC feels that allowing demand response would be "double dipping" resources; therefore, DNREC is not supporting the bill. Mr. Lunt stated that he was not aware of any other energy-related legislation pending.

Noting that several members will no longer be serving on the Committee, Mr. Ruane relayed appreciation on their behalf for all the work provided by staff, including Mr. Anthony DePrima, City Manager; Mr. Ronald Lunt, Director of Public Utilities; Mrs. Sharon Duca, Water/Wastewater Manager; Mr. Scott Koenig, Public Services Manager/Director of Public Works; and Mrs. Ann Marie Townshend, Director of Planning and Community Development. Since this was his last time serving as Chair, Mr. Ruane also commended and thanked the Committee members and all those in the utility field for their assistance provided to him over the past 10 years.

Mr. McGiffin echoed the comments of Mr. Ruane and also thanked Mr. Ruane for his leadership serving as the Committee's Chair.

Mr. Bonar thanked Mr. Ruane and Mr. McGiffin for their service and noted that their actions played a significant role in utility improvements made by the City. He also thanked the Council President for appointing these members to the Committee.

Mr. Ruane also relayed appreciation to the City Clerk's Office for their support and the Controller/Treasurer for the guidance she provided.

Mr. Snaman wished those who will no longer serve on the Committee well in their future endeavors and relayed his enjoyment serving the Committee.

By consent agenda, Mr. Bonar moved for acceptance of the Utility Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

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

The Legislative, Finance, and Administration Committee met on April 25, 2011 with Chairman Leary 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.

Mr. Leary noted that there were no critical positions to be considered; therefore, no further action was required.

Preliminary Financial Forecast Updates

Mrs. Donna Mitchell, Controller/Treasurer, reviewed presentations of the City of Dover Electric Revenue Fund Preliminary Five-Year Financial Forecast - 2012-2016, City of Dover Preliminary Water and Wastewater Fund Five-Year Financial Forecast - 2012-2016, and City of Dover Preliminary General Fund Forecast. She reminded members that each year, staff has provided financial forecasts for the Electric and Water/Wastewater Funds, and this year staff included the General Fund. Mrs. Mitchell noted that during their Regular Council Meeting later this evening, members will be reviewing the Quarterly Revenue Report Projected Revenues for FY 2012, which have been incorporated into the Preliminary Financial Forecasts. She stressed that these Forecasts are being presented "pre-budget" to provide members with an understanding of the City's current financial status.

Referring to Page 4 of the Electric Revenue Fund Forecast, Mrs. Mitchell stated that the City has hedged 85% of its power supply for Fiscal Year 2012 using forward contracts and that this is a decrease of 5.3% from Fiscal Year 2011. Noting that there is a Power Cost Adjustment (PCA) credit of $6M, which represents 5.9%, she explained that the rate payers will receive the full benefit of the decrease.

Mrs. Mitchell advised members that on Page 6 of the Electric Revenue Fund Forecast, the Debt Service Coverage Ratio is higher than normal since PCA credits have not been determined for the out years.

Responding to Council President Hogan, Mrs. Mitchell confirmed that, rather than providing a PCA credit, City Council may opt to revise the rates. She reminded members that it was previously decided that the City would conduct a full rate analysis every five (5) years to assist in making such decisions.

Mrs. Mitchell advised members that there has been a change in the methodology used in previous years to determine the Water and Wastewater Fund Forecast. She explained that staff suggested that some of the financial needs be accomplished through the Revolving Fund Loan Program.

Mrs. Mitchell concurred, since the interest rates were 2% and 2.6%, which were less than the City could obtain on the Bond Market at the time. As a result, she stated that the debt service requirements are in the Capital Investment Plan (CIP); however, the payments and interest have not been included in the out years as she is unsure of the issuance of the actual debt. Mrs. Mitchell indicated that, once the details are known, these amounts will be incorporated.

Mrs. Mitchell stated that the debt service on Page 7 of the Water and Wastewater Fund Forecast is reflective of the City's current debt and does not include any interest or payments on future debt service.

Referring to the General Fund Forecast, Mrs. Mitchell noted that there is no financial schedule since staff is continuing to work on some figures. In order to provide preliminary numbers, she highlighted significant issues for members to consider during the upcoming budget process. Mrs. Mitchell noted that members were provided a presentation of the City of Dover Capital Project Financing Governmental Funds, which was presented at the Council Retreat held on January 28, 2011, and suggested that members review this presentation.

Responding to Mr. Leary, Mrs. Mitchell confirmed that current rate payers are funding entire projects listed in the General Fund; however, a combination of sources is used to fund the Utilities (Electric, Water, and Wastewater). She explained that utility projects have been funded by bond issues, revolving fund loans, and supplemental City financing, and that some of CIP is bonded by debt. Mrs. Mitchell advised members that Municipal Street Aid is paying for operation and current debt service, but not for projects. She stated that one (1) source of funding that may "dry up" is the Community Transportation Fund (funds granted by State legislators), which has subsidized City street improvements.

The Committee recommended acceptance of the Preliminary Financial Forecast Updates Report, as presented.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

Mr. McGiffin thanked Mrs. Mitchell for presenting information in a very understandable manner.

Mr. Salters also relayed appreciation for the work provided by Mrs. Mitchell and her staff during his tenure on City Council and as a member of the Legislative, Finance, and Administration Committee. He suggested that those recently elected to City Council contact Mrs. Mitchell for guidance.

Mr. Leary relayed appreciation to Mrs. Mitchell for her patience and time in working with him as Committee Chair on various issues. He also expressed appreciation to Mr. DePrima as well as Mrs. McDowell and the Clerk's Office for their assistance.

Noting that some Committee members would be leaving their seats on City Council, Mr. Leary thanked Mr. McGiffin and Mr. Salters for the contributions that they have made.

In addition, Mr. Leary thanked Dr. Jones and Mr. Shevock for their service to the Committee during the past year.

Mrs. Mitchell relayed appreciation to the Committee for the assistance provided during the years.

By consent agenda, Mr. Bonar moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE REPORT - APRIL 27, 2011

The Safety Advisory and Transportation Committee met on April 27, 2010 with Chairwoman Williams presiding.

Discussion - Draft Letter to Capital School District - Pedestrian Crosswalk

During their meeting of February 23, 2011, members reviewed detailed information provided by Mr. Davis regarding a 40-foot pedestrian bridge for possible construction at the new Dover High School site. It was the consensus of members that staff should invite the Capital School District to attend the next Committee meeting to discuss these issues further.

Mr. Davis explained that signalization is proposed at both the eastern and western ends of the new Dover High School and that three (3) housing developments are located across from the campus on the north side of Route 8. He suggested that, rather than installing an additional traffic light in the middle of the school property to allow students to cross the road safely, consideration be given to construction of an overhead walkway.

Mr. Davis provided members a revised draft letter to the Capital School District *(attachment to committee minutes)* suggesting consideration of a pedestrian bridge. He noted that information regarding pricing and suggestions for funding for such a bridge were included in the letter.

Responding to Mr. Davis, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the three (3) communities that would be served by a pedestrian bridge are Cranberry Run, Heatherfield, and Heatherfield East.

The Committee recommended that Mr. Scott Koenig, Public Services Manager/Director of Public Works; Mrs. Ann Marie Townshend, Director of Planning and Community Development; and Police Chief James Hosfelt provide their recommendations at the next Committee meeting regarding submission of a letter to the Capital School District suggesting construction of a pedestrian bridge at the new Dover High School, and that the input of Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization, also be solicited, so that the Committee can determine if they wish to move forward with sending the letter.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

Discussion - Alcohol Control Measures

During their meeting of January 27, 2010 members were advised that, over the previous year, downtown Dover has experienced an increase in problems associated with crowds during late hours when bars close. Problems have included nuisance complaints such as public urination, loitering, and vandalism, and more serious complaints such as fights involving weapons. The Committee recommended that staff be authorized to begin the process of drafting ordinances to address the concerns of the community. (*The Committee's recommendation was approved by Council during their Regular Meeting of February 22, 2010.*)

This matter was again considered by members during their meeting of April 28, 2010, at which time the Committee recommended that staff schedule a public meeting as soon as possible to address this issue with all interested parties to seek resolution. *(The Committee's recommendation was approved by Council during their Annual Meeting of May 10, 2010.)*

During the Committee meeting held on October 27, 2010, Mrs. Ann Marie Townshend informed members that a public meeting was held on September 8, 2010 to discuss this matter, and notice was sent to all holders of State liquor licenses relating to restaurants, taprooms, and taverns in the City. Based on this meeting, staff developed an outline of actions that the City could take to address the problems identified with bars. Mrs. Townshend reviewed with members the outline of proposed measures, which was provided for their consideration. The Committee recommended that staff schedule a public hearing around February 1, 2011 and that the matter be scheduled for reconsideration by the Safety Advisory and Transportation Committee in March 2011. *(The Committee's recommendation was approved by Council during their meeting of November 8, 2010.)*

Mrs. Townshend stated that during the public meeting held on September 8, 2010 several ideas were proposed to business owners to better regulate establishments that serve alcohol. Some of these proposals included adding a new category to business licenses for establishments that serve alcohol, or incorporating some of the Alcoholic Beverage Control Commission (ABCC) regulations within City Code. However, Mrs. Townshend indicated that some bar owners objected to these proposals, stating that measures should not be alcohol-specific because the problems being experienced were not limited to establishments serving alcohol.

Mrs. Townshend explained that staff met with the Division of Alcohol and Tobacco Enforcement, who suggested considering an approach such as that adopted by the City of Wilmington, where a public nuisance ordinance was incorporated as part of the business licensing program. Under this program, a point system is utilized, with points being accumulated for infractions. Penalties, including temporary closure, revocation or suspension of business licenses, or fines, are imposed if a set number of points is accumulated within an established timeframe (e.g., 12 points within six months or 18 points within 12 months). Mrs. Townshend explained that this idea was shared with business owners on April 18, 2011, and it was not well received. She stated that business owners felt that they would be reluctant to contact the police if a problem occurs because of the risk that points would be accumulated, even though staff explained that legislation would specifically exempt those who report incidents not caused by the owner's action or inaction. She indicated that business owners were more uncomfortable with this proposal than the solutions suggested by staff previously.

Mrs. Townshend stated that business owners were receptive to the idea of producing a user-friendly handbook outlining good, responsible business practices for managing bars and restaurants, such as hiring extra-duty police for special events or when large crowds are expected, controlling entries and exits, etc. She noted that several members of the business community volunteered to work with the City in developing and distributing such a handbook to restaurant and bar owners in the City.

Mrs. Townshend stated that another possibility would be to increase criminal fines, noting that the current fine for disorderly conduct is $25.

Responding to Mr. Bonar, Mrs. Townshend confirmed that State legislature approval would be necessary to increase fines.

The Committee recommended that staff conduct further research on this matter and report back to the Committee within 60 days.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

Briefing on Delaware Department of Transportation (DelDOT) Projects - Gary Laing

West Dover Connector
Mr. Gary Laing, Community Relations Officer, Delaware Department of Transportation (DelDOT) reported that there is no change in the status of this project.

Water Street Railroad Crossover
Mr. Laing reported that there is no change in the status of this project.

Wyoming Mill Road Project
Mr. Laing reported that the Wyoming Mill Road realignment is progressing as planned. He noted that lane shifts are in place on eastbound Hazlettville Road.

Transit Center
Mr. Laing reported that construction of the Transit Center is now entering Phase II. He noted that this is a new type of project for DelDOT, in that it is being undertaken as a "design/build/operate project." He noted that DelDOT feels that this is an effective strategy, as it accomplishes DelDOT goals at a reduced cost at a time when the State is challenged by funding concerns. Mr. Laing explained that the Center will be built to DelDOT specifications by a firm who will operate the Transit Center and will lease the space from the State. He stated that DelDOT is identifying quality firms, determining specifications, and accepting and reviewing plans at this time.

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO) noted that this project has been delayed due to the vacant Secretary of Transportation position.

Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects

Mr. James Galvin, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO) stated that a Public Workshop regarding the Clarence Street Extension Project was held on April 12, 2011 and was well attended.

Mr. Galvin explained that the MPO has not received information from DelDOT regarding the 2012-2017 Transportation Improvement Program (TIP); however, staff developed a draft TIP submission using figures from the previous year. He noted that the MPO's plan will have to be amended after July 1, 2011, once the State Bond Bill is passed.

Mr. Galvin noted that Ms. Juanita Wieczoreck, Executive Director, Dover/Kent County MPO, has developed the MPO's annual Unified Planning Work Plan (UPWP) and has submitted it to MPO's Technical Advisory Committee (TAC) and Public Advisory Committee (PAC). He indicated that the Plan includes an additional position for a planner or planning technician. He stated that Ms. Wieczoreck will be leaving her position at the end of June.

Mr. Galvin stated that the Delaware State Rail Plan has been distributed for public comment and the MPO submitted comments on April 27, 2011 regarding the Dover Transit Center Neighborhood Plan.

Mr. Galvin advised members that the MPO's Regional Bike Plan is in the final draft stage and nearly ready for distribution. He noted that proposed projects focus on bike transportation on the road, adjacent to the road, off-road, and at the intersection of roads. He anticipated that the Plan would be ready for comment next month.

At the request of Mr. Bonar, Mr. Galvin said that he would share the Regional Bike Plan with members in advance of the next Safety Advisory and Transportation Committee meeting.

Noting that the TIP was planned for consideration by the MPO Council during the week of May 2, 2011, Mrs. Townshend reiterated the importance of constructing a connector road between Route 8 (near the new Dover High School) and Hazlettville Road. She advised members that she voted against recommending approval of the TIP because this project was not included. Mrs. Townshend stated that this was one of the City's top priorities and anticipated that traffic problems will develop in that area if the connector is not in place. She noted that there is a very low probability that DelDOT will perform any design or acquisition for projects not included in the TIP or the Capital Transportation Program (CTP).

Mr. Bonar suggested adopting a collaborative approach in seeking funding solutions by having all interested groups, including the Kent County Government, work together. He noted that during the City Council meeting of April 11, 2011, Council approved the establishment of an Ad-Hoc Legislative Liaison Committee to meet with and encourage State Legislators, the Bond Bill Committee, and the Governor to allocate funds for economic development within the City of Dover. He suggested that advocating for the construction of the connector road might fall under the realm of this Legislative Liaison Committee, and Mayor Carey concurred.

By consent agenda, Mr. Bonar moved for acceptance of the Safety Advisory and Transportation Committee Report, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

MONTHLY REPORTS - MARCH 2011

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

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

COUNCIL APPOINTMENTS - 2011/2012 Staff

By consent agenda, Mr. Hogan moved for approval of the Council staff appointments for 2011/2012, seconded by Mr. Hutchison and by a unanimous roll call vote, the following appointments were made:

City Assessor	-	Cheryl A. Russell
Building Inspector	-	Scott D. Koenig
City Clerk	-	Traci A. McDowell
Assistant City Clerk	-	Denise L. Devine
Controller/Treasurer	-	Donna S. Mitchell
Assistant Treasurers	-	Traci A. McDowell and Denise L. Devine
Fire Marshal	-	David J. Truax
City Planner	-	Ann Marie Townshend
City Solicitor	-	Nicholas H. Rodriguez
Deputy City Solicitor	-	William W. Pepper, Sr.

COUNCIL PRESIDENT APPOINTMENTS - 2011/2012 COMMITTEES

Council President Leary requested that the Council President standing committee appointments be deferred until the Regular Council Meeting of May 23, 2011. He requested that Council members contact him regarding their preferences for appointments.

Mr. Hutchison moved to defer the Council President Committee appointments for 2011/2012 until May 23, 2011, seconded by Mr. Hare and unanimously carried.

COUNCIL PRESIDENT APPOINTMENTS - 2011/2012 MISCELLANEOUS

Council President Leary requested that his miscellaneous appointments be deferred until the Regular Council Meeting of May 23, 2011.

Mr. Hutchison moved to defer the Council President Miscellaneous Appointments for 2011/2012 until May 23, 2011, seconded by Mr. Bonar and unanimously carried.

MAYORAL APPOINTMENTS - COMMITTEES

By consent agenda, Mr. Bonar moved for approval of the Committee appointments for 2010/2011, as recommended by Mayor Carey. The motion was seconded by Mr. Hutchison and by a unanimous roll call vote, the following appointments were made:

Dover 4th of July Celebration Committee
Greg Patterson, President/Vice Chairman
Brad Holden, Vice-President
Donna Mitchell, Treasurer/Secretary (staff liaison)
Carleton E. Carey, Sr., Chairman (ex-officio member)
Elaine Brenchley
Zach Carter (staff liaison)
Andrea Maucher
Karen Nickerson
(Request appointment to fill vacancy [Scott Cole] be deferred)

Dover Public Library Advisory Commission
(Request appointment to fill vacancy [Councilman Eugene B. Ruane] be deferred)

Downtown Dover Partnership Steering Committee
Paul Lakeman, Chief Executive Officer of Bayhealth
Dr. William Johnston, Wesley College President
Stanford A. Smith, Sr., Undesignated Representative
Gerald I. H. Street, Undesignated Representative
Mayor Carleton E. Carey, Sr. (Ex-Officio Member)
Anthony DePrima, City Manager
Ann Marie Townshend, Director of Planning and Community Development
Laura Simmons, State of Delaware Representative
Councilwoman Sophia R. Russell
Councilman David L. Bonar
(Request appointment to fill vacancy [Councilman Reuben Salters] be deferred)
(Request appointment to fill vacancy [Ami Sebastian-Hauer, Undesignated Representative] be deferred)

Election Board
William Garfinkel - At-Large

Property Maintenance Code Board of Appeals
(Request appointment to fill vacancy [Rexene Ornauer, Representative of Homeowners] be deferred)
Charles Martin, Representative of Local Real Estate

Silver Lake Commission
Cheryl A. Biddle
James Burcham
Zachery Carter
David L. Edgell
Robert Gorkin
Dean Holden
Nancy H. Wagner

MAYOR AND COUNCIL APPOINTMENTS - COMPENSATION COMMISSION

By consent agenda, Mr. Bonar moved for approval of the appointments to the Compensation Commission for 2010/2011, as recommended. The motion was seconded by Mr. Hutchison and by a unanimous roll call vote, the following appointments were made:

Richard Cook (Recommended by Councilmen Hare and Hutchison)
Adam Perza (Recommended by Councilman Lynn)
Louise Webb (Recommended by Councilman Leary)
Harry Williams (Recommended by Mayor Carey)

Council President Leary requested that the appointment to be recommended by the Council President be deferred until the Regular Council Meeting of May 23, 2011.

Mr. Hutchison moved to defer the Council President's appointment to the Compensation Commission until May 23, 2011, seconded by Dr. McGlumphy and unanimously carried.

PROPOSED RESOLUTION - NO. 2011-04 - APPROVAL OF 2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

Members considered Proposed Resolution No. 2011-04 for the approval of the 2011 Community Development Block Grant (CDBG) Action Plan.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, provided members a summary of the CDBG 2011 Program Allocation ***(Exhibit #2)*** and explained that, during their meeting of March 24, 2011, the Parks, Recreation, and Community Enhancement Committee reviewed the CDBG applications and developed a funding allocation plan. This recommendation was based on the information available at that time regarding the City's projected 2011 grant allocation from the Department of Housing and Urban Development (HUD), since the Federal budget was not yet adopted. Mrs. Townshend stated that, in the interim, the Federal Government adopted its budget and the City recently received notification of its allocation from HUD. She noted that the CDBG Action Plan was developed using a Federal allocation estimate of $285,507; however, the actual allocation received from HUD is $247,688. Since $15,507 in program income is expected, Mrs. Townshend explained that the total amount available for allocation is $263,195. She advised members that the summary provided includes revised amounts based on this amount.

Responding to Mr. Hare, Mrs. Townshend stated that program administration costs include the salary for the program administrator, office supplies, a computer, etc., and that the allocation does not fully cover these costs since it is capped at 20% of the City's CDBG allocation. She explained that the program is managed by the Community Development Manager, who is a full-time employee. In addition to administering the CDBG Funds and interfacing with HUD, this employee is responsible for managing the City's Homeownership Assistance and Housing Rehabilitation Programs.

In response to Mrs. Williams, Mrs. Townshend stated that CDBG funds have been used for street infrastructure in the past, explaining that such funds can only be used for qualifying areas (located within a census block that is classified as low-to-moderate income based on a survey). She indicated that if CDBG funds were not available for street infrastructure, these specific streets would probably not be rehabilitated. Mrs. Townshend noted that funding recommendations for street infrastructure are presented to Council during the budget process.

In response to Mrs. Williams regarding street funds received from State legislators, Mr. DePrima stated that these funds are designated by legislators for specific streets. He explained that the CDBG funds would add to the City's paving budget and allow improvements to streets that may not be of interest to legislators. Without these funds, Mr. DePrima noted that there would be $60,081 less available for infrastructure improvements in the City's street fund budget.

Mrs. Williams questioned if approving the allocation of CDBG funds for street infrastructure would preclude utilizing funds from the City's budget for this purpose, noting that budget hearings are not scheduled until the middle of May. Responding, Mr. DePrima stated that any reversal of the allocation would require HUD's approval.

Mrs. Williams suggested that this matter be deferred until after the budget hearings. Responding, Mrs. Townshend advised members that the City is required to submit the City's CDBG Action Plan to HUD by the middle of May. She stated that in order for Council to consider the allocation during the budget review process and still meet the guidelines of HUD, Council has two (2) options: 1) choose not to allocate CDBG funds to the street program and amend the CDBG Action Plan to reflect a redistribution of funds among subgrant applicants, or 2) allocate the funds as suggested by staff and, if it is determined during the budget hearings that the CDBG funds are not needed for the street program, submit an amendment to the Action Plan to re-program the funds to an eligible expense.

Dr. McGlumphy requested that, in future years, staff allocate such funds to programs that directly benefit those that the program is intended for and that street improvements be the responsibility of the City directly. Responding, Mrs. Townshend advised members that staff does not set and rank the CDBG funding levels, explaining that this is accomplished by the Parks, Recreation, and Community Enhancement Committee.

Mrs. Russell moved for adoption of the Proposed Resolution, seconded by Mr. Bonar, and by a unanimous roll call vote, Council adopted Resolution No. 2011-04, as follows:

A RESOLUTION APPROVING THE 2011 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN.

WHEREAS, the City of Dover is entitled to $247,688 through the United States Department of Housing and Urban Development Community Development Block Grant program; and

WHEREAS, the City of Dover has prepared the 2011 Action Plan, in accordance with the United States Department of Housing and Urban Development guidelines, that serve as the primary planning document for identifying and meeting the housing and community development needs for the low and moderate-income residents of Dover; and

WHEREAS, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefitting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

WHEREAS, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $247,688 entitlement; and use of $15,507 in program income for eligible activities; and

NOW, THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER APPROVE THE 2011 Community Development Block Grant Action Plan and application for Federal Assistance included in the Action Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

ADOPTED: MAY 9, 2011

For clarification, Mrs. Russell stated that the approval incorporates the revised allocations, as provided in Exhibit #2.

PROPOSED RESOLUTION - NO. 2011-09 - AUTHORIZING CONTROLLER/TREASURER AND ASSISTANT TREASURERS TO DISBURSE FUNDS

Members were provided proposed Resolution No. 2011-09, which authorizes the Controller/Treasurer and Assistant Treasurers to disburse funds.

By consent agenda, Mr. Bonar moved for adoption of the Proposed Resolution, seconded by Mr. Hutchison, and by a unanimous roll call vote, Council adopted Resolution No. 2011-09, as follows:

WHEREAS, the City of Dover's investment policy includes the investment of funds up to $100,000 per banking institution, investments in the State of Delaware Investment Pool and the purchase and sale of U.S. Treasury and agency securities; and

WHEREAS, the banking institutions, brokerage firms, trust companies and other various financial institutions require an Authorizing Resolution for the opening of accounts, and for purchasing, selling, transferring, assigning and handling securities;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dover, that the Controller/Treasurer and Assistant Treasurers are hereby authorized to open accounts with banking institutions and purchase, sell, transfer assignment and handle securities and that they are authorized to sign all related forms;

BE IT FURTHER RESOLVED that the transactions in these accounts be carried out with any one signature; and

That the following are the office holders authorized for these purposes, until further notice:

Donna S. Mitchell	-	Controller/Treasurer
Denise L. Devine	-	Assistant Treasurer
Traci A. McDowell	-	Assistant Treasurer

ADOPTED: MAY 9, 2011

EVALUATION OF BIDS - SANITARY SEWER MAIN RELINING (INFLOW & INFILTRATION REMOVAL) CORRECTION

During their Regular Meeting of August 9, 2010, City Council approved staff's recommendation for approval of the low bid submitted by Lanzo Lining Services, Inc. in the amount of $1,307,300 for the relining of the Division Street Interceptor and portions of the Northwest Interceptor and that a not-to-exceed amount of $492,700 be allocated for additional relining projects.

Mrs. Donna Mitchell, Controller/Treasurer, advised members that there was an error in the bid tabulation for this project when presented to Council. She explained that the project is being funded through the State Revolving Fund, which is funded by federal funds. As such, she stated that there is a requirement for the official records to be accurate; therefore, the matter was being presented at this time to correct the bid tabulation error.

Mrs. Mitchell stated that the bid amount would be increased from $1,307,300 to $1,327,300. In addition, she noted that the relining projects were identified and a change order was issued in the amount of $462,000, which is within the range previously approved by Council.

Staff recommended approval of the low bid submitted by Lanzo Lining Services, Inc. in the amount of $1,327,300 for the relining of the Division Street Interceptor and portions of the Northwest Interceptor and allocation of an amount not to exceed $472,700 for additional relining projects.

Mr. Bonar moved for approval of the low bid submitted by Lanzo Lining Services, Inc., in the amount of $1,327,300 for the relining of the Division Street Interceptor and portions of the Northwest Interceptor and allocation of an amount not to exceed $472,700 for additional relining projects to correct a bid tabulation error. The motion was seconded by Mr. Hutchison and carried by a unanimous roll call vote.

Responding to Mrs. Russell, Mr. DePrima stated that the street work being performed in her neighborhood is a part of the street relining project.

COUNCIL MEMBER ANNOUNCEMENTS

Mayor Carey thanked all who assisted in the transition in Council membership and relayed a special thanks to the City Clerk's Office for their assistance. He expressed appreciation for the service provided by those members of Council who left office this evening.

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

Meeting Adjourned at 9:33 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Annual Meeting of May 9, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibits
Exhibit #1 - State of the City Message
Exhibit #2 - Summary of the Community Development Block Grant (CDBG) 2011 Program Allocation